



CITY COUNCIL REGULAR MEETING PACKET

August 1, 2022 @ 6:30pm Smith Park Shelter House

1. Call to Order: Mayor Mike Lowrey
2. Roll Call: Clerk of Courts
3. Invocation: Julie Driskill of FYI
4. Pledge of Allegiance:
5. Action on Minutes: **05/13/2022** Joint Meeting w/ Bethel, Miami County
07/18/2022 Regular Meeting
6. Communications:
7. City Manager's Report: Attached
8. Comments from Members of the Public: *Comments limited to 5 minutes or less
9. Committee Reports: Charter Review and/or Parks & Recreation Board (If applicable)

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

***A. Resolution 2022-11R (Introduction, Public Hearing & Action Tonight)**

A RESOLUTION DECLARING THE NECESSITY OF IMPROVING THE STREETS OF THE CITY OF NEW CARLISLE, OHIO BY LIGHTING THEM

B. Resolution 2022-12R (Introduction Tonight. Public Hearing & Action on August 15th)

A RESOLUTION ADOPTING THE 2023-2027 CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF NEW CARLISLE, OHIO

***C. Resolution 2022-13R (Introduction, Public Hearing & Action Tonight)**

A RESOLUTION AMENDING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

11. ORDINANCES: (4 - Intro; 1 - Action)

***A. Ordinance 2022-29 (Introduced on July 18, 2022. Public Hearing & Action Tonight)**

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

B. Ordinance 2022-30 (Introduction Tonight. Public Hearing & Action on August 15, 2022)

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PUBLIC STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW CARLISLE, OHIO BY LIGHTING THEM

C. Ordinance 2022-31 (Introduction Tonight. Public Hearing & Action on August 15, 2022)

AN ORDINANCE LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PUBLIC STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW CARLISLE, OHIO BY LIGHTING THEM

D. Ordinance 2022-32 (Introduction Tonight. Public Hearing & Action on August 15, 2022)

AN ORDINANCE CERTIFYING TO THE CLARK COUNTY AUDITOR AND AUTHORIZING PLACEMENT ON THE TAX DUPLICATE CERTAIN DELINQUENT UTILITY ACCOUNTS FOR COLLECTION WITH REAL ESTATE TAXES

E. Ordinance 2022-33 (Introduction Tonight. Public Hearing & Action on August 15, 2022)

AN ORDINANCE CERTIFYING TO THE CLARK COUNTY AUDITOR AND AUTHORIZING PLACEMENT ON THE TAX DUPLICATE CERTAIN UNCOLLECTED WEED AND/OR GRASS CUTTING FEES FOR COLLECTION WITH REAL ESTATE TAXES

12. OTHER BUSINESS:

- Additional City Business
 - Planning Board Meeting: Tuesday, August 2, 2022. Topics: Community Gardens, R-PUD's setbacks, and Gun Ranges as Conditional Uses. Smith Park Shelter House @6:00PM
 - Open Discussion for City Related Matters

13. Executive Session:

14. Return to Regular Session:

15. Adjournment

Next **Regular Meeting** of Council will be held on at the Smith Park Shelter House on Monday, August 15th at 6:30pm

RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO Joint meeting with Bethel Township Miami County Held: May 13, 2022 @ 6:30PM.

1. Call to order by Don Black. Don Black ([00:00:06](#)):

Okay. I'd like to welcome everybody tonight to the meeting. We'll get started. It's exactly 6:30. So we'll start on time. I don't know what time we'll end, but I brought a toothbrush and a change of clothes, so whatever we need to do, I'm okay. So what I'd like to do is go around the room if we could introduce ourselves. Don't just tell us your name, tell us so everybody I'll know your name, where you live, how long you've been on council or trustee or whatever, how long you've been in the community. We'd like to know something about you. So if we could we'll get started. I'll let Julie start.

Julie Reese ([00:00:51](#)):

Oh, excellent. Julie Reese. I'm a Bethel Township trustee, newly elected. And I've been in the township on and off since 1972, graduated from Bethel High School.

Don Black ([00:01:06](#)):

Okay. I'm Don Black. I've lived in a township since I was 10 years old on Singer Road. I suppose I'll die there. I've only been a township trustee for about two years now. I was always busy with my career. So I didn't quite get started as early as I'd like to have.

Don Black ([00:01:27](#)):

I still do work for the operating engineers training program and live down on Singer Road, south end of the township and still farm some. So welcome everybody. Beth?

Beth van Haroon ([00:01:42](#)):

Hi, I'm Beth van Haron. I've been a township trustee since 2005 and I've lived here also a long time like those guys, and we're glad you guys came tonight. Thank you.

Debbie Watson ([00:01:56](#)):

Hi, I'm Debbie Watson. I've been the fiscal officer for Bethel Township for 19 years and I raised my children here at Bethel.

Andy Erhard ([00:02:03](#)):

I'm Andy Erhard. I'm the township administrator and also the fire chief. So I wear both of those hats. I've been here since 2009. And I'd like to thank the city of New Carlisle for coming over this evening.

Jen Huber ([00:02:21](#)):

Hello, I'm Jen Huber. I'm not an elected or appointed official. I'm sorry, bad at that. I'm Jen Huber. I'm an attorney with a law firm. I'm here on behalf of the township and not an elected official. I do

have family in the area though, so I got to visit with them tonight before coming here. So thanks for having me out.

Jake Jeffries ([00:02:41](#)):

Hi, Jake Jeffries, law director for New Carlisle.

Randy Bridge ([00:02:46](#)):

Randy Bridge city manager for New Carlisle. I've been employed with the city this October for a decade. And thank you for hosting.

Ben Bahun ([00:02:56](#)):

I'm Ben Bahun. I'm a city councilman. I was appointed this past January to city council in New Carlisle. I believe it was January, somewhere in there. Lived in New Carlisle and Bethel Township both, pretty much my whole life. So 46 years, there's a little stint where I lived in Troy, but for just a couple years. But for the most part, I've been around this area and grown up in this area. So glad to be here. Glad to meet with you guys. So thank you.

Bill Cook ([00:03:34](#)):

I'm Bill Cook. I'm also a city councilman for the city, Lifetime and lifelong resident of the city of New Carlisle.

Dale Grimm ([00:03:46](#)):

I'm Dale Grim. I'm the vice mayor of the city of New Carlisle. I was appointed to the council. I took office January of '20. I was elected vice mayor this past January. I am a transplant. I raised my family in Springfield. I've been in New Carlisle for 10 years now and I love it here. And thank you, Bethel Township for hosting it and for inviting us.

Mike Lowrey ([00:04:13](#)):

Hi, my name's Mike Lowrey. I'm the mayor of the city of New Carlisle. I've been on the city council now for 10 years. I've lived my entire life in New Carlisle, 44 years. My three kids, my wife and a majority of my immediate family lives within the city of New Carlisle. And we love the area and we're glad to be a part of it.

Mike Lowrey ([00:04:33](#)):

And again, thank you for inviting us and hosting the event tonight. Thank you.

Dan Rodewald ([00:04:36](#)):

Dan Rodewald, I was appointed to city council about two years ago now, long life resident of New Carlisle, that's about it.

William Lindsey ([00:04:57](#)):

I'm William Lindsey. Was reelected with a two year split between the two times. Took office in January. I used to live here in Bethel Township. I lived here for, I believe I told Beth that it was like 28

years I lived here. And then we sold and moved to New Carlisle. I first went on council in 2016 and it's interesting.

Peggy Eggleston ([00:05:28](#)):

Peggy Eggleston I've been on council a little over two years now, and my parents moved to New Carlisle a year before I was born. So I've been there all my life.

Don Black ([00:05:39](#)):

Okay. Thank you. I guess on the agenda we got opening comments. Did everybody get this handout? And I'm asking all you people, did you all get the handout from the attorney? They're over here on the table. Kind of explains the annexation. I thought that was a good place to start, and I'm not going to read it word for word, but we'll look at it a minute so that we get on the same page as annexation. And what we see as going on.

Don Black ([00:06:27](#)):

As we look down this, it asks, or it says, "A regular annexation that says petitions by at least 51% of the property owners." Well, there's only one property owner on the one we're interested in, Jim Scott and his sister, I believe it is, Phyllis.

Don Black ([00:06:46](#)):

Then there's the expedited type one annexation. Again, it talks about petitions by all the property owners. And then we come down to an expedited type two annexation, which is the most common. It's a petition by all of the property owners within the territory proposed to be annexed with or without the consent of the municipality and townships.

Don Black ([00:07:12](#)):

The territory proposed to be annexed will not be excluded from the township unless otherwise provided by an annexation agreement or a cooperative economic development agreement a CEDA. And if we look at the rest of this as we go down, just a few of these questions, if you would like to look at this on this back of the next page.

Don Black ([00:07:41](#)):

It says, "The process for all, almost all annexation types are driven by the owners of the property." And that is what we have here. Jim Scott wants to sell his property to a developer and annex it to the city of New Carlisle.

Don Black ([00:08:02](#)):

Typically, the owner of the property seeking to be annexed has the authority to select which type they want to pursue. Recognizing that there are often concurrent conversations with the municipality based on what we see. We think it'll be an expedited Type II.

Don Black ([00:08:22](#)):

A township may only object on any of the seven criteria listed. And those are listed there. But what you're really looking for is if they don't meet a technical requirement of the annexation, this is not a general basis on which a township can object.

Don Black ([00:08:45](#)):

Even if an objection is filed, the county could still determine that the petition does not meet all of the requirements and approve it. All of this is to say that the township's statutory ability to object to an annexation, especially an expedited Type II is extremely limited at best.

Don Black ([00:09:07](#)):

If a parcel of land is surrounded by a municipality, does it automatically become annexed? No, it's not an automatic procedure. We know that the owner of the property that has to be what they want to do, and that's what's going on here.

Don Black ([00:09:25](#)):

Can annexation cross a roadway? Yes. A road does not block annexation. In an annexation what happens to the school district borders? The school district borders do not change. So if that property is annexed to New Carlisle, those kids would still go to Bethel High School, unless there's some kind of agreement between Bethel High School and Tecumseh, which is very unlikely that would happen. But the school lines does not automatically change.

Don Black ([00:10:05](#)):

One of the next one says when a property is annexed, do the boundary lines for the township change? It says if a parcel is annexed in an expedited Type II, the boundary lines for the township do not change unless, and until the boundary lines are specifically conformed.

Don Black ([00:10:27](#)):

Conforming means the municipality's boundary lines are redrawn to completely remove the parcels from the township. We do not know that at this time. Maybe we'll get to talk about some of that here tonight.

Don Black ([00:10:43](#)):

As we look on down, it talks about the people being able to vote. And it also talks about the taxes. Property owners, residents can vote in the township and the municipality elections, and must pay the applicable property taxes for both jurisdictions. That is, if we don't reach an agreement to confirm or conform the boundary lines. Okay.

Don Black ([00:11:16](#)):

As we turn to the next page, we can see here this is just for more our residents than anything. Prior annexations of township land

occurred under earlier annexation laws. The laws have changed over that time period. Carriage trails and park town boundary lines have been conformed and their residents are not part of Bethel Township.

Don Black ([00:11:41](#)):

That is why they do not pay township taxes or vote in township elections. As detailed above though, they do pay Bethel local taxes. Okay, when a property is annexed, do the boundary lines for the county change? No.

Don Black ([00:12:03](#)):

Why would a property owner want to annex? I guess we'd have to ask him, but the biggest reason here is they want to build houses, more houses than what our zoning would allow. Okay? The other things is water and sewer, things like that.

Don Black ([00:12:25](#)):

Do township residents, let's listen to this one, two or three times. Do township residents get to vote on annexation? No. Annexation is not an issue that is voted upon. When we look at that as township residents, that's us three trustees. We do not get a vote on this. If we got a vote on it, it'd probably be pretty easy.

Don Black ([00:12:50](#)):

Can an annexation be reversed? The proper answer is yes. Somebody would have to show us where that's ever happened because it hardly ever happens. Okay?

Don Black ([00:13:07](#)):

How much of Bethel Township has been annexed so far, and when? And looking at our records, Bethel Township so far has lost 1,030 acres to annexation since 1988.

Don Black ([00:13:22](#)):

Now that sounds like a lot of land and that is a lot of land. I'd like to own that, but that's a lot of land. But it's still only 5% of the township. We know we have this 260 acres here outside of Brandt that may be annexed. We don't know anything new on that. And then we're talking this 115 acres with New Carlisle.

Don Black ([00:13:48](#)):

The 3.8 mill levy says, "Wasn't it supposed to stop annexation?" It is our understanding that the 3.8 mill levy was passed by voters in 2003. That was 19 years ago. As a general fund levy to work to fight annexation. Thanks to this levy, the trustees planning and matching grant funds, the township now has water and sewer along the southern end of the township.

Don Black ([00:14:22](#)):

This access to utility infrastructure means the township can accommodate denser development in areas vulnerable to annexation,

rather than those properties annexing to obtain utility service in a nearby municipality.

Don Black ([00:14:38](#)):

It is the township's hope that the available infrastructure will help persuade property owners and/or developers to use the township infrastructure and keep the property in the township. So that 3.8 mill levy has been used very wisely.

Don Black ([00:14:57](#)):

People here in Brandt have good water. And that's about the only thing that's saved us from the annexation so far. It's not a guarantee, but it certainly helps.

Don Black ([00:15:10](#)):

Can the township incorporate as a village? You could, if we had at least 800 people per square mile, and at least 200 square miles. Currently our township, we have 144 people per square mile.

Don Black ([00:15:26](#)):

So we're not close to being able to incorporate as a village. The township population you can read there, is 47 hundred and 58.

Don Black ([00:15:38](#)):

Can the township become a limited home rule township? There's a statutory process for adopting limited home rule. However, having home rule authority does not give a township any additional authority to block or object to annexation by a municipality. Not going to read the example, but that's pretty clear. Home rule will not work for us.

Don Black ([00:16:04](#)):

Why didn't the township buy the property and create a park? Township ownership of the land does not solve the annexation issue. If the property is owned by a government entity, it can be used by a municipality to access an annexed property on the other side of it. So that wouldn't have done a thing for us, but I can tell you a big reason we didn't buy it, we don't have any money to buy something like that. That's pretty simple.

Don Black ([00:16:35](#)):

Why didn't the township buy the property and then sell it to someone who wants to keep it in the township? For a township to dispose or sell property, the sale shall be by a public auction or by seal bid to the highest bidder. ORC is Ohio Revised Code. The township would not have unilateral control over who purchased or their intentions for the property. Farm ground's worth \$10,000 an acre, roughly. Development lands worth well over 20,000. So that tells you why you can't buy something for 20,000 and sell it for 10, and it seemed like a good deal, no matter how many times you tell yourself. I just wanted to go over that.

Don Black ([00:17:20](#)):

The attorney put this together. I think it's excellent. I think it should have helped answer a few questions here tonight. We, as a township are opposed to the annexation. They know that. That's what interests us. They're with the City of New Carlisle, they represent their residents and they believe that's what's best for New Carlisle.

Don Black ([00:17:46](#)):

So we have to talk back and forth and see what can be worked out. You know, what can we do that none of us is totally happy, but none of us is totally mad? Where can we meet on some kind of ground and work something out?

Don Black ([00:18:03](#)):

That's what we're interested in, I believe. So that was a long, I think he should have used a bigger font or something for opening comments from the board of trustees. But Julie, do you have anything or Beth?

Julie Reese ([00:18:16](#)):

I think we could [inaudible 00:18:19] along.

Don Black ([00:18:19](#)):

Okay. So we will go with opening comments from New Carlisle council. And we do have cookies and I was supposed to tell you that we got a men's restroom and a women's restroom, and it's a little bit warm in here, but we were all griping just a month ago how cold it was. So just sit back and enjoy it. We'll be okay.

Don Black ([00:18:45](#)):

All right. Randy, I don't know who's going to give your talk, but go for it.

Randy Bridge ([00:18:55](#)):

[inaudible 00:18:55].

Don Black ([00:18:55](#)):

Got to use the mic, I can't-

Randy Bridge ([00:19:02](#)):

No, that's what I was going to ask? Could you guys hear Beth now, was it too echo-y? [inaudible 00:19:02].

Beth van Haron ([00:19:02](#)):

No, it's the mic. Can't hear you.

Mike Lowrey ([00:19:05](#)):

Just want to make sure. All right, so we've had a lot of you have been to our council meetings. I'm going to thank Ms. Reese has come to our meeting and spoke and she has definitely come and spoke with a lot of passion about what she feels is right.

Mike Lowrey ([00:19:18](#)):

For me personally, I'm not going to speak for anybody up here. We still have a lot to learn. They have not officially presented it to our board, which is coming up next week. And I think most of you probably are aware of that. I mean, we do have probably a good idea of what they're going to present officially at that meeting. Traffic studies are being done by the City of New Carlisle on our main roads, because that's a big concern. New Carlisle on Main Street, in the middle of the day around four to five o'clock, it gets a little hectic.

Mike Lowrey ([00:19:46](#)):

I wouldn't say it's horrible in the grand scheme of other cities, but it gets a little tight throughout the day. But for me personally, and you nailed it, I want to do what I think the citizens would want, what's best for the city. As far as the tax base, what'll bring a better future to the City of New Carlisle tax dollars? Or be able to move the city in the right direction to bring new business?

Mike Lowrey ([00:20:12](#)):

A lot of people say that, "Well, new houses will never bring new business." Well, I mean, I think just the chat of this development alone has sparked new business already. Even though it hasn't even come to fruition all the way. So, new business, we hear a lot of people saying, "Well, we want this type of a business," or, whatever Applebee's or whatever it may be.

Mike Lowrey ([00:20:35](#)):

You can't have all these newer businesses that a lot of people want without growth. I'm not saying that this is the answer to give us exactly what we wanted, what the citizens have asked for, but it's definitely a step in the right direction. I'm not saying this particular development, but I'm saying in general, growth.

Mike Lowrey ([00:20:53](#)):

I've lived in New Carlisle like I said, for 44 years and for the most part, other than Twin Creeks, it has stayed the same. We have a lot of people that will say Twin Creeks was a development that, "Well look what happened at Twin Creeks. And you should have learned from that and not move forward with this."

Mike Lowrey ([00:21:08](#)):

Well, that was a completely different scenario where the developer started this area for those of you who may not know and the housing market crashed right then and there and the guy committed suicide without having the legal ends of the development tied up to where things could move along a lot smoother than what they did.

Mike Lowrey ([00:21:28](#)):

But until we get all the bits of information, as far as these traffic studies and things of that nature, I'm not going to say I'm for it or against it. I like the idea of growth, but at what cost? Do I want it in lots that are really cram packed? No.

Mike Lowrey ([00:21:45](#)):

But I also don't think that lots with one house for one acre is what the city is looking for at this time. But that's just my 2 cents and going off of what I've discussed with citizens and what the trend is in our area.

Mike Lowrey ([00:22:03](#)):

So, I mean, that's really where I'm at. I don't have an answer over which way I would go, yes or no on this particular development. I think it's a very interesting idea, but is it what is right for us? I don't know until we have that official meeting on Tuesday, until we get some more information back as far as traffic studies and things of that nature.

Mike Lowrey ([00:22:23](#)):

So, I mean, that's in a nutshell where I stand.

Beth van Haron ([00:22:26](#)):

So can I ask a question where you're doing those traffic studies? Because I think a lot of those people will go down New Carlisle Road to the west and also Scarf Road to the south out to 571. And so that would impact our township. So you might do your traffic study in New Carlisle and say, "Oh, it's 200 extra cars per hour or whatever it is," but you didn't look at all the routes that they could take.

Beth van Haron ([00:22:52](#)):

And so I'm just asking, is it looking at all the routes they can take? Or is it truly just focused on New Carlisle Road or Your Lake Avenue?

Mike Lowrey ([00:22:59](#)):

Yeah, I know they're being done definitely up on the main roads, but you would probably be able to answer that better than me. Yeah.

Randy Bridge ([00:23:05](#)):

So we have hired Choice One Engineering to do that citywide traffic study. So we are looking at the primarily impact on 235 and 571, which is my big area of concern. When we brought up the development off of the one we're here discussing today, they didn't seem to have much of an impact in the general area.

Randy Bridge ([00:23:22](#)):

So I'm not saying we can't go back and have them take a look at that, but right now its impact is going to focus on, we have potentially four residential developments coming in. This is one of those four, that have much more of an impact on 235 and 571.

Randy Bridge ([00:23:38](#)):

So once we get that back, we'll have to look at that and see if we need to add to it, to accommodate some other things.

Beth van Haron ([00:23:44](#)):

Okay. Because 295 homes, if they're not going to have an impact on 235 and 571 to me, would say, they're going to all go down Scarf Road and New Carlisle Road to the west. I mean.

Randy Bridge ([00:23:55](#)):

Sure.

Beth van Haron ([00:23:55](#)):

I'm not trying to be contentious. I'm just trying to think logical.

Randy Bridge ([00:24:02](#)):

Sure. That's what the traffic engineers had told us. So that is coming from a professional.

Beth van Haron ([00:24:09](#)):

Yeah. So definitely.

Andy Erhard ([00:24:12](#)):

And I would like to just make one quick comment that this is meant to be a workshop between the two boards to work out some things. There is a section for a public comment at the end. So if you could please hold your comments to the end so they can work out these issues, we would appreciate it. Thank you.

Beth van Haron ([00:24:25](#)):

And so my only concern is I think I'll speak for all the trustees on this, is that if we to participate in that traffic study, I'd like our concerns to be heard. I don't necessarily want to pay for it, because I feel like you're getting the benefit of these homes in your community.

Beth van Haron ([00:24:48](#)):

If it truly comes to pass, if it all goes through and we are not. Except for that they will be on our roads in excess of... I understand how roads work. We all drive on everybody else's, but at least you need to look at the impact down Scarf and down New Carlisle Road, I think. Thanks.

Andy Erhard ([00:25:08](#)):

Thank you.

Don Black ([00:25:08](#)):

Any other comments?

Julie Reese ([00:25:15](#)):

Can I just add to that real quick. Also, if you are going to do that, can you look at it for school hours as well? Because a lot of parents drive their kids to school these days. So that would definitely

affect Scarf, New Carlisle Road, Dayton, Brandt, 201, everything that leads to the school. There's only a few roads.

Randy Bridge ([00:25:33](#)):

So you guys want to know information, how it's going to impact your township roads, but you're not willing to pay for anything on the study?

Beth van Haron ([00:25:42](#)):

I'm willing to. We're all willing to-

Randy Bridge ([00:25:44](#)):

I'm having a hard time hearing, so I want to make sure I heard you correctly.

Beth van Haron ([00:25:44](#)):

I'm sorry.

Randy Bridge ([00:25:46](#)):

I'm having a hard time hearing with the echo, so I just want to make sure I heard both of you correctly.

Beth van Haron ([00:25:50](#)):

Yeah, it's... Do you want me to speak with it or without it?

Randy Bridge ([00:25:52](#)):

I think with.

Beth van Haron ([00:25:54](#)):

I think we definitely talk about paying contributing to that, but you are reaping the entire financial benefit of this community. So I'm not sure why we should pay for that study. And I truthfully, as a mechanical engineer and I've worked with a lot of civil engineers, it's not that big a deal to look at the rest of it.

Beth van Haron ([00:26:19](#)):

I mean, they're supposed to look at the entire impact of the neighborhood, that's a thorough traffic study. You know that, I mean, that's what you do.

Randy Bridge ([00:26:28](#)):

I understand. I just wanted to make sure I heard you correctly. I agree with you that we should actually pay for that. I just want to make sure I heard you correctly.

Beth van Haron ([00:26:37](#)):

Yeah. I mean, not that we're putting our feet on the ground saying, "Absolutely, positively, no way." We want to know what the impact is.

Randy Bridge ([00:26:41](#)):

Sure.

Beth van Haron ([00:26:42](#)):

Because I think it will be substantial. Thank you.

Don Black ([00:26:50](#)):

Do you have problems [inaudible 00:26:50]?

Dale Grimm ([00:26:50](#)):

Mayor, I find the proposal interesting. I do want to learn more about it. I want to see a traffic study. I want to see an environmental study. Our responsibility as a council is to our constituents, the residents of the city.

Dale Grimm ([00:27:08](#)):

We are responsible for the wellbeing of the city and the growth of the city. The way I look at it, if somebody wants to become a part of the city, it would take an awful lot for me to say no. And that would, like I said, hinge on a traffic study and an environmental study. Yes, we are concerned about the impact on Silver Lake. I would like to see studies on that, but everybody's talking, complaining, "Well, it's going to be 200 some odd houses and there's going to be all these people driving on our back roads."

Dale Grimm ([00:27:47](#)):

These houses are not going to spring up overnight. It's going to take years to build that many houses. To build and sell that many houses. Everybody is not going to be all of a sudden, everybody at once driving down Scarf Road or down New Carlisle Pike.

Dale Grimm ([00:28:03](#)):

It's going to be spread out over the day. The traffic study will show what our city streets will do, but I don't think we would have any responsibility to study Bethel Township roads, would we?

Randy Bridge ([00:28:24](#)):

We can discuss that at a later point with council as a whole, maybe in a regular session.

William Lindsey ([00:28:29](#)):

Okay. All right.

Don Black ([00:28:32](#)):

I got a couple of things that I'd like to discuss. We have our trustees meetings twice a month for in the evening regular meeting. And then we have two workshops on Tuesday mornings. And our residents have come back from the New Carlisle City meetings and a couple of those things that have come up is one, that there is an agreement with the township-

PART 1 OF 5 ENDS [00:29:04]

Don Black ([00:29:03](#)):

That there is an agreement with the township trustees. And I haven't missed a meeting that I know of and I haven't agreed, and I don't think Beth has or Julie. I'm just wondering if somebody can elaborate

on who they have an agreement with in Bethel Township, because none of us elected officials seemed to know about it.

Mike Lowrey ([00:29:26](#)):

Agreement of what?

Don Black ([00:29:27](#)):

That we were okay with annexation and that there was an agreement.

Mike Lowrey ([00:29:32](#)):

But that's not what was said. There was...

Crowd ([00:29:35](#)):

[inaudible 00:29:35]

Mike Lowrey ([00:29:37](#)):

No, he didn't. No, he didn't.

