



CITY COUNCIL REGULAR MEETING PACKET

January 03, 2023 @ 6:30pm Smith Park Shelter House

1. Call to Order: Mayor Mike Lowrey
2. Roll Call: Clerk of Council
3. Invocation: Pastor Chris Heeter of Living Grace Community Church
4. Pledge of Allegiance:
5. Action on Minutes: 12/19/22 Regular Meeting
6. Communications:
 - Continuation of TIF Presentation (if needed);
 - Paul Metzger, Arbor Homes - Packet Attached
7. City Manager's Report: Attached
8. Committee Reports:
9. Comments from Members of the Public: *Comments limited to 5 minutes or less

10. RESOLUTIONS: (3 – Intro & Action)

***A. Resolution 2023-01R (Introduction, Public Hearing & Action Tonight)**

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE AMERICAN RESCUE FUND TO THE SPECIAL REVENUE AND ENTERPRISE FUNDS OF THE CITY OF NEW CARLISLE

***B. Resolution 2023-02R (Introduction, Public Hearing & Action Tonight)**

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE DEBT SERVICE, CAPITAL PROJECTS AND ENTERPRISE FUNDS OF THE CITY OF NEW CARLISLE

***C. Resolution 2023-03R (Introduction, Public Hearing & Action Tonight)**

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE ENTERPRISE FUND TO THE CAPITAL PROJECTS FUND OF THE CITY OF NEW CARLISLE

11. ORDINANCES: (6 - Intro; 0 - Action)

A. Ordinance 2023-01 (Introduction Tonight. Public Hearing & Action on 01/17/23)

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PETERSON CONSTRUCTION COMPANY FOR THE PURCHASE AND INSTALLATION OF A PRIMARY CLARIFIER AND A SECONDARY CLARIFIER, AND THE DEMOLITION OF TWO CLARIFIERS FOR THE WASTEWATER TREATMENT PLANT

B. Ordinance 2023-02 (Introduction Tonight. Public Hearing & Action on 01/17/23)

AN ORDINANCE TO PROCEED WITH SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF THE RENEWAL OF AN EXISTING 3.0-MILL TAX LEVY FOR THE OPERATION OF THE NEW CARLISLE FIRE/EMS DEPARTMENT

C. Ordinance 2023-03 (Introduction Tonight. Public Hearing & Action on 01/17/23)

AN ORDINANCE TO PROCEED WITH SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF THE RENEWAL OF AN EXISTING 1.0-MILL TAX LEVY FOR PUBLIC HEALTH PURPOSES

D. Ordinance 2023-04 (Introduction Tonight. Public Hearing & Action on 01/17/23)

AN ORDINANCE REZONING APPROXIMATELY 79.136 ACRES OF PROPERTY BOUNDED BY ADDISON NEW CARLISLE ROAD TO THE EAST, DRAKE ROAD TO THE SOUTH, BAYBERRY DRIVE TO THE WEST, AND THE BETHEL/PIKE TOWNSHIP LINE TO THE NORTH TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (R-PUD) AND ALSO APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

E. Ordinance 2023-05 (Introduction Tonight. Public Hearing & Action on 01/17/23)

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH CLAYTON PROPERTIES GROUP, INC. (DBA ARBOR HOMES) AND THE CURRENT PROPERTY OWNERS

F. Ordinance 2023-06 (Introduction Tonight. Public Hearing & Action on 01/17/23)

AN ORDINANCE REGARDING THE ARRANGEMENT FOR PROVISION OF IMPROVEMENTS FOR AN R-PUD PLANNED UNIT DEVELOPMENT DISTRICT

12. OTHER BUSINESS:

- City Offices Closed: Monday, January 16 to observe Martin Luther King Day.
- Additional City Business: Open Discussion for City Related Matters

13. Executive Session: To Consider the Compensation of Public Employees

14. Return to Regular Session:

15. Adjournment

Next Regular City Council Meeting is Tuesday, January 17, 2023 @ Smith Park Shelter House. 6:30PM.

RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO REGULAR SESSION MEETING @ Smith Park Shelter HELD: Monday, December 19, 2022, @ 6:30 PM

- 1. **Call to Order:** Mayor Lowrey calls the meeting to order.
- 2. **Roll Call:** Berner calls the roll- Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey, Rodewald Staff present: Bridge, Kitko, Harris, Trusty
- 3. **Invocation:** Chief Trusty
- 4. **Pledge of Allegiance:** All are Welcome to Participate
- 5. **Action on Minutes:**
12/5/22 1st Eggleston 2nd Lindsey- YES: 7 Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey NAY: 0 Accepted 7-0
12/8/22 1st Lindsey 2nd Eggleston- YES 7 Lindsey, Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston Nay: 0 Accepted 7-0
- 6. **Communications:** DR Horton Dev.- none
- 7. **City Manager's Report:**

- **Discussion Topics**
 - Ordinance 2022-59
 - Residential Trash Can Placement; *Attached*
 - Habitat for Humanity @ City Council Meeting
 - Update
 - 2021 Financial Audit
 - Floodplain at the D.R. Horton Residential Development Site
 - New Fire Engine - Contract Executed
 - Clark County Combined Health District - Community Leaders Update; Attached
 - Information on the measles outbreak, COVID community spread, at free COVID at-home test giveaways
 - City Administration Building Operational Updates
 - Lobby will remain closed to the public through the end of the year due to health and safety of employees
 - Effective January 03, 2023 - City Building will be closed, daily, between the hours of 12pm-1pm for staff lunches. This will lead to better customer service, due to a full staff, when operating.
 - 2022 Employee Christmas Party!

A. DEPARTMENTAL REPORTS- Given at 2nd meeting of the month.

Police Report:

**CLARK COUNTY SHERIFF'S OFFICE
CITY OF NEW CARLISLE
2022 TOWNHALL MEETING
SGT. RONNIE LEMEN**

Deputy Update:

The City of New Carlisle will shortly have two new deputies assigned out here on patrol. Deputy Brandon McDuffie and Deputy Matthew Harris have both decided to accept new positions within the sheriff's office and we wish both of these deputies success in their new positions. These deputies will not be moved until new deputies are fully trained.

Shortly Deputy Austin Bowers will start and will be assigned to the 3rd shift position that Deputy Harris will be leaving. Deputy Bowers has been with the Clark County Sheriff's Office for the past eight years working in the Jail Division and is looking forward to starting in his new position. The second deputy that was going to come out originally has decided to accept another position. A posting was made for an open position in New Carlisle however no one applied. A new deputy that is going through training will be assigned to the city once FTO training is completed.

