



**CITY COUNCIL
REGULAR MEETING PACKET
May 3, 2021 @ 7:00pm**

****PLEASE NOTE THAT TONIGHT'S MEETING WILL BE HELD REMOTELY VIA ZOOM****

The public is highly encouraged to live stream the meeting at <https://newcarlisle.net/Live-Meeting-Stream> and participate by submitting questions to councilquestions@newcarlisle.net

1. Call to Order: Mayor Mike Lowrey
2. Roll Call: Clerk of Council
3. Invocation: New Carlisle City Council Member
4. Pledge of Allegiance: All Welcome to Participate
5. Action on Minutes: 04.19.2021 Work Session **AND** 04.19.2021 Regular Session
6. Communications: If needed, New Carlisle Library/StoryWalk overflow from Work Session discussion
7. City Manager's Report: Attached
8. Comments from Members of the Public: Please email questions to councilquestions@newcarlisle.net
9. Committee Reports: N/A

10. RESOLUTIONS: (3 - Intro; 2 - Action)**

****A. Resolution 2021-09R (Introduction, Public Hearing & Action Tonight)**

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE WASTEWATER CAPITAL IMPROVEMENT FUND TO THE WASTEWATER EQUIPMENT REPLACEMENT FUND OF THE CITY OF NEW CARLISLE

****B. Resolution 2021-10R (Introduction, Public Hearing & Action Tonight)**

A RESOLUTION ESTABLISHING A NEW SPECIAL REVENUE FUND TITLED "AMERICAN RESCUE PLAN ACT OF 2021 FUND"

C. Resolution 2021-11R (Introduction Tonight. Public Hearing & Action on 5/17/2021)

A RESOLUTION AMENDING RESOLUTION 2020-21R, THE CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF NEW CARLISLE, OHIO, FOR ADDITIONAL CAPITAL PURCHASES AND AMENDING CAPITAL PURCHASE PRICES

11. ORDINANCES: (3 - Intro; 1 - Action)**

****A. Ordinance 2021-09 (Introduced on 04/19/21. Public Hearing & Action Tonight)**

AN ORDINANCE ACCEPTING A BID FOR ROOF REPAIR WORK AT THE FIRE/EMS STATION IN THE CITY OF NEW CARLISLE, OHIO

B. Ordinance 2021-10 (Introduction Tonight. Public Hearing & Action on 5/17/2021)

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS OF OVER TWENTY THOUSAND DOLLARS (\$20,000.00) FOR THE REHABILITATION, PUMP INSPECTION, AND REPAIR OF WELL #6

C. Ordinance 2021-11 (Introduction Tonight. Public Hearing & Action on 5/17/2021)

AN ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS CONTAINED IN NEW CARLISLE CITY ORDINANCE 2021-01

D. Ordinance 2021-12 (Introduction Tonight. Public Hearing & Action on 5/17/2021)

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

12. OTHER BUSINESS:

- Additional City Business - Open Discussion for City Related Matters

13. Executive Session: To Discuss the Employment of a Public Employee

14. Return to Regular Session: N/A

15. Adjournment

Next **Work Session** of the City Council will be held on Monday, May 17th, 2021 at 6pm.
Next **Regular Meeting** of the City Council will be held on Monday, May 17th, 2021 at 7pm.

RECORD OF PROCEEDINGS

MINUTES: CITY OF NEW CARLISLE, OHIO WORK SESSION MEETING

HELD:Monday, April 19, 2021 @ 6:00PM

1. **Call to Order:** Mayor Lowrey calls the meeting to order.
2. **Roll Call:** Berner calls the roll-6 members present Lowrey Grimm, Nowakowski, Rodewald, Eggleston, Cook Staff present: Bridge, Kitko, Lemen
3. **Invocation:** VM Cook
4. **Pledge of Allegiance:** All Welcome to Participate
5. **Action on Minutes:** None
6. **Communications:**None
7. **City Manager's Report:** None
8. **Comments from Members of the Public:**

Ian Meadows:

Hello. I'm writing in hopes some of my suggestions could help benefit our town. The playground at Smith park is outdated and rusty I think kids and parents would feel better with new and safer equipment. I like so many hate to see the water tower go. I Understand the lease with the church but if possible I'd like to see it saved and possibly moved. So many people see the tower coming from 235, it's apart of our towns history and should be added to a historical register. Thank you for your consideration. Sincerely Ian D. Meadows.

Lowrey notes we will continue to improve the parks, work on adding new items to that area. He hates to see the water tower go but it is one that just has to happen.

9. **Committee Reports:** None
10. **RESOLUTIONS:** None
11. **ORDINANCES:** None
12. **OTHER BUSINESS:**

A. LEGAL DISCUSSION:

Ordinance 2021-07 AN ORDINANCE AMENDING SECTION 246.09 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING EMPLOYEE VACATIONS *this will give the exempt employee the opportunity to cash out for any vacation that is denied.*

Ordinance 2021-08 AN ORDINANCE AMENDING CHAPTER 246 OF THE NEW CARLISLE CODIFIED ORDINANCES TO ADD AN ADDITIONAL APPENDIX FOR THE CITY'S ORGANIZATION CHART *New appendix of hierarchy in codified organizations will be handed out with employee handbook.*

Ordinance 2021-09 AN ORDINANCE ACCEPTING A BID FOR PROOF REPAIR WORK AT THE FIRE/EMS STATION IN THE CITY OF NEW CARLISLE, OHIO

B. Open discussions related to City Business:

-Nowakowski invites 1 member of Council to the community zoom meetings.

-Lowrey asks Kitko about the community recycle bin. Kitko notes the 3rd lock has been cut off. Kitko informs the council that moving it may help. He mentioned that the dumpster at Smith Park was filled with a full size couch the other day. Discussions on possibly having it only at Christmas time. Bridge will check the current contract. Rodewald is not in favor of getting rid of it but would like to explore other location options. Discussions continue and Nowakowski notes fining individuals for illegal dumping. Grimm asks about the community clean up. Kitko noted last he checked, the PRIDE workers were not doing events. Council discussion on moving forward and seeking volunteers.

Motion by Eggleston and 2nd by Grimm to excuse Cm Cobb. YES: 6
Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski NAY: 0 Accepted
6-0

13. Executive Session: NONE

14. Adjournment: 1st Nowakowski 2nd Grimm

Yes: 6 Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski NAY: 0
Accepted 6-0

Mayor Mike Lowrey_____

Clerk of Council Emily Berner

RECORD OF PROCEEDINGS

MINUTES: CITY OF NEW CARLISLE, OHIO REGULAR SESSION MEETING
HELD: Monday, April 19, 2021 @ 7:00PM

1. **Call to Order:** Mayor Lowrey
2. **Roll Call:** Berner calls the roll- members present Lowrey, Grimm, Nowakowski, Rodewald, Eggleston, Cook 6 members present. Staff present: Bridge, Trusty, Harris, Kitko, Leman, Hutchinson
3. **Invocation:**
4. **Pledge of Allegiance:** All Welcome to Participate
5. **Action on Minutes:**
 4/5/21 Work Session: 1st Nowakowski 2nd Eggleston
 YES 6 Cook, Lowrey, Grimm, Rodewald, Nowakowski, Eggleston NAY:0
 Accepted 6-0
 4/5/21: Regular session: 1st Eggleston 2nd Nowakowski
 Yes: 6 Lowrey, Grimm, Nowakowski, Rodewald, Eggleston, Cook
 Nay: 0 Accepted 6-0
6. **Communications:** none
7. **City Manager's Report:**

A. DEPARTMENTAL REPORTS

1. **POLICE REPORT**
 - Presented by Sgt. Ronnie Lemen, Police Administrator; Attached
 - New Cruiser
 - Current Dodge Charger has heavy ongoing maintenance
 - Informational Packet; Attached
2. **FIRE/EMS REPORT**
 - Presented by Steve Trusty, Fire Chief; Attached
3. **FINANCE REPORT**
 - Presented by Colleen Harris, Finance Director; Attached
 - Motion to Approve Complete Finance Report Requested
4. **SERVICE REPORT**
 - Presented by Howard Kitko, Service Director; Attached
5. **PLANNING & ZONING REPORT**
 - Presented by Derek Hutchinson, Planning Director; Attached

1. Police Report:

Patrol Division:
 The New Carlisle Deputies were dispatched to 185 calls for service during the month of March 2021.

Three month average is as followed.

Calls for service: 153.33
 Assists: 48.66
 Reports: 39.667
 Traffic Stops: 112.333
 Citations Issued: 41
 Warnings: 73
 Arrests: 18

March Stats:

Miles Patrolled: 5463
 Calls Taken: 185
 Reports: 46
 Assists: 56
 Criminal Arrest: 32
 Felony Arrest: 7
 Misdemeanor Arrest: 9
 Warrants: 16
 Traffic Stops: 97
 Traffic Warnings: 57
 Citations: 40
 Business checks: 151
 Citizen Contacts: 72

Respectfully,

 Sgt. Ronnie E. Lemen

CLARK COUNTY SHERIFF'S OFFICE							
NEW CARLISLE DIVISION							
NEW CARLISLE	CALLS	ASSISTS	REPORTS	TRAFFIC STOPS	CITATIONS	WARNINGS	ARREST
JANUARY							
Dep. Majercak	22	10	5	28	6	22	0
Dep. Moody	28	17	13	24	13	11	4
Dep. McDuffie	21	11	6	34	5	29	3
Dep. Garman	20	11	15	4	2	2	1
Dep. Beistline	18	1	3	2	1	1	1
Total	109	50	42	92	27	65	9
FEBRUARY							
Dep. Majercak	31	7	9	49	29	23	4
Dep. Moody	33	12	6	34	6	29	2
Dep. McDuffie	37	6	8	41	13	28	6
Dep. Garman	48	13	6	15	7	9	1
Dep. Beistline	17	2	2	9	1	8	0
Total	166	40	31	148	56	97	13

NEW CARLISLE	CALLS	ASSISTS	REPORTS	TRAFFIC STOPS	CITATIONS	WARNINGS	ARREST
MARCH							
Dep. Majercak	33	16	7	36	19	17	1
Dep. Moody	37	13	10	17	7	10	20
Dep. McDuffie	39	9	11	31	9	22	6
Dep. Garman	67	17	17	12	5	7	5
Dep. Beistline	9	1	1	1	0	1	0
Total	185	56	46	97	40	57	32
APRIL							
Dep. Majercak	10	1	3	2		2	0
Dep. Moody	24	5	4	5	3	2	3
Dep. McDuffie	18	7	5	13	4	9	1
Dep. Garman	9	3	2	1		1	0
Open Slot							
Total							

Please find inside of this book the attached documentation for the build of a new cruiser for the City of New Carlisle. Should you have any questions just give me a call.