Crowd ([00:29:38](#)):

Yes, he did.

Mike Lowrey ([00:29:38](#)):

Do you want me to play it back?

Crowd ([00:29:41](#)):

[inaudible 00:29:41].

Mike Lowrey ([00:29:41](#)):

He did not say there was... He did not say there was an... He did not say that there was-

Crowd ([00:29:46](#)):

They were on board.

Mike Lowrey ([00:29:49](#)):

They were on board.

Don Black ([00:29:49](#)):

Let's be a little bit-

Randy Bridge ([00:29:49](#)):

Can I explain it because I'm the one who said it. We had a phone call with your administrator and your attorney that you hired and they had indicated that you guys were willing to move forward and discuss the annexation agreement. So that's why it was said the way it was said. Now, Bethel Township had then posted on Facebook that you didn't need an annexation agreement for the types that we're doing. Well, I said that you guys were on board because one of the two things I was told we were here for today was to establish a boundary line, but more importantly, to remove the rose residents from the Township to fully have in New Carlisle. And in order to do that, you do need an annexation agreement should they do a type two expedited, so that's why it was said.

Randy Bridge ([00:30:34](#)):

So really the Facebook post that you guys put out was not accurate, but I had said you guys are willing to talk to us based off the information that we had got out, because if you do want those residents removed, you actually do need that annexation agreement. So I think it just got confused with how it was said.

Beth van Haron ([00:30:51](#)):

Hang on. I did that Facebook post and I listened to your clip multiple times to be sure. And I know that you then called our administrator afterwards to say, that's not exactly what you said. He listened to the Facebook post as well. If you had wanted us to make a correction, I would've been happy to, but you did clearly say we have an annexation agreement with Bethel Township. We don't need to waste this meeting hashing this out, but I listened to that multiple times. I don't want to put words in anybody's mouth ever and I'm sure you feel the same way. And I'm sure... Jeeze-o-Pete. We want to be, as I'm sure your board wants to be, as transparent as possible and as straightforward as possible, but it clearly stated that we hadn't reached an annexation agreement. Now, I totally agree. It could have been you meant just with Andy, which would've been fine, but that wasn't stated in the meeting. So I don't think we need to spend our meeting hashing that out.

Beth van Haron ([00:32:06](#)):

We'd love to reach an agreement with you, but we have not reached an agreement. I think that's the distinction. And we know, and I think all the residents here are now aware thanks to the thing that Jennifer's company put together, that without... Oh, my batteries dying.

Mr. Graham ([00:32:27](#)):

I'm going to try a new battery.

Beth van Haron ([00:32:28](#)):

Without an agreement, we cannot [inaudible 00:32:34] those boundaries. So we do, if that's truly what we agree is best for the Township as the trustees, then yes, we do need to reach an agreement. So let me try this again. So yes, we are definitely interested in talking with you guys about an agreement, but we haven't reached one yet. I think you know that, we know that, and we want to make sure that the general public knows that as well. Okay, we good.

Don Black ([00:33:01](#)):

One of my other questions that I've heard from residents back and forth, and I can't remember your name, but the Vice Mayor there, you said about the environmental impact. And we had residents coming back and they were discussing a type one environmental impact study. And for my company, I bought a few pieces of property so I always do a

phase one environmental study, but that has nothing to do with the environment for building houses or anything like that. It's to protect the buyer from hidden things, that he's not buying a piece of property with a hazmat site on it, or 500 50 gallon drums, or underground fuel tanks, things like that. So a phase one environmental study has zero to do with the impact on what this development would do. So are you saying tonight that you as a council are going to get someone to do an environmental study?

Dale Grimm ([00:34:33](#)):

No. That's being done by the developer from what I understand.

Don Black ([00:34:42](#)):

Why would the developer do that? It makes no sense for the developer to do it. The developer's not going to go out and look for a reason not to develop the property. It's up to the city. If you want to establish a baseline and know whether or not in five years Silver Lake or anybody sues the city for environmental damage, the city would have to pay for that environmental study to get a baseline. The developer would do a phase one to ensure his liability and his baseline on buying the piece of property. There is no way whatsoever that a developer would go out and seek a study on what he's doing. That's not the way it works.

Mike Lowrey ([00:35:46](#)):

So you're saying a developer would never go out and do a study for Silver Lake or any of the surrounding area? He would never do it?

Don Black ([00:35:56](#)):

I don't believe that he will-

Mike Lowrey ([00:35:58](#)):

That's not what you said.

Don Black ([00:36:00](#)):

... to protect-

Mike Lowrey ([00:36:00](#)):

You said he wouldn't-

Don Black ([00:36:00](#)):

... New Carlisle.

Mike Lowrey ([00:36:01](#)):

You said he wouldn't do it.

Don Black ([00:36:03](#)):

I did. So let me get it. He may do it, but it will do nothing to protect the city of New Carlisle.

Mike Lowrey ([00:36:10](#)):

Okay.

Don Black ([00:36:10](#)):

That's what I meant by he won't do it. He won't do a study to protect your interests.

Speaker 1 ([00:36:23](#)):

So are you saying Mr. Black, that the city should do an environmental study to protect Silver Lake or the wildlife, whatever's there? I know there's quite a bit of wildlife out there from my understanding, a couple of eagles, and some deer, and rabbits, and I don't know, geese or goose, whatever they call them. So is that what you're suggesting that the city does an environmental study on the animal... I don't know the terminology for that type of study.

Don Black ([00:36:56](#)):

And that's fine. I was just going off of what your Vice Mayor talked about. I didn't really have that as a subject to talk about, but when he mentioned the environment, it jogged my memory on what our residents is coming back and they're talking about a phase one environmental study. If I was on city council, the same as right here, if I was on Bethel Township, and we were going to do something, yes, I would want an environmental study so that I felt good about it, that I was not going to create a liability for the future of New Carlisle. Yes, I would. Now, I would not... Silver Lake, yes, that's a big thing, but I don't know who's going to sue you. You know what I mean? It may be somebody else. I would want an environmental study if I was sitting in a city council member's chair.

Mr. Graham ([00:37:53](#)):

I believe that would be something that the council would discuss in our session with our attorney and our city manager. I would say the ones that are on council, they were pretty smart. We take some advice from our city manager and our city attorney. Most of us, I believe, at least I do, do my own research also to see if it jives with what I'm told. I don't know what type of environmental study it would require. Again, that would be a discussion in our council meeting in a regular meeting or a special meeting that we'd have.

Don Black ([00:38:38](#)):

Yes.

Mr. Graham ([00:38:40](#)):

I thought it died. With that said, I think we've exhausted the environmental studies and we need to move on, sir. Thank you.

Don Black ([00:38:49](#)):

I'm fine with moving on. Has there been a study on your part as to whether or not your water and sewer division can handle this development?

Mr. Graham ([00:39:09](#)):

To our knowledge, our water and sewer systems can handle that and a lot more.

Don Black ([00:39:16](#)):

Oh, good. Okay.

Crowd ([00:39:17](#)):

How many tanks do we have right now?

Mr. Graham ([00:39:18](#)):

Okay so-

Don Black ([00:39:20](#)):

We're going to wait. In a little bit we're going to have public comments.

Mike Lowrey ([00:39:23](#)):

Hold that question because I definitely want to answer it.

Don Black ([00:39:25](#)):

Go ahead.

Speaker 2 ([00:39:33](#)):

I just wanted to go back to the traffic for a second. I don't want you to necessarily pay for a study of looking at the roads in our township, but again, I would think you guys would want to know for the residents moving in there, they're also going to be affected when they use those roads. I mean, we don't have nearly that many houses up on that end of the Township. So this is... The 300, I mean, we probably have maybe 100 houses up that way if we're lucky now. So you're talking about adding another 600 cars at probably rush hour, school times, work times. So I would think you'd want to know how it's going to impact those residents as well, because they're going to be your citizens. So I just wanted to add that it's not just looking at how it's going to impact the township, but it's also going to affect them.

Speaker 3 ([00:40:34](#)):

If I may, respective elected officials, I would summarize this conversation on the traffic this way. First of all, I'm not a traffic engineer. So I don't pretend to be one, I don't play one on TV, none of the above. So I think your question, trustees, is who determined the scope of the traffic study and how was that determined? And is there an interest in expanding it out, if it's not already taking into account some of these next level roads, is there a way for it to? And you may not have those answers tonight, but I think I can summarize, is that the question? What's the scope of the study? What's it taking into account? Is it taking into account all of the roads that we might need to consider? So I don't think anyone has an answer to that question here tonight, but that's what I was hearing.

Randy Bridge ([00:41:23](#)):

Thank you.

Speaker 3 ([00:41:23](#)):

Sure.

Mike Lowrey ([00:41:23](#)):

Does anyone on the council side have anything else?

Dale Grimm ([00:41:38](#)):

We're looking at, what was it? 290 homes as a worst case scenario. In Twin Creeks, there are a number of property owners that have bought more than one lot, just so they can have a bigger lot. I anticipate if this goes through and if the property lots are the same size that they're specified, I'm sure there will be people buying more than one lot. And like I said before, everybody's not going to be driving down the road at the same time. There are a lot of variables that we can't anticipate.

Beth van Haron ([00:42:16](#)):

So I know this is still proposed and I'm sure that it will go through evolutions in design changes. But what we have seen I believe is 294 homes on the big square and then the two legs. And if you look at those lot sizes, they are very small, even for New Carlisle standards. If I look at your city zoning map, this section that was, I think it's if drive past the post office kind of going north and then over to the west, a lot of those homes were built postwar, late 1940s, early 50s. And those lots are actually slightly larger than these proposed lots. I mean, that's very, very small. And for Bethel Township, who is now used to Carriage Trails, and Park Town, and their lot sizes, those are actually substantially almost double the size of what this is proposed. They're small lots.

Beth van Haron ([00:43:25](#)):

And so I know you're not 100% familiar with the expedited type two annexation. I'm sure the lawyers can fill you in way better than I can, but it's essentially the slam dunk of annexations. The county commissioners can only reject it on seven criteria. If those seven criteria are met, they are by law compelled to pass it. They rejected the latest Huber Heights annexation petition for water and sewer. We don't have water and sewer in that section of the township. We've talked with our provider is Clark County, they're obviously not going to provide through you to help us, so that is not a viable objection in this case.

Beth van Haron ([00:44:16](#)):

So I don't want to sound fatalistic. I hope that this annexation does not happen, but in the event that it does, we would really love to see less dense, substantially less dense, if that's at all a possibility. And I know you mentioned Twin Creeks, I think it's

called, I did take a look at that development and those lots are generous compared to what is proposed here. So I don't know if you've had any discussions with that, that you're able to share. I'd like to hear it.

Mike Lowrey ([00:44:52](#)):

Just one question, and I know that this isn't an official answer you're going to give me, but just if you could... Obviously, if it was you right now and you snapped your fingers, you wouldn't let this development happen at all, but let's say it was going to happen some way, shape, or form.

Beth van Haron ([00:45:07](#)):

Mm-hmm.

Mike Lowrey ([00:45:07](#)):

Hypothetically, what size lots would you like to see? Just out of curiosity. And I know that's a loaded question because there's three of you and you all have different opinions, but I mean, what would be your minimum? How many feet between houses or how many per acre? Just out of curiosity.

Beth van Haron ([00:45:26](#)):

I'll let Don and Julie answer that while I look at my notes for what you guys have in your city. I want to make sure I'm citing correct statistics, if you guys can go ahead on that.

Randy Bridge ([00:45:34](#)):

Can I ask a question before you count that? I'm just curious to know. I think it's a good effort that we're here discussing this tonight because I think the end goal is both parties want to be happy. So part of this process is having an annexation agreement in place. If we come to some terms that we're both agreeable upon and when that annexation comes to you guys as a vote as a legislative body, and it has all the components that you want in it, are you going to pass it or you going to fail it?

Beth van Haron ([00:46:01](#)):

So we don't vote. We don't vote on this.

Randy Bridge ([00:46:05](#)):

Well, don't you have to pass the annexation agreement? That's what-

Beth van Haron ([00:46:07](#)):

Oh, an annexation agreement.

Randy Bridge ([00:46:08](#)):

... Yes. Yeah, I'm saying if all components of that have been met that you guys were satisfied with, would you as a legislative body pass that annexation agreement?

Beth van Haron ([00:46:17](#)):

I speak for me. I think I would, because I-
Randy Bridge ([00:46:19](#)):

Okay.

Beth van Haron ([00:46:20](#)):

... I think so. Yes.

Randy Bridge ([00:46:21](#)):

Thank you.

Beth van Haron ([00:46:25](#)):

Thank you [inaudible 00:46:25].

Don Black ([00:46:25](#)):

[inaudible 00:46:25]

Speaker 3 ([00:46:25](#)):

Well, I think we'd... I guess I'll answer for you and say, I think you wouldn't be here if you weren't interested in discussing.

Randy Bridge ([00:46:29](#)):

Sure.

Speaker 3 ([00:46:30](#)):

[inaudible 00:46:30].

Randy Bridge ([00:46:30](#)):

And that's the point of what I'm getting at, if they're not going to do it then, what's the point?

Speaker 3 ([00:46:35](#)):

Then we're not [inaudible 00:46:35].

Randy Bridge ([00:46:35](#)):

Yes, then we're not [inaudible 00:46:34]. Got you. Okay.

Beth van Haron ([00:46:36](#)):

Yeah. Yeah, our goal is not to drag this out and dig our heels in.

Randy Bridge ([00:46:40](#)):

Okay.

Beth van Haron ([00:46:40](#)):

Because the Township doesn't vote on this. The residents don't vote on annexation and in this type of annexation, expedited type two, the Township doesn't vote. It's strictly the county and the municipality. I mean, you guys know this better than I do. I don't want to...

Speaker 3 ([00:46:57](#)):

Yeah. Yeah. Yeah. I would say it's a property owner and a county driven process. Property owner says, "I want it. This is what I want." County says "Do you meet all the requirements? What kind are you looking for? Can I check the boxes?" Depending on what type, those boxes are different. If it's an expedited type two, I mean, the

city has to acknowledge, there has to be a statement that the city's going to provide the various-

Randy Bridge ([00:47:18](#)):

Services.

Speaker 3 ([00:47:18](#)):

... city services. Yep. So I mean, the city has a hand in it, but it's really, I mean, the crux of a decision is at the county level.

Beth van Haron ([00:47:27](#)):

Okay. Thank you.

Speaker 3 ([00:47:27](#)):

Yeah, that's all.

Mr. Graham ([00:47:31](#)):

I'd like to comment on Mrs. Van Harden's lot size. Personally, I'd like to see half acre lots in this development. That would not make the developer happy according to the maps that we're looking at. But once the lands annex, and correct me, if I'm wrong, Mr. Bridge, once the land is annexed, they have to go through our zoning. Our zoning will either approve it or not approve their lot sizes. I really don't want to see those type of homes as close as what is in Northwood that you mentioned earlier.

Beth van Haron ([00:48:16](#)):

Is that what that section is called? Okay.

Mr. Graham ([00:48:17](#)):

It's called Northwood. Yes, ma'am. I would like to see bigger lots. Like I said, at least a half-acre. I don't think any more than a half-acre, depending on how the house is situated and the dimensions of the lot, the width and depth of it. I think that would be better for us. And I think you guys... I'm not even going to say that. I'm not going to speak for you guys. So if you think that would be a good idea, you can tell us. And if I am correct, Mr. Bridge, it does go through our zoning and stuff. Once it's annexed in, we have to approve lot sizes or zoning does and whatnot. Correct?

Randy Bridge ([00:49:01](#)):

Your planning board will get the preliminaries and work through some things with them. You guys will have your shot at it as well, yes.

Mr. Graham ([00:49:08](#)):

Exactly. Okay. I used the wrong board. I'm sorry.

Speaker 2 ([00:49:12](#)):

Can I just ask you a question about your half acre proposal? Is that on the part that you can actually build on or half acre on the 115, which would make the actual housing lot smaller? Are you talking about a half acre with the house?

Mr. Graham ([00:49:29](#)):

I'm talking about a half acre. I had two properties here just down the street at 40 and Fifth Street. Both of those, well, one's just under a half. It's a white house now, it was blue. That is a half acre lot. I think that would be substantial. And I would like to see them a little wider than what that was or is so you're not stacked on top of one another. Basically, I would not want to look out my bedroom window and look in somebody else's bedroom. And I wouldn't want to have to keep curtains closed all the time for whatever. Some people like to have their windows open, they don't like curtains or put whatever they want to put up. I think a little distance is better for people in general, at least for me it is. Where I live sometimes I think those houses are too close, but I looked at tearing it down, and buying the house next door, tearing it down, then building one in the middle. But I think the city manager would have a problem with that.

Don Black ([00:50:36](#)):

So in my mind, this is the stuff that has to be worked out beforehand to see if we can come to some type of annexation agreement. Is somebody's looking at these plans because for some reason the developer put that picture together and has some feeling that maybe that will get approved or whatever. So we need or you need to put that together and give us a plan as to what's going to be there so that we have some place to work on. Half acre does not sound bad. I don't know that you're going to get that done. Julie's question was a good question because the back of that property, have you ever walked that property and looked at it?

Mr. Graham ([00:51:29](#)):

No, I don't walk on un-level property.

Don Black ([00:51:32](#)):

I know Peggy has, we could get you a Gator or something out there and take you around. The backside of that property has got some definite challenging terrain. I'm not an expert on that property, but Marianne has looked at it and yes, I have walked it and looked at it. So we kind of want to know how much of the 115 acres will actually be developed. I think a big spot too, and we've heard rumors, but I don't... I'll wait on you.

Mr. Graham ([00:52:19](#)):

We really have no idea, but on our calculations and stuff, it'll probably only be 77 acres because that back part is, my understanding, and again, I have not been on it, is kind of like a wetland some of it. From the map I'm looking at or the proposed whatever this thing's supposed to be, they have some it looks like a

couple of ponds back there, and some green spaces, and stuff. So I cannot honestly answer how many acres will be developed. Again, that would have to go through our planning board along with council.

Beth van Haron ([00:53:02](#)):

Do you have a minimum open space requirement in your zoning code?

Mr. Graham ([00:53:07](#)):

Excuse me, ma'am?

Beth van Haron ([00:53:08](#)):

Do you have a minimum open space requirement in your zoning code?

Like 30%, 20%.

Randy Bridge ([00:53:14](#)):

Yeah.

Beth van Haron ([00:53:14](#)):

You do?

Randy Bridge ([00:53:15](#)):

Yeah, we have open space dedication, it's based on a formula.

Beth van Haron ([00:53:18](#)):

Oh, okay.

Randy Bridge ([00:53:21](#)):

I don't know what that formula is.

Beth van Haron ([00:53:22](#)):

Okay.

Randy Bridge ([00:53:22](#)):

Off the top of head. Yeah.

Don Black ([00:53:23](#)):

So we've also heard rumors, but I don't know that they're right, wrong, or indifferent. The two legs that's on the south side of Scarff or on New Carlisle Road, especially the one to the west, that's a pretty wet piece of property and all. We've heard that maybe the developer is not going to develop that. I guess we'd like to know some of those things.

Mr. Graham ([00:53:52](#)):

Well, we would like to know that too. Quite honestly, I have heard rumors that that particular area or that particular piece of land is not going to be developed. But once he's annexed in, he owns the land. He can pretty much do what he wants as long as it falls inside of our planning board, and our zoning, and whatnot, if I'm correct. Am I correct, Mr. Bridge, in what I'm saying here?

Randy Bridge ([00:54:24](#)):

Yeah. From what I can hear, yes.

Mr. Graham ([00:54:25](#)):

Okay. So once he buys the land, he can do pretty much what he wants. I have heard rumors, and that's all it is strictly rumors, he is looking to sell that land, that one parcel there, that west and let's see, it'd be the south corner of it because... I don't know why. I don't know if he'll sell it. I don't know what he'll do with it, but we would have no control over that because he owns all of that land.
Don Black ([00:54:54](#)):

I think that's where you're... I don't know how to say this as gentle as I can, but you're not thinking of this all the way through or something. I don't mean to be insulting, but you're 100% in the driver's seat. The two people that can stop this annexation is the owner and the city of New Carlisle. And you people will be voting on this annexation, so if it doesn't meet your guideline, you will simply vote no. They will go around, the clerk will call each of your names, and you will say yes or no. I would want to know that. I would not want to annex a piece of property and then say, "Well, he owns it. He can do whatever he wants with it."
Speaker 3 ([00:55:47](#)):

Well, I'll clarify that they won't have thumbs up thumbs down on the annexation. I mean, they can work out an agreement, right? So how this usually happens is a developer says, a property owner says, "I want to annex. City, what can I get for it?" And I'm not saying here, I'm saying across the whole state of Ohio, that's how this works. Right? That's how it works. There's incentive. There's reasons folks want to go from an unincorporated area to an incorporated area. It could be water and sewer. They can't get water and sewer where they're at. That's just the nature. That's just the way of the game. Right? That's how the statutes got written. And when that goes through, I mean a city can... I mean, I suppose if the city said straight off, we are not interested, go away, but I've never known... I mean, that would be very strange in my experience. But ultimately, the buck stops with the county, right? The county makes the decision.
Now as far as zoning-
Don Black ([00:56:39](#)):

Hang on a minute. Hang on a minute.

Speaker 3 ([00:56:40](#)):

Sure.

Don Black ([00:56:41](#)):

Whoever is in charge of the audio, can you get that noise out of it? The humming? It's kind of deafening up here.

Beth van Haron ([00:56:46](#)):

I think it's the fan.

Mr. Graham ([00:56:46](#)):

Is it a fan?

Beth van Haron ([00:56:46](#)):

I think it might be the fan.

Speaker 3 ([00:56:46](#)):

I hear it, it's the mic.

Don Black ([00:56:48](#)):

No, it's feedback of some kind.

Speaker 3 ([00:56:58](#)):

[inaudible 00:56:58].

Don Black ([00:57:00](#)):

Because if it's going through [inaudible 00:57:00]. Okay.

Speaker 3 ([00:57:03](#)):

I don't hear anything. So were you saying that the-

Don Black ([00:57:04](#)):

Now it's back.

Speaker 3 ([00:57:05](#)):

... city will have the opportunity to thumbs up or thumbs down it's zoning? Because that's correct. But the city, I mean the county, votes on the annexation itself.

Randy Bridge ([00:57:16](#)):

And we will, so that's going to be classified as RPUD, which is a residential planned unit development. So we don't have any lot sizes set out in our code for that. That's usually established by the developer and what they want to present to the appropriate boards. And there'll also be a series of covenants established that's going to govern that particular thing. So it's not like it's coming in as a R5 or R7 where we know it's got to be X amount of this, X amount of that to meet the standards. It is really done by application only. And our planning board will approve or deny those things and make the recommendation to council. And they'll go on to approve or deny that. But we can't sit there and say... Well, I can. I'm not going to say it like that. If they present a 50 by 120 lot, we can go back and say, we want a 60 or a 70 by 120. That's the grounds we can walk on, but we don't have anything established already that says it has to...

PART 2 OF 5 ENDS [00:58:04]

Randy Bridge ([00:58:03](#)):

... grounds we can walk on, but we don't have anything established already that says it has to be this. Look at Twin Creeks, for example. Those lots are a little bit bigger, I think about 75 by 130. Don't quote me on the numbers, but that was something that was established back then at that point in time when the developer and the board took place. So when that time comes, they'll sit down and

talk to the planning board and ultimately we'll have the final decision on those lot sizes.

Speaker 4 ([00:58:24](#)):

I was just saying for us to reach an agreement, we need to know what their thinking is.

Randy Bridge ([00:58:32](#)):

So, we have a couple options here. One, I kind of hope we can start moving in the direction of looking, what we can do with the annexation agreement. I think how it's progressing at this point in time is pure speculation. We don't know until they actually go through the planning board what they're going to submit.

Randy Bridge ([00:58:46](#)):

I too have heard rumors that the two legs are going to go away. I haven't seen anything until they submit it to the planning board. But for order for progress in time, I think we should really start to focus on the components of what the annexation agreement needs to be. We will not be able to answer any density questions for you tonight.

Speaker 4 ([00:59:03](#)):

So, let me ask you just a hypothetical. If the two legs is going away and the developer is not going to develop those into houses, then let's take them out of the annexation proposal.

Randy Bridge ([00:59:18](#)):

That would be for the developer. The city does not own that land. That would be his decision to do so. We can always ask him to take it out, but we can't force him to remove it.

Speaker 4 ([00:59:27](#)):

I understand, but if they get the feeling they're going to get a no vote, you'd be surprised at what you can control.

Mr. Black ([00:59:34](#)):

I think one of the things that might come up with the differences is we're dealing with two different annexations with the city of New Carlisle and the city of Huber Heights. And I think it was probably a misconception on all of our parts, including myself. The city of Huber Heights' charter says they have to accept the annexation by vote. It might be that New Carlisle's charter does not mean they have to because the city of Huber Heights has to accept that annexation by a vote at the end. New Carlisle's may not.

Mr. Black ([01:00:04](#)):

So that could be the difference because, as a charter city, they can make those rules. So that could be where we've been confused on whether or not they voted in, because we know that the Huber Heights-

Don Black ([01:00:17](#)):

Can they answer that question.

Mr. Black ([01:00:18](#)):

Huh?

Mr. Graham ([01:00:18](#)):

Can they answer that question?

Randy Bridge ([01:00:19](#)):

What was the question? I didn't-

Mr. Black ([01:00:22](#)):

So [inaudible 01:00:22]. City of Huber Heights' charter says they have to accept the annexation at the end by vote. So does your charter at the end say you have to accept the annexation by vote?

Randy Bridge ([01:00:31](#)):

I don't know if it says it in the charter, but it's definitely in our codified ordinances that council would have to accept the actual annexation and maybe some roads and stuff like that. So there will be a point where they'll have to vote on to accept that stuff.

Mr. Black ([01:00:41](#)):

So there, there is an opportunity then to say no to the annexation.

Randy Bridge ([01:00:48](#)):

Well, yeah. I've already established that. I've said multiple times, it goes through the planning board, then council will have the final saying.