Deputies Schedule 2023:

Deputy	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Hours:
Majeracak	XXX	XXX	XXX	XXX	XXX	OFF	OFF	0700-1500 Hours
Forrest	OFF	OFF	XXX	XXX	XXX	XXX	XXX	1100-1900 Hours
Garman	XXX	XXX	XXX	OFF	OFF	XXX	XXX	1500-2300 Hours
OPEN	XXX	XXX	OFF	OFF	XXX	XXX	XXX	1900-0300 Hours
Bowers	OFF	XXX	XXX	XXX	XXX	XXX	OFF	2300-0700 Hours

Shotguns:

Over the next several months shotguns will be removed from the patrol cars. The Sheriff's Office is moving towards the national trend of only having patrol rifles issued to its deputies. The Clark County Sheriff's Office is picking up the cost and training involved with the patrol

rifles. This will allow the agency to be uniformed across the board with all deputies carrying the exact same rifle.

Lieutenant Retired:

Lt. Dusty White has officially retired from the sheriff’s office. Lt. Michael Young has been assigned as the new Uniform Road Patrol Lieutenant.

Staffing:

In November the Clark County Sheriff’s Office has hired five new deputies. These deputies have started their orientation process and will soon be going through the FTO Uniform Road Patrol training process. Once they complete the FTO training they will officially be assigned to work the streets. This will be the first time in the history of the sheriff’s office that deputy’s by-pass the jail and start straight on the Uniform Road Patrol. In December two more deputies will be hired and start the same process.

Overview:

Calls for the year of 2022 have been up over the previous year by 94 calls however the overall reports for the citizens of New Carlisle are down only by 8 reports from the previous year. Traffic Stops have went from 877 in 2021 to 653 in 2022. This is a 224 decline in traffic stops made by the deputies. This has resulted in 73 few citations than the previous year and 148 less warnings. Overall arrest for the City of New Carlisle have went down from 193 in 2021 to 143 in 2022.

E-Tickets:

The Clark County Sheriff’s Office is currently working on printers inside of deputies patrol cars. The reason that we are wanting to add printers is to assist in traffic citations. We have noticed a very large decline in traffic citations as an agency. Some deputies have voiced concerns with all of the paperwork that is required with just one citations and how many copies have to be issued for the courts. The sheriff’s office is looking at a system that would allow for one copy to be printed for the defendant and one copy for the courts this eliminating a lot of steps. This is new and I will be sharing more information as I receive it.

Respectfully,

Sgt. Ronnie Lemen

NEW CARLISLE	CALLS	ASSISTS	REPORTS	TRAFFIC STOPS	CITATIONS	WARNINGS	ARREST	CODE ENFO	BUSINESS CHECKS	CRASH
November										
Dep. Majercak	30	2	1	10	1	9	0	0	65	1
Dep. Forrest	28	6	5	9	1	8	0	0	143	0
Dep. McDuffie	30	2	13	8	1	7	3	0	10	0

Dep. Garman	51	15	13	6	5	1	10	0	44	2
Dep. Harris	9	4	1	11	4	7	1	0	135	0
Total	148	29	33	44	12	32	14	0	397	3

No comments or questions from Council.

Fire/EMS Report:

City of New Carlisle
City Council Meeting
12-19-2022
Fire-EMS Report

- In the Month of November, the New Carlisle Fire Division responded to 111 EMS call in the city and 12 in Elizabeth Township.
- The Division responded to 9 Fire related calls in the city and 2 in Elizabeth Township.
- We had 3 EMS calls answered by mutual aid, either by Pike Township or Bethel Clark, due to medic 52 being on a response.
- We answered 2 mutual aid EMS calls for Pike Township and 5 for Bethel Clark.
- Fire Fighter Timmy Reed past his paramedic class with a 95%.
- Fire Fighter Kevin Stephens Past his EMT class with a 94%.

New Carlisle Fire Division

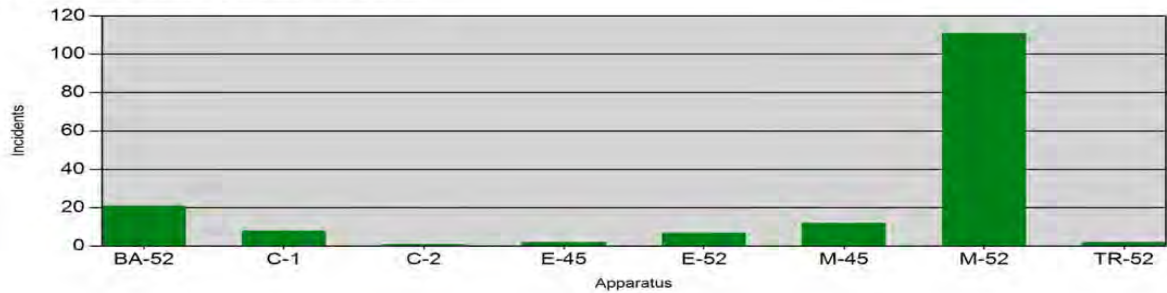
New Carlisle, OH

This report was generated on 12/13/2022 12:18:33 PM



Incident Count per Apparatus for Date Range

Start Date: 11/01/2022 | End Date: 11/30/2022



APPARATUS	# of INCIDENTS
BA-52	21
C-1	8
C-2	1
E-45	2
E-52	7
M-45	12
M-52	111
TR-52	2

Grimm congratulates the firefighters who passed their paramedic test.

Finance Report:

COUNCIL FINANCIAL REPORT SUMMARY – NOVEMBER 2022

Estimated Revenue	\$	6,091,401.24
Amended Est. Resources	\$	1,500.00
Amended Est. Resources	\$	673,391.44
Amended Est. Resources	\$	-
Amended Est. Resources	\$	-
2022 REVISED TOTAL		
EST. REV.	\$	6,766,292.68

2022 Original Budget	\$	7,853,526.00
1st Q. Supplemental	\$	164,950.00
2nd. Q. Supplemental	\$	223,500.00
3rd. Q. Supplemental	\$	
4th Q. Supplemental	\$	
2022 REVISED TOTAL BUDGET		
	\$	8,241,976.00

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	\$ 928,220.16
August	\$ 1,062,566.24
September	\$ 798,340.26
October	\$ 559,965.35
November	\$ 598,280.39
December	
Received To Date	\$ 8,618,907.70

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	\$ 559,620.18
August	\$ 563,647.12
September	\$ 703,287.01
October	\$ 532,648.80
November	\$ 784,179.35
December	
Expenses to Date	\$ 6,970,426.64

Statement of Cash from Revenue and Expense

From: 1/1/2022 to 11/30/2022

Fund	Description	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance
Grand Total:		\$6,014,278.47	\$8,618,907.70	\$6,970,426.64	\$7,662,759.53	\$616,360.10	\$7,046,399.43