Whites Ford:	2021 Police Interceptor Utility AWD	Cost: \$33,756.14
P&R Communication:	Outfit the Cruiser	Cost: \$11,180.00
DanCo Lettering:	Lettering for the patrol car	Cost: \$376.66

Total: \$45,312.80

Discussions on how to rotate vehicles, informs Council that the County is going to Lease vehicles to see how that program works. Bridge notes he is interested in purchasing, would like Council to approve at some point. The car is in the shop constantly. The car is not in service currently and discussions will take place, Bridge wants to look into what he can use the Covid funds for. Grimm asks if that information will be ready by the next meeting? Grimm notes it would be nice to have it ready when the new deputy begins.

2. Fire/EMS

City of New Carlisle
City Council Meeting
04-19-2021
Fire-EMS Report

- In the Month of March, the New Carlisle Fire Division responded to 94 EMS call in the City and 8 in Elizabeth Township.
- The Division responded to 9 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 3 for Bethel Clark.
- The Fire Division purchased an ELK Lifting Cushion, this equipment will help our crew in lifting patients that cannot get up on their own and will help our crews to get patients from the floor to our cot in tight areas. I have added a picture of the equipment in my report. The cost of the equipment was \$1,599.00, the Fire Division would like to thank Mr. Bill Lindsay one of our citizens, Mr. Lindsay saw the need for us to have this piece of equipment and donated \$1000.00 to help purchase it. So it is now known the Lindsay left.

Bridge thanks Mr. Lindsey for his donation.

3. Finance

COUNCIL FINANCIAL REPORT SUMMARY – MARCH 2021

Estimated Revenue	\$ 5,981,374.00	2021 Original Budget	\$ 7,234,070.00
Amended Est. Resources	\$ -	1st Q. Supplemental	
Amended Est. Resources	\$ -	2nd. Q. Supplemental	
Amended Est. Resources	\$ -	3rd. Q. Supplemental	\$ -
Amended Est. Resources	\$ -	4th Q. Supplemental	\$ -
2020 REVISED TOTAL		2020 REVISED TOTAL BUDGET	\$ 7,234,070.00
EST. REV.	\$ 5,981,374.00		

Month	Revenue Received	Month	Expenses Paid
January	\$ 559,521.31	January	\$ 480,300.85
February	\$ 726,803.87	February	\$ 806,065.74
March	\$ 626,142.05	March	\$ 601,299.92
April	\$ -	April	\$ -
May	\$ -	May	\$ -
June	\$ -	June	\$ -
July	\$ -	July	\$ -
August	\$ -	August	\$ -
September	\$ -	September	\$ -
October	\$ -	October	\$ -
November	\$ -	November	\$ -
December	\$ -	December	\$ -
Received To Date	\$ 1,912,467.23	Expenses to Date	\$ 1,887,666.51

Ms. Harris also noted the latest Lucas tool that was purchased utilized \$9,000 of donated funds to make that purchase. Grimm thanks all who donated for that tool. **Motion to accept full expense report** listed in Council packet **1st Eggleston 2nd Nowakowski YES: Eggleston, Cook, Lowrey, Roidewald, Grimm, Nowakowski Accepted 6-0**

4. Service

To: Mr. Bridge, City Manager
 From: Howard Kitko, Service Director
 Date: April 19, 2021
 Subject: Council Update

Public Works Departments:

- Decorative Lights: Will be performing some basic maintenance on poles.
- Catch basin repairs. P.W. Superintendent and I will reinspect to confirm repairs needed.
- We will be measuring the area downtown to see if painting parking spaces will allow for more parking spaces, to include Washington Street
- Scheduling the street painting for Fire and Police line on Main St. We are currently acquiring the supplies.
- Dura-Patching is under way. Please call in Potholes to the Street Dept. at 937-845-3058.

Water Department:

- Sanitary Survey: Updating the number of private well locations to complete our backflow program.
- Adam’s Street Tower demo is now estimated to be perform in the Spring. EPA approved the submission drawings and issued the permit to remove Adam’s St. Water Tower.
 - o Information Attached
- Started prepping for pool opening.
- Well #6 cleaning has been completed.

Sewer Department:

- Currently working on estimates to replace additional clarifiers with possible Federal Funding.

2021 Road Reconstruction/Resurfacing Projects:

- Submitting for CDBG Funds for the reconstruction of Fenwick Phase 1. Seeking Grant in the amount of \$372,000 with the City matching share of \$59,000
- Received estimates from the Clark County Engineer for street(s) to be resurfaced. 2021 funding currently set at \$70,000 towards resurfacing with another \$40,000 hopefully approved by council to bring the total to \$110,000.

Madison St. School Demo:

- Environmental review to start soon. Demo to take place late Spring into early Summer. City crews will clean up all spoil piles behind school to meet federal requirements for when the School is demolished. Estimated total cost \$226,202 with the City share to be an estimated \$52,302.

-Eggleston asked for the catch basins that are bad, can the city utilize an outside contractor? Kitko notes yes.

-Lowrey asks if Kitko has ordered an extra decorative light pole? Kitko notes those will go through this week. Kitko notes the new globes will look different. They do not make the original ones anymore. Lowrey asks where the new wells would go. Kitko noted near the golf course. Lowrey asks how soon? Kitko notes we should not need it soon but should start adjusting for it.

5. Planning:

Derek Hutchinson
 Planning Director
 City of New Carlisle



Planning Department Update 4/20/2021

- Zoning** **2021 Permits YTD**
- 33 Received Zoning Applications
 - 29 Approved Zoning Permits
 - 2 New Single-Family Homes

- Code Compliance** **2021 Statistics January thru March**
- *New Case Violation Report – New cases opened, and the violations identified for the month.*
 - *Code Compliance Activity – Enforcement activities carried out by Code Compliance Officers in addition to opening new cases.*

New Compliance Case Violation Report				
Violation Date 01/01/2021 TO 03/31/2021				
	Jan	Feb	Mar	Row Total
Abatement Nuisance	1	0	1	2
Exterior Maintenance	1	2	4	7
Exterior Property and Structure Exteriors: Residential	5	1	3	9
Exterior Sanitation	8	10	3	21
Hazards & Unsanitary Conditions	2	1	1	4
Inoperable/Junk Vehicles	1	4	5	10
Trash Container	20	23	0	43
Zoning Permit Required	0	0	1	1
Prohibited Parking	0	5	7	12
Property Clean-Up	0	0	2	2
Totals:	38	46	27	111

Code Compliance Activity				
Activity Date 01/01/2021 TO 03/31/2021				
	Jan	Feb	Mar	Row Total
Communication	7	20	8	35
Inspection / Site Visit	38	41	82	161
Re-Inspection	8	10	15	33
Total:	53	71	105	229

Planning / Economic Development

- Comp Plan Update
 - Comprehensive Plan (*Comp Plan*)
 - The City’s Comprehensive Plan is a document designed to guide the future actions of a community. New Carlisle’s Comp Plan is the backbone of our community planning efforts. The Plan outlines challenges facing our community, identifies solutions, and provides guidance to our City and elected officials on planning-related decisions. It presents a vision for our future, with long-range goals and objectives for all activities that affect our local government.
 - Comp Plans are reviewed and updated every 10 years. This is a living document that grows and changes with our City.
 - Planning Board is currently reviewing the City’s current Comp Plan. Over the next several months, the Board will be discussing proposals for the plan update.
 - The Planning Director will be researching and discussing with City Staff, Council Members, citizens and local businesses to establish the City’s needs and areas for improvements.
 - Drafts of the plan will be developed and reviewed by the Planning Board. Once a plan is developed and approved by the Planning Board, this plan will go to Council for approval and adoption.
- 210 N. Pike Street
 - This property has been declared a public nuisance. Proper notices have been issued to any and all known parties related to this property. Title search have been performed to notify any financial entities that may have an interest in the property.
 - The owner has been given the opportunity to make corrections or to submit plans to make corrections and has failed to do so.
 - We will be going out for bids to demo the structures on the property and remove all debris. Lot will be seeded and strawed once complete.
 - All costs will be assessed to the property.

-Lowrey asks about the sidewalk discussion at Twin Creeks. Hutchinson notes nothing new. It is ongoing and other communities have the same problem. He hopes to come up with a plan for those lots.



City Manager's Report

April 19, 2021



A. DEPARTMENTAL REPORTS

1. POLICE REPORT
 - Presented by Sgt. Ronnie Lemen, Police Administrator; Attached
 - New Cruiser
 - Current Dodge Charger has heavy ongoing maintenance
 - Informational Packet; Attached
2. FIRE/EMS REPORT
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3. FINANCE REPORT
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 - Presented by Howard Kitko, Service Director; Attached
5. PLANNING & ZONING REPORT
 - Presented by Derek Hutchinson, Planning Director; Attached

B. INFORMATIONAL ITEMS

- Mayor's Court
 - Court Cost Analysis; Attached
 - Draft Fine Schedule; Attached
 - 2019 Mayor's Court Summary issued by the Ohio Supreme Court; Emailed to Council
 - Great information
 - Discussion Topics from Special Meeting
 - Court Cost, Interpreter
- Clark County Combined Health District
 - Latest COVID-19 Stats; Attached
- Tax Information
 - Tax deadline has been pushed back until May 17, 2021
 - 1st quarter estimated taxes **ARE STILL DUE** on April 15, 2021
- Shelter House
 - Now Renting!
 - Must follow all State of Ohio Health Guidelines
- Memorial Day Walk 2021
 - Cancel?
 - 5/31/21 Memorial Day; Walk on Saturday, May 29, 2021 if proceeding
- Board Applications; Attached
 - Charter Review
 - Mr. Donnie Hall, Mrs. Pat Krabacher, and Mr. Ian Meadows
 - Need motion to approve
 - Parks and Recreation Board
 - Ms. Charlotte Christian
 - Need motion to approve
- American Rescue Plan
 - Webinar set for Thursday, April 29th
 - More information to Council at the 5/3 meeting
 - Will need a series of Special Meetings in the near future regarding expenditures