Mr. Black ([01:00:53](#)):

I'm not talking about planning or zoning. I'm talking about the annexation. There's a part in here [inaudible 01:00:57] and however, that says you have to accept the annexation.

Randy Bridge ([01:01:00](#)):

Yeah, but we have to go through the processes first. And as they go through the planning board, they submit the stuff to planning board and council wants to derail it at that point in time, after it goes through that process, then they can. But it has to be able to go through the processes first. And that is preliminary plat to the planning board. Planning board make sure recommendations-

Mr. Black ([01:01:17](#)):

Sir, I'm not exactly sure how you can zone a piece of property... that's not in your jurisdiction yet

Randy Bridge ([01:01:25](#)):

Because it says in our code that we will and we will take that in as a similarly zoned area. So I think you guys have an A1 or A2 on that now. We don't have that variation of agriculture. We just have a simple agriculture.

Mr. Black ([01:01:38](#)):

Right.

Randy Bridge ([01:01:39](#)):

So we'll keep it agriculture for I think it's up to 30 days. And then the planning board will make a recommendation to council of what the zoning it is.

Mr. Black ([01:01:45](#)):

Totally understand.

Randy Bridge ([01:01:46](#)):

And that's going to be more for this particular case in our bud.

Mr. Black ([01:01:48](#)):

So there's not a vote that happens prior to that from your council that accepts that annexation?

Randy Bridge ([01:01:57](#)):

No, it goes through the planning board first.

Mr. Black ([01:01:59](#)):

Okay.

Speaker 5 ([01:01:59](#)):

Okay.

Dale Grimm ([01:01:59](#)):

You were especially concerned about lot sizes. I spoke with the developers after a planning board meeting a while back. And they said they have done a number of developments, just like this one, same lot sizes. And they sell like crazy.

Dale Grimm ([01:02:23](#)):

The developers are doing this so they get the opportunity to sell lots and turn a profit. Now you said they're not going to submit an environmental report that is detrimental to their process. Similarly, they're not going to have lot sizes that people aren't going to buy. If people don't want a lot that size, they won't buy it they'll look elsewhere or they'll buy two lots.

Dale Grimm ([01:02:52](#)):

Like I said, they said they've done a lot of developments with similar lot sizes and people buy them because there are a lot of people that don't want to mess with cutting a large lawn, shoveling a lot of snow. They like small lots.

Dale Grimm ([01:03:07](#)):

[inaudible 01:03:07]

Dale Grimm ([01:03:07](#)):

So that is kind of a moot point anymore.

Mike Lowrey ([01:03:15](#)):

I just had a question. What's that property used for right now, other than-

Mr. Black ([01:03:20](#)):

What's it being used for? Farming.

Mike Lowrey ([01:03:23](#)):

Is there any special interest in it by any particular individual?

Mr. Black ([01:03:26](#)):

What now?

Mike Lowrey ([01:03:27](#)):

Is there any particular special interest from a single individual that has anything to do with that property? What I'm saying is, is there anybody fighting to keep it the way it is because they have a direct involvement that benefits them with that property?

Mike Lowrey ([01:03:42](#)):

[inaudible 01:03:42].

Mike Lowrey ([01:04:00](#)):

Okay. I was referring to them, but-

Mike Lowrey ([01:04:07](#)):

[inaudible 01:04:07].

Mike Lowrey ([01:04:07](#)):

Oh, okay. All right.

Mike Lowrey ([01:04:07](#)):

[inaudible 01:04:07].

Mike Lowrey ([01:04:08](#)):

I mean, I didn't know if you guys had any particular use going forward with it is what I was getting at.

Beth van Haron ([01:04:13](#)):

No, because the township... No.

Mike Lowrey ([01:04:15](#)):

Okay. All right. Thank you.

Speaker 5 ([01:04:21](#)):

Other than big quality of life, right? We start getting more traffic and more kids to the school and everything else. So everybody's affected. I'm... Don't quite get the question. I don't think.

Beth van Haron ([01:04:31](#)):

And I think that your superintendent at Tecumseh has said that they do not wish to have these children, so they will go to Bethel Township. The schools won't reach an agreement to redistrict the lines.

Beth van Haron ([01:04:46](#)):

And just to go back, Mr. Grim, to your point, I did pull up these numbers. Your Northwoods development, which is the ones that were built in the 1950s that's north and west of the post office, the lot size there is almost across the board 864 feet. And these lot sizes that they were proposing are like 860 feet. I mean, they're even smaller. And those, I'm sure you've all... I used to live on Scarff Road. I used to run in those neighborhoods all the time. Those are some small lots. And I'm sure people are buying them. But you also, as a city, want to look at what type, how you want your city to look in 10, 20, 30 years.

Beth van Haron ([01:05:35](#)):

And if it is small lot sizes that mirror [Northwoodsville 01:05:40], then that's your call. But my guess is, I would hope that they would be bigger at least Twin Creeks size, which are... Hang on, I got those numbers too. Twin Creeks are about 2,500 to... 2000 is the smallest to 2,800 square feet. So almost triple in size from the Northwood's.

Mike Lowrey ([01:06:08](#)):

But within the city, just like any business or parks or whatever it may be, you want variety. You don't want just one size house. Mr. Cook, how many feet are between you and your neighbor?

Mr. Cook ([01:06:23](#)):

10 to 12 feet.

Beth van Haron ([01:06:24](#)):

Yeah.

Mike Lowrey ([01:06:28](#)):

How many feet are between your house and the neighbor to your... 12 feet? Okay. And there's 18 between mine. You've got 16. So I think any city that's growing, that's our size, needs to have options. You don't want just one size house that's like Twin Creeks or houses that are really tight together like the ones that are being proposed.

Mike Lowrey ([01:06:47](#)):

You want a little bit of everything because not everybody's the same. I don't want a big house with an acre [inaudible 01:06:52]. I don't want to take care of it. My house is small and it's got a nice little yard. It does just fine for me. And then there's some people who want even less. They want that yard that takes them 10 minutes to clean up after they've been at work all day for eight hours so... I'm not saying that's what I want out there, but I'm just saying variety is something that you should have when you grow a city. You don't want one type of house.

Beth van Haron ([01:07:14](#)):

And I totally agree. And I'm not trying to tell you how to rezone this or anything, but we have in our zoning code what's called a transition zone for areas that are next to municipalities that we would allow denser development next to the municipality. And then as it moves towards the township, it gets less dense.

Beth van Haron ([01:07:36](#)):

And just like, you don't have to pay for that traffic study that impacts us, but maybe in light of being a good neighbor, part of that could be that they're denser towards Scarff Road and New Carlisle, and then less dense. And again, the ultimate decision is up to you. If the annexation goes through, we realize that. But we are all next to each other for as long as we're here. And so we would like it to at least flow and look a little bit less dense as it gets closer to Bethel Township.

Beth van Haron ([01:08:11](#)):

And I realize that the developer has a lot of pull in that. But as Don mentioned, you guys also have more pull than I think you realize. And we obviously... A half-acre would be small to Bethel Township. But man, if those were half acre lots, I think we'd all be like, "Whoa, only 140 houses versus 300 houses?" I mean, that's still something.

Beth van Haron ([01:08:33](#)):

And the other thing that we have said in our meetings with Huber Heights is that one of the reasons people are building in Bethel Township is because of Bethel local schools. We are not the school board. We're not speaking for them. But if this number of kids overloads our school district, then the draw of Bethel local schools ceases to be a draw. And you won't sell those homes as fast as you wanted to. And it hurts all of our property values in Bethel Township. And I'm sure you agree great schools equal great community. Tecumseh is a great school. You don't want to make choices for your community that would damage your school.

Beth van Haron ([01:09:16](#)):

And in this case, you are making a choice for our community and, by extension, our school that we don't have a control over. So we would just respectfully ask that you keep that in mind because I know that you would do the same for Tecumseh. Thanks.

Mr. Graham ([01:09:32](#)):

I do have a question for the township trustees. From what I'm hearing, you guys be on board, or at least you would ma'am, with a half-acre lot. I can't say we're going to do that. That's just my preference. I can't speak for all of council, and I can't speak for

the planning board. But what else are you guys looking for to come to an agreement on the annexation agreement that we have to do?

Mr. Graham ([01:10:03](#)):

Because we keep going lot sizes, and in my mind, we need to move to the next item on your agenda for what it would take in your eyes to get an agreement for this annexation.

Don Black ([01:10:21](#)):

I could give you a couple things. And I'm sorry on the lot size on when Beth was given you the numbers of 800, it's 8,000-

Beth van Haron ([01:10:31](#)):

Yeah.

Don Black ([01:10:32](#)):

... square foot lots.

Beth van Haron ([01:10:33](#)):

Sorry.

Don Black ([01:10:34](#)):

An acre is 43,560. So roughly, 22,000 for a half acre. And those in the Northwoods are 8,000. The ones being proposed are 8,000. Let's come up with some number that makes sense, okay, between those numbers. Let's come up with something. The lot size is huge. The second thing is those two legs. If he is not going-

Don Black ([01:11:09](#)):

[inaudible 01:11:09] You want me to wait?

Mr. Graham ([01:11:10](#)):

No.

Don Black ([01:11:10](#)):

Okay.

Mr. Graham ([01:11:11](#)):

[inaudible 01:11:11]

Speaker 7 ([01:11:11](#)):

[inaudible 01:11:11] one of the requirements

Mr. Graham ([01:11:14](#)):

You said leg or lake instead of leg? You did say-

Don Black ([01:11:19](#)):

Legs. There are no lakes on the property. There's one little half acre pond.

Mr. Graham ([01:11:25](#)):

Right, on the north side behind the development. Is that the one you're talking?

Don Black ([01:11:30](#)):

Correct.

Mr. Graham ([01:11:30](#)):

Okay.

Don Black ([01:11:31](#)):

I'm not going to talk about any ponds.

Mr. Graham ([01:11:33](#)):

Okay.

Don Black ([01:11:34](#)):

The two legs south of Scarff Road. New Carlisle road, I'm sorry. Take those out of this annexation agreement. That is huge. Those two things are the big items. Just get it down to where the farmer makes up more money than it's worth. If he sells it as a farm, the way it's zoned, it's worth 10,000 an acre. He wants 15,100 or something, that's fine. Let him make his money, let the developer make some money, but get it down.

Don Black ([01:12:17](#)):

I started this by saying nobody gets everything that they want. Nobody's totally upset. That's what an agreement or a negotiations is. We both walk out and we don't know if we won or lost, but it's better than when we walked in the room. The gentleman here speaks of what everybody wants. I can understand that. The farmer wants to sell it, the developer wants that, the buyer wants this, all of this and that.

Don Black ([01:12:45](#)):

All of these people want something too. The school wants something too. Let's get something down that makes sense. The family that owns Silver Lake, they want it to still be there in a few years. Let's come to an agreement. That's what an agreement or negotiation is. But we have to have some kind of answers. We can't just say, "Well, let's get an agreement, but the agreement won't say nothing. And then we'll annex it, and then we'll let the planning board do it and all." We have to know what's going on with it. That's what it takes.

Randy Bridge ([01:13:29](#)):

So if I could ask a question... So everything I heard you correctly, so you're discussing what you want to see in the annexation agreement. If I heard you correctly, that you would like density of the lots listed in the annexation agreement?

Don Black ([01:13:41](#)):

What now?

Randy Bridge ([01:13:42](#)):

You want density of the lots in the annexation agreement?

Don Black ([01:13:45](#)):

Yes.

Randy Bridge ([01:13:46](#)):

Okay. Counsel, with that being said, my recommendation is that we move onto public comments and we wait. We will not be able to have discuss that until after it goes through planning board. So... [inaudible 01:13:57] And that's fine. Sure. So that's one component of it. The other component of it is, do you want your residents removed from the township?

Speaker 6 ([01:14:05](#)):

What do you guys want on that?

Randy Bridge ([01:14:06](#)):

I'm sorry?

Speaker 6 ([01:14:07](#)):

What do you want on that? We've been talking and it's funny, because I had just written this down before he said this. You guys haven't really said what you want in the annexation agreement. So what are you interested in getting out of it? Because I haven't heard anything being asked for or given up either side.

Randy Bridge ([01:14:26](#)):

Well, we would be more interested in hearing what you want to hear, because at the end of the day we really don't need the annexation agreement to move forward with this. So us being here is a good show that we're willing to listen to you and then take it back and work within our board. Individually, these council members, they'll all have their own opinion, but it really matters what it means at a collective whole. And it's just for the sake of time and being good stewards of coming here. But we really would like to hear what you guys want so we can take it back and work with our board. So we know we want a boundary extension

Beth van Haron ([01:14:54](#)):

And no annexation in the future for a period of time.

Randy Bridge ([01:14:59](#)):

Sure.

Beth van Haron ([01:15:00](#)):

Like maybe a thousand years. But if we couldn't do that, we'd settle on 950 or something.

Beth van Haron ([01:15:03](#)):

If a homeowner-

Randy Bridge ([01:15:07](#)):

Well, thank you. That was funny. So here's my concern as an administrator, and I try to share this with council, and I thank you guys. But everyone in this room, we understand where I'm coming from with this. I don't think, and I'm speaking on my behalf, I have no

qualms recommending a council that we establish a boundary, we don't go past it. What I don't want to do is hold back our utility. So if one of your residents wants our water and sewer down the road, they can have it. Right now, our code states that we go after you and we have to annex you in. But I don't want to hold back the city utility.
Beth van Haron ([01:15:34](#)):

Can you say that again please? Because I could only understand every fifth word.

Randy Bridge ([01:15:40](#)):

It's tough. Sure. I don't want to hold back the city utility. And by that, I mean our water and sewer. So I don't have a problem recommending the council that we establish a boundary line and we don't go in past that boundary line.

Randy Bridge ([01:15:50](#)):

However, I don't want to hold back to city's water and sewer. So let's just say that we come to that boundary line, and the guy next to that says, "Wait a minute, I want water and sewer," we should be able to service that without having to annex them into the city. So I think if we can establish that, I know council would probably willing to at least discuss it. That'll be their final say. But at the end of the day, I do not want to hold back our utility.

Mike Lowrey ([01:16:15](#)):

Yeah.

Beth van Haron ([01:16:15](#)):

Yeah.

Mike Lowrey ([01:16:16](#)):

I'll touch on what you was asking Mr. [inaudible 01:16:18]. As far as what I want out of this, I know what I want. And I'm not going to get into it just because I want officially get it from them on Tuesday night at the meeting. I mean, yes. I think we all know what they are presenting or are going to present, but until then I'm not going to give out what I would like to see them change or do, or the pros or the cons.

Mike Lowrey ([01:16:38](#)):

I would really just like to let them do their presentation, hand it to our board officially and legally, and then we can start with our counter. I think it would be premature to do that and unprofessional in my opinion. I know that they know a lot what these folks want. And they've probably heard chitchat what some of the other council members want. I don't want to put it out there until it's officially done on Tuesday.

Speaker 8 ([01:17:00](#)):

What's Tuesday?

Dale Grimm ([01:17:03](#)):

Planning board.

Speaker 8 ([01:17:06](#)):

[inaudible 01:17:06]

Randy Bridge ([01:17:07](#)):

Yes.

Speaker 9 ([01:17:07](#)):

Okay. Okay.

Dale Grimm ([01:17:07](#)):

If I may repeat something that the mayor said off the bat, we've not been presented with anything. What we're walking officially, what we're working on is just what we're hearing from the community, from you guys, from other people, and the little bit that we heard at a planning meeting. And you said something, Ms. Van Haaren, that really got under my skin. No future annexations. It is not our place to limit future city councils. If somebody, 10 years down the pike, wants to be annexed into the city, I am not going to say, "No, you can't do it," today. So I can't speak for the rest of the council, but for me, that would not fly.

Beth van Haron ([01:17:59](#)):

Okay.

Mr. Graham ([01:17:59](#)):

One question I would have for Ms. Van Haaren. Do you have that same agreement with Huber Heights not to come and annex anymore your land?

Beth van Haron ([01:18:07](#)):

We're still working on our agreement with Huber Heights, and since their last annexation petition was-

Mr. Graham ([01:18:13](#)):

If you would-

Beth van Haron ([01:18:13](#)):

Yeah, we're still working. Their last annexation petition was denied by the county. So we are in limbo-land with the city of Huber Heights. And I think there's something, I don't know if it was in those, I think it was in the notes, but if the border is not conformed, those residents are essentially dual citizens.

Randy Bridge ([01:18:39](#)):

Yes.

Beth van Haron ([01:18:39](#)):

So they pay a boatload of taxes. They will pay our property taxes, not our fire and EMS, they'll pay the school taxes of course, but then they'll pay your city taxes too. And I do think as elected officials, we're always looking for ways to minimize the tax burden

on our residents. And you would hate to have 200 unhappy new homeowners that said, "What the heck... We're paying both of these taxes?" So it's just something to consider in the agreement.

Mr. Graham ([01:19:15](#)):

My understanding is if we annex them into the city, they would pay their property taxes to Miami County and they would pay their city income tax to the city. And if I am wrong on that, then somebody gave me wrong information.

Beth van Haron ([01:19:35](#)):

No. The township does not have an income tax and the county doesn't have an income tax. So they would pay your city income tax. They would pay Bethel local schools taxes, property taxes, and Bethel local schools earned income tax. And then they would pay Bethel Township's property tax. We only have one levy that would be included on. And that would be a 3.8 mill general fund levy.

Mr. Graham ([01:20:02](#)):

Taxes that they would pay would go to Bethel Township with the exception of our city income tax, and that would come to the city, is that correct?

Beth van Haron ([01:20:12](#)):

You don't have any property taxes in your city?

Randy Bridge ([01:20:14](#)):

No, we have property tax, but... And I'm no expert in this. I'm assuming they would just pay the millage on the fire and EMS, that they would pay general property tax Miami county. But since they received the services for fire and EMS, they would pay that. And I couldn't be wrong.

Speaker 10 ([01:20:31](#)):

So they more or less pay all of the taxes, right? It's like they're double... I mean, calling a double citizen is a little cleaner. Now I won't pretend to try to parse the different safety services, who goes where, but the way I understand it is that they're double taxed.

Beth van Haron ([01:20:49](#)):

They are.

Speaker 10 ([01:20:50](#)):

Because that's the deal that was struck. And I had a-

Randy Bridge ([01:20:52](#)):

[Belle 01:20:52], let me say this. Right now, New Carlisle residents, we are part of Bethel Township. We're also part of New Carlisle. And to those of you who live in New Carlisle do you... Well, I guess it's the same county. So you don't pay any Bethel Township fire and EMS levy taxes, do you?

Mr. Graham ([01:21:09](#)):

We do not. All we pay is the city of New Carlisle police levy. And we paid the fire levy that all citizens would have to pay. And the citizens that would live in Bethel Township, New Carlisle, or it would actually be New Carlisle, Bethel Township, Miami county. The only thing they would pay to us would be their income tax, the police levy, which is part of the income tax, and our fire and EMS levies. All the other taxes would go to Miami County, and they would not be paying any of Clark County taxes because the land is not in Clark County. It is in Miami County. And you cannot change county lines. No, even of an act of God, I don't believe that can happen. And-

Beth van Haron ([01:22:02](#)):

You don't have another property tax besides your fire and EMS levies in the city of New Carlisle, is that what I'm hearing you say?

Mr. Graham ([01:22:10](#)):

We have street levies. I mean, we have various levies that they would have to pay.

Beth van Haron ([01:22:14](#)):

Right.

Mr. Graham ([01:22:15](#)):

But that would only be because they are residents of the city of New Carlisle. If, and when that is annexed, all the other taxes, the school taxes, the property taxes, whatever other taxes Miami County has, would go to the county.

Beth van Haron ([01:22:32](#)):

Right.

Mr. Graham ([01:22:32](#)):

And through them, would come to Bethel Township. I do have one question from... I'm just going to say for all of you. I've heard tonight that you guys are wanting answers that we can't give you. And in my mind, I think you're wanting to know if we are going to vote for or against this annexation. There is a city council member up here, or city manager, or our legal advisor that will answer that question. We don't know.

Mr. Graham ([01:23:04](#)):

And as we have told your citizens, that's been coming to our meetings, and I'm sure I've said it repeatedly, it is not before us. So we don't know anything if until it comes before us. So we can't answer a lot of your questions because we don't have all the details yet, quite honestly.

Beth van Haron ([01:23:28](#)):

And we get that, and we are very appreciative that you came. We really are. And as your city manager pointed out, you don't have to make this agreement. So that is an extra huge thanks for all of us that you're willing to be here on a Friday night in the heat and the horrible acoustics.

Beth van Haron ([01:23:44](#)):

And so I think we've got several points out. We've got the density that we are concerned about. Obviously the less dense, the better from our perspective. We've got the moratorium on future annexations with perhaps the exception to that. I understand Mr. Graham, you're opposed to that. And that's fine, but it's definitely something that we would like as a part of the request. And the detachment and confirmation of the boundaries.

Mr. Graham ([01:24:14](#)):

As far as future annexations, if and when this does go through, or not, because I don't know. I'm sure everybody up here don't-

Beth van Haron ([01:24:23](#)):

And we know. This is hypothetical because you don't have all the information.

Mr. Graham ([01:24:26](#)):

But it's like, I think the mayor or vice mayor said, the city manager say, and I'll reiterate it. If somebody down the road, two months later says, "Oh, they got city water. They got city sewer. I want that." We can give them that without annexing them. But if they ask us to annex them, I'd say it is a good bet we will do it.

Mr. Graham ([01:24:52](#)):

Because they're touching our land, and that's one of the pre-requisitions for annexations. It has to be to our borders. I'm not saying we would, they may not want us to annex them. They may just want our services. And I think we would be good with that too, because that still brings revenue into the city through water and sewage. And then I don't know who would put the pipes in to get there. They would probably have to do it. That's beyond my pay grade.

Speaker 6 ([01:25:22](#)):

Can I just ask one clarification question? So you do not have a New Carlisle city property tax on the house-

Mr. Graham ([01:25:31](#)):

No, ma'am. We have-

Speaker 6 ([01:25:32](#)):

No.

Mr. Graham ([01:25:33](#)):

It's all ran through the county. It's all county property taxes to the best of my knowledge, at least that's who I make my property taxes out to, the treasurer of Clark County.

Dale Grimm ([01:25:44](#)):

We do get... Correct me if I'm wrong, Mr. Bridge, we do get a pittance-

Mr. Graham ([01:25:49](#)):

Mr. Bridge-

Dale Grimm ([01:25:50](#)):

A pittance from Clark County from property taxes. [inaudible 01:25:56] It's enough for maybe a tank of gas. [inaudible 01:26:00] It's enough for maybe a tank of gas. [inaudible 01:26:03] It is a small amount.

Speaker 8 ([01:26:15](#)):

A small amount...

Dale Grimm ([01:26:15](#)):

It's a small amount, but we have no city property tax. We have income tax. We have a police levy. We have street levies, and fire and EMS. [inaudible 01:26:29]

Mr. Graham ([01:26:34](#)):

Mr. Black, can you use your speaker please?

Mr. Black ([01:26:41](#)):

What I was saying is, we understand how the taxes work, and we were hoping that you understood that when you make your check out to Clark County, that part of that money is received back to your township or to your area.

PART 3 OF 5 ENDS [01:27:04]

Mr. Black ([01:27:03](#)):

... Or township or to your area. Okay. As the man said, it's a small amount. I understand that. But you can't.

Speaker 11 ([01:27:10](#)):

So as buildings he said-

Mr. Black ([01:27:11](#)):

We just wanted to know that you understood you do get some of that money from paying your real estate taxes every six months.

Mr. Graham ([01:27:23](#)):

You're absolutely correct. We do. But I will tell you, I pay somewhere around two grand, a year in property taxes and more than half of it comes to school. So we don't get a whole lot back. I don't even know what that figure is. But also the property would remain in Miami County. So because it's Miami County property, Clark county

would not get any property tax to my knowledge. Is that correct? One of you two down there at the end.

Mr. Black ([01:27:52](#)):

I don't think anybody's arguing that at all.

Mr. Graham ([01:27:56](#)):

Okay.

Mr. Black ([01:27:56](#)):

So I think we've got on everybody's nerves sufficiently. A few people haven't said anything we like for our residents to have a chance to speak. So-

Speaker 12 ([01:28:09](#)):

There are residents who have been here.

Mr. Black ([01:28:10](#)):

What?

Speaker 12 ([01:28:10](#)):

And they are residents, over here.

Mr. Black ([01:28:13](#)):

Okay. And if there's any New Carlisle residents here as well. So I'd like to get ready for public comments. But I would like to ask in the public comments that we, and I don't mean any disrespect here, but let's have a few little tiny ground rules. Because we don't want to be here all night, even though I brought a change of clothes. But we don't. So first of all, let me just figure this out. Is there anybody here that's for the annexation?

Speaker 11 ([01:28:53](#)):

I'm piecing it together. I am.

Mr. Black ([01:28:55](#)):

No, I will in a minute. I'd like to do this.

Speaker 11 ([01:28:57](#)):

Okay.

Mr. Black ([01:28:58](#)):

Okay. There is nobody here that's going speak for annexation. Correct? So we've established that. So we know you're against it. So you don't have to take part of your time to tell us you're against it. We know you're against it because of Bethel school, the additional burden it's going put on Bethel school. There's not one person here that wouldn't agree with that. There's not one person here that wouldn't agree that traffic is going to be a major consideration.

Mr. Black ([01:29:37](#)):

The gentleman there said all the houses are not going to built at once. So we understand that as well. But eventually they'll all be

built. I'm 65 years old. I really truly, because I'm trying to eat, I look pretty decent and all, I think I'll be alive when they're all built. So I will see that someday. So I guess what I'm trying to say is I want to open it up to public comments. I want to limit it to a little bit of time for each person and let each person that wants to speak. But there's about 25 of you here. So we don't need, please don't take this wrong, but we don't need to hear 25 times how bad the traffic's going to be. We don't need to hear 25 times how it's ruining the community or that there's going to be a ton of traffic. Is that agreeable? Okay. So-

Randy Bridge ([01:30:39](#)):

Before we move on, I just want to go back and revisit the contents of the annexation agreement just due to the hard hearing. I did get it confirmed. Just want to make sure it's good so I can go back and work with council on this. We have established of a boundary line, density, no more annexations after a certain amount of time, thousand years, legs removed. And then we should be able to advance our water and sewer. So it looks like we have 1, 2, 3, 4, 5 components of the annexation agreement at this point in time. Does that sound accurate? Mr. Black ([01:31:09](#)):

That sounds extremely accurate to what I'm hearing.