BANK RECONCILIATIONS - NOV. 2022

Bank Accounts	Bank Balance	Outstanding Vendor	Outstanding Employee	Deposits in Transit	NSF Check (s)	Adjustments	Book Balance	Difference
PNC - General	\$ 2,381,747.66	\$ -	\$ -	\$ 932.20	\$ -	\$ -	\$ 2,382,679.86	\$ -
PNC - Payroll	\$ 200,260.04	\$ (260.04)	\$ -		\$ -	\$ -	\$ 200,000.00	\$ -
Star Ohio	\$ 2,115,923.47	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,115,923.47	\$ -
Park Nat. General	\$ 2,273,045.61	\$ (127,704.43)	\$ -	\$ 11.95	\$ -	\$ -	\$ 2,145,353.13	\$ -
Park Nat. - MMA	\$ 742,862.54	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 742,862.54	\$ -
Park Nat. - Mayor's	\$ 200.00		\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -
NCF	\$ 526.54	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 526.54	\$ -
NCF - CD's	\$ 74,713.99	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 74,713.99	\$ -
Cash on Hand	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500.00	\$ -
Grand Totals	\$ 7,789,779.85	\$ (127,964.47)	\$ -	\$ 944.15	\$ -	\$ -	\$ 7,662,759.53	\$ -



MAYOR'S COURT REPORT
FOR NOVEMBER 2022

Total Citations: 6 (6 Traffic)

FUND RECEIVED	CURRENT MONTH	YEAR-TO-DATE
Fines	\$ 719.00	\$ 4,088.00
Court Cost	\$ 1,027.00	\$ 5,472.00
Fines- Clark County Municipal (transfer Cases)	\$ -	\$ -
Total Fees Paid (L.F, Bounced Cks, BW)	\$ -	\$ -
Other (Bond Forfeiture)	\$ -	\$ -
Misc Fees Paid (Jail Time)	\$ -	\$ -
Bond Collected	\$ -	\$ -
Restitution	\$ -	\$ -
SB 17 Indigent driver interlock & alcohol	\$ -	\$ -
TOTAL FUNDS RECEIVED	\$ 1,746.00	\$ 9,560.00
FUNDS DISBURSED		
Victims of Crime	\$ 72.00	\$ 414.00
Child Safety/Seat Belts	\$ -	\$ -
Indigent Defense Support Fund	\$ 210.00	\$ 1,190.00
Drug Law Enforcement Fund	\$ 28.00	\$ 161.00
Expungement	\$ -	\$ -
State Bond Surcharge (new as of 2010)	\$ -	\$ -
TOTAL REMITTED TO STATE	\$ 310.00	\$ 1,765.00
Indigent Drivers Alcohol Treatment (Springfield)	\$ 12.00	\$ 69.00
Remitted to Computer Fund (Clerk)	\$ 75.00	\$ 430.00
Remitted to Computer Fund (Court)	\$ 24.00	\$ 126.00
Remitted to Court Security Fund	\$ 80.00	\$ 420.00
Remitted to Facility Fee	\$ 40.00	\$ 210.00
Remitted to City GF - Fines	\$ 719.00	\$ 3,929.00
Remitted to City GF - Court Court/Misc	\$ 486.00	\$ 2,611.00
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	\$ 1,424.00	\$ 7,726.00
Capital Recovery	\$ -	\$ -
Restitution	\$ -	\$ -
Bonds forfeited	\$ -	\$ -
TOTAL DISBURSED	\$ 1,746.00	\$ 9,560.00

Prepared & Submitted By:
Kristy Thome, Clerk of Court

Motion by Eggleston 2nd by Lindsey to accept the financial report YES:
Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey NAY: 0 Accepted 7-0

Motion by Eggleston 2nd by Lindsey to accept the mayor's court report YES:
Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey NAY: 0 Accepted 7-0

Service Report:



To: Randy Bridge, City Manager
From: Howard Kitko, Service Director/Asst. City Manager
Date: December 19, 2022
Subject: Council Update

Public Works Departments:

- Leaf Collection is complete. Crews went out on 12/19 to verify all piles have been picked up. After this date, they may not be placed at the curb. They must be disposed of by other means.
- Preparing for winter de-icing operations.
- New Solar, LED blinking speed limit signs are in. 2 of 2 have been installed.
- Discussion for painting of Quonset Hut - *Information attached.*

Water Department:

- Sanitary Survey: Updating the number of private well locations to complete our backflow program.
- Well #4 pitless adapter on order. Coordinating with contractor to excavate area. Pushed back to mid-January, due to shipment of materials
- Hydrant(s) replacement to begin within the next couple of weeks.

Sewer Department:

- Secondary clarifier #1 will be placed out for bid on 11/23 and 11/30. 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. Project will be out for bid 11/23 and 11/30. Funding will be from American Rescue Plan and OPWC Funds \$98,500 & 98,500 ARP Federal Funds. Ordinance will be coming to council to award a contractor, for both clarifiers, after bidding process is completed and reviewed.

2022 Road Reconstruction/Resurfacing Projects:

- Clark County Resurface Project: Suspended until 2023
- Curb and ADA ramp work this late winter/Spring, prior to resurfacing in 2023. Working with ODOT on number of ramps that will need to be replaced or repaired.
- The City of New Carlisle has been awarded a CDBG grant 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), funds will be available Spring 2023

Carlisle Park Phase 1 upgrade Project:

- The City of New Carlisle has been awarded a CDBG grant. Project to remove existing basketball court and replace 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:

- The City of New Carlisle has been awarded the ODNR NatureWorks grant. Project to add 3 open shelters and replace concrete pad at the city pool. The grant will reimburse 75% of the construction cost. Should be receiving the agreement soon.

Additional Information:

- Natural Gas Generator Installed at City Building

Council discussion on the quotes given for painting the hut. Lowrey asks about the quality of the paint, and Lindsey asks about the funds available, the quotes, and the difference between them. Cook asks about looking at plans to replace the building before investing the money. Kitko notes new building quotes can be 250-275. Kitko states the structure and beams are in good shape and can be around for a while. Lindsey asks if the hut is a done deal. Kitko states that no, it was brought up due to the discussion from the work session. Lowrey notes that Kitko has done a great job with the streets and asks about Church St. Kitko says it can be mill and filled. With the utilities under it will be a massive project to have the matching funds for the various grants.

Informational items- Bridge notes the trash can legislation can be discussed after the new year.

Habitat for Humanity will partner with and bring a presentation to Council.

The audit was complete, and the city did better than last year.

Bahun asks about the change in the lunch hour. Was that a slow time, or how did that time get chosen? Harris notes a standard time, slower, and most places closed then.

Bridge adds that the staff Christmas party was a great turnout and fun. He thanks members of the Council who attended.