- Pool Study Proposal from MKSK
 - Pool Renovation / Replacement Study; Attached
- StoryWalk
 - New Carlisle Library initiative
 - Discussed with City Council previously
 - New information on project; Attached - Illustration, Discussion
- Welcome!
 - New contract employee, Colleen!
 - Assisting front office; Due to employee being out / employee training
- Potential Land Sell
 - Resident interest; Attached - Image of Parcel, Discussion
- Fixed Assets
 - Request for Proposal (RFP) for services; Example Emailed to Council
 - Project needs to be completed, unable to complete in-house
 - Discussion
 - Motion to Approve City Manager to proceed with RFP
- Investment Policy
 - Attached for early Council review
 - Ordinance first read on 5/3/21; Ordinance second read on 5/17/21
 - Effective on 6/1/21
- Poppy Day Proclamation Request
 - Example; Attached
 - Poppy Day is on 5/28/21; Proclamation, if approved, read at 5/17/21 meeting
- Upcoming Council Discussions
 - Ongoing Projects (Non-Exhaustive List)
 - Mayor's Court; Discussion with CCSO's soon, implementation few month's out
 - Investment Policy; Currently in Council review period; Scheduled for legislation
 - Red Tree Investments; Agreement in legal review; council approval needed
 - Fixed Assets; City Manager requesting approval for RFP
 - Water Tower Removal; Approval granted from EPA
 - American Rescue Plan; New fund creation next meeting; information coming
 - 2020 GAAP; Information gathering complete; vendor currently completing
 - 2020 Financial Audit; Light prepping underway; June expected start
 - 2022 Tax Budget; Prepping underway; due to County by July 15th
 - 2022-2026 Capital Improvement Plan; Prepping underway; Council adoption in July
 - 2022 Operating Budget; Development underway; Goal to be effective by 1/1/22
 - Comprehensive Plan Update; Currently in Planning Board Review
 - Madison School Demo; Bidding starts soon; late spring/early summer demo
 - Fireworks Show; Waiting on executed agreement return; planning starts soon
 - Zoning Code Rewrite; Currently in Planning Board Review
 - Disaster Recovery Plan; Currently in draft phase; Council approval to codify
 - Various City Fee's Review; Currently in data gathering phase; Council review next
 - Downtown Beautification Efforts; Planning underway; Council discussions next
 - 2022-2024 Union Negotiations; Union has requested info; planning underway
 - 2022-2024 Employee Wage Discussions; Currently analyzing; CM + FD talk soon
 - Credit Card Policy; Currently in research/draft phase; Council approval to codify
 - Dura-patching; Currently underway
 - City Webpage; Launching soon, final staff review; then on developer schedule
 - Painting of Main Street Stripe; Paint acquired
 - iWorQ; Currently training in Public Works; Communication package upcoming
 - Catch Basins; Updating quotes to outsource project
 - Pool Opening; Currently underway
 - 101 S. Main Street; PD moving now; designing exterior signs currently; highly used
 - Fenwick Phase 1; Engineering Agreement executed, currently finalizing schedule
 - Street Resurfacing; Ord 2021-05 effective 4/20/21; announcements forthcoming
 - Log Cabin; Awaiting further information

Discussions:

-Bridge Thanks Yellow Springs for their help with getting information together.

-Grimm asks if the interpreters are certified?

-Nowakowski requests a Special meeting to go over the information on Magistrate court. Bridge will touch base with the law director, get more information gathered.

Motion to cancel the Memorial Day walk by VM Cook and a 2nd by CM Rodewald. **YES: Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski Accepted 6-0**

Motion by Eggleston with a 2nd by Cook to approve the 3 applicants for Charter Review which are Pat Krabacher, Ian Meadows, Donnie Hall. **YES: Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski Accepted 6-0**

Motion by Cook with a 2nd by Eggleston to approve Charlotte Christian for Parks and Rec board. **YES: Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski Accepted 6-0**

- Hutchinson adds he has 2 spots available on the BZA board.
- Bridge suggests Mrs. Freeman from the Library to attend the work session to discuss the Story Walk.
- Bridge welcomes a new employee Coleen in the front office.

Bridge notes the city needs a system in place to track fixed assets and would like a motion from Council to move forward with this.

Motion by Nowakowski with 2nd by Cook. **YES: Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski Accepted 6-0**

-VM Cook would like to make a proclamation for Terah Harness: Miss Ohio Basketball

Motion by Grimm 2nd by Nowakowski to create Proclamation for Miss Basketball Terah Harness. **YES: Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski Accepted 6-0**

-Cook asks if anyone has spoken with Mr. Hensley about using his land for the fireworks show. Lowrey will call him.

8. Comments from Members of the Public:

Ian Meadows:

Hello. I'm writing in hopes some of my suggestions could help benefit our town. The playground at Smith park is outdated and rusty I think kids and parents would feel better with new and safer equipment. I like so many hate to see the water tower go. I Understand the lease with the church but if possible I'd like to see it saved and possibly moved. So many people see the tower coming from 235, it's apart of our towns history and should be added to a historical register. Thank you for your consideration. Sincerely Ian D. Meadows.

Lowrey notes Smith Park does have some outdated equipment but they are working to get new items. He feels the same about the water tower.

9. Committee Reports: None

10. Resolutions:None

11. Ordinances:

Ordinance 2021-07 AN ORDINANCE AMENDING SECTION 246.09 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING EMPLOYEE VACATIONS

1st Cook 2nd Eggleston

Explanation: Allowing admin to cash in vacation days if denied time due to staffing.

YES: Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski Accepted 6-0

Ordinance 2021-08 AN ORDINANCE AMENDING CHAPTER 246 OF THE NEW CARLISLE CODIFIED ORDINANCES TO ADD AN ADDITIONAL APPENDIX FOR THE CITY'S ORGANIZATION CHART

1st Eggleston 2nd

Explanation: New appendix of hierarchy in codified organizations will be handed out with employee handbook.

YES: Eggleston, Cook, Lowrey, Rodewald, Grimm, Nowakowski Accepted 6-0

Ordinance 2021-09 AN ORDINANCE ACCEPTING A BID FOR PROOF REPAIR WORK AT THE FIRE/EMS STATION IN THE CITY OF NEW CARLISLE, OHIO

12. OTHER BUSINESS:

Motion to excuse Cobb by VM Cook with a 2nd by Rodewald. YES: 6
YES 6 Rodewald, Lowrey, Cook, Eggleston Nowakowski, Grimm NAY:0
Accepted 6-0

Cook announced service times for Mr. Cobb's wife Sat. May 1st
1-3pm. In lue of flowers donations can be made to the Firemen's
Association.

13. Executive Session: NONE

14. Adjournment: 1st 2nd

YES 6 Rodewald, Lowrey, Cook, Eggleston Nowakowski, Grimm NAY:0
Accepted 6-0

Mayor Mike Lowrey

Clerk of Council Emily Berner



City Manager's Report

May 3, 2021

A. DEPARTMENTAL REPORTS

- The Following Departmental Reports will be given at the next City Council meeting on Monday, May 17th
 - Finance, Public Service, Planning & Zoning, Fire/EMS, and Police

B. INFORMATIONAL ITEMS

- Mayor's Court
 - Met with Clark County Sheriff's Office on Friday, April 30th
 - Topic: Executing an agreement for confining prisoners; Discussion
- Tax Information
 - Tax deadline is **May 17, 2021**
- Shelter House
 - Now Renting!
 - Must follow all State of Ohio Health Guidelines
- Monday Night Drive-In
 - Anonymous complaint letter sent to Clark County Sheriff's Office; Attached
 - Discussion
- Board Application; Attached
 - Planning Board
 - Mrs. Julie Fields
 - Motion to approve
- American Rescue Plan
 - Webinar on Thursday, April 29th
 - No new significant information, including detailed guidelines regarding spending
- Pool Study Proposal from MKSK
 - Attached in the previous regular session meeting packet
 - Seeking Council discussion on drafting legislation for the proposal
- Potential Land Sell
 - Memo from Derek Hutchinson, Planning Director; Attached
 - Discussion
- Fixed Assets RFP
 - Drafting of RFP has commenced; will share final draft with City Council
- Current Projects
 - The non-exhaustive list shared with Council last meeting
 - Will be shared and updated monthly

Attachments Summary

Complaint Letter

Planning Board Application

Land Sell Memo

Clark County Sheriff

April 22, 2021

Commander, Road Patrol Division

120 N Fountain Ave

Springfield, OH 45502

Dear Commander,

I would like to bring to your attention to the so called "cruise in" that has been taking place in the Park National Bank lot on Monday's starting at 5 pm. Since it is held in the bank parking lot and also the bank displays a banner for it on the building, I am assuming that it has given permission for this weekly gathering of noisy cars.

Enclosed is a copy of New Carlisle Ordinance 648.09 which addresses noise from light motor vehicles, and as you can see specifically prohibits operation of any motor vehicle with a "modified exhaust system" which would cause the vehicle to emit noise levels in excess of eight dBa.

As most or all of the vehicles that gather in the lot are in violation of this ordinance, the bank is permitting illegal activity on it's property.

I would ask that the Clark County Sheriff's office respond to these "cruise ins" and investigate/check the sound levels of vehicles with a proper sound level meter.

There is no need for a pack of vehicles that are belching smoke and contributing to both air and noise pollution in the city. If these cars need to be displayed in your parking lot I suggest that they be brought in on a trailer and leave the city limits the same way, so they do not need to be started and violate the city ordinance.

There are already enough vehicles driving around the city that have modified or neglected exhaust causing high noise levels and unnecessary levels of pollution. I have seen and heard the lines of cars going to and from this "cruise in" revving their engines, squealing tires and otherwise causing a disturbance. I suggest that if there is a need for grown men to stand around and stare at each other's engines they do it outside the municipality where they are not violating the law.

Thanks for your attention in this matter

648.09 NOISE FROM LIGHT MOTOR VEHICLES.

(a) Definitions. As used in this section, except where defined in this subsection, terminology shall conform to applicable publications of the American National Standards Institute or its successor body. Such publications shall be on file in the office of the Clerk of Council. The Clerk shall have copies thereof available for distribution at cost.

(1) "A-weighted sound level" means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated as dB(A) or dBA.

(2) "Noise level" means the A-weighted sound level produced by a light motor vehicle.

(3) "Sound level meter" means an instrument which includes a microphone, amplifier, root-mean-square detector, integrator, time averagor or output meter and weighing networks used to measure sound pressure levels. A sound level meter shall comply with the standards for Type 1 or Type 2 sound level meters as specified in American National Standards Institute Standard ANSI S1.4 1971 or its successor.

(4) "Sound pressure level" means twenty times the logarithm to the base ten of the ratio of the root-mean-square sound pressure to the reference pressure of twenty micropascals. Sound pressure level is expressed in decibels.

(5) "Noise" means a sound which annoys or disturbs persons or which causes or tends to cause an adverse psychological or physiological effect thereon.

(6) "Light motor vehicle" means an automobile, van, motorcycle, motor-driven cycle, motor scooter or truck with a gross vehicular weight of less than 10,000 pounds.

(7) "Modified exhaust system" means an exhaust system in which one of the following applies:

A. The original noise abatement devices have been physically altered, causing them to be less effective in reducing noise.

B. The original noise abatement devices have been either removed or replaced by noise abatement devices which are not as effective in reducing noise as the original devices.

C. Devices have been added to the original noise abatement devices such that noise levels are increased.

(b) Limits.