Randy Bridge ([01:31:14](#)):

Okay. Is there anything else that you would like to entertain to put in that agreement?

Speaker 12 ([01:31:16](#)):

Well, does the city want to entertain the conformity issue? Conformity.

Randy Bridge ([01:31:21](#)):

I think that we'll have to have that discussion later on, and I'm assuming we'll probably hopefully have another one of these meetings to come back. Once we have a time to go and talk to our respective parties and hopefully reconvene at a maybe later date.

Speaker 12 ([01:31:32](#)):

Okay.

Mr. Black ([01:31:35](#)):

Okay. So you heard what he said. They're going to go back and they're going to talk about density. They're going to talk about whether they conform, meaning whether they're dual citizens, things like that. Talking about the two legs, we think that's big. So is there anybody? Yes. What?

Speaker 13 ([01:31:58](#)):

[Inaudible 01:31:58] talk about the environment, the [inaudible 01:32:10].

Mr. Black ([01:32:10](#)):

I am going to let you speak about that because that's something that's not 100% established here, okay? So you feel free to talk about that. I know about where you live and I totally understand it. So, is there anybody here from New Carlisle? So, we're getting this down, see we're all against it or you're all against it or whatever. And there's nobody from New Carlisle. So you have to come to the podium, you have to state your name and then tell us what's on your mind and we'll go from there.

Mr. Black ([01:32:48](#)):

So it looks like we have Maryanne Layton coming up. Mary. How much time would you think is fair? I'm not taking any questions. Is five minutes more than sufficient?

Maryanne Layton ([01:32:59](#)):

For me.

Mr. Black ([01:33:00](#)):

All right. We're going to go with five minutes or we're going to try. I don't like to stop anybody from talking, but let's try to be.

Maryanne Layton ([01:33:05](#)):

Maryanne Layton.

Mr. Black ([01:33:05](#)):

Go Mary.

Maryanne Layton ([01:33:05](#)):

8085-

Mr. Black ([01:33:08](#)):

Excuse me. Mr. Black,
Randy Bridge ([01:33:10](#)):

Mr. Black. We would also like to have their address.

Mr. Black ([01:33:17](#)):

Okay.

Maryanne Layton ([01:33:18](#)):

Yeah. 8085 East New Carlisle River. Hello [inaudible 01:33:33]? I was just going to say something about lot size and house sizes. What's the plat north of Lake Street?

Speaker 11 ([01:33:51](#)):

North [inaudible 01:33:51].

Maryanne Layton ([01:33:52](#)):

North. Okay. I've walked those streets. People are out, people are friendly, kids are playing. But what I noticed, people still had their driveway up to their house, but they eliminated their garage to make their house more living space. So that was one thing.

Speaker 11 ([01:34:18](#)):

That's easy.

Maryanne Layton ([01:34:19](#)):

That's about all I got to say. Thanks guys.

Speaker 11 ([01:34:21](#)):

Jen.

Mr. Black ([01:34:23](#)):

Thank you, Mary. Who would like to speak next? We have a taker.

Uh-oh.

Tom Keeper ([01:34:32](#)):

Good evening. Tom Keeper. 5833 Scarf Road. About at Hileman. A few things. One, on the density, 290 homes was described as a worst case. I like that phrasing because that's definitely a worst case scenario. And there seemed to be some sort of, somebody said the word agreement on how dense this is to be, that does not match up with what we're thinking about. That area now is zoned, if I am correct at about five acres per home, it's... Well, it's agricultural, but-

Speaker 12 ([01:35:12](#)):

You could do two with a frontage of 175 feet.

Tom Keeper ([01:35:15](#)):

Two. And there are some five acre areas.

Speaker 12 ([01:35:19](#)):

Yeah, definitely, right? Yeah, you could get it off-

Tom Keeper ([01:35:19](#)):

At any rate, we're a long way from a quarter acre. So to say that going from a quarter acre to a half acre is a compromise. It is not a compromise. That's just making it from the worst case scenario to the slightly less than worst case scenario. So I don't want anybody thinking that, and I believe the folks back here are probably in the same camp.... Let's not start thinking that we can tweak this by a quarter acre and think that we're going to buy in on that because, for myself, we're not.

Tom Keeper ([01:35:56](#)):

Regarding planning, it was mentioned that you would wait for the builder, for the developer to submit a plan before choosing a density or making a plan for the area. That seems to be the opposite of what planning is. If you're looking at growth of New Carlisle, there should be an idea in mind of what kind of density, what kind of housing, how you want that area to develop. Even if this area is a surprise, these particular lots, I would think that if you have a city plan you're looking at okay, which direction soon do we go and what kind of density, what kind of development do we want there? If

you're not, I would suggest that's something that should be thought about.

Tom Keeper ([01:36:46](#)):

Traffic study. You mentioned the traffic study only looked at traffic going into New Carlisle. And I've worked in this area before. If a traffic engineering company came to me and said, "Here's my traffic study of your site. And I only looked at this half," I'd say, "Go back and finish the job." Because a traffic study needs to look at the full impact of a development. Where traffic comes from each direction. What the density is. Where are the destinations that they're going to? You can't just look at that lot instead and think that everybody's going to drive into New Carlisle and that's the only place they're going to go. There are destinations towards Huber. You've got the Meyer store, which is the largest grocer in the area. That's close. Not everybody's going to go to the IGA for all their groceries. So where's that traffic going to go? Well, some of it's going to go on Scarf, and some's going to go on New Carlisle Road. If they're not counting that I suggest they're not doing their full job. And that needs to be addressed.

Tom Keeper ([01:37:49](#)):

Similar with environmental study. I don't know what the law requires, but certainly I would expect an independent environmental study that looks at the impact of this dense development on the area. Where does all the runoff go? What's the impact on Silver Lake? What's the impact on different creeks in the area? What are the impacts to various flora and fauna in the area, et cetera, et cetera. And traffic comes into environmental studies to some degree, too.

Tom Keeper ([01:38:22](#)):

And finally the schools. We've been through this already with encroachment from Huber Heights. We get those additional children, that's a cost to the district. This is not a profit making corporation. Our taxes have already gone up because of that encroachment from Huber Heights. The way it's described here, it would be the same thing. We already have a school income tax. I would foresee if Bethel schools is saddled with students from 290 houses that that's going jack that up too. And the school can't handle it right now and not in the timeframe that it would take to build this number of homes. That is all.

Mr. Black ([01:39:05](#)):

Thank you. Lady back there was about to come up. I want to hear what she says. Well, I think I want to.

Tanya Wells ([01:39:16](#)):

Yeah, I know you may not. I mean... This, you have this for tall people. Okay.

Mr. Black ([01:39:20](#)):

Pull it down.

Speaker 12 ([01:39:20](#)):

Push it down.

Tanya Wells ([01:39:20](#)):

No, I can't even do this, folks. No, I'm good. I'm good. I don't need, I was a teacher at one point in time. I'm good. Yeah. I'm good.

Mr. Black ([01:39:34](#)):

Watch, this is magic.

Tanya Wells ([01:39:34](#)):

Now, I need to go. All right, we'll go again. Many of you have already seen my face. You've heard my voice because I have been fighting this since the end of February.

Mr. Black ([01:39:40](#)):

Who are you?

Tanya Wells ([01:39:40](#)):

Yeah. My name is Tanya Wells. I live at 5330 Eastland Drive. I am a New Carlisle Bethel Township resident, Miami County. There's a lot of us here fighting. I'm not going to rehash what I am. What I do want to know is the actual process. My understanding is that the developer, they do the land. They do that. The only way to actually get it to you guys and your planning board to make decisions is to go to the county first. That developer submits to the county. That is correct, right?

Mr. Black ([01:40:12](#)):

Yes.

Tanya Wells ([01:40:12](#)):

So when they are submitting to your planning board on Tuesday, if that's the case, that is their concept. There shouldn't be any actual voting. Is that correct? No voting, correct?

Tanya Wells ([01:40:28](#)):

Okay. So that is their concept. So if we have, Miami County, that's where it starts. You guys are skipped because if it's a type two annexation, there is no start with you. You have absolutely no control. Then it goes to your planning board where your planning board can say, you know what? I don't like this. And they can then give you what they want. That developer can then appeal. Where does it go?

Randy Bridge ([01:40:59](#)):

It's going to go to council.

Tanya Wells ([01:41:00](#)):

Exactly.

Randy Bridge ([01:41:01](#)):

Which is established. So-

Tanya Wells ([01:41:04](#)):

I know, I know. My question is why exactly are we here now?

Randy Bridge ([01:41:08](#)):

To discuss the annexation agreement

Tanya Wells ([01:41:09](#)):

Agreement. So my understanding, when does that agreement take place?

Are you wanting this agreement before it even goes to Miami County?

Speaker 11 ([01:41:18](#)):

That would be in the best instance of your township trustees because-

Tanya Wells ([01:41:20](#)):

Exactly how you're saying.

Speaker 11 ([01:41:21](#)):

Because if you don't want... You got to have the annexation agreement with a type two, if they want them removed.

Tanya Wells ([01:41:30](#)):

If you want... Please say that again.

Randy Bridge ([01:41:31](#)):

If you want the township removed. We've had every indication that the developer plans to do a type two expedited.

Tanya Wells ([01:41:36](#)):

Okay.

Randy Bridge ([01:41:36](#)):

So if you look at the rules with that, in order to have your people removed from the township, you have to have an annexation agreement in place. So my assumption is Miami County.

Tanya Wells ([01:41:45](#)):

So before it even goes to Miami County?

Randy Bridge ([01:41:46](#)):

My assumption is they would have to attach that to the petition so the Miami County commissioners know that there's an annexation agreement in place. Now, correct me if I'm wrong. The last time the Huber Heights one got failed was simply because there was no annexation agreement in place. Is that true? That's what I read in the papers.

Tanya Wells ([01:42:02](#)):

I think, yeah-

Randy Bridge ([01:42:03](#)):

That's why I'm asking. Because it's sometimes not true.

Speaker 3 ([01:42:05](#)):

Yeah. No, it was... There's seven conditions, and one of them is that you've clearly defined your boundary lines and they hadn't.

Randy Bridge ([01:42:11](#)):

Sure. Yeah.

Speaker 3 ([01:42:11](#)):

That was the point.

Tanya Wells ([01:42:12](#)):

Yes. So, but my understanding is you, it can still go to the Miami County and you can still have an annexation agreement after the fact, is that correct? So why are we doing it now? That's what I'm asking right now. What I am hearing is from you, who is saying words like, we don't really need annexation to move forward.

Randy Bridge ([01:42:34](#)):

We don't.

Tanya Wells ([01:42:35](#)):

And I understand that, but why can't we still go and work together instead of be threatening, "Well, you don't even... No one has even put forth... Well, we'll have to go back to our council. Well, we don't know. We're going to do an environmental study." Yet, have any of you even looked into who's going to do that? You mentioned the developer never will. Do you know if the developer will?

Randy Bridge ([01:42:56](#)):

The developer did do a phase one environmental study.

Tanya Wells ([01:42:59](#)):

We just learned what that was. We just learned what that was.

Randy Bridge ([01:43:01](#)):

Well, actually it, I don't remember exactly what he said, but it didn't sound like the proper order when you do a phase one. Because we've had one before. You're right. It looks like contamination. But we did ask the developer if he's actually looked at the environmental impact on Silver Lake. He did tell us yes. So, when the time is appropriate-

Tanya Wells ([01:43:21](#)):

So did you just listen to him?

Randy Bridge ([01:43:21](#)):

When the time is appropriate, we will have them submit those documentations to our council so we can review them.

Tanya Wells ([01:43:26](#)):

Okay. But yet you want an agreement right now, but yet you don't have the answer.

Randy Bridge ([01:43:33](#)):

I didn't. Ma'am I never said I need an agreement right now. What I needed is the components of the agreement so I can go back and have the discussion with the council about the contents and how we want to move forward.

Tanya Wells ([01:43:40](#)):

This, this is what I need to hear, then, from my township. Because I'm hearing two different things. If I'm hearing, no, yet I'm entertaining conversations. It's saying to the townships, it's saying to the county, that you're on board with it. And we're not. And the county is here to help.

Speaker 3 ([01:43:59](#)):

We're not on board with the annexation, but an expedited type two is these seven conditions.

Tanya Wells ([01:44:07](#)):

Right.

Speaker 3 ([01:44:07](#)):

If all those seven conditions are met-

Tanya Wells ([01:44:09](#)):

Right.

Speaker 3 ([01:44:10](#)):

Then that annexation goes through. And without an agreement, we cannot conform those boundaries or detach that property from the township. And because there's a potential for 294 homes, that those people will pay Bethel Township taxes, and they can also vote in our elections, and they can vote against the best interest of the rest of the township. We don't have to reach an agreement. We would like, but we can't... That property can't be detached without an agreement.

Speaker 3 ([01:44:50](#)):

And with that agreement, we might be able to persuade the city of New Carlisle to do less dense development. I would love to see nothing happen there. We all would love to see nothing happen there. But sticking our heads in the sand and saying-

Tanya Wells ([01:45:11](#)):

I don't disagree with that.

Speaker 3 ([01:45:12](#)):

It's not a good strategy. And so even though to the point of, a half acre is not good enough. I totally agree. I'd love to have 10 acre homes there, but that is asking for... We'd like to ask what is reasonable. I don't want to say... As in, my 10,000 years with no annexation was a joke. Nobody's going to give us a thousand year non-annexation.

Tanya Wells ([01:45:37](#)):

I have a question on that.

Speaker 3 ([01:45:37](#)):

So-

Tanya Wells ([01:45:38](#)):

I have a question on that. Based on the annexation laws and an agreement, is it even legal to put in that they can do that? Is that actually a legal thing that they can say, "All right, this will not be annexed for any kind of thing."

Speaker 3 ([01:45:54](#)):

Yes. You can put in an annexation. I mean, that's what's in it for the township, right?

Tanya Wells ([01:45:58](#)):

Right. Right. I get that.

Speaker 3 ([01:45:58](#)):

Parameters on annexation or not annexation, whether it's this township or any other township in the state. What might be in it for the city? I can't speak for them.

Tanya Wells ([01:46:05](#)):

Right.

Speaker 3 ([01:46:05](#)):

But what might be in it for the city is the conformance of the boundaries. Right.

Tanya Wells ([01:46:09](#)):

Okay.

Speaker 3 ([01:46:09](#)):

Where it kicks the township out, puts the... And if I could speak for the trustees, the reason we are exploring this now is because it's real. It's live. There's at least a proposed or potential annexation, so it's top of mind for anybody. If we don't do it now, we lose the opportunity. Or it just doesn't work out or however it is. But then, this annexation that's being proposed goes through the way the process works. So that's why. That's the time issue.

Tanya Wells ([01:46:37](#)):

And I understand that part, but I think what I'm having trouble with, all of you know, I have talked, I have emailed senators, representatives. I have called our commissioners, our county commissioners. I have done the research like a lot of people here have. What I have a very hard time with is that when it does get to the county, and they have seen that there's been an agreement, they're really at a loss. Because they're under the assumption that, "Well, they must want it."

Tanya Wells ([01:47:05](#)):

And granted, they really can't do anything other than check boxes. And I understand that. But my question is, if I understand that if my township wants to have a meeting with all three of the commissioners, yes, it would have to be public. My first question is, why not? My second question is, you can still have a meeting and it can not be all three, as I'm sure that they have found out as well. It's not, does not prohibit the Sunshine Law that you can have that meeting. Why not?

Mr. Black ([01:47:37](#)):

We talked to the county prosecutor because we had asked the county commissioners to have a meeting, an open meeting with the trustees, Andy, Debbie, and all, and it is not legal is what the county commission, the county prosecutor is telling us.

Tanya Wells ([01:47:57](#)):

Well, they might want to talk to their commissioner, because they said open door. I mean, just something that I heard.

Mr. Black ([01:48:01](#)):

Well, but we, individually-

Speaker 14 ([01:48:03](#)):

Well, just, so you know, Tanya, the answer to when we could meet came from two of their commissioners that said they could not do it.

Tanya Wells ([01:48:09](#)):

Okay.

Speaker 14 ([01:48:10](#)):

So they might tell you open door, but they told us we can't meet with you.

Tanya Wells ([01:48:13](#)):

And I will follow on that. You know I will.

Speaker 14 ([01:48:15](#)):

So, yes, ma'am. And we're way past time on [inaudible 01:48:19].

Tanya Wells ([01:48:19](#)):

I know. And I apologize.

Speaker 14 ([01:48:19](#)):

Okay.

Tanya Wells ([01:48:21](#)):

I needed to have... Thank you.

Mr. Black ([01:48:24](#)):

Thank you. Who else? Yes. Scarf Road, right across. Or New Carlisle road. I'll learn my roads here for [inaudible 01:48:33]. Go for it.

Shelly Victory ([01:48:35](#)):

Okay. Shelly Victory, 8780 East New Carlisle Road. We're right across from the 115 acres. And the only thing I want to bring up is we've talked about environmental studies, but what you were bringing up was that it's not really the level that needs to be done. And my concern is, that kind of a development, how it's going to impact the houses across the street, the property across the street. Because right now the drainage goes straight across, over to our properties from that development. When you put in a bunch of concrete, bunch of houses and I just want to make sure that's being looked at as well. Thank you.

Mr. Black ([01:49:27](#)):

Thank you. Anyone else?

Speaker 3 ([01:49:32](#)):

I think it's safe to say that... So we've talked about phase one, right? As you said, that's a study that happens in order to purchase land or about at the time of purchasing them. That's the point. Exactly like you said. These more significant reviews, evaluations, soils. I don't know. It all has to happen again. I'm not that person either, but I've done enough of these zoning hearings. That's going to come at the zoning level. I keep doing that. I mean, it's going to have to go through that county engineer. It might have to go through... It's soil and water. It could be EPA if it's the right level of wetlands. I don't know if you've read, are Army Corps involved in any of that kind of stuff. So those are what you're all talking about as far as wetlands. Those, that type. When we say environmental, I get that that's what you mean. Those kinds of studies. I don't know if I've ever seen them happen at an annexation phase, but they almost always happen if they're required at the zoning phase. Later in the process.

Speaker 13 ([01:50:33](#)):

How to make sure they're required?

Speaker 3 ([01:50:37](#)):

The county. The various jurisdictions have those requirements, and the developer would know that. They have to come in to the county with certain levels of commitments and assurances. They would have engineers on their staff, on their team that they have doing the soil and the water and the wildlife and those components.

Speaker 13 ([01:51:03](#)):

Will-

Shelly Victory ([01:51:03](#)):

What about drainage?

Speaker 3 ([01:51:03](#)):

Right? That's the county. That's the county. Drainage engineer.

Randy Bridge ([01:51:05](#)):

And that is one of the big... Well, they look at that storm runoff. So if you see those retention ponds, that's where that storm runoff is going to go. But again, it's still too early. That might change. But that's definitely one of the studies that will be impacted.
Speaker 3 ([01:51:17](#)):

Yeah.

Randy Bridge ([01:51:17](#)):

Because my understanding of it, you guys got some flow issues going across the street that people's yards get flooded. We were told that's going to be completely alleviated. So as we see these studies through the city zoning process and council sees that, we'll know more. But these types of tests are required and definitely will be done.

Jennifer Cornell ([01:51:37](#)):

Jennifer Cornell from 5285 Eastland Drive. And my question is, they're talking about across the street. The development that I live in, the small development, is down the hill from where these houses will be placed. And so how far out does this study of water flow, environmental study, have to go? Because I'm not very far from it, but I'm downhill. And my concern is water flow. There's a lot of other concerns that we've talked about tonight, but that is a big one. So I want to know how far out that has to go.

Jennifer Cornell ([01:52:11](#)):

And then I have one more question for you guys. I think I can safely say that most of these people moved to Bethel Township for our small community and for our rural area. And you guys like New Carlisle and you want to live right in it and that's great, but we moved there for a reason. And I think if you look at why, if you lived in that position where we are at, what would you want for your home? Thank you.

Mr. Black ([01:52:39](#)):

Thank you. Natalie, were you coming?

Natalie Donahue ([01:52:45](#)):

Natalie Donahue, 7835 Agenbroad Road. And for the record, I am a school board, [inaudible 01:52:51] Bethel school board. Oh, sorry, sorry. Okay. Start...

Natalie Donahue ([01:52:56](#)):

Natalie Donahue, 7835 Agenbroad Road. And for the record, I am a Bethel school board member, but I'm here tonight as a private citizen. And thank you all for being here tonight. I've spoken before our township trustees for many a year. And thank you for allowing the Bethel Township Miami County residents to speak at your city council meetings as well over the past couple of months.

Natalie Donahue ([01:53:22](#)):

Two things I wanted to definitely say. For the planning and zoning, when you meet on Tuesday and as you continue to look at that, my perspective is half an acre is small. I prefer five acre lots myself. And we've shown that we can sell those pretty quickly. In six months we sold maybe 10 of them. I'm not sure what the number was exactly. So those can sell just as well. So that is something to consider. I know there's a happy medium, but that's my preference.

Natalie Donahue ([01:53:55](#)):

But the other thing I did want to ask is are your current residents, the City of New Carlisle, how often do you ping them? Are they getting all the services and needs that they need? Are they lacking? Anybody have any complaints or any concerns? I mean, as your city continues to grow with the new developments, are you going to be able to reduce that risk for them all as this impacts them? Will you have the services? Do you know? How often do you ping them to know that they're all happy with what they have? Their surveys.

Randy Bridge ([01:54:33](#)):

I'm not answering that question. I think that's a loaded question. We have a lot of services that our city provides and people love. And the past eight years that I've been city manager, we have made great strides in fixing our street. Our pool makes money. Twin Creeks has maxed out. Our general fund is in the millions, which it's never been before. And recently we were ranked number two in the state for the healthiest housing market. So that should tell you that people love to come to New Carlisle and stay. So with this increased tax revenue that we're going to have, we'll actually be able to expand on those services and actually make a better community, not only for the residents, but also for those who actually come into New Carlisle to take advantage of our services.

Natalie Donahue ([01:55:15](#)):

Okay, thanks. It wasn't really meant to be a loaded question, it was an honest question.

Randy Bridge ([01:55:22](#)):

It was just hard to answer.

Natalie Donahue ([01:55:22](#)):

Okay. The other thing I was going to ask along that line, sorry, was that with all these expansions going on at the same time, have you planned for the kind of chaos or disruption that's going to be for the city? Have you looked down the four years or five or six years? What are you doing now to plan for that?

Randy Bridge ([01:55:43](#)):

Can you please define chaos?

Natalie Donahue ([01:55:46](#)):

I'm sorry?

Randy Bridge ([01:55:46](#)):

Can you define chaos? We've looked at our growth patterns. Over the next 10 years, we're going to add about half our population. So our population is still under 10,000. I don't know what kind of chaos that's going to cause, but this is staggered growth over the course of 10 years to allow us to.

PART 4 OF 5 ENDS [01:56:04]

Randy Bridge ([01:56:03](#)):

... [inaudible 01:56:00] growth over the course of 10 years to allow us to, for any areas that we may be lacking, that we not know of, be able to accommodate that and to adjust. But, this is the same process that happens in cities all across the United States, this type of annexations and these types of developments have been going on since for a very long time. When the Silver Lake Estates was developed, we found the minutes and it was the same concern. So, when we talk about the density, the size of the lots, just that that's just current housing trends. These developers are doing massive studies to see what people want, but I mean, as far as that, the way I think, generally our citizens are pretty happy.

Natalie Donahue ([01:56:41](#)):

Yeah. Maybe it's not chaos, but it is perhaps for the people who might be dealing with driving through the construction in the different areas every day, or trying to get a kid to school, it's just a general question.

Randy Bridge ([01:56:51](#)):

Sure.

Natalie Donahue ([01:56:52](#)):

Then I was just wondering, prior to the development and the question of annexation of this piece of property, how often do you update your list and how long is your list for your wish items for the City of New Carlisle? Was that documented? Do you review that every year?

Speaker 17 ([01:57:12](#)):

She's wanting to know our wish list, right?

Natalie Donahue ([01:57:14](#)):

Yes.

Randy Bridge ([01:57:16](#)):

Our what?

Speaker 17 ([01:57:16](#)):

So, our CPI is done every year.

Natalie Donahue ([01:57:17](#)):

Okay. Every year, the wish list. Wish, W-I-S-H.

Speaker 17 ([01:57:24](#)):

Wishlist.

Randy Bridge ([01:57:25](#)):

For what?

Mr. Graham ([01:57:25](#)):

Our CPI.

Randy Bridge ([01:57:25](#)):

Like the Mayor said.

Mr. Graham ([01:57:28](#)):

We all did that every year. The city major and the department heads gets together and they go, "We want this." And most of the time we laugh at them and we go, "Well, we'll see what happens." And if we have the funds to buy whatever it is they want, like this year we bought that utility truck, I think, for the water department or road department.

Randy Bridge ([01:57:51](#)):

Yeah. So, our capital improvement plan, I think that's what you're referring to. We've made great strides since the city's actually been able to receipt some money and have some funds left over. So, in that capital improvement plan, we go three, I mean, I'm sorry, five years out. So, we have to submit that three months prior to the submission of the budget. It is something we do every year. It's generally a great environment that we work in. Our budget's very tight. We don't overspend. We would do very good with our money. We've been able to do some great things with our CIP over the past five years, but that is done at a five year interval, three months before, and it's a pretty good capital improvement plan.

Natalie Donahue ([01:58:30](#)):

Okay. Thank you. Is that listed on your website somewhere that you know of?

Randy Bridge ([01:58:34](#)):

No, it's not, but we can, if you do a public records request, we can definitely get that out to you.