Planning and Zoning Report:

8. Comments from Members of the Public: None

9. Committee Reports: None

10. RESOLUTIONS:

Resolution 2022-17R (Introduction, Public Hearing & Action Tonight) A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 3.0-MILL TAX LEVY FOR THE OPERATION OF THE NEW CARLISLE FIRE/EMS DEPARTMENT, AND REQUESTING THE CLARK COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE RENEWAL LEVY 1st Lindsey 2nd Eggleston *first of two steps in the legislation process to get the levy on the ballot* YES: 7 Lindsey, Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston NAY: 0 Accepted 7-0

Resolution 2022-18R (Introduction, Public Hearing & Action Tonight) A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 1.0-MILL TAX LEVY FOR PUBLIC HEALTH PURPOSES, AND REQUESTING THE CLARK COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE RENEWAL LEVY 1st Eggleston 2nd Rodewald *first of two steps in the legislation process to get the levy on the ballot* Grimm adds the fund go to the health department in return the city receives loads of services YES: 7 Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey, Rodewald NAY: 0 Accepted 7-0

11. ORDINANCES:

Ordinance 2022-63 (Introduced on 12/05/22. Public Hearing & Action Tonight) AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CLARK COUNTY SHERIFF'S OFFICE FOR FIRE AND EMS DISPATCHING SERVICES 1st Lindsey 2nd

Eggleston yearly housekeeping for dispatching contract YES: 7 Lindsey, Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston NAY: 0 Accepted 7-0

Ordinance 2022-65 (Introduced on 12/08/22. Public Hearing & Action

Tonight) AN ORDINANCE REZONING APPROXIMATELY 150.275 ACRES AT DAYTON-LAKEVIEW ROAD, NEW CARLISLE, OHIO FROM A, AGRICULTURE DISTRICT TO R-PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

As Amended to include the following—"contingents of approval shall be the developer successfully completing the Letter of Map Revisions processes with FEMA and the obtainment of a Floodplain approval from the City of New Carlisle." 1st Eggleston 2nd Lindsey *legislation for development* YES: 7 Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey NAY: 0 Accepted 7-0

Ordinance 2022-66 (Introduced on 12/08/22. Public Hearing & Action Tonight) AN

ORDINANCE REGARDING THE ARRANGEMENT FOR PROVISION OF IMPROVEMENTS FOR A PLANNED UNIT DEVELOPMENT DISTRICT 1st Lindsey 2nd Eggleston *legislation for the bonds that will take place later in the development process* YES: 7 Lindsey, Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston NAY: 0 Accepted 7-0

Ordinance 2022-67E (Introduction, Public Hearing & Action Tonight) AN

ORDINANCE AMENDING THE CITY OF NEW CARLISLE'S ESTIMATED RESOURCES AVAILABLE TO APPROPRIATE FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022, AND DECLARING AN EMERGENCY 1st Lindsey 2nd Rodewald *Bridge notes emergency legislation is effective immediately, this is to adjust the budget, so the city and auditor books match.* YES: 7 Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey, Rodewald NAY: 0 Accepted 7-0

Ordinance 2022-68E (Introduction, Public Hearing & Action Tonight) AN

ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS CONTAINED IN NEW CARLISLE CITY ORDINANCE 2021-44, AND DECLARING AN EMERGENCY 1st Lindsey 2nd Eggleston *adjustment, so city and auditor books match.* YES: Lindsey, Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston NAY: 0 Accepted 7-0

12. OTHER BUSINESS:

Arbor Homes Residential Development and City Council Timeline: Arbor Homes Residential Development Public Hearing and Legislation Introductions - 01/03/23, Action on Legislative Items - 01/17/23

TIF Presentation @ City Council: Tuesday, January 3, 2023, at 6 pm. Smith Park Shelter House. o Before the start of the regular session at 6:30.

Additional City Business: Open Discussion for City-Related Matters

City Offices Closed: Friday, December 23, and Monday, December 26, to observe Christmas Eve and Day.

Lowrey thanks everyone at the city and on council. He notes, "it has been an adventure." Lowrey wishes everyone a Merry Christmas.

Lindsey wishes everyone a Merry Christmas and Happy New Year. He adds the party was great. He thanks the admin and the citizens for everything done this past year.

Grimm notes the administration has done a great job. He adds it has been a trying year, and he thanks the Council for working well together. He thanked the citizens for attending. He notes how he appreciates everyone handling differences of opinion, especially with the developments brought to the council. Quick Council discussion on how everyone has worked together this year.

13. Executive Session: None

14. Adjournment: 1st Eggleston 2nd Lindsey @ 7:30 pm Yes: 7 Rodewald, Lowrey, Grimm, Bahun, Cook, Eggleston, Lindsey NAY: 0 Accepted 7-0



CITY OF NEW CARLISLE
CITY COUNCIL REGULAR MEETING
January 03, 2023 @ 6:30PM

CITY COUNCIL OVERVIEW

Request: Approval of an Arbor Homes Preliminary Map, Zone Change Application and Pre-Annexation Agreement
Applicant: Paul Metzger, Arbor Homes
Location of request: Adjacent to New Carlisle Elementary
Property Description: Agricultural – Currently Farmed
Current Zoning: R2-A

Arbor Homes is proposing a RPUD, named Monroe Meadows, north of Drake Avenue and adjacent to New Carlisle Elementary. The property is located entirely within Bethel Township, Clark County and will require annexation to become part of our great city. The school district will be Tecumseh Local.

On October 18, 2022, Arbor Homes met with the Planning Board to discuss and hear comments on the plans submitted that were dated 10/7/22. Paul Metzger of Arbor Homes spoke regarding the preliminary map and a few citizens and non-citizens spoke. There was concern with traffic conditions and blowing/accumulating trash due to the development as well as the fast-paced growth the city will experience. The Planning Board discussed, and passed by motions, the following at the 10/18/22 hearing:

- 7.5' side setbacks, totaling at least 15'
- Addition of a Multi-Use Sports Court
- Inclusive Playground
- Entryway Sign Details
- HOA to maintain open space

Preliminary Map Date	4/15/22	10/7/22	11/3/22	11/15/22
Number of Lots	315	311	294	294
Lot Dimensions 1	50' x 120'	50' x 120'	55' Wide (184 Lots)	55' Wide (184 Lots)
Lot Dimensions 2	60' x 120'	60' x 115'	65' Wide (110 Lots)	65' Wide (110 Lots)
Lot Size	6,000 SF	6,000 SF	6,000 SF	6,000 SF
Front Set Back	25'	25'	25'	25'
Rear Setback	30'	30'	30'	30' (20' for Lots 203-234)
Side Setback	5' Minimum; 10' Total	5' Minimum; 10' Total	7.5' Minimum; 15' Total	7.5' Minimum; 15' Total
Pad (Width/Depth)	40' x 60'	40' x 60'	40' x 60'	Min 40'x40'; Max '40' x 60'
Gross Area	78.33 Ac.	78.33 Ac.	78.28 Ac.	78.28 Ac.
Public ROW	12.59 Ac.	14.34 Ac.	14.02 Ac.	14.02 Ac.
Open Space	7.65 Ac.	7.63 Ac.	8.76 Ac.	8.55 Ac.
Pond Area	3.5 Ac.	3.09 Ac.	3.09 Ac.	3.09 Ac.
Total Lot Area	58.09 Ac.	56.31 Ac.	55.28 Ac.	55.49 Ac.
Gross Area Density	4.02	3.9	3.98	3.77
Local Road Length	10,969 LF	*10,969 LF	*10,969 LF	*10,969 LF
Typical ROW Width	50'	50'	50'	50'