(1) No person shall cause noise levels, from the operation of a light motor vehicle in excess of eight dBA in the Municipality. A measurement of noise shall be made on pedestrian walkways or on other suitable locations at a point not less than fifteen feet from the near edge of the closed usable lane in accordance with procedures outlined in the Code of Recommended Practices of the Society of Automotive Engineers. The Clerk shall have copies of such Code available for distribution at cost.

(2) No person shall operate a light motor vehicle which causes excessive noise levels as a result of a defective or modified exhaust system or as a result of unnecessary rapid acceleration, deceleration, revving or tire squeal. At the request of the operator of the light motor vehicle, a police officer may administer a stationary motor vehicle noise test as outlined in the Code of Recommended Practices. The stationary motor vehicle noise test can provide information as to the extent of defectiveness of an exhaust system of a light motor vehicle or as to whether or not excessive noise levels are caused by improper operation of the light motor vehicle.

(Ord. 80-32. Passed 9-15-80.)

(c) Any emission of noise from any motor vehicle in excess of the limitations established by subsection (b) hereof is hereby declared to be a public nuisance.

(d) In any criminal prosecution for a violation of subsection (b) hereof the court may admit evidence of a noise level as tested by any sound level meter which meets or exceeds the American National Standards Institute (ANSI) specifications for type II equipment.

(Ord. 94-23. Passed 6-20-94.)

(e) Exceptions. Subsections (A) through (d) hereof do not apply to public service vehicles or public safety vehicles.

(f) Penalty. Whoever violates this section is guilty of a minor misdemeanor and shall be subject to the penalty provided in Section 698.02.

(Ord. 80-32. Passed 9-15-80; Ord. 02-22. Passed 6-17-02.)

APPLICATION FOR BOARD/COMMITTEE
MEMBERSHIP

CITY OF NEW CARLISLE

Return application to the City Building, P.O. Box 419, 331 S. Church St.
Please print or type

Name Julia S. Fields

Board(s) or Committee(s) You Are Interested In Serving On Planning Board

Daytime Phone 937 308-1274

Evening Phone _____

Address 1000 Edgebrook Dr. New Carlisle

Date _____

Why do you wish to serve on this(these) board(s) or committee(s)?

You may answer below or on an attached sheet. Please put your name at the top of each additional sheet.

I am a citizen of this city, and would like to volunteer my time to the important changes. As I look around our city, I can see the beginnings of the future changes being made. I would like to be a part of the future planning of the city.



PLANNING DEPARTMENT
City of New Carlisle
331 S. Church Street
New Carlisle, Ohio 45344
Office (937) 845-9492 ext. 20

Subject: Parcel 030050002920139, McKees Mill Run

Randy,

I have evaluated the City owned 7.39-acre lot, north of Twin Creeks. This property is situated north of Colony Trail and west of Mc Kees Mill Run. This is a mostly wooded lot located entirely within a Flood Plain with the creek running through the center. The southern border of this property does abut residential properties on Colony Trail. The northern borders a 23.45-acre lot owned by Don Hal Properties and a 2.10-acre lot that is in possession of Clark County Land Bank. Then north of those is roughly over 250-acres. This was originally the future development for Twin Creeks.

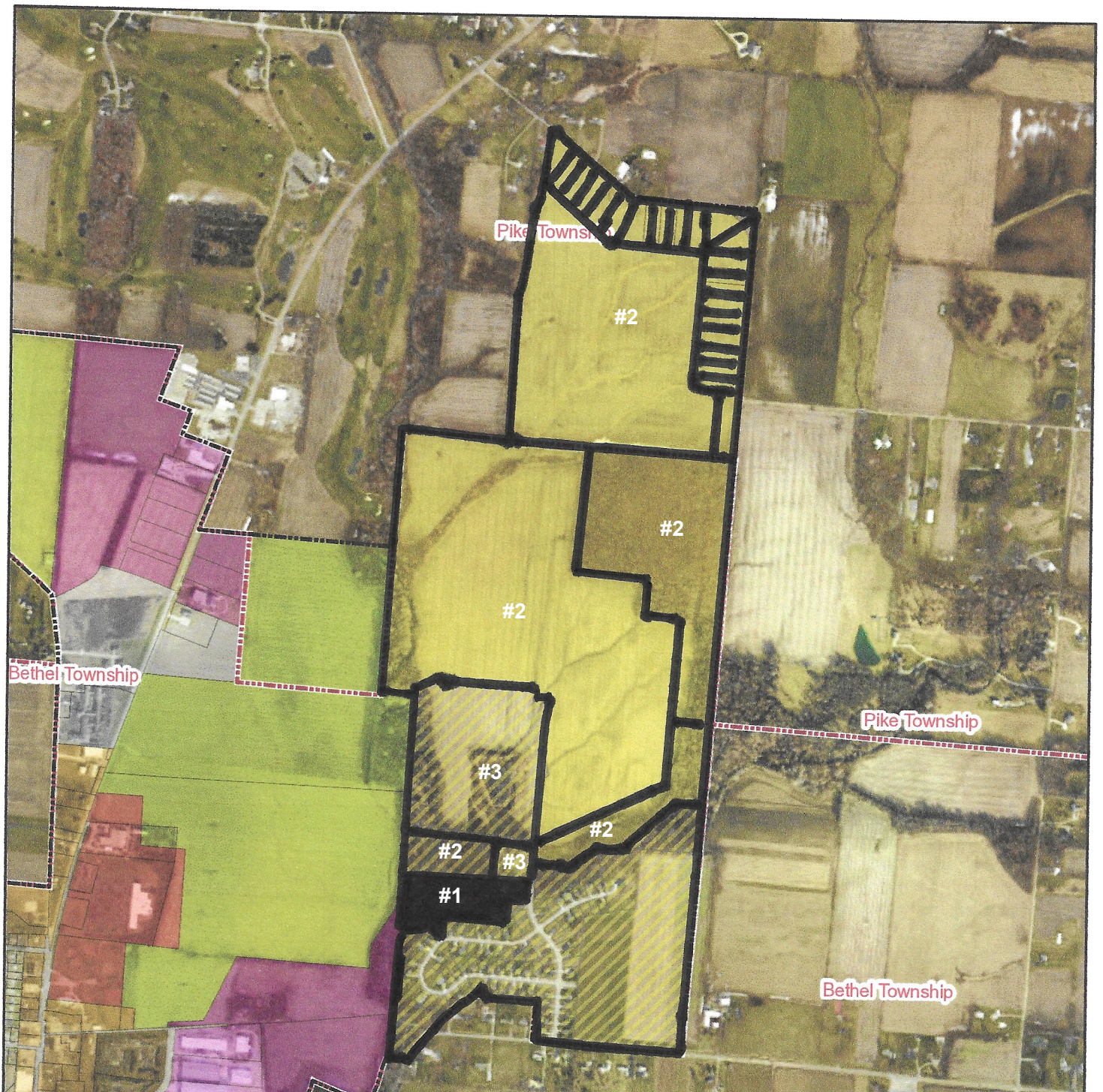
My professional opinion is for the City **not** to sell this parcel to an individual person for private use or development. The housing market is on the rise and all of these parcels together are highly desirable to housing developers. If this City owned property were to be used for private use or privately developed into something that is not cohesive with the adjoining developments, I do think this could potentially steer away developers or future home builders. Instead, the City could use this parcel as a possible bargaining tool to entice potential developers.

I have attached a site map of the areas that were discussed. Please let me know if you have any questions or concerns.

Sincerely,

Derek Hutchinson
Planning Director
City of New Carlisle

POTENTIAL FUTURE HOUSING DEVELOPMENT



Property Owners

- #1 City of New Carlisle
- #2 Hal Don Properties LLC
- #3 Clark County Land Bank



RESOLUTION 2021-09R

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE WASTEWATER CAPITAL IMPROVEMENT FUND TO THE WASTEWATER EQUIPMENT REPLACEMENT FUND OF THE CITY OF NEW CARLISLE

WHEREAS, sections 5705.14, 5705.15, and 5705.16 of the Ohio Revised Code provide procedures for the legal transfer of funds; and

WHEREAS, legal transfers of funds by resolution are intended as a means of providing additional revenues to certain other funds in a negative fund balance status or requiring additional funding for anticipated expenses, or to correct budget errors; and

WHEREAS, the City Finance Director has determined the necessity of performing a transfer of funds from the City’s Wastewater Capital Improvement Fund to the Wastewater Equipment Replacement Fund in order to correct an error in the original budget.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY RESOLVES:

SECTION 1. To permanently transfer funds from the Wastewater Capital Improvement Fund to the Wastewater Equipment Replacement Fund in the amount indicated below:

Fund	Description	Transfer-Out	Transfer-In
562	Wastewater Capital Improvement	\$ 10,000.00	
561	Wastewater Equipment Replacement		\$ 10,000.00
TOTAL ALL FUNDS		\$ 10,000.00	\$ 10,000.00

SECTION 2. The Finance Director is hereby authorized and directed to enter the foregoing transactions upon the books and accounts of the City of New Carlisle.

Passed this _____ day of _____, 2021.

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2ed: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Rodewald	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals: _____

Pass Fail

Intro: 05/03/2021
Action: 05/03/2021
Effective: 05/18/2021



RESOLUTION 2021-10R

A RESOLUTION ESTABLISHING A NEW SPECIAL REVENUE FUND TITLED "AMERICAN RESCUE PLAN ACT OF 2021 FUND"

WHEREAS, the American Rescue Plan Act of 2021 (“ARP”), H.R. 1319, Public Law 117-2, was signed into law by the President of the United States on March 11, 2021; and

WHEREAS, the United States Federal Government established a process for receiving funds provided by the ARP; and

WHEREAS, the ARP requires subdivisions receiving funds to create a fund for the purpose of segregating and accounting for the receipts and expenditures associated with the ARP; and

WHEREAS, the fund for the City of New Carlisle will be numbered 235 and titled "American Rescue Plan Act of 2021 Fund"; and

WHEREAS, the City of New Carlisle is not an entitlement City, which is defined as a city with a population greater than 50,000, and therefore will receive the ARP funds as a pass-through via the State of Ohio; and

WHEREAS, the State of Ohio will, within 30 days of receiving payment from the US Department of Treasury, distribute the funds to the City of New Carlisle; and

WHEREAS, the City of New Carlisle is projected to receive approximately \$1,091,697 in funding from the ARP; and

WHEREAS, after the Federal Government provides final guidelines, the City Manager will consult with City Council about how to best utilize the funds for the benefit of the City, its residents and its business owners.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY RESOLVES that:

Section 1. The American Rescue Plan Act of 2021 Fund is hereby established and shall be numbered as Fund 235 in the City of New Carlisle Chart of Accounts.