Natalie Donahue ([01:58:36](#)):

Okay. Thank you, and then just one last thing. I just want to say that obviously I'm against annexation, in general, because of the ethical idea of taking somebody else's property for your benefit. But, I do also feel bad for the family that my husband and I convinced to move to Bethel Township. Their driveway will be exactly across from the entrance on New Carlisle Road. For us personally, it's a sad thing that this family had four children, just finished

going through Bethel Schools, and now they'll be faced with a very dense, as the way it's already zoned, very dense development across the street, and that's heartbreaking for me, for them. So, just wanted to voice that. Thank you though for your time. Thank you.

Mr. Black ([01:59:31](#)):

Thank you, Natalie.

Maryanne Layton ([01:59:31](#)):

I will take another minute.

Mr. Black ([01:59:31](#)):

Okay.

Maryanne Layton ([01:59:31](#)):

I have to say my name.

Mr. Black ([01:59:36](#)):

We're watching.

Maryanne Layton ([01:59:38](#)):

Do I have to say my name? Maryanne Layton, 8085 East New Carlisle Road. Now, that you have two, I'll say developers, that have submitted plans, are you going to pursue both developments at the same time? Or, you can go up north and pursue that one and leave Bethel Township alone.

Mr. Graham ([02:00:08](#)):

At, this time, I don't think the council or anybody in the administration's prepared to answer that. Most likely we will, if we so decide to, or if they want us to annex them. But, again, we don't go looking for land, they come to us.

Maryanne Layton ([02:00:23](#)):

I realize that, but someone on Facebook had said, "One of three plats that are planning." Dan Rodewald, who is not here, said, "Actually we have only two that have submitted plans." So, I was just wondering if you're going to pursue two at a time.

Randy Bridge ([02:00:48](#)):

We will pursue them as they come in. We are not at the liberty, if the developer wants to submit an application to go in front of our plan-

Maryanne Layton ([02:00:53](#)):

I'm sorry?

Randy Bridge ([02:00:54](#)):

We will pursue them as they get submitted to the city. Basically, how that works is there'd be a preliminary plat, and we've had two developers submit site plans. One is not a full site plan, full set, but an overview of what's going on. But, it is their decision to submit an application to go in front of our planning board. So,

that's that at the liberty of the developer when they go into the planning board. So, if it happens to be congruent at the same time, then we'll have to look at those at the same time. There could be three, it could be four.

Maryanne Layton ([02:01:21](#)):

Okay. So, in other words, if DDC doesn't like what... You don't like what DDC is proposing, and DDC says, "No, we can't do half acre lots." You can go see what the one up north to talk about.

Randy Bridge ([02:01:38](#)):

I didn't hear what you said.

Mr. Graham ([02:01:39](#)):

No.

Maryanne Layton ([02:01:42](#)):

When DDC comes with their proposal in dense housing, and you say, "We want two houses an acre." And DDC says, "No." You are also allowed to say no.

Randy Bridge ([02:02:00](#)):

Well, that's speculation. I'm not going to answer that because I don't know what they're going to request. That will be discussed in planning board and through the proper channels after that.

Maryanne Layton ([02:02:07](#)):

Okay.

Randy Bridge ([02:02:07](#)):

But, I'm not going to speculate. I don't know.

Maryanne Layton ([02:02:10](#)):

Yep. That's fine. Thanks.

Mr. Black ([02:02:12](#)):

Thanks, Maryanne. Anyone else?

Jane Sessions ([02:02:20](#)):

Jane Sessions, 4108 South Dayton Brandt Road. I'm concerned about the traffic and you keep saying Scarff. Do you mean going from the corner of lake in Scarff down to 571? Because nobody's going to go that way. There's too many twists and turns, you have to go real slow, and when you go from that intersection on Lake Avenue into New Carlisle, the speed limit is 25 miles an hour. I don't think all those new people are going to go the speed limit. So, I'm concerned about more crashes.

Jane Sessions ([02:03:04](#)):

When you are on Dayton Brandt, usually people will go from that intersection over on New Carlisle Road and go down Dayton Brandt. They're not going to go on New Carlisle Road over to 201, because that's a very dangerous intersection. You can't see the people

coming. Also, people have died on Dayton Brandt and 571, pulling out in front of people, getting seriously injured or they die. So, having that many new houses, and if there was an easy way for people to get out, then it wouldn't be so concerning. But, for people to go down Lake Road for over a mile, 25 miles an hour, that's asking a lot. A friend of mine, he would just come up Brandt Pike, Dayton Brandt, over on New Carlisle Road and up the lake to his house, because he was on the west side of the town.

Jane Sessions ([02:04:19](#)):

On the development, some things to consider. Will there be a playground and sidewalks-

Randy Bridge ([02:04:33](#)):

Gee, I don't even know I'd really answer that.

Speaker 17 ([02:04:35](#)):

[inaudible 02:04:35].

Jane Sessions ([02:04:38](#)):

On both sides or one side or?

Speaker 17 ([02:04:41](#)):

[inaudible 02:04:41].

Jane Sessions ([02:04:43](#)):

Okay, and do you have something about playground for so many houses or something like that?

Speaker 17 ([02:04:49](#)):

No.

Jane Sessions ([02:04:50](#)):

So, there wouldn't be any playground?

Speaker 17 ([02:04:52](#)):

I don't know.

Jane Sessions ([02:04:53](#)):

Okay. Well, that's something I would consider. What Natalie was talking about on the construction is these vehicles will have to come up Lake Avenue, 25 miles an hour, or come charging up Dayton Brandt going very fast. I'm concerned because I live on Dayton Brandt and I'm going to be running into all these things too. But, my main concern is that you're putting a lot of people where they can't get out. If they could get out, if they could go on 235 or if they could go down to 571, easily it wouldn't be so concerning. But, Dayton Brandt is going to get torn up and it's a very narrow road. Also, will the contractor be providing internet to these houses?

Randy Bridge ([02:06:01](#)):

No.

Jane Sessions ([02:06:01](#)):

Do you have internet provided to the-
Speaker 17 ([02:06:05](#)):

[inaudible 02:06:05].

Jane Sessions ([02:06:07](#)):

Because I don't.

Randy Bridge ([02:06:09](#)):

Though you don't live in the city, and that would be a private endeavor. We don't do fiber. We don't pay for fiber. So, Time Warner may come in there and do utilities, but I'm sure they'll have access to the internet.

Jane Sessions ([02:06:18](#)):

Well, I don't.

Randy Bridge ([02:06:23](#)):

You don't live in the city, though. Mr. Mayor said everyone in the city has internet.

Jane Sessions ([02:06:27](#)):

Right.

Randy Bridge ([02:06:27](#)):

So, when this developing is done, I'm sure Time Warner or someone will come and-

Natalie Donahue ([02:06:30](#)):

I'm [inaudible 02:06:30] Brandt Road for the last 20 years, we have asked and never gotten any internet.

Randy Bridge ([02:06:35](#)):

Well, this might be the opportunity that is actually going to be closer to your house, that Time Warner or AT&T, whoever doesn't, may actually extend it down that way.

Jane Sessions ([02:06:42](#)):

So, that would be something the contractor could negotiate.

Speaker 17 ([02:06:48](#)):

No. What would happen is if that area was developed then just AT&T, Spectrum, whoever it may be, would want to move their lines-

Jane Sessions ([02:07:00](#)):

But, they would want to go to the new houses, but not the old ones.

Speaker 17 ([02:07:02](#)):

Right. No, they wouldn't. They would probably go to where the group of houses would be.

Jane Sessions ([02:07:06](#)):

But, if you wanted to give us a bone, that would be something-

Speaker 17 ([02:07:09](#)):

It wouldn't be up to us. It wouldn't be up to the developer either.

Mr. Graham ([02:07:14](#)):

It's up to the internet provider, and they go where the money's at. If you want internet at your home, I know if you contact them and you pay to have the wires ran, they'll run internet to your home. But, you have to pay for all the installation.

Jane Sessions ([02:07:28](#)):

They won't. They won't. We tried.

Mr. Graham ([02:07:31](#)):

Even to pay for the installation, they won't do it?

Jane Sessions ([02:07:33](#)):

No.

Mr. Graham ([02:07:34](#)):

Oh, I had it done over in another part of the town, but that's another subject.

Jane Sessions ([02:07:42](#)):

Okay. That's it.

Mr. Black ([02:07:43](#)):

Thank you. We got one coming up and then you'll be next, okay?

Michelle Fragner ([02:07:55](#)):

Michelle Fragner, 7105 South Palmer Road. Do your New Carlisle students go to Tecumseh Schools?

Speaker 17 ([02:08:03](#)):

Go to what?

Michelle Fragner ([02:08:03](#)):

Go to Tecumseh Schools. All of your New Carlisle students.

Speaker 17 ([02:08:07](#)):

I don't know if all of them, but [inaudible 02:08:09].

Michelle Fragner ([02:08:09](#)):

Most. But, that's you feed into Tecumseh Schools. Well, my comment would be as an educator of 35 years, I'm retired, that if you support Tecumseh Schools, you should be fighting for every new student, potentially in the future, to go to Tecumseh Schools, if you support your schools district. Thank you.

Speaker 17 ([02:08:28](#)):

Thank you.

Virginia Keeper ([02:08:36](#)):

Oh, my gosh. Everything's been said, except one thing. First of all, I'm Virginia Keeper. I'm married to that guy.

Speaker 17 ([02:08:44](#)):

That guy?

Virginia Keeper ([02:08:45](#)):

You heard from him already. He's in the record, Tom Keeper. 5833 Scarff Road. So, I am impacted by the southbound traffic that will come out of this huge development. So, all of these studies that were talked about are fantastic, but I did hear a lot of negativity, particularly from one individual on this side of the room who said really that he didn't care about what was going to happen to us in Bethel Township. Hear that? Yeah, sometimes I make things up, so...
Speaker 17 ([02:09:16](#)):

Who?

Virginia Keeper ([02:09:17](#)):

So, I want to know who's going to do the good neighbor/human impact study. Can somebody do that? Okay, can we hire somebody to do that? Yes, I'm wasting time. I'm sorry.

Mr. Black ([02:09:32](#)):

No, it's okay.

Virginia Keeper ([02:09:32](#)):

But, everybody's talking about water being important, car's important, traffic important, but nobody's... But we are, in a way, all addressing a human impact on this neighborhood, and for New Carlisle, to not really care about the impact of potentially 294 homes budding up to a neighborhood of very few homes, very dense, very a not dense environment, it's really a huge omission. So, I would just ask, as you are contemplating these things that you're going to be presented with next Tuesday, that you really do keep in mind the human impact on this region. It does affect us all, all the schools are going to be affected. Everything, town, traffic, 235, all these streets. So, please. Human impact, somebody? Thank you.

Mr. Graham ([02:10:28](#)):

Ma'am I have a question for you.

Virginia Keeper ([02:10:31](#)):

Yes.

Mr. Graham ([02:10:31](#)):

On a comment you made. Can you tell me who said they didn't care about Bethel Township or Miami County?

Virginia Keeper ([02:10:37](#)):

I'm not sure I'm supposed to do that. Am I allowed? At the school board meetings, I'm not allowed to speak directly to a person.

Mr. Graham ([02:10:46](#)):

You could talk to me if you like.

Speaker 15 ([02:10:47](#)):

I will kind of address that.

Virginia Keeper ([02:10:47](#)):

He wants to know who the person is though.

Mr. Black ([02:10:52](#)):

Yeah, wait, wait just a minute. Let her get done, and then you can come up.

Virginia Keeper ([02:10:58](#)):

Well, okay. Am I allowed to say who the person was?

Mr. Black ([02:11:01](#)):

Just go ahead and say it.

Virginia Keeper ([02:11:02](#)):

It was the vice president of the board. That fellow there on the [inaudible 02:11:05]-

Mr. Graham ([02:11:05](#)):

I do not remember him saying that.

Virginia Keeper ([02:11:06](#)):

Oh, okay. Okay. They do.

Mr. Graham ([02:11:09](#)):

Mr. Vice Mayor, did you make that comment?

Virginia Keeper ([02:11:11](#)):

You said you don't care about Bethel's issues, and I wrote down, 'What about good neighbor policy?' That was my reaction to that statement.

Speaker 16 ([02:11:21](#)):

I don't recall making-

Virginia Keeper ([02:11:23](#)):

You kind of brushed it off.

Speaker 16 ([02:11:24](#)):

I don't recall making any such statement, but I do recall expressing concern of the impact on Silver lake.

Virginia Keeper ([02:11:29](#)):

Okay. Well, Silver lake is to the north of this area. We are to the south. The lady with the peach shirt on, she's to the west.

Everybody, there's a human impact to every decision you guys are going to make, and ladies. I just wish, I hope that you will have that on your list. The top of the list. That's it.

Mr. Black ([02:11:54](#)):

Okay. Thank you.

Randy Bridge ([02:11:55](#)):

Can I ask you a question? It seems like you guys are coming to us, who are on the council, to do all this stuff. Look at traffic studies and you say this human nature side of things, be good neighbors.

Virginia Keeper ([02:12:04](#)):

Yep.

Randy Bridge ([02:12:04](#)):

Have you ever thought about why we need this? About the taxes that's going to generate? About the longevity of the City of New Carlisle itself? We have a right to grow.

Virginia Keeper ([02:12:13](#)):

Sure.

Randy Bridge ([02:12:14](#)):

The fact that we're here entertaining this annexation agreement should be signs that we're willing to work with you.

Virginia Keeper ([02:12:19](#)):

Sure.

Randy Bridge ([02:12:19](#)):

But, at the same time too, we should have a right to make sure the longevity of the city is there. I've been looking at the finances for the past 10 years, the city needs new income tax.

Virginia Keeper ([02:12:29](#)):

They absolutely do.

Randy Bridge ([02:12:30](#)):

We sure do, and we can't. Believe me, if this was the last one out of three, I think we'd probably, I'm not speaking for them, but it may be a little different, but we can't count on something that's not there yet.

Virginia Keeper ([02:12:40](#)):

Correct. I understand.

Randy Bridge ([02:12:41](#)):

I know we have the potential having forest development, but right now this is the one that's further in the progress, so we have to address that.

Virginia Keeper ([02:12:47](#)):

Right.

Randy Bridge ([02:12:47](#)):

But, we have a right for this city to grow.

Virginia Keeper ([02:12:50](#)):

You do, and I think a lot up here tonight and asked you what your plans are. My husband did. He said, "Do you have a plan?" And there's no answer. I mean, I've been coming, I came to about three meetings since February in New Carlisle, and I heard a lot of, "Well, no. We don't know anything."

Randy Bridge ([02:13:07](#)):

We don't know anything yet until they submit, and that's going to happen on Tuesday.

Virginia Keeper ([02:13:10](#)):

I know. It's astounding. How could you not know anything? There's so much at stake here.

Randy Bridge ([02:13:10](#)):

Ma'am.

Virginia Keeper ([02:13:10](#)):

Yes, sir.

Randy Bridge ([02:13:10](#)):

Tuesday, it starts with a planning board.

Virginia Keeper ([02:13:10](#)):

Okay.

Randy Bridge ([02:13:20](#)):

So, that's when they'll have the chance to get in there.

Virginia Keeper ([02:13:21](#)):

I know where I'm going to be Tuesday. So, that's crazy.

Randy Bridge ([02:13:24](#)):

Okay.

Mr. Black ([02:13:24](#)):

Ma'am.

Randy Bridge ([02:13:25](#)):

It is crazy. Okay, I'm done.

Mr. Black ([02:13:26](#)):

Thank you.

Randy Bridge ([02:13:27](#)):

Sorry. Sorry.

Mr. Black ([02:13:27](#)):

That's okay. All right, would anybody else like to talk? We know traffic's a problem, we know the school's a problem. Okay, let's move on to a few more comments. Mr. Silverlake. I can't ever remember his name, but I know he is Mr. Silverlake.

Jeff Morford ([02:13:45](#)):

I'm not Mr. Silverlake by any means.

Mr. Black ([02:13:48](#)):

Oh, okay.

Jeff Morford ([02:13:49](#)):

4720 South Scarff Road, also known as Silverlake. Obviously, I'm here against it. A lot of people have different information, but I'm against it for environmental and habitat.

Speaker X ([02:14:01](#)):

Step up.

Jeff Morford ([02:14:04](#)):

Some new information. Jeff Morford, M-O-R-F-O-R-D.

Speaker X ([02:14:09](#)):

[inaudible 02:14:09].

Jeff Morford ([02:14:11](#)):

I've had the Ohio Department of Natural Resources visit Silverlake and its wetlands. Aaron Rourke and Rick Gardner, the state's chief botanist, came out just this Tuesday. Within 10 minutes walking through what I call the swamp, Rick Gardner said this is easily a class three wetlands, which is the top quality wetlands. They spent three and a half hours surveying the property and asked if they could return to do more detailed exploration in a few weeks when things bloom out a little more. Also, the Miami County Park District who has environmental easement on the portion of the wetlands are planning to come out. I had a guy come down from Cleveland, environmentalist, says the same things, just sort of repeating that. But, all these parties concerned about the health of the lake and the wetlands. From where the valley starts, it's almost like eight tenths of a mile to where it goes, before Silverlake, downhill, to the lake, through the wetlands, out the spillway, and I know it continues beyond that. These are all in jeopardy. It's called the Honey Creek corridor.

Jeff Morford ([02:15:24](#)):

I'm going to skip around a little bit here, but again, I hear more, a few times the city fears the developer will sue the city if they don't receive annexation, water, sewage, et cetera. I ask, when it comes to zoning, if you have any legal concerns about this, and ramifications from any kind of environmental issues, I ask just leave it zoned to agricultural. Also, again, if the City of New Carlisle fears lawsuits, my question is, is this the type of developer you want to get involved with? Under normal conditions, I would say a developer looks at a piece of property and he works through the state and government to find out how close I can be to a certain piece of property or people or schools or whatever the story is. Under normal conditions, maybe the developer isn't far enough from the lake and the wetlands, but I think this lake is more unique than that and should get a much wider berth for its health. Not too many people here from New Carlisle, but I would like to reiterate. Tuesday, April 12th, I went door to door, serving a few New Carlisle residents. Three hours later, I knocked on 40 doors, 25 people were home and answered the door. One person was indifferent, two people didn't speak English, and one said he worked for the city and would rather

not talk to me. Out of the next 21 houses, I got 25 New Carlisle citizens that were against the development. Next I parked on Lake Street, at Sacred Heart Church on Thursday, April 14th, for six hours with a sign in my car, and got 92 signatures from New Carlisle residents. That's a total of 117. Just me, just knocked on doors. So, there are New Carlisle people against this thing. Don't need that one. Okay, and I've heard before, this will be a little sporadic here. Just what I've heard tonight. The city is looking forward and taking care of the wellbeing and growth of New Carlisle. Also, your actions should be a reflection of what your citizens want. Find out what your citizens want. If they want this or they don't. You can, again, you can stop this with your zoning. Developer says that the size slide is what's popular. He's a salesman. What else is he going to tell you? Seriously, the city manager mentioned that a few local cities have been sued and lost over annexation disagreements. Is that true?

Speaker X ([02:18:25](#)):

[inaudible 02:18:25].

Jeff Morford ([02:18:25](#)):

True. Okay. I would also like to offer that a few local communities has stopped the development with a referendum and a vote. I appreciate your time.

Mr. Black ([02:18:40](#)):

Thank you.

Jeff Morford ([02:18:40](#)):

It's nice you guys got together, and I hope it continues the conversation because that's what it's going to take. A lot of times there's no conversation, it's just you guys listen, or you guys listen. There's got to be some kind of interaction, so we all are on the same page.

Mr. Black ([02:18:58](#)):

Thank you.

Mr. Graham ([02:18:58](#)):

My understanding on this purchase of this, I forget how many acres it is, that it is contingent. The purchase is contingent on being annexed into the city. So, if the contract says, and to my knowledge we don't have a copy of that contract and probably won't ever see it, but if that is true, and the council or the city decides not to move forward with the annexation, he has no way to come back and sue us because it's per his contract he signed, and if he does not get annexed or/ and the annexation does not happen, then he has an out of the contract and he doesn't buy it, and he moves on.

Mr. Black ([02:19:47](#)):

Okay. Thank you.

Randy Bridge ([02:19:48](#)):

Does anyone have any questions regarding the annexation agreement? Or is it just more about traffic studies and stuff like that? Because it's all speculation at this point in time until we see the traffic study results and all that stuff. So, I just want to focus on the annexation agreement components, and if we're done with that, maybe council can entertain ending the meeting.

Mr. Black ([02:20:12](#)):

So, I was going to go back to...

Steven James Tobin Smith ([02:20:17](#)):

[inaudible 02:20:17] we want one.

Mr. Black ([02:20:24](#)):

If you want to talk, you need to come up here.

Steven James Tobin Smith ([02:20:28](#)):

No, [inaudible 02:20:28].

Mr. Black ([02:20:28](#)):

But, well, we still like you though, but this will get it in the record.

Steven James Tobin Smith ([02:20:35](#)):

Testing testing.

Mr. Black ([02:20:36](#)):

There you go.

Steven James Tobin Smith ([02:20:37](#)):

My name's Steven James Tobin Smith.

Speaker 17 ([02:20:39](#)):

Okay. Nevermind.

Randy Bridge ([02:20:40](#)):

You're done? Okay.

Steven James Tobin Smith ([02:20:43](#)):

So, the bottom line is we are okay with you guys building down 235 all you want. We are going to stop this at that 115 acres. Guarantee it.

Randy Bridge ([02:20:58](#)):

Okay.

Steven James Tobin Smith ([02:20:59](#)):

So, other than that, I'm just letting y'all know. So, we have two attorneys already retained and we're ready to go. So, you know what? I'm done, I appreciate what y'all are doing. Yes, Tecumseh's strong. Yes, my daughter goes to Tecumseh. Yes, my son went to Tecumseh. But,

other than that, y'all can roll your eyes, do what you want, it is what it is. So, there again. Have a nice night.

Mr. Black ([02:21:30](#)):

Thank you, buddy.

Steven James Tobin Smith ([02:21:31](#)):

We agree. Do what you guys got to do.

Mr. Black ([02:21:33](#)):

I think our meeting is going to conclude unless there's something just brand new, and I don't think there is. I'd like to think...

Speaker X ([02:21:42](#)):

[inaudible 02:21:42].

Mr. Black ([02:21:42](#)):

What?

Speaker X ([02:21:46](#)):

[inaudible 02:21:46].

Mr. Black ([02:21:51](#)):

Come up here if you want to talk. What did you say?

Speaker 17 ([02:21:56](#)):

Policing. Fire, EMS and policing, and [inaudible 02:21:59]-

Mr. Black ([02:21:59](#)):

Police would be... That would be-

Heather Thon ([02:22:00](#)):

You guys are still trying to [inaudible 02:22:01] Clark County and Miami County, at least one of the [inaudible 02:22:03] I went to.

Randy Bridge ([02:22:04](#)):

No.

Heather Thon ([02:22:04](#)):

Heather Thon, 4744 Scarff Road. If you need that for the record.

Randy Bridge ([02:22:08](#)):

I didn't really.

Heather Thon ([02:22:09](#)):

But, policing. Miami County versus Clark County, have talked about even the increase in the crime rates and everything, with the carriage trails, they have issues with the crime rates and not having enough response time. So, that's going to be also a concern with the citizens. If he goes to Miami County, what's going to be an increase on policing?

Randy Bridge ([02:22:29](#)):

That's a great question. So, I've had our County sheriff look into it. So, we will enter to an agreement with the Miami County sheriff

that our contracted deputies would be able to patrol that specific area.

Heather Thon ([02:22:39](#)):

Okay.

Randy Bridge ([02:22:39](#)):

So, that should alleviate any kind of high crime, and we don't have a lot of high crime in New Carlisle, but we recently have added deputies, and I see us probably, hopefully adding, being able to add some more in the future.

Heather Thon ([02:22:50](#)):

Right. But, with any kind of development, any kind of density, especially when you're talking high density, people are going to be more apt to go to a higher density, just like when I did experience at Beaver Creek, higher crime rates, not being able to find police people or people wanting to go into the profession of police to be able to police those areas effectively to make sure those crime rates remain low.

Randy Bridge ([02:23:11](#)):

Do you feel as though there's a crime rate problem in New Carlisle now?

Heather Thon ([02:23:14](#)):

I feel like maybe it could be increased.

Randy Bridge ([02:23:16](#)):

There's not.

Heather Thon ([02:23:17](#)):

That's fine.

Randy Bridge ([02:23:17](#)):

Where our crime stats are pretty good. So, I was assume-

Heather Thon ([02:23:21](#)):

That's fine. That's a concern though.

Randy Bridge ([02:23:21](#)):

... that trend would go on, but that's what we are working with Miami County and [inaudible 02:23:23].

Heather Thon ([02:23:22](#)):

Yeah. That's just something new.

Speaker 18 ([02:23:22](#)):

Thank you.

Mr. Black ([02:23:28](#)):

Thank you. Okay, I'd like to thank you for coming tonight. You kind put on the spot there, but we like the residents to get to speak a

5/13/22

little. I think, whether we believe it or not, I think we accomplished a few things.

Randy Bridge ([02:23:43](#)):

For sure.

Mr. Black ([02:23:44](#)):

Oh, boy. I think we have accomplished a few things and look forward to another meeting with you, and so you kind of know where we're at, we kind of know where you are, and we'll have to see where we get to. So, thank you for being here, and we will be adjourned.

Mayor Mike Lowrey

Clerk Emily Berner

PART 5 OF 5 ENDS [02:24:04]

RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO REGULAR SESSION MEETING @ Smith Park Shelter HELD: Monday July 18, 2022 @ 6:30PM

1. **Call to Order:** Mayor Lowrey calls the meeting to order.
2. **Roll Call:** Berner calls the roll- 6 members present Lowrey, Grimm, Bahun, Eggleston, Lindsey, Rodewald Absent: Cook
Staff present: Bridge, Trusty, Deputy Majercak, Kitko, Harris
3. **Invocation:** Chief Trusty
4. **Pledge of Allegiance:** All Welcome to Participate
5. **Action on Minutes:**
7/5/22 Motion to accept 1st Eggleston 2nd Lindsey YES 6: Rodewald, Lowrey, Grimm, Bahun, Eggleston, Lindsey, NAY: 0 Accepted 6-0.