*Assumption Number; Updated Calculations not Supplied



CITY OF NEW CARLISLE
CITY COUNCIL REGULAR MEETING
January 03, 2023 @ 6:30PM

The Planning Board held their final meeting with Arbor Homes on November 15, 2022, and discussed the following:

- All Landscape and Entry Monument Easements to be placed 10 ft behind the Right of Way.
- Open Space D to have an undulated six (6) foot tall mound on the eastern portion of the Open Space against the Callen property. Landscaping to be provided and shown on the future improvement Plans.
- Rear Setbacks to be as follows:
 - Lot # 203 to 234 will have Rear Setback of 20 ft.
 - All other lots to have a Rear Setback of 30 ft.

City staff does not recommend the open space be dedicated to the City of New Carlisle due to the maintenance, liability, and cost associated with having such large pieces of land. At this time, we believe this would be best suited for the residents of the development.

The submitted preliminary site plan also includes basic utility plans and other information that will be further detailed in the final plat with sound engineering.

The land will need to be annexed into the city for this development to occur. City Council will have additional legislation to approve the annexation, so the passing of the Pre-Annexation Agreement is not the final piece of legislation for such. I state this due the concerns of the potential "forcing" of an adjacent property owner into our city. We have the appropriate staff looking into this matter and council shall be fully updated prior to the 01/17/23 meeting where legislative action will occur.

City Council should also discuss the growth and how this will impact local business, traffic, financial health of the city and its residents, the local school district, and future overall growth of our city.

The proposed residential development does follow the national trend and the desire for today's single-family housing needs. Due to our geographic location and overall health of the city, New Carlisle has been identified as an area that is in demand for new housing. Our community has a lot to offer and has great need for new housing for both new and current residents. The development will also provide new tax revenue and will aid in the reversal of New Carlisle's population loss.

It is recommended the City Council passes all legislative measures to ensure this development is constructed here in New Carlisle.

Subject: Planning Board Report November 15. 2022

Date: Wednesday, November 16, 2022 at 10:21:26 AM Eastern Standard Time

From: Planning Board #3

To: Randy Bridge

Mr. Bridge, Members of City Council

On November 15, 2022, the Planning Board held a public meeting for Arbor Homes Preliminary Map and Zoning Change Application. After reviewing the site plan, all the requested changes the Board had requested from the previous meeting had been completed.

During this meeting public comments from Mr. & Mrs. Callon 1769 Addison-New Carlisle Rd. Requested some sort of a barrier at the property line that abuts this project. This was discussed by the Board, The Planning Director Mr. Bridge, and Mr. Metzger from Arbor Homes, also a request for a 20-foot rear set back on lots 204-234 from Mr. Metzger. The Planning Board Approved this Preliminary Map and Zoning Change with the following Modifications.

1. There will be a 6-foot dirt mound in the open space D with Green Shrubs along the West property line of the Callon Property.
2. Lots 204 thru 234 on the North side of the Development will be permitted a 20-foot rear set back to accommodate the Houses they plan to build in this development.

The Planning Board Recommends Council Approve this preliminary Site Plan and Zoning Request, with any further Modifications Council should choose to make.

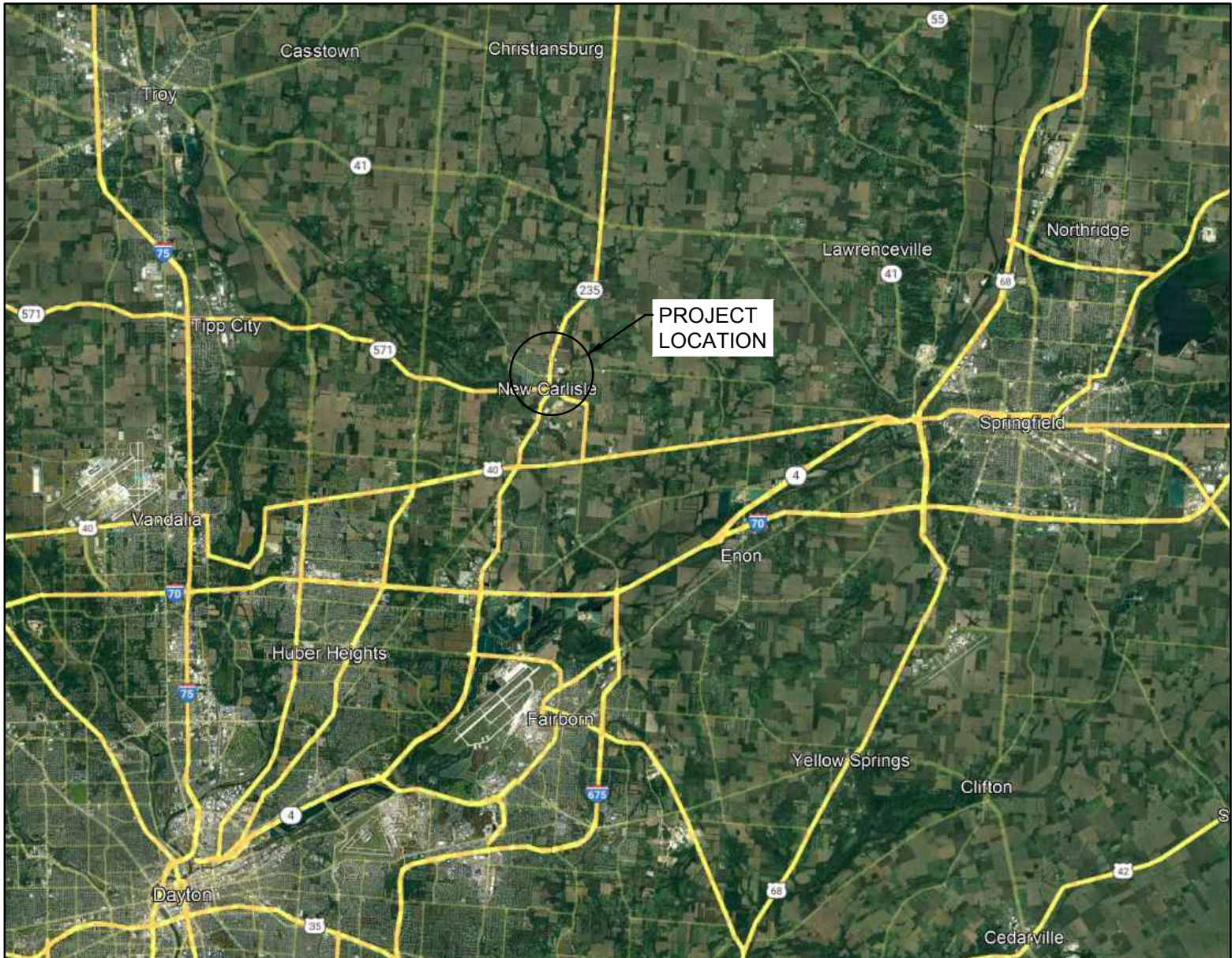
Our Next Planning Board Meeting is scheduled for January 10, 2023, 6PM at the Shelter House.