Passed this _____ day of _____, 2021

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

	1st _____		
	2cd: _____		
Cobb	Y	N	
Eggleston	Y	N	
Vice Mayor Cook	Y	N	
Mayor Lowrey	Y	N	
Rodewald	Y	N	
Grimm	Y	N	
Eggleston-Nowakowski	Y	N	
Totals:			
	Pass	Fail	

Intro: 05/03/2021
Action: 05/03/2021
Effective: 05/18/2021



RESOLUTION 2021-11R

A RESOLUTION AMENDING RESOLUTION 2020-21R, THE CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF NEW CARLISLE, OHIO, FOR ADDITIONAL CAPITAL PURCHASES AND AMENDING CAPITAL PURCHASE PRICES

WHEREAS, the Capital Improvement Program (CIP) is the financial plan for the next five years of proposed capital improvements for the City of New Carlisle; and

WHEREAS, City Council approved the 2021-2025 CIP via Resolution 2020-21R; and

WHEREAS, City Council approved an amended 2021-2025 CIP via Resolution 2021-08R; and

WHEREAS, the City's Police Administrator suggested to the City Manager that the City should make an additional capital purchase in 2021; and

WHEREAS, the Police Administrator would like for the City to purchase a 2021 Ford Utility Interceptor to replace the 2010 Dodge Charger due to the Charger's ongoing and costly maintenance issues; and

WHEREAS, this Resolution shall also amend the EMS 2021-2025 CIP by changing "Cot for Medic 52" to "Lights for New Command Vehicle"; and

WHEREAS, the lights for the command vehicle were inadvertently excluded from the original 2021-2025 CIP submitted to City Council via Resolution 2020-21R; and

WHEREAS, the City was able to purchase a Cot for Medic 52 with CARES Act Funds;

WHEREAS, this Resolution will also amend Lands & Buildings 2021-2025 CIP by increasing the City's portion of the funds needed to demolish the Madison Street School; and

WHEREAS, the City received a significant portion of demolition funds via a Community Development Block Grant (CDBG); and

WHEREAS, this Resolution will also amend the Fire 2021-2025 CIP due to the City receiving a grant from the State Fire Marshall to purchase a turnout gear washer.

NOW, THEREFORE, BE IT RESOLVED by the City of New Carlisle City Council that the amended Police, Fire, EMS, and Lands & Buildings Capital Improvement Program's (CIP), attached, shall be adopted. Below is an over of the proposed amendments:

- Police - Purchase new cruiser in 2021 opposed to 2022.
- Lands & Buildings: Increase City's portion of demolition cost from \$40,000 to \$52,302
- EMS - Purchase lights for new Command Vehicle; Replace lights for Cot for Medic 52A
- Fire - Add line item to purchase turnout gear washer

REMAINDER OF PAGE LEFT BLANK

SIGNATURE PAGE TO FOLLOW

Passed this _____ day of _____, 2021

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2cd: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Rodewald	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals:

Pass

Fail

Intro: 05/03/2021
Action: 05/17/2021
Effective: 06/01/2021

0.5% POLICE LEVY - SPECIAL LEVY/TAX FUND (AMENDED)**

CAPITAL EXPENSES FUND 250	2021	2022	2023	2024	2025
Equipment Upgrades	17,500	17,500	20,000	20,000	20,000
New Patrol Vehicle (**Amended)	45,000	45,000	-	-	45,000
Equipment For New Patrol Vehicles	-	17,000	-	-	17,000
Future Sub-Station Upgrades (Current City Building)	18,000	-	-	-	-
Cruiser Cams	-	30,000	-	-	-
Demolition of Current Sub-Station	10,000	-	-	-	-
POLICE TOTAL	<u>\$87,500</u>	<u>\$42,500</u>	<u>\$64,500</u>	<u>\$ 20,000</u>	<u>\$ 20,000</u>
				<u>\$ 82,000</u>	

EXPENSE DESCRIPTIONS

Equipment Upgrades - Includes computers & software; Tasers; patrolman equipment; and equipment needed to process crime scenes. Paid for by the Police Levy.

New Vehicles - Purchase police cruisers. Paid for by the Police Levy.

Equipment for New Patrol Vehicles - Items necessary to outfit the new cruisers. Paid for by the Police Levy.

Future Sub-Station Upgrades - Purchase of new office furniture, security system, and other items needed for the relocation of the current sub-station. Paid for by the Police Fund.

Cruiser Cams - Purchase for patrol vehicles for additional public safety measures. Paid for by the Police Levy.

Demolition of Current Sub-Station - Demo for expanded parking lot for Fire Department. Paid for by the Police levy and/or General Fund.

LANDS & BUILDINGS - GENERAL FUND (AMENDED)**

CAPITAL EXPENSES # 101.2000	2021	2022	2023	2024	2025
CITY BUILDING					
Renovation of Downtown Building Purchased in 2019	15,000	-	-	-	-
New City Administration Building/Renovation	-	-	-	-	850,000
CITY BUILDING TOTAL	<u>\$ 15,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 850,000</u>

CITY GARAGE	2021	2022	2023	2024	2025
Hand Tools	2,500	-	2,500	-	2,500
Truck	-	-	35,000	-	-
Upgrades and Repairs	20,000	20,000	20,000	-	-
CITY GARAGE TOTAL	<u>\$ 22,500</u>	<u>\$ 20,000</u>	<u>\$ 57,500</u>	<u>\$ -</u>	<u>\$ 2,500</u>

MADISON STREET SCHOOL	2021	2022	2023	2024	2025
City Portion of CDBG for Demolition (**Amended)	52,302	40,000	-	-	-
MADISON SCHOOL TOTAL	<u>52,302</u>	<u>40,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

LANDS & BUILDINGS, CITY GARAGE TOTAL	<u>\$89,802</u>	<u>\$ 20,000</u>	<u>\$ 57,500</u>	<u>\$ -</u>	<u>\$ 852,500</u>
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EXPENSE DESCRIPTIONS

Renovation of Downtown Building Purchased in 2019 - Renovative, including news floors, office furniture, etc., 101 South Main Street for new City Conference Offices and relocation of current Police Substation. Renovation amount will be determined by bidding. Paid for by the General Fund and Police Levy Funds.

New City Administration Building/Renovation - Relocate the current City Hall for new administrative offices. Paid for by the General Fund and/or financing.

Hand Tools - Replace various broken/worn out mechanic tools. Paid for by the General Fund.

Truck - Purchase small 4x4 truck for Public Works Department. Paid for by the General Fund and/or financing.

Upgrades and Repairs - Repair or replace old section of City Garage. Paid for by the General Fund and/or financing.

City Portion of CDBG for Demolition - Demo Madison Street School. Paid for by the General Fund and/or grant funds.

EMS - SPECIAL LEVY/TAX FUND (AMENDED)**

EMERGENCY AMBULANCE CAPITAL - FUND 212 FUTURE CAPITAL PROJECTS SAVINGS		2021	2022	2023	2024	2025
		-	-	-	-	-
FUND 212 TOTAL		\$ -	\$ -	\$ -	\$ -	\$ -
<hr/>						
EMERGENCY AMBULANCE OPERATING FUND 213		2021	2022	2023	2024	2025
Cot for Medic 52A	Lights for New Command Vehicle	22,000	-	-	-	-
	Load System for Medic 52A	30,000	-	-	-	-
	Lucas Chest Compression System	15,000	-	-	-	-
	New Roof	40,000	-	-	-	-
	Maintenance and Equipment Upgrades	15,000	15,000	15,000	15,000	15,000
	First Response / Command Vehicle	35,000	-	-	-	-
	Radio Upgrades (EDACS & MARCS)	10,000	10,000	-	-	-
FUND 213 TOTAL		\$ 167,000	\$ 25,000	\$ 15,000	\$ 15,000	\$ 15,000
EMS TOTAL (ALL FUNDS)		\$ 167,000	\$ 25,000	\$ 15,000	\$ 15,000	\$ 15,000

EXPENSES DESCRIPTIONS

~~Cot for Medic 52A~~ - The Cot purchase is for back-up Medic 52A. Paid for by EMS/Fire Funds and/or grant funds.

Lights for New Command Vehicle - Paid for by EMS Funds and/or grant funds.

Load System for Medic 52A - The Load System purchase is for back-up Medic 52A. Paid for by EMS/Fire Funds and/or grant funds.

Lucas Chest Compression System - Purchase new Lucas Chest Compression System for Medic 52A in 2021. Paid for by EMS/Fire Funds and/or grant funds.

New Roof - Replace roof on the station. Paid for by Fire/EMS Funds.

Maintenance and Equipment Upgrades - Allows for maintenance and equipment upgrades. Paid for by EMS/Fire Fund and/or grant funds.

First Response / Command Vehicle - New Battalion Vehicle. Paid for by the EMS/Fire Fund and or/ grant funds.

Radio Upgrades (EDACS & MARCS) - Upgrade equipment in years indicated above. Paid for by EMS/Fire Fund and/or grant funds.

FIRE - SPECIAL LEVY/TAX FUND (AMENDED)**

FIRE CAPITAL - FUND 214 FUTURE CAPITAL PURCHASES SAVINGS		2021	2022	2023	2024	2025
New Fire Engine		100,000	100,000	100,000	-	-
<i>Turnout Gear Washer (**Amended)</i>		10,000	-	-	-	-
FUND 214 TOTAL		<u>\$110,000</u> \$100,000	<u>\$ 100,000</u>	<u>\$ 100,000</u>	<u>\$ -</u>	<u>\$ -</u>
<hr/>						
FIRE OPERATING FUND 215		2021	2022	2023	2024	2025
New Structural Firefighting Gear		30,000	25,000	25,000	25,000	25,000
New Power Tools		50,000	-	-	25,000	-
Radio Upgrades (EDACS & MARCS)		6,000	6,000	6,000	6,000	6,000
Tools and Misc. Equipment		25,000	15,000	15,000	15,000	15,000
Fire Station Renovations/Demolition		20,000	8,000	-	-	-
New Computers and Equipment		10,000	-	-	-	-
Thermal Imaging Camera		7,500	-	-	-	-
New Roof		40,000	-	-	-	-
FUND 215 TOTAL		<u>\$ 188,500</u>	<u>\$ 54,000</u>	<u>\$ 46,000</u>	<u>\$ 71,000</u>	<u>\$ 46,000</u>
<hr/>						
FIRE TOTAL (ALL FUNDS)		<u>\$298,500 \$288,500</u>	<u>\$ 154,000</u>	<u>\$ 146,000</u>	<u>\$ 71,000</u>	<u>\$ 46,000</u>

EXPENSE DESCRIPTIONS

New Fire Engine - Saving of Fire funds to purchase a new Fire Rescue Engine In 2023. Paid for by Fire Funds and/or grant funds.

Turnout Gear Washer - Purchase in 2021. Paid for by the State Fire Marshall's Grant.