6. Communications:

Key to the City Presentation to Kim and Scott Griffith by Mayor Lowrey- Mayor Lowrey presents Mr. and Mrs. Griffith with the key to the city. Mr. Griffith thanks everyone and notes Lee's has been in business the last 50 years, the last 30 they have run the business.

2023-2027 Capital Improvement Plan Review and Discussion-

GOVERNMENTAL FUNDS		Capital Improvement Plan 2023-2027				
GENERAL FUND		2023	2024	2025	2026	2027
City Council - 101.1100.55000	Technology Updates	-	-	20,000	-	-
	City Council Totals	\$ -	\$ -	\$ 20,000	\$ -	\$ -
City Manager - 101.1300.55000	Technology Updates	-	-	5,000	-	-
	City Manager Totals	\$ -	\$ -	\$ 5,000	\$ -	\$ -
Planning - 101.1500.55000	City Wide Enhancements	20,000	12,000	12,000	14,000	14,000
	Planning Totals	\$ 20,000	\$ 12,000	\$ 12,000	\$ 14,000	\$ 14,000
Parks - 101.1800.55000	Shelter House Upgrades	-	-	-	15,000	-
	Playground Equipment	30,000	8,500	12,000	35,000	10,000
	Park Upgrades	5,000	5,000	5,000	5,000	5,000
	Bike Path Equipment	8,000	8,500	8,500	8,500	8,500
	Wood Chipper (550,000 Total Split with Streets)	25,000	-	-	-	-
	Trailer	10,000	-	-	-	-
	Trailer/Utility Equipment (5240,000 Total split with Streets, Water, and Wastewater)	60,000	-	-	-	-
	Parks Totals	\$ 138,000	\$ 22,000	\$ 25,500	\$ 63,500	\$ 23,500
Lands & Buildings - 101.2000.55000	101 Building Generator	45,000	-	-	-	-
	City Garage Hand Tools	15,000	5,000	5,000	5,000	5,000
	City Garage Truck	35,000	-	-	-	-
	City Garage Upgrades and Repair	100,000	-	-	25,000	-
	Digital Reader Signage	25,000	-	-	-	-
	Lands & Buildings Totals	\$ 220,000	\$ 5,000	\$ 5,000	\$ 30,000	\$ 5,000
Mayor's Court - 101.2200.55000	Miscellaneous Capital Items for Court Operations	-	-	-	-	-
	Mayor's Court Totals	\$ -	\$ -	\$ -	\$ -	\$ -
	General Fund Totals:	\$ 378,000	\$ 39,000	\$ 67,500	\$ 107,500	\$ 42,500
SPECIAL REVENUE FUNDS						
STREETS		2023	2024	2025	2026	2027
201.6100.55000	Wood Chipper (Shared Expense w/ Parks)	25,000	-	-	-	-
	Street Painting Equipment	-	-	-	12,000	-
	Snow Plow	8,000	-	8,000	-	-
	Trailer/Utility Equipment (5240,000 Total split with Lands & Buildings, Water, and Wastewater)	60,000	-	-	-	-
	Streets Totals	\$ 93,000	\$ -	\$ 8,000	\$ 12,000	\$ -

Brief technology discussion. I pads were purchased in 2020 and hopeful they last longer. Discussion on parks, Council agrees to hold off on adding a kitchen to the current shelter. New shelter will have a kitchen. Discussions on park equipment, trailer. Rodewald asks if we could make a bocce ball court on one of the tennis courts. Discussion on possibly making building upgrades to the street department hut. Kitko notes the structure itself has no issues. Bridge notes it is on the radar. Lowrey agrees and would like to see them get something more updated. Discussion on how to house employees with possible growth in upcoming years. Lindsey shares his ideas on utilizing the 101 building as admin and 331 Church as the substation.

EMERGENCY AMBULANCE CAPITAL		2023	2024	2025	2026	2026
212.3310.55000	Future New Ambulance	-	100,000	100,000	100,000	100,000
<i>Emergency Ambulance Capital Totals</i>		<i>\$ -</i>	<i>\$ 100,000</i>	<i>\$ 100,000</i>	<i>\$ 100,000</i>	<i>\$ 100,000</i>
EMERGENCY AMBULANCE OPERATING						
213.3300.55000	Air Packs (Various Totals Split with Fire Operating)	-	60,000	-	70,000	-
	New Staff Vehicle ((\$60,000 Total Split with Fire Operating))	-	-	-	-	30,000
	Air Compressor ((\$100,000 Total Split with Fire Operating))	50,000	-	-	-	-
Emergency Ambulance Operating Totals		\$ 50,000	\$ 60,000	\$ -	\$ 70,000	\$ 30,000
FIRE CAPITAL						
214.2210.55000	Save for New Fire Engine	-	-	609,000	-	-
Fire Capital Totals		\$ -	\$ -	\$ 609,000	\$ -	\$ -
FIRE OPERATING						
215.2200.55000	New Structural Firefighting Gear	26,000	27,000	28,000	30,000	30,000
	New Power Tools	-	-	25,000	-	-
	Radio Upgrades (EDACS & MARCS)	-	25,000	-	25,000	-
	Tools and Misc. Equipment	20,000	20,000	25,000	25,000	25,000
	New Staff Vehicle ((\$60,000 Total Split with Emergency Ambulance Operating))	-	-	-	-	30,000
	Fire Station Renovations	-	15,000	-	15,000	-
	New Computers and Equipment	-	6,000	-	8,000	-
	Air Compressor ((\$100,000 Total Split with Emergency Ambulance Operating))	50,000	-	-	-	-
	Air Packs (Various Totals Split with Emergency Ambulance Operating)	-	60,000	-	70,000	-
Fire Operating Totals		\$ 96,000	\$ 153,000	\$ 78,000	\$ 173,000	\$ 85,000
POLICE						
250.2500.55000	Equipment Upgrades	18,000	18,500	19,000	19,500	20,000
	New Patrol Vehicle	-	50,000	-	-	-
	Equipment for New Patrol Vehicles	-	20,000	-	-	-
Police Totals		\$ 18,000	\$ 88,500	\$ 19,000	\$ 19,500	\$ 20,000
Special Revenue Funds Totals:		\$ 257,000	\$ 401,500	\$ 814,000	\$ 374,500	\$ 235,000

Rodewald asks how much a fully equipt medic runs, \$250,000-\$230,00. Lindsey asks about saving \$100,00 a year earlier. Trusty notes they are saving for a new engine to purchase 24/25. Bahun asks where the fire truck fund is. Bridge and Harris suggest moving the savings up a year to have funds for 2026. Trusty indicates they did apply for grants for air packs and an engine. Notes they are on track to receive the airpack grant. The engine grant is a "shot in the dark". He notes the airpacks are on the 3rd series and due to be replaced. Discussion on Police funds, lease for cruiser. Lindsey asks about the lease cost of the cruiser and equipment upgrades.

ENTERPRISE FUNDS		2023	2024	2025	2026	2026
WATER						
501.5300.55000	F-450 Dump Truck	-	80,000	-	-	-
	Remote Monitoring System	14,000	-	-	-	-
	Hillcrest Water Main Replacement	-	92,000	-	-	-
	Old High Service Pump Building	30,000	30,000	-	-	-
	Trailer/Utility Equipment ((\$240,000 Total split with Lands & Buildings, Streets, and Wastewater))	60,000	-	-	-	-
	New Well Field	-	20,000	20,000	50,000	50,000
	Industrial Pipe Saw	10,000	-	-	-	-
	Water Main Replacements	-	10,000	10,000	10,000	10,000
	4 New 5-1/4 Fire Hydrants	14,000	-	16,000	-	-
	Utility Cart	-	22,000	-	-	-
Water Totals		\$ 128,000	\$ 254,000	\$ 46,000	\$ 60,000	\$ 60,000
WASTEWATER						
502.5400.55000	Secondary Primary Clarifier	180,000	-	-	-	-
	New Vehicle	-	75,000	-	-	-
	Bio-Tower Pump	26,000	-	-	-	-
	Remote Monitoring Technology with alarms	35,000	-	-	-	-
	Primary Clarifier #2 (American Rescue Funds & Grant during 2022)	-	-	-	-	-
	BioTower Volute and Flange Replacement	30,000	-	65,000	65,000	-
	Various Pump Replacements	25,000	25,000	25,000	-	-
	Roadway Resurface at WWTP	50,000	50,000	-	-	-
	Equipment Storage Building	-	65,000	-	-	-
	Drying Bed Upgrade for Solids	-	-	100,000	-	-
	Trailer/Utility Equipment ((\$240,000 Total split with Lands & Buildings, Streets, and Water))	60,000	-	-	-	-
Wastewater Totals		\$ 406,000	\$ 215,000	\$ 190,000	\$ 65,000	\$ -
SWIMMING POOL						
Pool Capital Savings - 505.3400.55001	Pool Liner Savings	-	-	-	-	-
Capital Improvements - 505.3400.55002	Demolition and Filling In	-	-	-	-	-
Swimming Pool Totals		\$ -	\$ -	\$ -	\$ -	\$ -

Lindsey asks about the dumptrucks and upkeep of the water tower. Pool discussion, Bridge notes options are adding a liner, bulldoze, but notes Council will have to look at the aging structure. He adds legislation tonight will put anything over 5,000 on CIP. Kitko notes there are minor leaks,

possible rework. Rodewald asks how much is set back for repairs. Harris notes \$80,000. Lindsey asks about the pump issues. Kitko adds that it is all underground and will need lots of work eventually. Bridge suggests prioritizing and doing this during a retreat where more time can be given. \$10,000 for 2023 added in the pool CIP and 2024 \$15,000.

CEMETERY		2023	2024	2025	2026	2026
510.2100.55000	Garage Roof	\$ 20,000.00	\$ -	\$ -	\$ 10,000.00	\$ -
	Barn	\$ -	\$ -	\$ 20,000.00	\$ -	\$ -
	House Porch Repair/replacement	\$ -	\$ -	\$ -	\$ -	\$ -
	Mower	\$ 25,000.00	\$ -	\$ -	\$ 20,000.00	\$ -
	Dump Truck	\$ -	\$ 75,000.00	\$ -	\$ -	\$ -
	Backhoe	\$ -	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
	Utility Cart	\$ -	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -
	Attachments / Accessories	\$ 10,000.00	\$ -	\$ 10,000.00	\$ -	\$ 10,000.00
	<i>Cemetery Totals</i>	\$ 55,000	\$ 115,000	\$ 70,000	\$ 50,000	\$ 30,000
WATERWORKS CAPITAL IMPROVEMENT		2023	2024	2025	2026	2026
550.5500.55000	Mainline Valve Replacement	5,000	5,000	5,000	5,000	5,000
	<i>Waterworks Capital Improvement Totals</i>	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
WASTEWATER EQUIPMENT REPLACEMENT		2023	2024	2025	2026	2026
561.5610.55506	Equipment Rehab - Drying Bed Rehab	10,300	10,600	10,600	11,000	11,000
	<i>Wastewater Equipment Replacement Totals</i>	\$ 10,300	\$ 10,600	\$ 10,600	\$ 11,000	\$ 11,000
Enterprise Funds Total		\$ 604,300	\$ 599,600	\$ 321,600	\$ 191,000	\$ 106,000
Total (All Funds)		\$ 1,239,300	\$ 1,040,100	\$ 1,203,100	\$ 673,000	\$ 383,500

Grimm asks if we bought a backhoe. Kitko notes he bought one for the street department.

Rodewald motions to look into selling the cemetery with a 2nd by Lowrey YES: Rodewald, Lowrey NAY: Grimm, Bahun, Eggleston, Lindsey Fails: 2-4 Kitko explains the cost and upkeep required for the cemetery adds it is very extensive and long hours. No further questions.

7. City Manager's Report:

A. DEPARTMENTAL REPORTS- Given at 2nd meeting of the month.

Police Report:

Patrol Division:

The New Carlisle Deputies were dispatched to 228 calls for service during the month of June.

Miles Patrolled: 4782

Calls Taken: 228

Reports: 41

Assists: 41

Criminal Arrest: 12

Felony Arrest: 3

Misdemeanor Arrest: 7

Warrants: 2

Traffic Stops: 48

Traffic Warnings: 30

Moving Citations: 18

Business checks: 622

Code Enforcement Follow-ups: 0

Traffic Crashes: 4

NEW CARLISLE	CALLS	ASSISTS	REPORTS	TRAFFIC STOPS	CITATIONS	WARNINGS	ARREST	CODE ENFO	BUSINESS CHECKS	CRASH
June										
Dep. Majercak	58	2	7	8	4	4	2	0	170	1
Dep. Forrest	51	6	5	6	2	4	2	0	135	2
Dep. McDuffie	33	8	7	4	1	3	4	0	10	0
Dep. Garman	63	16	20	4	3	1	3	0	37	1
Dep. Harris	23	9	2	26	8	18	1	0	270	0
Total	228	41	41	48	18	30	12	0	622	4

No comments or questions from Council.

Fire/EMS Report:

City of New Carlisle
 City Council Meeting
 07-18-2022
 Fire-EMS Report

- In the Month of June the New Carlisle Fire Division responded to 73 EMS call in the city and 7 in Elizabeth Township.
- The Division responded to 10 Fire related calls in the city and 1 in Elizabeth Township.
- We had 2 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.

Rodewald asks if the fire calls were firework related, Trusty noted yes mutual aid where a backyard was caught on fire.

Finance Report:

COUNCIL FINANCIAL REPORT SUMMARY – JUNE 2022

Estimated Revenue \$ 6,814,884.00 Amended Est. Resources \$ - Amended Est. Resources \$ - Amended Est. Resources \$ - 2022 REVISED TOTAL EST. REV. \$ 6,814,884.00	2022 Original Budget \$ 7,853,526.00 1st Q. Supplemental \$ 164,950.00 2nd. Q. Supplemental \$ - 3rd. Q. Supplemental \$ - 4th Q. Supplemental \$ - 2022 REVISED TOTAL BUDGET \$ 8,018,476.00																																																								
<table border="1"> <thead> <tr> <th>Month</th> <th>Revenue Received</th> </tr> </thead> <tbody> <tr><td>January</td><td>\$ 567,869.37</td></tr> <tr><td>February</td><td>\$ 835,723.95</td></tr> <tr><td>March</td><td>\$ 1,158,287.72</td></tr> <tr><td>April</td><td>\$ 691,820.94</td></tr> <tr><td>May</td><td>\$ 683,488.33</td></tr> <tr><td>June</td><td>\$ 734,344.99</td></tr> <tr><td>July</td><td></td></tr> <tr><td>August</td><td></td></tr> <tr><td>September</td><td></td></tr> <tr><td>October</td><td></td></tr> <tr><td>November</td><td></td></tr> <tr><td>December</td><td></td></tr> <tr><td>Received To Date</td><td>\$ 4,671,535.30</td></tr> </tbody> </table>	Month	Revenue Received	January	\$ 567,869.37	February	\$ 835,723.95	March	\$ 1,158,287.72	April	\$ 691,820.94	May	\$ 683,488.33	June	\$ 734,344.99	July		August		September		October		November		December		Received To Date	\$ 4,671,535.30	<table border="1"> <thead> <tr> <th>Month</th> <th>Expenses Paid</th> </tr> </thead> <tbody> <tr><td>January</td><td>\$ 381,705.01</td></tr> <tr><td>February</td><td>\$ 813,030.24</td></tr> <tr><td>March</td><td>\$ 1,036,941.13</td></tr> <tr><td>April</td><td>\$ 388,868.27</td></tr> <tr><td>May</td><td>\$ 516,345.12</td></tr> <tr><td>June</td><td>\$ 690,154.41</td></tr> <tr><td>July</td><td></td></tr> <tr><td>August</td><td></td></tr> <tr><td>September</td><td></td></tr> <tr><td>October</td><td></td></tr> <tr><td>November</td><td></td></tr> <tr><td>December</td><td></td></tr> <tr><td>Expenses to Date</td><td>\$ 3,827,044.18</td></tr> </tbody> </table>	Month	Expenses Paid	January	\$ 381,705.01	February	\$ 813,030.24	March	\$ 1,036,941.13	April	\$ 388,868.27	May	\$ 516,345.12	June	\$ 690,154.41	July		August		September		October		November		December		Expenses to Date	\$ 3,827,044.18
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Statement of Cash from Revenue and Expense

Fund	Desc	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance
Grand Total:		\$6,014,278.47	\$4,671,535.30	\$3,827,044.18	\$6,858,769.59	\$813,473.03	\$6,045,296.56

BANK RECONCILIATIONS - JUNE 2022

Bank Accounts	Bank Balance	Outstanding Vendor	Outstanding Employee	Deposits in Transit	NSF Check (s)	Adjustments	Book Balance	Difference
PNC - General	\$ 1,883,869.11	\$ -	\$ -	\$ 1,142.14	\$ -	\$ -	\$ 1,885,011.25	\$ -
PNC - Payroll	\$ 100,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000.00	\$ -
Star Ohio	\$ 2,092,748.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,092,748.04	\$ -
Park Nat. - General	\$ 2,073,799.44	\$ (107,569.20)	\$ -	\$ 106.26	\$ -	\$ 39.98	\$ 1,966,376.48	\$ -
Park Nat. - MMA	\$ 738,931.94	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 738,931.94	\$ -
Park Nat. - Mayor's	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -
NCF	\$ 526.52	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 526.52	\$ -
NCF - CD's	\$ 74,475.36	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 74,475.36	\$ -
Cash on Hand	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500.00	\$ -
Grand Totals	\$ 6,965,050.41	\$ (107,569.20)	\$ -	\$ 1,248.40	\$ -	\$ 39.98	\$ 6,858,769.59	\$ -

Motion by Eggleston 2nd Lindsey to accept the finance report. YES: Rodewald, Lowrey, Grimm, Bahun, Eggleston, Lindsey NAY:0 Accepted 6-0



MAYOR'S COURT REPORT
FOR JUNE 2022

Total Citations: 12 (2 OVI & 10 Traffic)

FUND RECEIVED	CURRENT MONTH	YEAR-TO-DATE
Fines	\$ 1,204.00	\$ 1,204.00
Court Cost	\$ 1,112.00	\$ 1,112.00
Fines- Clark County Municipal (transfer Cases)	\$ -	\$ -
Total Fees Paid (LF, Bounced Cks, BW)	\$ -	\$ -
Other (Bond Forfeiture)	\$ -	\$ -
Misc Fees Paid (Jail Time)	\$ -	\$ -
Bond Collected	\$ -	\$ -
Restitution	\$ -	\$ -
SB 17 Indigent driver interlock & alcohol	\$ -	\$ -
TOTAL FUNDS RECEIVED	\$ 2,316.00	\$ 2,316.00
FUNDS DISBURSED		
Victims of Crime	\$ 90.00	\$ 90.00
Child Safety/Seat Belts	\$ -	\$ -
Indigent Defense Support Fund	\$ 250.00	\$ 250.00
Drug Law Enforcement Fund	\$ 35.00	\$ 35.00
Expungement	\$ -	\$ -
State Bond Surcharge (new as of 2010)	\$ -	\$ -
TOTAL REMITTED TO STATE	\$ 375.00	\$ 375.00
Indigent Drivers Alcohol Treatment (Springfield)	\$ 15.00	\$ 15.00
Remitted to Computer Fund (Clerk)	\$ 90.00	\$ 90.00
Remitted to Computer Fund (Court)	\$ 27.00	\$ 27.00
Remitted to Court Security Fund	\$ 90.00	\$ 90.00
Remitted to Facility Fee	\$ 45.00	\$ 45.00
Remitted to City GF - Fines	\$ 1,204.00	\$ 1,204.00
Remitted to City GF - Court Court/Misc	\$ 470.00	\$ 470.00
Remitted to City- Jail Expenses	\$ -	\$ -
Remitted to City- Enforcement & Education	\$ -	\$ -
Remitted to City- Drug Analysis	\$ -	\$ -
SB 17 Indigent Driver Interlock & Alcohol	\$ -	\$ -
TOTAL REMITTED TO CITY	\$ 1,926.00	\$ 1,926.00
Capital Recovery	\$ -	\$ -
Restitution	\$ -	\$ -
Bonds forfeitured	\$ -	\$ -
TOTAL DISBURSED	\$ 2,316.00	\$ 2,316.00

Prepared & Submitted By:
Kristy Thome, Clerk of Court

Motion by Eggleston 2nd Lindsey to accept the Mayor's court report. YES:
Rodewald, Lowrey, Grimm, Bahun, Eggleston, Lindsey NAY:0 Accepted 6-0 Grimm
asks about the expenses for the magistrate (\$200 per court) and clerk. Harris
notes they will be around 30 days behind.

2022 Pool Revenue and Expense Report

REVENUE	Jan to May	June	July	Aug	Sept	EOY	Total to Date
Pool Memberships	\$ 15,527.63	\$ 7,564.00					\$ 23,091.63
Daily Gate Fees	\$ 2,168.37	\$ 16,149.00					\$ 18,317.37
Concessions	\$ 2,606.08	\$ 12,412.53					\$ 15,018.61
Party & Rental	\$ 1,578.50	\$ 620.00					\$ 2,198.50
Games	\$ -	\$ -					\$ -
Misc. Donations	\$ -	\$ -					\$ -
Misc. Receipts	\$ 354.73	\$ 681.93					\$ 1,036.66
Transfer In	\$ -	\$ -					\$ -
Total Revenue	\$ 22,235.31	\$ 37,427.46					\$ 59,662.77

EXPENSES:	Jan to May	June	July	Aug	Sept	EOY	Total to Date
Wages	\$ 1,001.93	\$ 17,408.90					\$ 18,410.83
Training/Travel/Transportation	\$ 229.30	\$ 122.85					\$ 352.15
Contractual	\$ 6,061.87	\$ 9,480.76					\$ 15,542.63
Material & Supplies	\$ 3,481.39	\$ 11,356.59					\$ 14,837.98
Capital	\$ -	\$ -					\$ -
Misc.	\$ 300.00	\$ 990.00					\$ 1,290.00
Total Expenses	\$ 11,074.49	\$ 39,359.10					\$ 50,433.59

Profit or (-Loss) \$ 11,160.82 \$ (1,931.64) \$ - \$ - \$ - \$ 9,229.18

Service Report:

To: Randy Bridge, City Manager
From: Howard Kitko, Service Director
Date: July 18, 2022
Subject: Council Update

Public Works Departments:

- The Street Dept. has begun dura-patching potholes city-wide. Please call in Potholes to the Street Dept. at 937-845-3058.
- ADA parking spots at Smith Park Shelter House have been completed.

- Met with sweeping contractor for the Spring street-sweeping. Followed up with contractor for estimate 7/11/2022
- Tennis Court cleaning is complete.
- Working with contractor for bike path and right-of-way brush clearing.

Water Department:

- Sanitary Survey: Updating the number of private well locations to complete our backflow program.
- Final restoration of the old Adam's Water tower site is complete.

Sewer Department:

- Engineering agreement has been executed to start the engineering and bidding process for secondary clarifier #1. The new secondary clarifier #2 is currently being manufactured. American Rescue Plan Funds and minimal local Wastewater funds. Estimated \$295,000 ARP Federal and \$10,000 local.
- Primary #2 Clarifier agreement with OPWC has been executed. Funding will be from American Rescue Plan and OPWC Funds \$98,500 & 98,500 ARP Federal Funds.

2022 Road Reconstruction/Resurfacing Projects:

- Clark County Resurface Project: Suspended until 2023
- Burgess and Niple have been tasked to evaluate the curbs and ADA ramps on St. Rte. 235. Project funded by Springfield/Clark County TCC. Curb and ADA ramp work this summer, prior to resurfacing in 2023. Working with ODOT on number of ramps that will need to be replaced or repaired.
- Submitted CDBG grant application for the Fenwick Dr. Reconstruction Phase II. Construction Cost estimated to be \$452,792, with the city's share to be an estimate \$60,000 (share + Engineering) If approved, funds will be available Spring 2023

Carlisle Park Phase 1 upgrade Project:

- Community Development Block Grant (CDBG) application submitted to remove existing basketball court and replace it with new full-size court. New ADA accessible swing added to the existing Swing-set. Future phases are to add a parking lot and new ADA accessible sidewalk with picnic table connecting the open shelter and playset. Estimated Cost of \$80,000 with the city's estimated share to be \$20,000

NatureWorks Grant:

- Completed application has been submitted to add 3 open shelters and replace concrete pad at the city pool. More Details to come.

Grimm asks if it is the same company sweeping the streets. Kitko notes they do not mark "no parking". Kitko notes they will advertise and the cost to add in the "no parking" is double. Lindsey asks about the sweeping causing a dust cloud. They are to use water. Kitko notes it does not matter the company used. Lowrey asks about repainting parking spots on main. They will be repainted in the spring. Eggleston asks about the overgrowth on Main. Grimm asks about Pike St. alley behind Masonic Lodge...owned by Rite Aid.

Planning and Zoning Report: reported at a later date.

B. INFORMATIONAL ITEMS:

- **Discussion Topics**
 - Public Infrastructure Attorney
 - Professional Property Maintenance Contract
 - Traffic Study – End of August Projected Completion
 - Miami County Annexation, DDC Management
 - Preliminary Plan Hearing August 31, 2022 @ Smith Park Shelter House. 6:30PM
 - Preliminary Plan Action: September 28, 2022 @ Smith Park Shelter House. 6:30PM
 - Pre-Annexation Agreement in August
 - Upcoming Legislation/Projects for Council Review/Approval
 - Annual Assessments – Intro 8/1; Action 8/15
 - Employee Generally Section Code Update, Social Media Policy, Indigent Burials Policy, Golf Carts as Vehicles, Community Garden Code Update
 - City Sign Audit

Bridge notes he will hire a consultant to assist Jake, Bridge and Kitko. Contract with Professional Property Maintenance to take care of the flower beds and signs in town. The city will contract with someone to maintain the 58 trees. Traffic study on all four developments traffic study comes back at the end of August.

8. Comments from Members of the Public:

Pat Krabacher- 307 Henry- gives an update on the community garden. She shares some garlic, flowers and Queen of the Prairie plant with the council.