Respectfully Submitted, Steve Fields, President New Carlisle Planning Board.

PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO



VICINITY MAP
NTS



LOCATION MAP
NTS



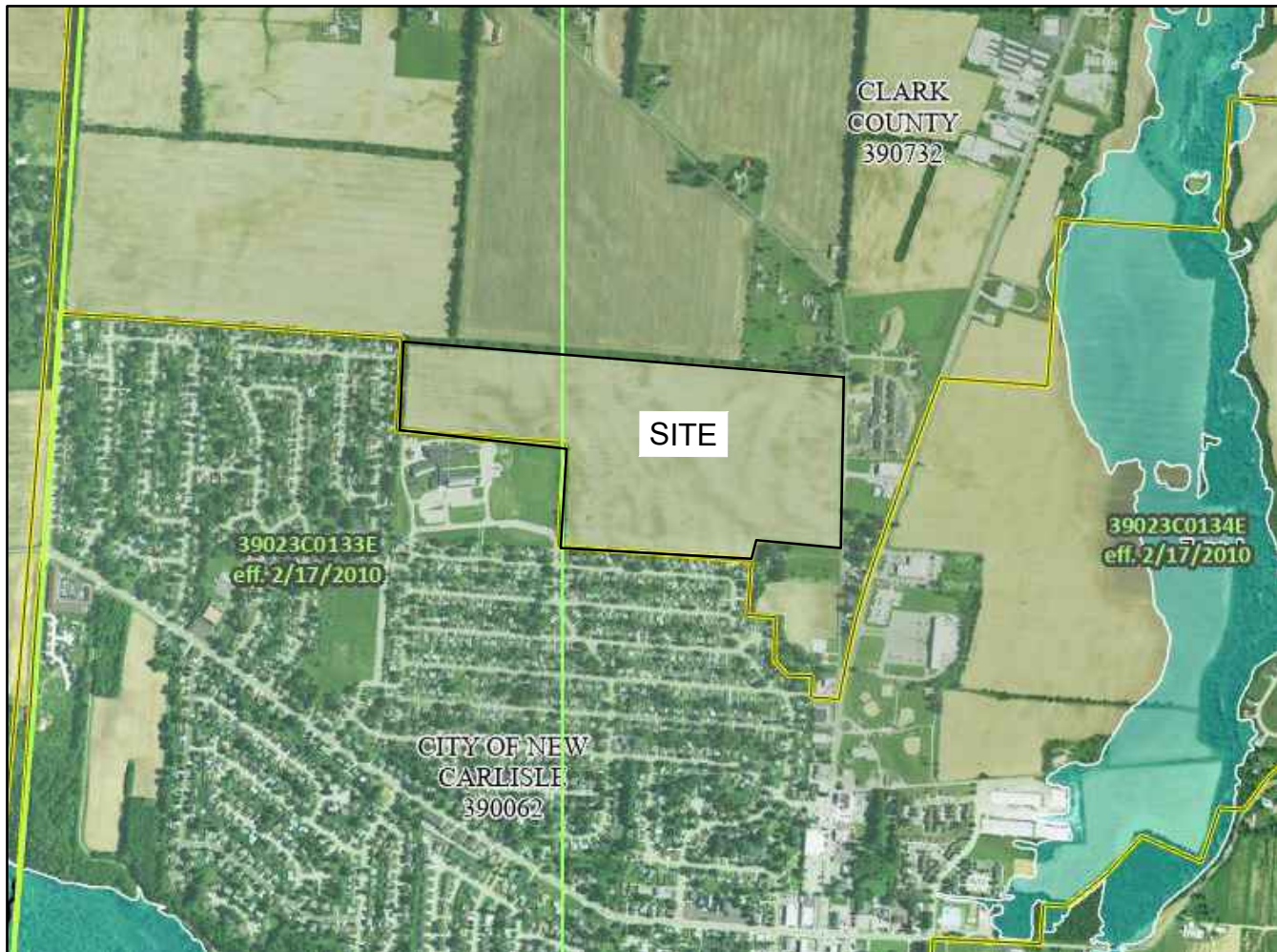
The attached drawings are to be used for generalization only and are subject to change.
All signs will be permitted through the City of New Carlisle Zoning Department.