New Structural Firefighting Gear - Purchase 5 new sets Turn Out Gear as old gear expires. We need to purchase 5 sets each year as old gear expires. Paid for by Fire funds and/or grant funds.

New Power Tools - Purchase new power tools such as jaws of life, spreaders and rams. Paid for by Fire funds and/or grant funds.

Radio Upgrades (EDACS & MARCS) - Maintain and upgrade radio equipment for hand held radios. Paid for by Fire funds and /or grant funds.

Tools and Misc. Equipment - Purchase new hand tools and equipment for the fire engine and truck. Paid by the Fire/EMS funds and/or grant funds.

Fire Station Renovations/Demolition - Updates to Fire Station to improve employee comfort and operations. Demo current sub-station when relocated to current City Building. Paid for by Fire/EMS funds and/or grant funds.

New Computers and Equipment - Purchase 5 new desktop computers for the Fire Station as the newest computer is 8 years old. Paid for by Fire funds and/or grant funds.

Thermal Imaging Camera - Purchase a new Thermal Imaging Camera in order to have one on the engine and one on the truck. Paid for by Fire funds and/or grant funds.

New Roof - Replace roof on the station. Paid for by Fire/EMS Funds.



ORDINANCE 2021-09

AN ORDINANCE ACCEPTING A BID FOR ROOF REPAIR WORK AT THE FIRE/EMS STATION IN THE CITY OF NEW CARLISLE, OHIO

WHEREAS, the City has established specifications regarding the much-needed roof repairs for the Fire/EMS station located in the City of New Carlisle; and

WHEREAS, bids pursuant to those specifications have been advertised, received and evaluated by the City Administration.

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

Section 1. The lowest and best bid, which is from the lowest responsive and responsible bidder, is hereby declared to be the bid submitted by Garland/DBS, Inc., per the attached proposal.

Section 2. The City Manager is hereby authorized and empowered to enter into a contract with the successful bidder named in Section 1 hereof in accordance with the bid specifications.

Passed this _____ day of _____, 2021

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2cd: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Rodewald	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals: _____

Pass Fail

Intro: 04/19/2021
Action: 05/03/2021
Effective: 05/18/2021

**CONTRACT FOR
JOB # 25-OH-210208**

BETWEEN **THE CITY OF NEW CARLISLE** AND GARLAND/DBS, INC. FOR THE NEW CARLISLE FIRE DEPARTMENT ROOFING PROJECT.

- 1.) This CONTRACT is made at **Clark County** as of April 7, 2021, (“Effective Date”), by and between the **City of New Carlisle** located at **331 S. Church Street, New Carlisle, Ohio 45344** (hereinafter designated the “CUSTOMER”), and **Garland/DBS, Inc.**, located at **3800 East 91st Street Cleveland, OH 44105** (hereinafter designated the “CONTRACTOR”).
- 2.) The CONTRACTOR shall furnish all material, labor, equipment, and tools necessary for the **New Carlisle Fire department Roofing Project** located at **315 North Church Street, New Carlisle, Ohio 45344**, as well as all work incidental and pertinent thereto, (hereinafter designated the “Project”) all in accordance with the original proposal # **25-OH-210208** dated **3/29/2021** submitted by the CONTRACTOR (hereinafter together designated the “Specifications”), a copy of which is attached hereto as Exhibit A and incorporated herein, **and the New Carlisle Bid Specifications posted 8/7/2019, which are not attached but are incorporated herein.** In the event of any conflict, ambiguity, or inconsistency between the terms contained in this CONTRACT and the Exhibits **or New Carlisle Bid Specifications posted 8/7/2019**, the terms set forth in this CONTRACT shall govern and control.
- 3.) The term of the CONTRACT shall begin on the Effective Date first written above, and shall be completed **90** days thereafter, unless sooner terminated as permitted herein, or unless extended by agreement of the parties set forth in writing. The work shall commence within ten (10) days from the date that CONTRACTOR receives a copy or original of the fully executed CONTRACT, which receipt shall be considered Notice to Proceed. **The project is scheduled to begin on May 25, 2021 and be completed on or before July 15, 2021.** The CONTRACTOR is required to submit to the CUSTOMER a Certificate of Insurance and Performance and Payment bonds prior to commencing work. In addition, the work shall be scheduled as agreed upon by the parties.
- 4.) The sums to be paid to the CONTRACTOR shall be at the bid price(s) shown on the Specifications (Exhibit A), and the total to be paid to CONTRACTOR shall be a maximum of **\$74,872.00**, as set forth in the purchase order and Exhibit A. Invoices shall provide details of all Project expenses as permitted in this CONTRACT. CONTRACTOR shall apply no late charges, interest or penalties to any invoice or charges for services until 30 days from the CUSTOMER receipt of the invoice. If this CONTRACT is terminated for convenience for any reason, then the CONTRACTOR shall be paid pro rata for all services performed, materials purchased, and administrative costs incurred, including lost profit, to the effective date of termination.
- 5.) If the CUSTOMER wishes to terminate the CONTRACTOR for cause due to the failure of CONTRACTOR to perform as required under this CONTRACT and/or in a manner consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances, then the CUSTOMER must

provide the CONTRACTOR with written notice of said failure to perform. The CUSTOMER must give ten (10) working days from the CONTRACTOR's receipt of the Notice to Cure for the CONTRACTOR to cure or take reasonable action to commence to cure the performance concerns specified. If the CONTRACTOR does not take appropriate action within the ten (10) day period, the CUSTOMER may issue a Final Notice to Cure. The CONTRACTOR will have an additional five (5) working days from the receipt of the Notice to Cure to cure or take reasonable action to commence to cure before the CUSTOMER can terminate the CONTRACT. If the CONTRACTOR is terminated for cause, the CUSTOMER may provide or employ any necessary labor and materials in lieu of CONTRACTOR to finish part or all of the work under the CONTRACT or to supplement the work of CONTRACTOR, and to deduct the cost thereof from any money, then due or thereafter to become due to the CONTRACTOR; and if such cost shall exceed the balance due to CONTRACTOR, then the CONTRACTOR shall pay the difference to the CUSTOMER.

- 6.) CUSTOMER may issue subsequent modifications to the Purchase Order(s) for additional work that was not known or included in the Specifications that is found to be needed during the work on the Project to complete the Project over and above the amount set forth in this paragraph four (4) and in Exhibit A. CONTRACTOR must seek approval from the CUSTOMER before performing any additional work. The CUSTOMER must provide the CONTRACTOR written documentation of the modification to the Purchase Order within three (3) business days of verbal approval. CONTRACTOR is not obligated to perform additional work until written modification has been received from the CUSTOMER, but may commence work based upon a reasonable assumption that written modification will be issued. Incidental additional work performed by the CONTRACTOR without CUSTOMER consent will be evaluated and considered for payment based upon the work's merit. If the CUSTOMER determines the incidental additional work was not included in the original scope of the project and required for the CONTRACTOR's uninterrupted performance in fulfillment of the contract, then the CUSTOMER will approve the CONTRACTOR's request for payment for incidental additional work.
- 7.) All the work done under this CONTRACT shall be performed under the oversight of _____, the CUSTOMER'S representative. All notices hereunder shall be (a) in writing; (b) delivered to the representatives of the parties at the addressees set forth in the Specifications, unless changed by either party by notice to the other party; and (c) effective upon receipt.
- 8.) The CONTRACTOR shall furnish the CUSTOMER with a performance or contract bond and a labor and material bond, each in the amount of **\$74,872.00** a Certificate of Workers' Compensation, and a Certificate of Insurance evidential of comprehensive general liability insurance and property insurance with minimum coverage in amounts reasonable to or exceeding what is normally expected for a comparable project in size and scope. Further, said Certificate of Insurance shall name **City of New Carlisle** as an additional insured. Said Certificate of Insurance shall also provide that at least thirty (30) days written notice shall be given to the CUSTOMER of any material change in, or cancellation of, said insurance.

- 9.) Should the CONTRACTOR at any time refuse or neglect to supply a sufficiency of properly skilled workers or materials of the proper quality, or fail in any respect to prosecute the work herein described with promptness and diligence, or fail in the performance of any of the agreements contained herein, the CUSTOMER shall have the right to immediately suspend all work, or any part thereof under this CONTRACT, upon the CUSTOMER's issuance of a stop work notice to the CONTRACTOR and the CONTRACTOR's confirmed receipt of the stop work notice. The work shall continue to be suspended until such time as the CUSTOMER and CONTRACTOR have come to a mutual agreement on how the work under the CONTRACT shall proceed. Should the CONTRACTOR continue to refuse or neglect to supply a sufficiency of properly skilled workers or materials of the proper quality, or fail in any respect to prosecute the work herein described with promptness and diligence, or fail in the performance of any of the agreements contained herein, then the CUSTOMER may, after following the procedures listed in Section 5 above, terminate the CONTRACT for cause.
- 10.) The CONTRACTOR shall indemnify, save harmless, and defend the CUSTOMER from and against all losses, claims, demands, payments, suits, actions, recoveries, and judgments of every nature and description, made, brought, or recovered against the CUSTOMER by reason of any negligent act or omission of the CONTRACTOR, its agents, its subcontractors, or its employees, in the execution of the work herein contracted for.
- 11.) The CONTRACTOR or CUSTOMER has the right to request and be granted a Termination for Convenience from the CONTRACT obligations if there is a joint determination from both the CUSTOMER and the CONTRACTOR that the termination is in the best interests of both parties, or if the CONTRACTOR or CUSTOMER believes the Termination for Convenience to be in its best interests because a timely resolution, within ten (10) days from the CUSTOMER'S receipt of written notification, will not be provided with regard to requests for information (RFI), request for clarification, or requests for modification to the Purchase Order(s) due to differing site conditions, vague Specifications, or unforeseen circumstances. Under a Termination for Convenience, the CONTRACTOR or CUSTOMER shall be reimbursed for all justifiable costs including price of supplies, services delivered, and administrative expenses, including lost profit under the CONTRACT or Purchase Order.
- 12.) This CONTRACT, **Specifications and New Carlisle Bid Specifications posted 8/7/2019** shall be deemed to contain all the terms and conditions agreed to between the parties, who both agree that no representations or promises of any kind whatsoever have been made other than herein contained, and this CONTRACT shall be binding upon both parties and their respective heirs, administrators, executors, successors, and assigns.
- 13.) This CONTRACT is contingent upon receipt of a written purchase order from CUSTOMER. All terms must be agreed upon by both parties.
- 14.) CUSTOMER shall have the right to approve all subcontracts or assignments of work equal to or exceeding \$10,000. CUSTOMER shall not unreasonably withhold, delay or condition subcontracting or assignments, but may express final and binding disapproval of a

proposed assignee or subcontractor. Should the CONTRACTOR be forced to choose a different subcontractor/assignee that is of higher cost than the initial subcontractor/assignee, due to the CUSTOMER's disapproval, the CONTRACTOR shall be able to request and will receive approval from the CUSTOMER for a modification to the CONTRACT to cover the additional cost. CONTRACTOR shall remain responsible for the work of any agent or independent contractor to whom it assigns its Work, and any assignment or subcontract shall incorporate the terms of this Contract into its contract delegating its Work.