Don Black- Bethel Township- Bethel Township trustee asks if the lawyer from BT Miami has agreed to the annexation agreement. Bridge notes No.

Matt Mills: Zeller Drive- Notes he appreciates members of Council try and communicate with others on social media. Attached is the letter he reads:

Jeff Morford- 4720 Scarff Rd- Notes he is totally against the development of Scarff and Lake due to environmental reasons. He adds when Council has to vote to accept- "just vote no". When Council has to vote to change the zoning "just vote no".

9. Committee Reports: None

10. RESOLUTIONS: None

11. ORDINANCES:

A. Ordinance 2022-29 (Introduction Tonight. Public Hearing & Action on August 1, 2022) AN ORDINANCE AMENDING A CERTAIN SECTION OF CHAPTER 248 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING CITY POLICY

12. OTHER BUSINESS:

1. Planning Board Meeting: Tuesday, August 2, 2022. Topics: Community Gardens, R-PUD's, setbacks, and Gun Ranges as Conditional Uses. Smith Park Shelter House @6:00PM
2. Open Discussion for City Related Matters- Lowrey thanks everyone who helped on Saturday.
3. Motion to excuse Cook with 2nd by Eggleston YES: Lindsey, Rodewald, Lowrey, Grimm, Bahun, Eggleston YES: 6 Nay: 0 Accepted 6-0
4. Bahun asks if we meet with Bethel Township again, Bridge notes up to Council.
5. Grimm asks for an idea on revenue and expenditures from wastewater with an increase in homes.
6. Eggleston asks about Citizen of the year, notes 2 of the people do not live in the city but do a lot for the city. Discussion on how to recognize them.
7. Eggleston asks about the city of Vandalia's light up 25mph sign and if the city could do that on the South end of town on Main. Bridge/Kitko will look into those.
8. Eggleston asks about moving Committee Reports to before Comments from Members of the Public and how Council can get it changed. Bridge will help her with this.

13. Executive Session: None

14. Adjournment: @8:30pm. 1st Lindsey 2nd Grimm YES 6: Bahun, Eggleston, Lindsey, Rodewald, Lowrey, Grimm NAY: 0 Lowrey Accepted 6-0

City Manager's Report

August 1, 2022

A. DEPARTMENTAL REPORTS

- The Following Departmental Reports will be given at the next City Council meeting that will be held on Monday, August 15, 2022
 - Finance, Public Service, Fire/EMS, and Police

B. INFORMATIONAL ITEMS

- Discussion Topics
 - Exterior Property Maintenance Violations and Mayor's Court
 - Work Session in mid-September
 - Cemetery - Cost of operations, cost to contract grass cutting
 - Council Retreat Options
 - Charter Amendments Review by City Council
 - Alley Vacation - Cory Street
 - Miami County Annexation, DDC Management
 - Preliminary Plan Hearing August 31, 2022 @ Smith Park Shelter House. 6:30PM
 - Preliminary Plan Action: September 28, 2022 @ Smith Park Shelter House. 6:30PM
 - Pre-Annexation Agreement in legal review
 - New Carlisle Health Stats - Attached
 - Upcoming Legislation/Projects for Council Review/Approval
 - Employee Generally Section Code Update, Social Media Policy, Indigent Burials Policy, Golf Carts as Vehicles
 - City Sign Audit

Motion Summary: None

Attachment Summary: New Carlisle Health Stats

Environmental Health Division

Environmental Service/ Program	January	February	March	April	May	June	July	August	September	October	November	December	Total
Plumbing Inspections	2	2	7	2	1	4							18
Animal Bite Investigation	0	0	1	3	0	1							5
Food Inspections	1	0	8	3	1	0							13
Food Complaint Investigation	0	0	0	0	0	0							0
Mercury Spills	0	0	0	0	0	0							0
Nuisance Investigations	0	0	2	0	0	0							2
Plan Approval:													
Food	0	0	0	0	0	0							0
Plumbing	0	0	0	0	0	1							1
School Inspections	0	0	0	0	0	0							0
Pool Inspections	0	0	0	0	4	2							6
Smoking Ban Complaints	0	0	0	0	0	0							0
Smoking Ban Letters	0	0	0	0	0	0							0
Tattoo and/or Body Piercing Inspections	0	0	0	0	0	0							0

Nursing And Health Services Division

Nursing Service	January	February	March	April	May	June	July	August	September	October	November	December	Total
*Clinic Visits	2	0	3	2	1	1							9
Number of Vaccines	4	0	6	3	3	2							18
BCM Home Visits	0	0	2	4	0	0							6
CD Statistics For C-19	778	82	12	12	31	77							992
CD Statistics excluding C-19	11	9	6	7	9	8							50

Nursing Clinic	Time of Visit						Total Clients	Service Provided							Total Services
	8 to 9	9 to 10	10 to 11	11 to 12	8 to 6	Shots		Blood Pressure	Blood Sugar	Head Check	Lead (EH)	TB	Other		
May 2022 *Reflects Current Month Age of Client	8 to 9	9 to 10	10 to 11	11 to 12	8 to 6	Total Clients	Shots	Blood Pressure	Blood Sugar	Head Check	Lead (EH)	TB	Other	Total Services	
Birth to 24 months					1	1	3							3	
25 months to 10 years					0	0	0							0	
11 to 18 years					0	0	0							0	
19+					0	0	0							0	
Total	0	0	0	0	1	1	3	0	0	0	0	0	0	3	

Nursing Clinic	Time of Visit						Total Clients	Service Provided							Total Services
	8 to 9	9 to 10	10 to 11	11 to 12	8 to 6	Shots		Blood Pressure	Blood Sugar	Head Check	Lead (EH)	TB	Other		
June 2022 *Reflects Current Month Age of Client	8 to 9	9 to 10	10 to 11	11 to 12	8 to 6	Total Clients	Shots	Blood Pressure	Blood Sugar	Head Check	Lead (EH)	TB	Other	Total Services	
Birth to 24 months					0	0	0							0	
25 months to 10 years					0	0	0							0	
11 yrs to 18 yrs					1	1	2							2	
19+					0	0	0							0	
Total	0	0	0	0	1	1	2	0	0	0	0	0	0	2	

RESOLUTION 2022-11R

A RESOLUTION DECLARING THE NECESSITY OF IMPROVING THE STREETS OF THE CITY OF NEW CARLISLE, OHIO BY LIGHTING THEM

THE CITY OF NEW CARLISLE HEREBY RESOLVES that:

SECTION 1. DETERMINATION TO IMPROVE

It is deemed necessary by the City of New Carlisle to make a public improvement, the lighting of its streets, to be paid for in part by special assessments to be levied. The plans, specifications, and profiles of the proposed improvement and improvement after completion with reference to the property abutting thereon, and an estimate of the cost of the improvement has been prepared and filed in the office of the Clerk of the City of New Carlisle and shall be/is open to the inspection of all persons interested. Thus, the City of New Carlisle hereby declares the necessity for such improvement by the passage of this Resolution.

SECTION 2. THE NATURE AND LOCATION OF IMPROVEMENT

The nature of the street lighting improvement is conducive to the public health and welfare of this City, and the inhabitants thereof and the lots to be assessed are specifically benefited by the improvement. This Council further finds and determines that the public streets, roads, boulevards, and places to be improved are so situated in relation to each other that, in order to complete the improvements thereof in the most practical and economical manner, they should be improved at the same time, with the same kind of materials and in the same manner and, therefore, they should be treated as a single improvement included in the same legislation and contract.

SECTION 3. APPROVAL OF PLANS, SPECIFICATIONS, PROFILES AND ESTIMATE OF COST

The plans, specifications, and profiles of the proposed improvement and improvement after completion with reference to the property abutting thereon, and an estimate of the cost of the improvement are hereby approved.

SECTION 4. COST AND METHOD OF LEVYING ASSESSMENT

The entire cost of said improvement, less two percent (2%) thereof and the cost of lighting the intersections, shall be assessed upon the following described lots and lands, to-wit: pro rata to all lots and lands bounding and abutting upon said improvement, which lots and lands are hereby determined to be benefited by said improvement. Said assessments shall be levied by the following method, to-wit: by the front footage of the properties bounding and abutting upon the improvement.

SECTION 5. MODE OF PAYMENT AND PAYMENT SCHEDULE

The mode of payment shall be cash, check, or money order. The payment schedule for the special assessments to be levied will be payable in two annual installments, or the owner of any property

assessed may, at his/her option, pay such assessment in cash within ten days after notice of passage of the Ordinance levying such assessments.

SECTION 6. STATEMENT ON SECURITIES

The City of New Carlisle does not intend to issue securities in anticipation of the levy of the special assessment. The City of New Carlisle does not intend to issue securities in anticipation of the collection of the special assessment.

SECTION 7. ESTIMATED ASSESSMENTS AGAINST EACH LOT OR PARCEL TO BE ASSESSED

An estimated assessment in accordance with the method of assessment set forth above, showing the amount of the assessment against each lot or parcel of land to be assessed, shall be immediately prepared by the Finance Director, and filed in the Office of the Clerk of the City of New Carlisle, and shall be open to the inspection of all persons interested.

SECTION 8. LEVIED AND COLLECTED

This special assessment is to be levied and collected before the improvement for which the assessment is levied is commenced.

SECTION 9. NOTICE TO PROPERTY OWNERS

Upon filing of said estimated assessments as hereinbefore provided, the Finance Director is hereby ordered to cause notice of the passage of this Resolution and of the filing of said estimated assessments in accordance with Section 727.14 of the Ohio Revised Code: by publication once a week for two consecutive weeks in a newspaper of general circulation in the municipal corporation or, where the assesment against the owner of any lot or parcel of land will exceed two hundred fifty dollars, such owner shall be notified of the assessment in the manner provided in Section 727.13 of the Revised Code, which provides:

Notice of the passage of a resolution of necessity and the filing of the estimated assessment under section 727.12 of the Revised Code, shall, after the estimated assessment has been made and filed as provided by section 727.12 of the Revised Code, be served by the clerk of the legislative authority, or a person designated by such clerk, upon the owners of the lots or parcels of land to be assessed for the proposed improvement, in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. If it appears by the return of service or the return of the certified mail notice that one or more of the owners cannot be found, such owners shall be served by publication of the notice once in a newspaper of general circulation within the municipal corporation. The notice shall also set forth the place where such estimated assessments are on file and are open for public inspection. The return of the person serving the notice or a certified copy thereof or a returned receipt for notice forwarded by certified mail accepted by the addressee or anyone purporting to act for him shall be prima facie evidence of the service of notice under this section.

Passed this _____ day of _____, 2022

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:		
	Pass	Fail

Intro: 08/01/2022
Action: 08/01/2022
Effective: 08/16/2022

RESOLUTION 2022-12R

A RESOLUTION ADOPTING THE 2023-2027 CAPITAL IMPROVEMENT PROGRAM FOR
THE CITY OF NEW CARLISLE, OHIO

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

WHEREAS, Section 7.06(b) of the City Charter requires that this plan be adopted by Resolution; and

WHEREAS, Council has reviewed such plan and found it to be sufficient to use for preparing a budget.

NOW, THEREFORE, BE IT RESOLVED by the City of New Carlisle City Council that the attached Capital Improvement Program (CIP) shall be adopted for use in the preparation of a budget for the City of New Carlisle, Ohio.

Passed this _____ day of _____, 2022.

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, Law Director

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:

Pass

Fail

Intro: 08/01/2022

Action: 08/15/2022

Effective: 08/30/2022

Capital Improvement Plan 2023-2027

GOVERNMENTAL FUNDS

<u>GENERAL FUND</u>		<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
City Council - 101.1100.55000	Technology Updates	-	-	20,000	-	-
	<i>City Council Totals</i>	\$ -	\$ -	\$ 20,000	\$ -	\$ -
City Manager - 101.1300.55000	Technology Updates	-	-	5,000	-	-
	<i>City Manager Totals</i>	\$ -	\$ -	\$ 5,000	\$ -	\$ -
Planning - 101.1500.55000	City Wide Enhancements	20,000	12,000	12,000	14,000	14,000
	<i>Planning Totals</i>	\$ 20,000	\$ 12,000	\$ 12,000	\$ 14,000	\$ 14,000
Parks - 101.1800.55000	Shelter House Upgrades	-	-	-	15,000	-
	Playground Equipment	30,000	8,500	12,000	35,000	10,000
	Park Upgrades	5,000	5,000	5,000	5,000	5,000
	Bike Path Equipment	8,000	8,500	8,500	8,500	8,500
	<i>Wood Chipper</i> <i>(\$50,000 Total Split with Streets)</i>	25,000	-	-	-	-
	Trailer	10,000	-	-	-	-
	<i>Trailer/Utility Equipment</i> <i>(\$240,000 Total split with Streets, Water, and Wastewater)</i>	-	60,000	-	-	-
	<i>Parks Totals</i>	\$ 78,000	\$ 82,000	\$ 25,500	\$ 63,500	\$ 23,500
Lands & Buildings - 101.2000.55000	101 Building Generator	45,000	-	-	-	-
	City Garage Hand Tools	15,000	5,000	5,000	5,000	5,000
	City Garage Truck	35,000	-	-	-	-
	City Garage Partial Demo and Rebuild	100,000	-	-	25,000	-
	Digital Reader Signage	25,000	-	-	-	-
	<i>Lands & Buildings Totals</i>	\$ 220,000	\$ 5,000	\$ 5,000	\$ 30,000	\$ 5,000
Mayor's Court - 101.2200.55000	Miscellaneous Capital Items for Court Operations	-	-	-	-	-
	<i>Mayor's Court Totals</i>	\$ -	\$ -	\$ -	\$ -	\$ -
	General Fund Totals:	\$ 318,000	\$ 99,000	\$ 67,500	\$ 107,500	\$ 42,500

SPECIAL REVENUE FUNDS

STREETS

201.6100.55000	<i>Wood Chipper</i> <i>(\$50,000 Total Split with Parks)</i>	25,000	-	-	-	-
	Street Painting Equipment	-	-	-	12,000	-
	Snow Plow	8,000	-	8,000	-	-
	<i>Trailer/Utility Equipment</i> <i>(\$240,000 Total split with Parks, Water, and Wastewater)</i>	-	60,000	-	-	-
	<i>Streets Totals</i>	\$ 33,000	\$ 60,000	\$ 8,000	\$ 12,000	\$ -

EMERGENCY AMBULANCE CAPITAL

		2023	2024	2025	2026	2027
212.3310.55000	Future New Ambulance	100,000	100,000	100,000	100,000	-
<i>Emergency Ambulance Capital Totals</i>		<i>\$ 100,000</i>	<i>\$ 100,000</i>	<i>\$ 100,000</i>	<i>\$ 100,000</i>	<i>\$ -</i>

EMERGENCY AMBULANCE OPERATING

213.3300.55000	Air Packs (Various Totals Split with Fire Operating)	-	60,000	-	70,000	-
	New Staff Vehicle (\$60,000 Total Split with Fire Operating)	-	-	-	-	30,000
	Air Compressor (\$100,000 Total Split with Fire Operating)	50,000	-	-	-	-
Emergency Ambulance Operating Totals		\$ 50,000	\$ 60,000	\$ -	\$ 70,000	\$ 30,000

FIRE CAPITAL

214.2210.55000	Save for New Fire Engine	-	-	609,000	-	-
Fire Capital Totals		\$ -	\$ -	\$ 609,000	\$ -	\$ -

FIRE OPERATING

215.2200.55000	New Structural Firefighting Gear	26,000	27,000	28,000	30,000	30,000
	New Power Tools	-	-	25,000	-	-
	Radio Upgrades (EDACS & MARCS)	-	25,000	-	25,000	-
	Tools and Misc. Equipment	20,000	20,000	25,000	25,000	25,000
	New Staff Vehicle (\$60,000 Total Split with Emergency Ambulance Operating)	-	-	-	-	30,000
	Fire Station Renovations	-	15,000	-	15,000	-
	New Computers and Equipment	-	6,000	-	8,000	-
	Air Compressor (\$100,000 Total Split with Emergency Ambulance Operating)	50,000	-	-	-	-
	Air Packs (Various Totals Split with Emergency Ambulance Operating)	-	60,000	-	70,000	-
Fire Operating Totals		\$ 96,000	\$ 153,000	\$ 78,000	\$ 173,000	\$ 85,000

POLICE

250.2500.55000	Equipment Upgrades	18,000	18,500	19,000	19,500	20,000
	New Patrol Vehicle	-	50,000	-	-	-
	Equipment for New Patrol Vehicles	-	20,000	-	-	-
Police Totals		\$ 18,000	\$ 88,500	\$ 19,000	\$ 19,500	\$ 20,000

Special Revenue Funds Totals: \$ 297,000 \$ 461,500 \$ 814,000 \$ 374,500 \$ 135,000

ENTERPRISE FUNDS

WATER

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
501.5300.55000 F-450 Dump Truck	-	80,000	-	-	-
Remote Monitoring System	14,000	-	-	-	-
Hillcrest Water Main Replacement	-	92,000	-	-	-
Old High Service Pump Building	30,000	30,000	-	-	-
Trailer/Utility Equipment (\$240,000 Total split with Lands & Buildings, Streets, and Wastewater)	-	60,000	-	-	-
New Well Field	-	20,000	20,000	50,000	50,000
Industrial Pipe Saw	10,000	-	-	-	-
Water Main Replacements	-	10,000	10,000	10,000	10,000
4 New 5-1/4 Fire Hydrants	14,000	-	16,000	-	-
Utility Cart	-	22,000	-	-	-
<i>Water Totals</i>	<i>\$ 68,000</i>	<i>\$ 314,000</i>	<i>\$ 46,000</i>	<i>\$ 60,000</i>	<i>\$ 60,000</i>

WASTEWATER

502.5400.55000 Secondary Primary Clarifier	180,000	-	-	-	-
New Vehicle	-	75,000	-	-	-
Bio-Tower Pump	26,000	-	-	-	-
Remote Monitoring Technology with alarms	35,000	-	-	-	-
BioTower Volute and Flange Replacement	30,000	-	65,000	65,000	-
Various Pump Replacements	25,000	25,000	25,000	-	-
Roadway Resurface at WWTP	50,000	50,000	-	-	-
Equipment Storage Building	-	65,000	-	-	-
Drying Bed Upgrade for Solids	-	-	100,000	-	-
Trailer/Utility Equipment (\$240,000 Total split with Lands & Buildings, Streets, and Water)	-	60,000	-	-	-
<i>Wastewater Totals</i>	<i>\$ 346,000</i>	<i>\$ 275,000</i>	<i>\$ 190,000</i>	<i>\$ 65,000</i>	<i>\$ -</i>

SWIMMING POOL

505.3400.5500 General Capital Improvements	10,000	15,000	-	-	-
<i>Swimming Pool Totals</i>	<i>\$ 10,000</i>	<i>\$ 15,000</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ -</i>

CEMETERY

510.2100.55000

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Garage Roof	\$ 20,000.00	\$ -	\$ -	\$ 10,000.00	\$ -
Barn	\$ -	\$ -	\$ 20,000.00	\$ -	\$ -
Mower	\$ 25,000.00	\$ -	\$ -	\$ 20,000.00	\$ -
Dump Truck	\$ -	\$ 75,000.00	\$ -	\$ -	\$ -
Backhoe	\$ -	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
Utility Cart	\$ -	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -
Attachments / Accessories	\$ 10,000.00	\$ -	\$ 10,000.00	\$ -	\$ 10,000.00
<i>Cemetery Totals</i>	\$ 55,000	\$ 115,000	\$ 70,000	\$ 50,000	\$ 30,000

WATERWORKS CAPITAL IMPROVEMENT

550.5500.55000

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2026</u>
Mainline Valve Replacement	5,000	5,000	5,000	5,000	5,000
<i>Waterworks Capital Improvement Totals</i>	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000

WASTEWATER EQUIPMENT REPLACEMENT

561.5610.55506

Equipment Rehab - Drying Bed Rehab	10,300	10,600	10,600	11,000	11,000
<i>Wastewater Equipment Replacement Totals</i>	\$ 10,300	\$ 10,600	\$ 10,600	\$ 11,000	\$ 11,000

Enterprise Funds Total \$ 494,300 \$ 734,600 \$ 321,600 \$ 191,000 \$ 106,000

Total (All Funds) \$ 1,109,300 \$ 1,295,100 \$ 1,203,100 \$ 673,000 \$ 283,500

DEFINITIONS

City Council

Technology Updates - For the purchase of a technology updates such as new iPads, Council Meeting enhancements, or other similar devices. Paid by General Fund.

City Manager

Technology Updates - For the purchase of a technology updates such as new iPads or other similar devices. Paid by General Fund.

Planning

City Wide Enhancements - For the purpose of purchasing various items, such as benches, flower baskets, trash receptacles, etc., to visually enhance the city. Paid for by grants and/or General Fund

Parks

Shelter House Upgrades - Miscellaneous upgrades to actual structure, contents of the structure, and/or accessory uses of the structure such as the parking lot. Paid for by the General Fund.

Playground Equipment - Purchase and/or upgrades of playground equipment and/or fall protection. Paid for by the General Fund and/or grant funds.

Park Upgrades - Purchase Benches, Tables, and other miscellaneous items for general City Parks improvements. Paid for by the General Fund and/or grant funds.

Bike Path Equipment - Purchase equipment needed for ongoing maintenance of the bike trail. Paid for by the General Fund.

Wood Chipper - Shared expense with Street Fund in 2022.

Trailer - Needed for various projects around the city. Paid for by the General Fund

Trailer/Utility Equipment - Needed for various projects in the city. Split purchase from Parks, Streets, Water, and Wastewater.

Lands & Buildings

101 Building Generator - For use at 101 S. Main Street. Paid for by the General Fund.

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

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

City Garage Partial Demo and Rebuild - Certain sections of the City Garage. Paid for by the General Fund and/or financing.

Digital Reader Signage - Located outside of 101 S. Main Street. Paid for by the General Fund.

Streets

Wood Chipper - Shared expense with Park Fund in 2022.

Street Painting Equipment - Replace current street and curb painting equipment. Paid for by Street Funds (Non-Levy).

Snow Plow - Purchase new Snow Plow for increased operational performance. Paid for by Street Funds (Non-Levy)

Trailer/Utility Equipment - Needed for various projects in the city. Split purchase from Parks, Streets, Water, and Wastewater.

Emergency Ambulance Capital

Future New Ambulance - Save for the purchase of a new ambulance. Paid for by EMS/Fire, General funds, loans, and/or grant funds.

Emergency Ambulance Operating

Air Packs - Purchase Air Packs in years 2022, 2024, and 2026. Paid for by Fire/EMS funds and/or grant funds.

New Staff Vehicle - Split purchase with Fire Operating.

Air Compressor - Purchase air compressor in 2023. Paid for by Fire/EMS funds and/or grant funds.

Fire Capital

Save for New Fire Engine - Purchase a new Fire Rescue Engine. Paid for by Fire Funds and/or grant funds.

Fire Operating

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.

New Staff Vehicle - Split purchase with Emergency Ambulance Operating.

Fire Station Renovations - Updates to Fire Station to improve employee comfort and operations. Paid for by Fire/EMS funds and/or grant funds.

New Computers and Equipment - Purchase new desktop computers, or other similar items, for the Fire Station. Paid for by Fire funds and/or grant funds.

Air Compressor - Purchase air compressor in 2023. Paid for by Fire/EMS funds and/or grant funds.

Air Packs - Purchase Air Packs in years 2022, 2024, and 2026. Paid for by Fire/EMS funds and/or grant funds.

Police

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.

Water

F-450 Dump Truck- Replace the current 2001 dump truck with new truck. Dump body on current truck to be transferred to new truck. Paid for by Water fund.

Remote Monitoring Technology with Alarms- To ensure more efficient work practices and ease of viewing system operations, Paid for by the Wastewater Fund.

Hillcrest Water Main Replacement - Much needed replacement. Paid for with Water funds in 2024.

Old High Service Pump Building - Variable Frequency Drive (VFD) upgrade. Paid for with Water funds.

Trailer/Utility Equipment - Needed for various projects in the city. Split purchase from Parks, Streets, Water, and Wastewater.

New Wellfield- Add a secondary wellfield possible expansion. Cost shared with Wastewater.

Industrial Pipe Saw - This saw is designed to cut through pipes in a confined space. It would be used in various projects including mainline breaks, mainline replacements and mainline valve replacements.

Water Main Replacements - Various replacements in 2024-2027. Paid for with Water Funds.

4 New 5-1/4 Fire Hydrants - Necessary for replacing hydrants that are out of service or cost more to repair. Paid for by the water fund.

Utility Cart - Purchase in 2024 with Water Department Funds.

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Wastewater

Secondary Primary Clarifier - Clarifier will have been utilized past its useful life and will need replaced. Paid for by Wastewater Funds and/or grant money, and/or bank financing.

New Vehicle - Purchase in 2024 with Wastewater and/or bank financing.

Bio-Tower Pump – Replace with new pump. Paid for by Wastewater Fund.

Remote Monitoring Technology with Alarms– To ensure more efficient work practices and ease of viewing system operations, Paid for by the Wastewater Fund.

Bio Tower Pump Volute Replacement – Replacement of part to ensure adequate pumping capacity. Paid for by Wastewater Funds.

Various Pump Replacements - Replace as needed for efficient operations. Paid for by the Wastewater Funds.

Roadway Resurface - Needed to reduce wear and tear on vehicles and staff. Paid for with Wastewater Funds.

Equipment Storage Building - Need to house equipment. Paid for with Wastewater Funds.

Drying Bed Upgrade for Solids - Replacement of old beds. Paid for by Wastewater Funds,

Trailer/Utility Equipment - Needed for various projects in the city. Split purchase from Parks, Streets, Water, and Wastewater.

Swimming Pool

General Capital Improvements- Placeholder for unexpected capital purchases. Paid with Pool funds and/or General Fund

Cemetery

Barn - Replace old barn. Paid for by the Cemetery Fund and/or General Fund.

Mower - Replace mower. Paid for by Cemetery Fund and/or General Fund.

Dump Truck - Needed for cemetery operations. Paid for with Cemetery and/or General Fund money.

Backhoe - Replace 20 year old backhoe. Paid for by Cemetery Fund and/or General Fund.