A LANDSCAPE AND ENTRY MONUMENT
NTS



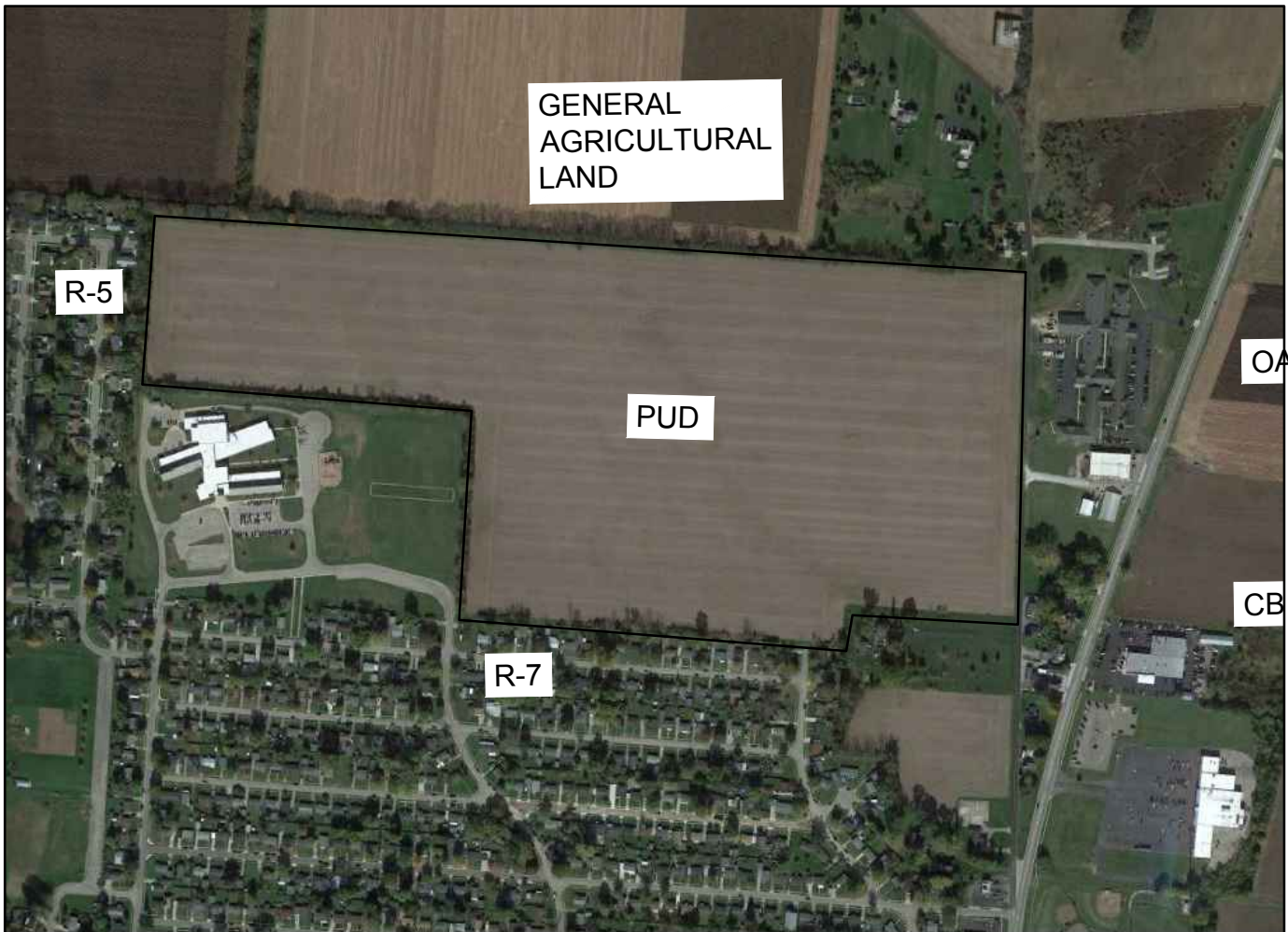
SOILS RATING B
EmA-Edlean silt loam, 0-2% slopes
EmB-Edlean silt loam, 2-6% slopes
EmB2-Edlean silt loam, 2-6% slopes, eroded
EnC2-Edlean-Casco complex, 6-12% slopes, eroded

VICINITY MAP
NTS



FIRM: 39023C0133E & 39023C0134E
DATE: FEBRUARY 17, 2010

FEMA MAP
NTS



ZONING MAP
NTS



INDEX	
Sheet Number	Sheet Title
1	TITLE SHEET
2	OVERALL SITE PLAN
3	DETAILED PRELIMINARY PLAT
4	DETAILED PRELIMINARY PLAT
5	DETAILED PRELIMINARY PLAT
6	DETAILED PRELIMINARY PLAT
7	DETAIL SHEET
8	UTILITY PLAN
9	EXISTING CONDITIONS

DEVELOPER
CLAYTON PROPERTIES GROUP, INC.
dba ARBOR HOMES
PAUL A METZGER
DIRECTOR OF LAND ACQUISITION & ENTITLEMENT
9050 CENTRE POINTE DRIVE-SUITE 210
WEST CHESTER, OHIO 45069
EMAIL: PAUL.METZGER@YOURARBORHOME.COM
OFFICE: 513-667-1182
CELL: 513-678-2417

SURVEYOR
AMERICAN STRUCTUREPOINT
2550 CORPORATE EXCHANGE DRIVE, SUITE 300
COLUMBUS, OHIO 43231
CONTACT: BRIAN BINGHAM
PHONE: 614-901-2235
EMAIL: BBINGHAM@STRUCTUREPOINT.COM

OWNER
JAMES RICHARD SWEARINGEN TRUST
220 SOUTH DAYTON BRANDT ROAD
NEW CARLISLE, OHIO 45344

ENGINEER
AMERICAN STRUCTUREPOINT
2550 CORPORATE EXCHANGE DRIVE, SUITE 300
COLUMBUS, OHIO 43231
CONTACT: GARRETT BAKER
PHONE: 614-901-2235
EMAIL: GBAKER@STRUCTUREPOINT.COM

FIRM MAP
ENTIRE DEVELOPMENT OUT OF FLOOD ZONE PER
FIRMETTE EAST MAP 39023C0134E (DATED 2/17/2010, ZONE X)
FIRMETTE WEST MAP 39023C0133E (DATED 2/17/2010, ZONE X)

APPROVALS:

AT A MEETING OF THE PLANNING BOARD OF THE CITY OF NEW CARLISLE, OHIO HELD THIS ____ DAY OF _____, 20__, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRMAN _____ DATE _____

SECRETARY _____ DATE _____

PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO
PRELIMINARY PLAT
TITLE SHEET

REVISIONS		DESCRIPTION
1	DATE	11/17/22
	SHEET NO.	2-6, 8
	DATE	11/17/22
	SHEET NO.	2-6, 8
	DATE	11/17/22
	SHEET NO.	2-6, 8
	DATE	11/17/22
	SHEET NO.	2-6, 8
	DATE	11/17/22
	SHEET NO.	2-6, 8

APPROVAL PENDING NOT FOR CONSTRUCTION
IN SUBMITTING BIDS IN RELIANCE ON THESE PLANS THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS IN THE COURSE OF COMPLETING THE FINAL DESIGN.

DATE:	11/03/2022
DRAWN BY:	DA
CHECKED BY:	GPB
JOB NUMBER:	2021.03113

SITE DATA

PROPOSED SITE ZONING: PUD

R-5 (WEST); R-7 (SOUTH); OA & CB (EAST),
SURROUNDING ZONING: GENERAL AGRICULTURAL LAND (NORTH,
PIKE TOWNSHIP),

GROSS AREA: 78.28 ACRES (78.06 AFTER R/W
DEDICATION)

PROPOSED PUBLIC RIGHT-OF-WAY: 14.02 ACRES

OPEN SPACE (INCLUDING PONDS): 8.55 ACRES

NORMAL POOL POND AREA: 3.09 ACRES

TOTAL LOT AREA: 55.49 ACRES

TOTAL LOTS: 294

55' WIDE LOTS 184

65' WIDE LOTS: 110

OPEN SPACE LOTS: 7

LOTS: 55' WIDE MIN (110 LOTS ≥ 65' ;
184 LOTS < 65', MIN LOT SIZE = 6,000 SF

GROSS AREA DENSITY: 3.77

MIN. LOT AREA: 6,534 SF

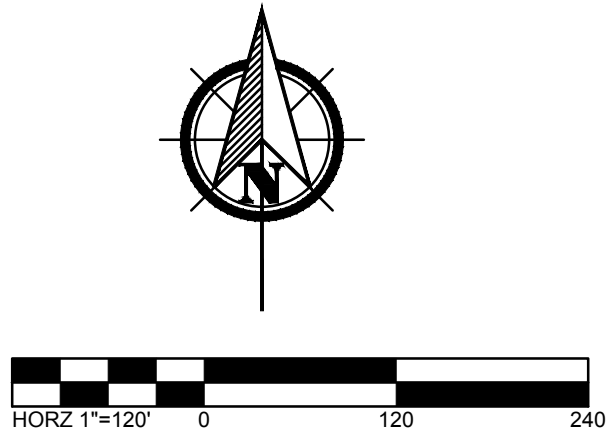
MIN. SETBACKS (FRONT/SIDE/REAR): 25'/7.5'/30' (20' REAR YARD SETBACK FOR
LOTS 203-234)