- 15.) If the Project involves construction of a public improvement at a cost exceeding the threshold for payment prevailing wage rates of pay, each laborer, workman or mechanic employed by the CONTRACTOR for performance of the Project herein described or by the subcontractor shall be paid not less than the minimum rate of pay for the applicable pay classification. The CONTRACTOR and their subcontractors who are subject to the requirements of paying prevailing wages shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the prevailing rate of wages. The CONTRACTOR and its subcontractors shall deliver to the CUSTOMER a certified copy of their respective payrolls, within two weeks of the CUSTOMER's request, for each pay period requested by the CUSTOMER.
- 16.) Payments to the CONTRACTOR shall be made at the rate of ninety percent (90%) of the approved partial payment estimate for each monthly progress billing. The CUSTOMER will retain ten percent (10%) of every approved partial payment. The retained amount will be paid to the CONTRACTOR no later than thirty (30) days following Final Acceptance of the work, provided the CONTRACTOR submits waivers of lien with his/her final invoice indicating all suppliers have been paid. Upon completion and acceptance of the work, the CUSTOMER shall issue a certificate attached to the final payment request that the work has been accepted by it under the terms, promises and conditions of the CONTRACT.
- 17.) CONTRACTOR has been employed under this Contract as an independent contractor in order to construct its portion of the Project. CONTRACTOR agrees that no authority has been conferred upon it by CUSTOMER to hire any person(s) on behalf of CUSTOMER, and CUSTOMER undertakes no obligation of any sort to CONTRACTOR's employees or subcontractors. It is understood and agreed that the CONTRACTOR shall select, engage, and discharge its employees, agents, or servants and otherwise direct and control their services. CONTRACTOR will also comply with all laws concerning qualification to do business and engage in the work involved under this CONTRACT and will file all returns and reports required of it and pay all taxes and contributions imposed upon it.
- 18.) CONTRACTOR agrees not to discriminate against any employee or applicant for employment because of age, race, color, religion, sex, or national origin.
- 19.) The CUSTOMER shall not be considered to have accepted possession of the work under this CONTRACT until a notice of completion is issued to the CONTRACTOR by the CUSTOMER or CUSTOMER's representative, or payment of the full CONTRACT compensation is received by the CONTRACTOR, unless the Parties otherwise mutually agree.

- 20.) CONTRACTOR, at all times during its performance of its work under this CONTRACT, shall keep the work site, grounds, and roof tops surrounding the work site free from accumulation of waste materials or rubbish caused by its activities. Upon completion of the work under this CONTRACT, the CONTRACTOR shall promptly remove all its waste materials and rubbish from and about the work site, as well as, its tools, construction equipment, machinery, and surplus materials, as to leave the work site "Broom Clean" or its equivalent.
- 21.) The law is hereby agreed to be the law of the State where the Project is situated. The parties agree that the proper venue for action, suit, or other litigation arising under this agreement shall lie in the courts of **Clark County, Ohio**. In the event legal action is instituted to enforce this agreement, each party agrees to bear its own attorney fees and costs while waiving the right to collect attorney fees and costs from the opposing party. Each party also agrees to waive its right to have any pending action or trial heard by a jury.

In the hiring of employees for the performance of work under the contract or any subcontract, no contractor or subcontractor, by reason of race, color, religion, sex, age, disability, or military status as defined by Section 4112.01 of the Revised Code, national origin or ancestry, shall discriminate against any citizen of this state in the employment of a person qualified and able to perform the work to which the agreement relates.

No contractor, subcontractor, or person acting on behalf of any contractor or subcontractor, in any manner, shall discriminate against, intimidate, or retaliate against any employee hired for the performance of work under the agreement on account of race, color, religion, sex, age, disability or military status as defined by Section 4112.01 of the Revised Code, national origin, or ancestry.

Both parties certify that they are currently in compliance with and will continue to adhere to the Ohio Ethics Law as provided by Sections 102.03 and 102.04 of the Revised Code.

Both parties agree that in the performance of this agreement there shall be no discrimination against any client or any employee because of race, color, sex, religion, national origin, or any other factor specified in the Civil Rights Act of 1964 and subsequent amendments. Also included is the Americans with Disabilities Act. It is further agreed that both parties will fully comply with all applicable Federal and State laws regarding such discrimination and the right to and method of appeal will be made available to all persons served pursuant to the terms of this agreement.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, authorized representatives of each party to this CONTRACT, indicating their party's approval of the terms herein, have signed as of the dates set forth below.

WITNESSES:

1. _____

2. _____

GARLAND/DBS, INC.

By: _____

Printed Name

Title

Tax ID. No. _____

Date: _____

WITNESSES:

1. _____

2. _____

CITY OF NEW CARLISLE

By: _____

Date: _____

And

By: _____

Date: _____

EXHIBIT A



Garland/DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Phone: (800) 762-8225
Fax: (216) 883-2055



ROOFING MATERIAL AND SERVICES PROPOSAL

**New Carlisle Fire Department
New Carlisle
315 North Church Street
New Carlisle, OH 45344**

**Date Submitted: 03/29/2021
Proposal #: 25-OH-210208
MICPA # PW1925**

Purchase orders to be made out to: Garland/DBS, Inc.

Please Note: The following budget/estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Racine County, WI and OMNIA Partners, Public Sector (U.S. Communities). The line item pricing breakdown from Attachment C: Bid Form should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered an informal competitive process for obtaining quotes for the project with the hopes of providing a lower market-adjusted price whenever possible.

Scope of Work:

1. Tear off the single ply membrane down to the existing insulation. A line item should be included on the contractors bid form for a cost per square foot replacement of any wet insulation.
2. The contractor is to raise any low projection curbs that do not meet the NRCA's recommended 8" height requirement above the projected new roof's surface.
3. Mechanically attach 1 layer of 3" Polyisocyanurate insulation according to manufacturer wind uplift for 120 mph wind uplift. Install ¼" Densdeck primed 4'x4' board in manufacturer approved insulation adhesive to meet and exceed 120 mph wind uplift. Install a new wood nailer around the perimeter flush with the new system's height. All must meet NRCA guidelines and manufacturer 120 mph wind uplift. All insulation boards MUST be firmly butted to each other with no more than a 1/8" gap.
4. Approved insulation shall be tapered around roof drains and scuppers. Install tapered insulation sump 2' O.C. in such a way to provide proper slope for runoff. Shape insulation with tool as required so completed surface is smooth and flush with the drain ring. Install DensDeck over tapered insulation sump as required.

5. Install self adhering primer to the Densdeck Prime as per manufacturer guidelines. Install 1 ply of ASTM D6163 SBS Modified Self Adhered Base Sheet and top ply of SBS modified mineral cap sheet ASTM D 6162 type III Mineral per manufacturer guidelines. Install in a shingle fashion from the low to high point of the roof slope to promote positive drainage. All end laps where mineral cap touches bottom of adhesive must be set in flashing bond with bleed out. All areas torn off must be installed back base and cap sheet in same day.
6. Install a new 2 ply flashing system per manufacturer guidelines just as in the field. All end laps where mineral cap touches bottom of adhesive must be set in flashing bond with bleed out. All vertical flashing laps shall be 3 coursed with manufacturer approved fiber mastic and mesh reinforcement as per the manufacturer's recommendations.
7. Install 2 coats of manufacturer approved Energy Star rated aluminum coating per manufacturer guidelines after 20-30 day cure time of cap sheet and adhesives.
8. Terminate all flashings with termination bar set in butyl, fastening termination bar every 6" on center and caulking top edge with manufacturer approved sealant. At curb install slip flashing to the curb to cover the termination bar and at walls install surface mount counterflashing above termination bar and caulk.
9. All Edge metal will be installed in R-Mer Force edge metal system extending 1.5" past the wood nailer.
10. Clean up all debris and damage done to grounds, building and roof top (if any).

Garland/DBS Price Based Upon Local Market Competition:

Maxim Roofing Company	\$	74,872
Zero Company	\$	87,180
Harold J. Becker Company, Inc.	\$	125,355

Unforeseen Site Conditions:

Additional Insulation Replacement	\$	3.71 per Sq. Ft.
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Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers. Proposal pricing valid 60 days from proposal date listed above.

Clarifications/Exclusions:

1. Sales and use taxes are excluded. Please issue a Tax Exempt Certificate.
2. Permits are excluded.
3. Bonds are included.
4. Plumbing, Mechanical, Electrical work is excluded.
5. Masonry work is excluded.
6. Interior Temporary protection is excluded.
7. Prevailing Wages are excluded.
8. Any work not exclusively described in the above proposal scope of work is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

Steve Rojek

Steve Rojek
Garland/DBS, Inc.
(216) 430-3613



ORDINANCE 2021-10

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS OF OVER TWENTY THOUSAND DOLLARS (\$20,000.00) FOR THE REHABILITATION, PUMP INSPECTION, AND REPAIR OF WELL #6

WHEREAS, the City of New Carlisle budgets for rehabilitation and inspection of one of its four water wells every year; and

WHEREAS, in 2021, Well #6 is due for rehabilitation and pump inspection; and

WHEREAS, it was determined through the inspection of Well #6 that the total amount necessary for the rehabilitation and pump repair of Well #6 would exceed the City Manager’s \$20,000.00 spending limit; and

WHEREAS, this matter is before City Council due to the cost exceeding the City Manager’s monetary threshold.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW CARLISLE, OHIO that:

Section 1: Moody of Dayton Inc. submitted two proposals, attached, for the rehabilitation, and pump inspection and repair of Well #6, which such proposals adhere to all EPA regulations.

Section 2: The City of New Carlisle authorizes the City Manager to expend Water Department funds in excess of \$20,000.00 from the 2021 budget for the rehabilitation, pump inspection, and repair of Well #6. The dollar amount shall not exceed \$24,000.