Utility Cart - Replace utility cart. Paid for by Cemetery Fund and/or General Fund.

Attachments / Accessories - Purchase of various equipment and snow plow. Paid for by Cemetery Fund and/or General Fund.

Waterworks Capital Improvement

Mainline Valve Replacement - Set funds aside to start replacement of mainline water valves. Paid by Water Fund.

Wastewater Equipment Replacement

Drying Bed Rehab – Install concrete into existing drying bed in order to load pressed sludge on and off the beds. Paid by Wastewater Fund.

RESOLUTION 2022-13R

A RESOLUTION AMENDING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

WHEREAS, the Rules of Council establish guidelines for the Council of the City of New Carlisle to conduct its business; and

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

WHEREAS, the Rules of Council were last amended and adopted on February 22, 2022 via Resolution 2022-03R; and

WHEREAS, Councilwomen Eggleston is requesting that the Rules of Council be amended for the purpose of moving Committee Reports before Public Comments in the order of business as set forth in Section VI - Meeting Procedure; and

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

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY RESOLVES that the amended New Carlisle City Council Rules of Council, attached as Exhibit A to this resolution, be approved.

Passed this _____ day of _____, 2022.

Mike Lowrey, MAYOR

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

Resolution Requested by Councilwomen
Peggy Eggleston

Peggy Eggleston, Councilwomen

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:

Pass

Fail

Intro: 08/01/2022
Action: 08/01/2022
Effective: 08/15/2022

RULES OF COUNCIL

SECTION I: MEETINGS

A. Regular Meetings

Regular Meetings shall be held every first and third Monday of each month at 6:30 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 permitted by section 121.22(G) of the Ohio Revised Code, *which are listed in Section XV of these rules*. All Council Elect shall be included in all executive sessions after being certified by the board of elections.

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. 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 regarding 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 Members 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~~ *Committee Reports*
9. ~~Committee Reports~~ *Comments from Members of the Public*
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 and majority vote.

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

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

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

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

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

A motion to amend shall be susceptible to but one amendment. An amendment, once rejected, may not be moved again in the same form. Any Member of Council may call for a division of the question, or the Presiding Officer may direct the same, and the same in either case shall be divided if it comprehends questions so distinct that, one being taken away, the other will stand as an entire question for decision.

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

SECTION X: COMMITTEES

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

SECTION XI: CITY CHARTER OF NEW CARLISLE

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

SECTION XII: ROBERT'S RULES OF ORDER

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

SECTION XIII: ADOPTION OF RULES

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

SECTION XIV: AMENDMENT TO RULES

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

SECTION XV: EXECUTIVE SESSIONS

Council may hold an executive session only after a majority of a quorum of Council determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

1. To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to Paragraph (1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in Paragraph (1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting;
2. To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use Paragraph (2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned;

3. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action;
4. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;
5. Matters required to be kept confidential by federal law or regulations or state statutes;
6. Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office;

7. To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:
 - (a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. Or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.
 - (b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

If a public body holds an executive session to consider any of the matters listed in Paragraphs (2) to (7) of this section, the motion and vote to hold that executive session shall state which one or more of the approved matters listed in those divisions are to be considered at the executive session.

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

Rules of Council Revision 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

Revised 1/21/20 via Res 20-01R

Revised 4/6/2020 via Res 2020-06R (COVID Procedures - No Longer in Effect)

Revised 2/1/2021 via Res 2021-02R (COVID Procedures - No Longer in Effect)

Revised 2/22/2022 via Res 2022-05R

Revised 08/01/2022 via Res 2022-13R

ORDINANCE 2022-29

AN ORDINANCE AMENDING A CERTAIN SECTION OF 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 governs various city policies; and

WHEREAS, Section 248.13 sets forth the City’s Fixed Asset Policy and Procedures (“fixed asset policy”); and

WHEREAS, property purchased by the City for \$2,500 or more is currently subject to the fixed asset policy; and

WHEREAS, the administrative staff has suggested that the dollar threshold of capital purchases in the fixed asset policy be increased from \$2,500 to \$5,000; and

WHEREAS, the City desires to amend the current fixed asset policy for the purpose of raising the dollar threshold of capital purchases in the policy.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS that Section 248.13 of the Codified Ordinances of the City of New Carlisle be amended as shown in Exhibit “A” attached to this ordinance.

Passed this _____ day of _____, 2022.

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:

Pass

Fail



248.13 FIXED ASSET POLICY AND PROCEDURES

(a) Purpose

- (1) Based upon the identified purposes of the fixed asset system, management decisions on certain major issues must be documented if the fixed asset system is to be properly established and maintained. This documentation informs employees and other interested parties of management's expectations and financial standing.
- (2) The City of New Carlisle shall maintain a fixed asset accounting system which will incorporate sufficient information to enable the City to prepare financial statements in accordance with generally accepted accounting principles (GAAP). This system, supplemented by other existing systems, shall allow the City to maintain adequate control, reporting and accountability over all governmental and proprietary fixed assets.
- (3) The Finance Department is ultimately responsible for the maintenance and upkeep of the fixed asset accounting system. All departments will be responsible to report to and cooperate with the Finance Department Office to ensure compliance with all fixed asset policies established.
- (4) Fixed assets are defined as those tangible assets of The City of New Carlisle with an estimated useful life in excess of one year and an individual initial cost of ~~\$2,500.00~~ *five thousand dollars (\$5,000)* or greater.
- (5) For purposes of management control, each department head has the option to include all fixed assets. However, those assets with a value of less than ~~\$2,500.00~~ *five thousand dollars (\$5,000)* will not be included for financial reporting purposes.
- (6) For purposes of financial reporting on a GAAP basis, only fixed assets valued at ~~\$2,500.00~~ *five thousand dollars (\$5,000)* or more will be reported.

(b) Fixed Asset Classifications

- (1) Land: Includes land and land improvements on a property site such as paving, fences, landscaping, etc.
- (2) Buildings: Includes all buildings (or structures which serve as buildings, such as permanently established trailers).
 - (a) Permanently attached fixtures installed during construction are considered a part of the building.
 - (b) The subsequent addition of equipment will be recorded as machinery and equipment.
 - (c) Major improvements, such as additions to building, are capitalized.

- (3) Improvements Other than Buildings: Includes improvements such as park facilities, parking lots, baseball fields, tennis courts, swimming pools and infrastructure associated with City owned utilities (water and sanitary sewers).
- (4) Equipment and Fixtures: Includes most other items which do not qualify for classification in the other categories.
 - (a) All stationary and movable equipment (excluding vehicles) including office machines, machine tools, desks, chairs, display counters, kitchen equipment, computer equipment, phone systems and the like, which meet the established cost criteria and have a useful life in excess of one year, fall in this group.
- (5) Vehicles: Includes all licensed cars, vans, trucks, tankers, trailers and other motor vehicles owned by the City.
 - (a) Ordinary repairs to these vehicles should not be capitalized unless the resulting carrying amount increases the recoverable value of the vehicle to a value above what is recorded in the fixed asset accounting system.
 - (b) Non-Licensed vehicles includes tractors, mowers, backhoes, graders, rollers, etc.
- (6) Construction in Progress: Represents the accumulation of capitalized labor, material, equipment, overhead costs, and other ancillary costs (i.e., legal and title fees, surveying fees, appraisal and negotiation fees, damage payments, site preparation costs and demolition costs) relating to a fixed asset which is not completed as of a given point in time.
 - (a) This includes all partially completed projects except general fixed asset infrastructure such as roads, bridges sidewalks, storm sewers, etc.
 - (b) Buildings of various types will be the main component in this area.
 - (c) Upon completion, these assets are transferred to one of the other fixed asset classifications.

(c) Gathering of Data

- (1) In order to ensure that all the reporting requirements under generally accepted accounting principles are being met, each department which has responsibility for purchasing, maintaining and/or disposing of fixed assets is required to gather the following data regarding each fixed asset acquisition, transfer or disposal:
 - (a) Description of Asset
 - (b) Location of Asset
 - (c) Identification Code of Asset (i.e., serial number, parcel number, inventory tag number)

- (d) Applicable Fund Number Used to Acquire the Asset
 - (e) Applicable Department Number Which Maintains the Asset
 - (f) Purchase Date of the Asset (Date placed in service if the date of purchase or receipt is not determinable)
 - (g) Cost of the Asset
 - (h) Useful Life of the Asset and its Salvage Value (if depreciable)
 - (i) Depreciation Records of the Asset (if depreciable)
 - (j) Improvements Performed on the Asset
- (2) The information requirements for categories above are discussed in detail below.
- (a) Description of Asset: A brief general description of the asset which distinguishes it from similar assets. If item is a land purchase, it should be the legal description of the property. This description should also include the asset's financial statement classification (land, building, improvements, etc.).
 - (b) Location of Asset: A brief general description of the asset's location. This could include the building, room number and desk for a computer, a parcel number or an address for building. The description should unmistakably distinguish the asset from similar assets.
 - (c) Identification Code of the Asset: This would be the serial number for a computer or car; a parcel number for land; an address or assigned building number for a building; an inventory tag number for fixtures or any other "tagged" item.
 - (1) It should also unmistakably distinguish the asset from other similar assets.
 - (d) Applicable Fund Number: This should be the fund number for the department that acquired the applicable asset.
 - (e) Applicable Department Number: This should be the department number for the department which maintains the applicable asset.
 - (f) Purchase Date of Asset: This would be the actual date the asset was acquired.
 - (1) In certain cases, an actual date is not determinable. For instance, a building may be under construction or material improvements to a sewer plant are under way; in these instances, the purchase date should be the date the asset was received or placed in service, or the completion date of the project.

- (g) Cost of the Asset: This would be the actual purchase cost to acquire or construct the asset.
 - (1) Proper accounting for general fixed assets requires the capitalization of appropriate costs and all related charges.
 - (2) The Fixed Asset Manual for Ohio Local Governments provides other detailed examples and descriptions of which costs are considered capitalizable in the above circumstances.
 - (3) There are instances where assets are acquired by gift or for a nominal closing fee.
 - (4) In these instances, the assets should be recorded on the City's books at their fair market value as valued by independent appraisal as of the date of gift, closing or purchase.
 - (5) In cases where no cost information is available, it will be necessary to estimate the historical cost by using current appraised values (or insurance replacement costs) and "indexing" these values back to the date of purchased based upon U.S. Government Consumer Price Indexes.
 - (6) Other estimating procedures can be used as long as their assumptions are reasonable.
- (h) Useful Life of Assets and Salvage Values:
 - (1) Depreciation will not be taken on general fixed assets.
 - (2) Fixed assets acquired and used by proprietary funds will be depreciated over their useful life on a straight-line basis.
 - (3) In the year of acquisition, a half year of depreciation is recorded, and a half year of depreciation is recorded in the year of disposal.
 - (4) It is the policy of the City to exhaust the usefulness of a fixed asset before its disposition, therefore, salvage value on all assets is insignificant and is generally exceeded by the cost of disposition.
 - (5) Should the occasion arise where an asset is disposed of prior to the exhaustion of its useful life and since the book value is determined by the cost of the asset spread over its useful life less salvage value, appropriate adjustments will be made to account for the proper gain or loss on the sale of the asset at the time of disposition.
- (i) Improvements Performed on the Assets: As discussed, certain improvements made to an asset require capitalization.
 - (1) These should be tracked along with records of the original cost of a fixed asset.

- (2) For example, assume a \$10,000 addition was made on a \$50,000 building.
 - (a) When a file is pulled on the building, both the original cost and the cost of the addition should be reflected in the same file.
- (3) In addition to the above, there are instances where assets which are leased can be considered a “fixed asset” for financial reporting purposes only.
 - (a) There are four criteria used to make this determination.
 - (b) If a given department has a lease which is for a period nearly the length of an asset’s estimated useful life or the lease has a bargain purchase option at the end of the lease.
 - (c) Contact the Finance Office regarding whether the lease needs to be recorded as a fixed asset for reporting purposes.

d. Establishing Asset Values

- (1) There are several methods which can be used to place a value on a city owned fixed asset. The current methods used are:
 - (a) Actual Cost
 - (b) Replacement Cost
 - (c) Fair Market Value
 - (d) Historical Cost
 - (e) Like Item Cost.
- (2) The following is a brief description of each:
 - (a) Actual Cost: This method will be used to eventually establish most values on city assets as they are replaced.
 - (1) The cost of the asset is obtained directly from the invoice or purchase order.
 - (b) Replacement Cost: Some assets belonging to the city are old enough that no record of value has been kept or can be found.
 - (1) In such a case as this, the cost of what it would take to replace the old asset with a new, similar item is used.
 - (2) This comes from a recent purchase order, a supply catalog, or an area vendor.

- (c) Fair Market Value: This method is used to an extent on vehicles.
 - (1) Any vehicles in the city's possession that were not newly purchased or their purchase cost had not been recorded were priced according to the used car blue book value.
- (d) Historical Cost: Buildings, land and improvements are best valued by this process.
 - (1) County real estate was researched; a value established; and then applied to the Consumer Price Index with a 1967 being 1.
 - (2) Costs of construction, materials and etc. are kept in the Clark County Real Estate Department records.
- (e) Like Item Cost: If a value is accurately established for an older item, then this value may be used for any other older items of a similar nature if all other methods have failed.
 - (1) It is the least accurate of the pricing methods and is only used as a last resort.
- (3) Annually the City will conduct a complete inventory of all assets to ensure that the inventory of fixed assets is both complete and accurate.
 - (a) All departments will be given a printout from the Finance Office of the previous year's listing.
 - (b) Each asset will be physically checked for existence, location, and condition. Any differences will need to be properly reconciled and corrected.

(e) **Tagging of Fixed Assets**

- (1) No purchase, transfer or disposal of capital assets should be made without proper department authorization.
- (2) Accurate records of all transactions should be maintained of the cost and accumulated depreciation of property, plant and equipment.
- (3) All fixed assets will be assigned a unique fixed asset number that will not be changed during the time that the asset is the property of The City of New Carlisle.
- (4) After an asset is disposed, the fixed asset number will not be reassigned to a newly acquired fixed asset.

- (5) All fixed assets with the exception of the following categories should be physically tagged with a permanent tag provided by the city:
 - (a) Land
 - (b) Land Improvements
 - (c) Buildings
 - (d) Live Animals
 - (e) Vegetation
 - (f) Equipment of a sensitive nature, in cases where the tag might impair the functional ability of the asset
 - (g) Works of Art
 - (h) Any other fixed assets on which it is physically impossible to affix the tag
- (6) There may be cases in which a tag cannot be affixed to the fixed asset; however, the fixed asset number can be either marked or imprinted on the asset.
 - (a) This should be done whenever possible.
 - (b) The tag or marking should be in readily visible area.
 - (c) The property number on the tag and location of the asset should be recorded in a detailed fixed asset ledger.
 - (1) This ledger should always be kept accurately at all times.

(f) Disposal/Transfer of a Fixed Asset

- (1) Disposal/transfer of a capital asset should occur only after proper authorization has been given.
- (2) Control over the disposition or transfer of property should be maintained not only to preserve the accuracy of the records but also to ensure that assets are safeguarded, improper disposal or transfer is avoided, and the best possible terms are received if disposed.
- (3) The following procedure should be followed for each.
 - (a) No item of property, plant and equipment should be removed from the premises without a properly approved form.

- (b) A form should be completed and reviewed by a responsible employee who is knowledgeable and not directly responsible for the asset.
- (c) When the disposal is via a trade-in of a similar asset, the acquired asset should be recorded at the book value of the trade-in asset plus any additional cash paid.
 - (1) In no instance should cost exceed the fair market value for the new asset.
- (d) In the case of a transfer, both departments should fill out and sign the transfer form showing asset leaving or arriving in each department.

ORDINANCE 2022-30

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PUBLIC STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW CARLISLE, OHIO BY LIGHTING THEM

WHEREAS, this Council did adopt Resolution No. 2022-11R on the 1st day of August, 2022, declaring therein the proposed improvement hereinafter described; and

WHEREAS, pursuant to said Resolution, estimated assessments with respect to said improvement were duly prepared and placed on file with the Office of the Clerk of Council; and

WHEREAS, no objections to said estimated assessments have been filed.

NOW, THEREFORE, THE CITY OF NEW CARLISLE, OHIO, HEREBY ORDAINS that:

SECTION 1. It is hereby determined that the City is to proceed with the improvement of certain public streets within the corporate limits of the City of New Carlisle, Ohio by lighting them in accordance with the plans, profiles, specifications, and cost estimate for said improvement heretofore approved and filed with the Office of the Clerk.

SECTION 2. The estimated assessments of the cost of said improvement heretofore prepared and filed with the Office of said Clerk be adopted.

SECTION 3. It is further determined that the portion of the cost of said improvement to be assessed against the benefited property shall be assessed in the amount, manner and number of installments as provided for in said Resolution declaring the necessity of improvements.

SECTION 4. That all claims for damages resulting from said improvement that have been filed in accordance with law, if any, shall be inquired into after the completion of said improvement.

SECTION 5. The City Manager of the City of New Carlisle is hereby authorized and directed to cause said lighting improvement to be made by Miami Valley Lighting in accordance with the agreement between Miami Valley Lighting and the City of New Carlisle, Ohio, which is currently in effect.

SIGNATURE PAGE TO FOLLOW

Passed this _____ day of _____, 2022

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:

Pass

Fail

Intro: 08/01/2022

Action: 08/15/2022

Effective: 08/30/2022

ORDINANCE 2022-31

AN ORDINANCE LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PUBLIC STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW CARLISLE, OHIO BY LIGHTING THEM

WHEREAS, this Council did on the 1st day of August, 2022, duly adopt Resolution 2022-11R, declaring the necessity of the improvement therein and hereinafter described; and

WHEREAS, this Council did on the 15th day of August, 2022, duly adopt Ordinance 2022-30, determining to proceed with said improvement and adopting the estimated assessments theretofore filed with respect to said improvement; and

WHEREAS, the actual cost of the improvement has now been ascertained and has been placed on file with the Office of the Clerk and has been reported to this Council; and

WHEREAS, estimated assessments for said improvement heretofore adopted by Ordinance 2022-30 have been adjusted so that said assessments, as adjusted, are in the same proportion to said estimated assessments as the actual cost of said improvement is to the estimated cost of said improvements; and

WHEREAS, the adjusted estimates are now on file with the Office of the Clerk.

NOW, THEREFORE, THE CITY OF NEW CARLISLE, OHIO, HEREBY ORDAINS that:

SECTION 1. The adjusted assessments for improving certain public streets within the corporate limits of the City of New Carlisle by lighting them, as heretofore reported to this Council and now on file with the Office of the Clerk, and in the estimated aggregate amount of \$94,138.20, be and the same hereby are adopted and confirmed.

SECTION 2. There be, and hereby are, levied and assessed upon the lots and lands bounding and abutting upon said improvement, amounts reported in said adjusted assessments as aforesaid, which assessments are at the rate of (\$.60) per front foot. Said assessments do not exceed any statutory limitation and are for calendar year 2023. The assessed lots and lands are set forth in the schedule on file with the Office of the Clerk and are made a part hereof by reference.

SECTION 3. It is hereby determined that the adjusted assessments hereinbefore referred to are in the same proportion to the estimated assessments as the actual cost of said improvement bears to the estimated cost of said improvement upon which such estimated assessments were made.

SECTION 4. The mode of payment shall be cash, check, or money order. The payment schedule for the special assessments to be levied will be payable to the Clark County Auditor in cash, check, or money order in two annual installments, which shall include the Auditor's collection fee of 4%, or the owner of any property assessed may, at his/her option, pay such assessment in cash within ten days after notice of passage of the Ordinance levying such assessments to the City of New Carlisle. Assessments not paid in full within the ten-day period will be certified by the Clerk of Council to said Auditor to be placed on the tax duplicate and collected, as provided by law.

SECTION 5. The Finance Director is authorized and directed to keep said adjusted assessments on file for as long as any of them remain unpaid.

SECTION 6. The Finance Director be, and hereby is, authorized and directed to cause notice of the levying of the assessments herein provided for, to be filed with the Clark County Auditor within thirty (30) days after the passage of the Ordinance.

Passed this _____ day of _____, 2022

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:

Pass

Fail

Intro: 08/01/2022

Action: 08/15/2022

Effective: 08/30/2022

ORDINANCE 2022-32

AN ORDINANCE CERTIFYING TO THE CLARK COUNTY AUDITOR AND AUTHORIZING PLACEMENT ON THE TAX DUPLICATE CERTAIN DELINQUENT UTILITY ACCOUNTS FOR COLLECTION WITH REAL ESTATE TAXES

WHEREAS, certain individuals have water and sewer accounts with the City that have become delinquent; and

WHEREAS, Section 1040.16 (d) of the Municipal Code provides that all charges for water are a lien assessed against the property served and collectable in the same manner as other tax assessments thereon; and

WHEREAS, Section 1042.32 of the Municipal Code provides that unpaid billings, together with accrued penalties, shall be certified to the County Auditor pursuant to the Ohio Revised Code, who shall place such delinquencies upon the real property tax duplicate for the property being served, and such delinquencies shall be a lien assessed against the property and shall be collectable in the same manner as other tax assessments thereon; and

WHEREAS, Section 731.54 of the Ohio Revised Code provides that the City may certify such delinquent accounts to the County Auditor for placement thereof upon the real property tax list and duplicate against the property served, to be collected in the same manner as other taxes.

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

Section 1. The following delinquent water and sewer utility accounts are hereby certified to the Auditor of Clark County for placement upon the tax list and duplicate, and collection in the same manner as other taxes provided by law:

Name: Robert R Smith
Property Address: 532 Glenn, New Carlisle, OH 45344
Parcel Number: 0300500035305001
Amount due: \$444.51

Name: Sidney J and Tanya Jacobs
Property Address: 815 Bayberry, New Carlisle, OH 45344
Parcel Number: 0300500035109020
Amount due: \$101.93

SIGNATURE PAGE TO FOLLOW

Passed this _____ day of _____, 2022

Michael Lowrey, MAYOR

Emily Berner, CLERK

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:

Pass

Fail

Intro: 08/01/2022

Action: 08/15/2022

Effective: 08/30/2022

ORDINANCE 2022-33

AN ORDINANCE CERTIFYING TO THE CLARK COUNTY AUDITOR AND AUTHORIZING PLACEMENT ON THE TAX DUPLICATE CERTAIN UNCOLLECTED WEED AND/OR GRASS CUTTING FEES FOR COLLECTION WITH REAL ESTATE TAXES

WHEREAS, pursuant to Municipal Code Section 1460.26(a), no owner of land in the City shall allow his or her grass, weeds, or rank vegetation to grow in excess of six inches; and

WHEREAS, the City Planning Director, or his or her designee, or Code Enforcement Officer shall serve written notice upon any owner, lessee, agent, or tenant having charge of the land in the City in violation of said code, notifying him or her of the Municipal Code violation and that they must cut their grass, weeds or rank vegetation within five days of the receipt of notice; and

WHEREAS, the owners, lessees, agents, or tenants listed below, having charge of such land in violation of said code, were advised to cut their grass, weeds, or rank vegetation; and

WHEREAS, there has been no acknowledgement from the owners, lessees, agents or tenants having charge of such land; and

WHEREAS, under Municipal Code Section 660.13, if the owner, lessee, agent or tenant having charge of such land fails to comply with the notice, the Director of Public Service shall schedule the cutting of such land's grass, weeds or rank vegetation, and may send a statement to the owner, lessee, agent or tenant having charge of such land for the sum of money due to the City for performing such service, including an administrative fee; and

WHEREAS, the City cut the grass, weeds or rank vegetation of such properties in violation of said code and billed the owners, lessees, agents or tenants for such services; and

WHEREAS, the owners, lessees, agents or tenants having charge of such land did not pay their bills from the City; and

WHEREAS, Section 660.13(g) of the Municipal Code provides that such charges for service, if not received by the City within ten days after receipt of such notice by the owner, lessee, agent or tenant having charge of such land, plus an additional administrative charge of ten percent, are a lien against the property served, collectable in the same manner as other tax assessments thereon; and

WHEREAS, Section 731.54 of the Ohio Revised Code provides that the Municipality may certify such delinquent charges for services to the County Auditor for placement thereof upon the real property tax list and duplicate against the property served, to be collected in the same manner as other taxes.

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

SECTION 1. The following delinquent charges for grass cutting services are hereby certified to the Auditor of Clark County for placement upon the tax list and duplicate against the property served, and collection in the same manner as other taxes as provided by law:

Property Address: 210 North Pike Street,
New Carlisle, OH 45344
Parcel Number: 0300500029310036
Amount Due: **\$332.50**

Property Address: 219 Rawson Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035204027
Amount Due: **\$2091.75**

Property Address: 212 Rawson Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035206011
Amount Due: **\$325.00**

Parcel Address: 526 North Scott Street,
New Carlisle, OH 45344
Parcel Number: 0300500035409009
Amount Due: **\$1,347.50**

Property Address: 503 North Church Street,
New Carlisle, OH 45344
Parcel Number: 0300500035407034
Amount Due: **\$357.50**

Parcel Address: 1001 Langdale Drive
New Carlisle, OH 45344
Parcel Number: 0300500035302049
Amount Due: **\$750.00**

Property Address: 815 Bayberry Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035109020
Amount Due: **\$481.25**

Parcel Address: 207 North Clay Street,
New Carlisle, OH 45344
Parcel Number: 0300500035424008
Amount Due: **\$357.50**

Property Address: 901 Brookfield Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035103006
Amount Due: **\$1,409.38**

Parcel Address: 317 Galewood Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035207036
Amount Due: **\$1,595.00**

Parcel Address: 505 Funston Avenue,
New Carlisle, OH 45344
Parcel Number: 0300500035104006
Amount Due: **\$1,040.00**

Parcel Address: 208 Galewood Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035211017
Amount Due: **\$357.50**

Passed this _____ day of _____, 2022

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Eggleston	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Lowrey	Y	N
Vice Mayor Grimm	Y	N
Rodewald	Y	N
Cook	Y	N

Totals:

Pass

Fail

Intro: 08/01/2022

Action: 08/15/2022

Effective: 08/30/2022