Passed this _____ day of _____, 2021

Mike Lowrey, MAYOR

Emily Berner, CLERK

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2cd: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Rodewald	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals:		
	Pass	Fail

Intro: 05/3/2021
Action: 05/17/2021
Effective: 06/01/2021



4359 INFIRMARY ROAD
MIAMISBURG, OHIO 45342-1231
PHONE AC 937-859-4482
FAX AC 937-859-4522
www.moodysofdayton.com

April 15, 2021

City of New Carlisle
331 South Church Street
New Carlisle, OH 45344

Attn: Bob Hoke

Subject: Well 6 Repairs

Moody's of Dayton, Inc. has completed the inspection of the bowl assembly, motor, and column setting for Well 6. The column setting is in good structural shape and needs to be pressure washed. The pipe did have one bad 20 ft. section that needs to be replaced. The bowl assembly needs to be rebuilt: new wear rings, collets, and bearings.. The discharge spool needs to be sand blasted and epoxy coated. The motor meggers 200 megaohms, this motor is in good shape.

Following are the costs to repair the subject motor and pump:

1	LS	20 ft new drop pipe.....	\$ 600.00
1	LS	New bowl assembly.....	\$2,041.00
20	HRS	Machine shop labor, pressure wash pipe, etc @ \$85.00/HR	\$1,700.00
1	LS	spool repairs.....	<u>\$ 634.00</u>
		TOTAL	\$4,975.00

If you have any questions, please do not hesitate to call; we look forward to hearing from you and can proceed on repairs upon your approval

Thank you for the opportunity to serve New Carlisle

Sincerely,

Michael Spicer
Vice President



4359 INFIRMARY ROAD
MIAMISBURG, OHIO 45342-1231
PHONE AC 937-859-4482
FAX AC 937-859-4522
www.moodysofdayton.com

September 29, 2020

City of New Carlisle
331 South Church Street
New Carlisle, OH 45344

Attn: Mr. Bob Hoke

Re: Well # 6 Rehabilitation and Pump Inspection

Moody's of Dayton, Inc. is pleased to respond to your request for a quote to rehabilitate and inspect the subject well. We propose an estimate of \$16,770 for well rehabilitation.

The following are the costs to rehabilitate the subject well:

1 Ls	Flow test well and pump.....	\$ 600.00
8 Hrs	Removal and inspection of the pump assembly @ \$170.00/hr.	\$ 1,360.00
2 Ea	Video Inspection @ \$ 800.00/ea.....	\$ 1,600.00
50 Hrs	Chemically treat and mechanically surge well @\$170.00/hr...	\$ 8,500.00
1 Ls	Chemicals includes NW 220.....	\$ 1,950.00
8 Hrs	Reinstall pumping equipment @ \$170.00/hr.....	\$ 1,360.00
1 Ls	Flow test well and pump.....	\$ 600.00
1 Ls	Surge tool and air compressor rental.....	<u>\$ 800.00</u>
TOTAL ESTIMATE:		\$ 16,770.00

Pump repairs and upgrades, will be considered after removal and inspection of the pumping equipment.

If you have any questions, please do not hesitate to call; we look forward to hearing from you and can proceed on servicing the subject well upon your approval.

Thank you for the opportunity to serve New Carlisle.

Respectfully,

Michael Spicer
Vice President



ORDINANCE 2021-11

AN ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS CONTAINED IN NEW CARLISLE CITY ORDINANCE 2021-01

WHEREAS, Ordinance 2021-01 is the Annual Appropriations Ordinance for the City of New Carlisle for the fiscal year ending December 31, 2021; and

WHEREAS, it is necessary to amend certain appropriations contained therein pursuant to Sections 7.09 (a) and 7.09 (c) of the Municipal Charter.

NOW, THEREFORE THE CITY OF NEW CARLISLE HEREBY ORDAINS that the annual appropriations shall be supplemented as follows:

SECTION 1. To bring the City's appropriations in line with the required expenses of the City of New Carlisle during the fiscal period ending December 31, 2021, the 2021 appropriations are hereby **increased** for the following fund/fund types by the amounts shown:

	DESCRIPTION		INCREASE	REASON
101	GENERAL FUND	101.2000.55000	\$ 12,302.00	Increase Match for Madison School Demo
204	STREET IMPROVEMENT	204.6400.53501	\$ 19,000.00	Increase Match for Fenwick Project
214	FIRE CAPITAL EQUIPMENT	214.2210.55510	\$ 10,000.00	Gear Washer purchased from Grant
250	POLICE LEVY	250.2500.55000	\$ 45,000.00	Est. for New Cruiser
501	WATER FUND	501.5300.53501	\$ <u>30,000.00</u>	Valve & Misc. Parts for Repairs
TOTAL INCREASED APPROPRIATIONS			\$ 116,302.00	

SECTION 2. The Finance Director is hereby authorized and directed to enter the foregoing supplemental appropriations upon the books and accounts of the City of New Carlisle, and issue warrants pursuant to such authorization.

Passed this _____ day of _____, 2021

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, Law Director

1st _____

2cd: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Rodewald	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals:

Pass	Fail
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Intro: 05/3/2021

Action: 05/17/2021

Effective: 06/01/2021



ORDINANCE 2021-12

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

WHEREAS, Chapter 248 of the Codified Ordinances of the City of New Carlisle addresses various City policies; and

WHEREAS, the City of New Carlisle's Investment Policy (attached as Exhibit A) requires City Council approval for implementation and codification.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS that Chapter 248 of the Codified Ordinances of the City of New Carlisle be amended to add the City's Investment Policy, attached as Exhibit A.

Passed this _____ day of _____, 2021.

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2ed: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Rodewald	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals:		
	Pass	Fail

Intro: 05/03/2021
Action: 05/17/2021
Effective: 06/01/2021

248.15 Investment Policy

Section 1 - Introduction

- (a) It is the policy of the City of New Carlisle to invest public funds in a manner which will provide the maximum safety and preservation of principal, while meeting all the liquidity and operating demands, at reasonable, market interest rates available.

Section 2 - Governing Authority

- (a) All investments made will conform to all applicable laws and regulations governing the investment of public moneys, including all federal, state and other legal requirements including Ohio Revised Code, Chapter 135.

Section 3 - Scope

- (a) All public funds of the City of New Carlisle, as may be prescribed by the Finance Director, may be invested by the Finance Director in the Eligible Investments described in this policy. The Finance Director is authorized to pool cash balances of multiple funds of the City for investment hereunder.

Section 4 - Objectives

- (a) The achievement of sound fiscal management for the City of New Carlisle requires effective investment of the public moneys of the City. To that effect, the following investment objectives shall be applied in the investment of public moneys.
 - (1) **Safety.**
Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.
 - (2) **Liquidity.**
The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.
 - (3) **Yield.**
The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, considering the investment risk constraints of safety and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

Section 5 - Standards of Care

- (a) Authority to Manage Investment Program
 - (1) Authority to manage the investment program is granted to the Finance Director of the City of New Carlisle, who shall act in accordance with established written procedures and internal controls for the operation of the investment program consistent with this investment policy.
- (b) Prudence
 - (1) The standard of prudence to be used by investment officials shall be the “reasonably prudent person” standard and shall be applied in the context of managing an overall portfolio of an Ohio municipal corporation of like size and resources. The Finance Director acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal liability for an individual security’s credit risk or market price changes, provided that deviations from expectations are reported on a timely fashion and appropriate action is taken to control adverse developments.
- (c) Ethics and Conflicts of Interest
 - (1) Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial or objective investment decisions. The Finance Director shall disclose any material interests in financial institutions with which they conduct business. Officers and employees of the City of New Carlisle shall refrain from undertaking any personal investment transactions with the same individual with whom business is conducted on behalf of the City.

Section 6 - Authorized Investments

- (a) The City may invest in any instrument or security authorized in ORC 135 as amended and such other securities as approved by the Council of the City. Eligible investments, as defined in ORC 135 are attached to this Policy as "Exhibit A".

Section 7 - Maturity

- (a) To the extent possible, the City will attempt to match the term to maturity of its investments with anticipated cash flow requirements. Unless matched to a specific cash flow requirement, the City will not directly invest in securities maturing more than 5 years from the date of settlement, except as provided by ORC 135.

Section 8 - Diversification

- (a) The investment portfolio shall be diversified by:
 - (1) Avoiding over-concentration in securities from a specific issuer or business sector.

Section 9 - Prohibited Investments

- (a) Investments in derivatives are strictly forbidden. A derivative is defined in Chapter 135 of the Ohio Revised Code as a financial instrument, contract or obligation whose value is based upon or linked to another asset or index or both, separate from the financial instrument, contract or obligation itself. Additionally, any security, obligation, trust account, or instrument that is created from an obligation of a federal agency or instrumentality or is created from both is considered a derivative instrument.

Section 10 - Authorized Financial Institutions and Dealers

- (a) The Director of Finance will maintain a listing of financial institutions authorized to provide investment services to the City. No public deposit shall be made except in a qualified public depository as established by Chapter 135 of the Ohio Revised Code.

- (b) All financial institutions, broker/dealers and investment advisors who desire to become qualified bidders for investment transactions must supply the Director of Finance with the following when requested, if applicable:
 - (1) Certification of having received and understood the City's Investment Policy, and agreeing to comply with the policy; and
 - (2) Depository Agreement (if applicable); and
 - (3) Other relevant information as requested.

Section 11 - Collateralization Requirements

- (a) Collateralization will be required on all demand deposit accounts, including checking accounts, as well as non-negotiable certificates of deposit and repurchase agreements. The collateralization level will be defined by Ohio Revised Code. Collateral is limited to eligible securities defined in Ohio Revised Code sections 135.18 and 135.181. Each financial institution with which the City has deposits shall provide a quarterly statement reflecting the securities pledged including the market values of such securities.

Section 12 - Safekeeping and Custody

- (a) All security transactions, including collateral for repurchase agreements, entered into by the City shall be conducted on a delivery-versus-payment basis. Should an Investment Company/Manager be utilized, securities will be held by an independent third-party custodian designated by the Investment Company/Manager and evidenced by safekeeping receipts and a written custodial agreement.

Section 13 - Internal Control, Reporting and Continuing Education

- (a) Internal Control
 - (1) The Director of Finance is responsible for establishing and maintaining an internal control structure designed to reasonably ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. Compliance with policies and procedures will be independently reviewed during required audits by or on behalf of the Auditor of the State of Ohio.
- (b) Reporting
 - (1) The Director of Finance is charged with the responsibility of providing reports on investment activity and returns on the pooled balance of the funds. These reports will be prepared on a monthly or quarterly basis and submitted to the City Council.
- (c) Continuing Education
 - (1) The Director of Finance will annually complete the public investing continuing education program provided by the Treasurer of the State of Ohio. Furthermore, no investment shall be made in commercial paper or bankers acceptances unless the Director of Finance has completed additional training approved by the Auditor of the State of Ohio.

Section 14 - Policy Considerations

- (a) The City's Investment Policy shall be adopted by Ordinance of the City Council. City Council shall review and reaffirm this policy every five years at a minimum; and
- (b) Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. However, at maturity or liquidation, such monies shall be reinvested only as provided by this policy; and
- (c) The policies as stated herein may be changed only with the approval of City Council.