PAD (WIDTH/DEPTH): 40'X60' MAX; 40'X40' MIN

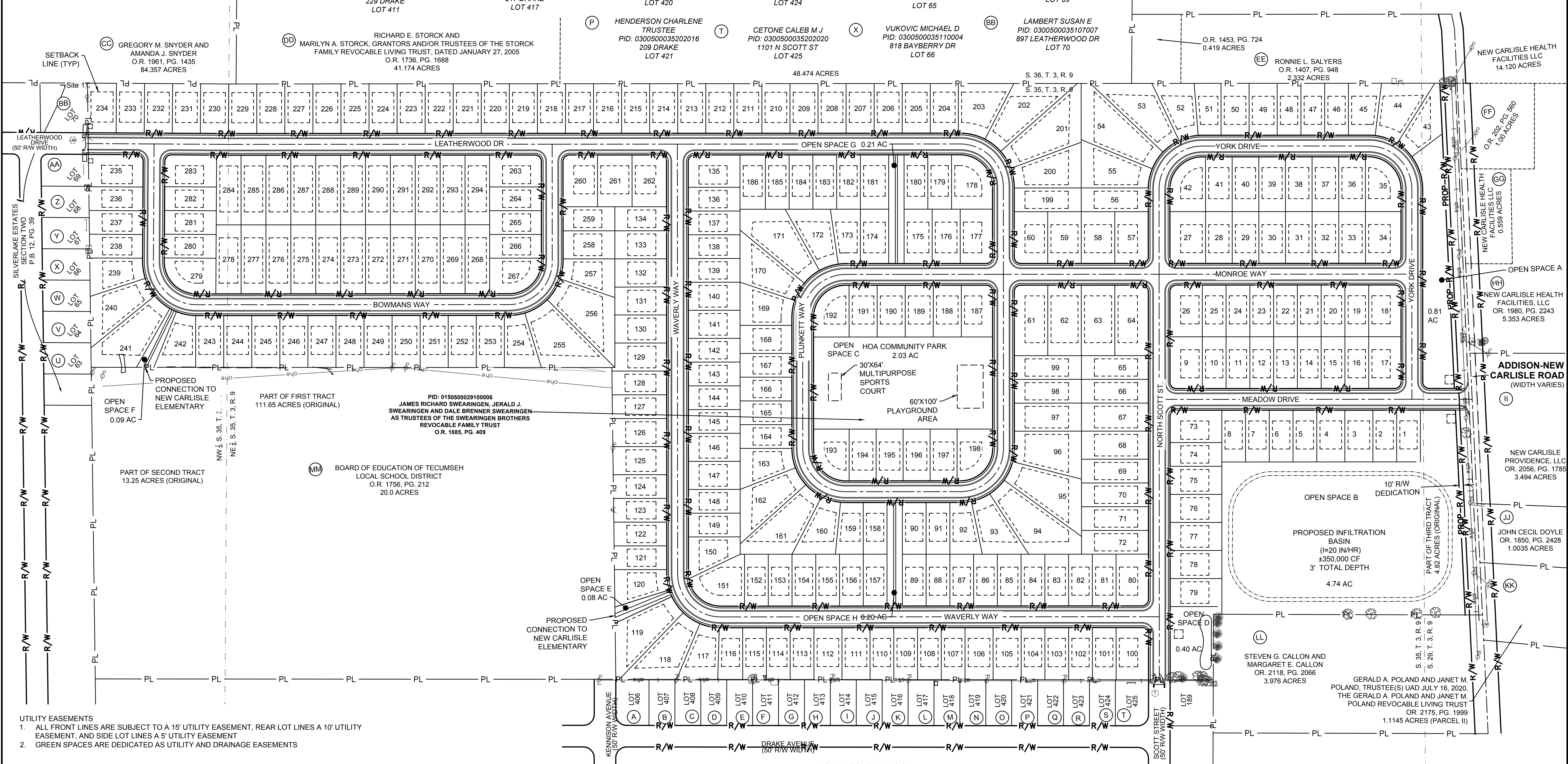
TYPICAL R/W WIDTH: 50'-0"

ANNEXATION/BOUNDARY PLAT OF 79.136
ACRES
FROM BETHEL TOWNSHIP TO
CITY OF NEW CARLISLE

STATE OF OHIO, COUNTY OF CLARK,
TOWNSHIP OF BETHEL
SECTIONS 29 & 35, TOWNSHIP 3, RANGE 9
BETWEEN THE MIAMIS



- (A) SANDERS WILLIAM E SR
PID: 0300500035202001
1100 KENNISON AVE
LOT 406
- (G) FRANKS JOHN B
PID: 0300500035202007
227 DRAKE
LOT 412
- (B) FISCHER RICHARD V SR &
BABRBARA J
PID: 0300500035202002
237 DRAKE
LOT 407
- (H) MYERS GRACE HOLLY
PID: 0300500035202008
225 DRAKE
LOT 413
- (C) FISCHER RICHARD V SR &
BABRBARA J
PID: 0300500035202003
235 DRAKE
LOT 408
- (I) BLACKBURN LYNN C
PID: 0300500035202009
223 DRAKE AVE
LOT 414
- (D) LEVI MELINDA T
PID: 0300500035202004
233 DRAKE
LOT 409
- (J) MOLLA WILLIAM D
PID: 0300500035202010
221 DRAKE
LOT 415
- (M) PAGE MICHELLE
PID: 0300500035202013
215 DRAKE AVE
LOT 418
- (Q) WHITAKER JAMIE
PID: 0300500035202017
207 DRAKE AVE
LOT 422
- (U) TONER TERRY L & SHEILA R
PID: 0300500035110007
812 BAYBERRY DR
LOT 63
- (Y) BLAIR DANNY
PID: 0300500035110003
820 BAYBERRY DR
LOT 67
- (E) NELSON CHARLES E &
TERESA L THOMPSON
PID: 0300500035202005
231 DRAKE AVE
LOT 410
- (K) RITCHIE ROGER & CRYSTAL
PID: 0300500035202011
219 DRAKE
LOT 416
- (N) SIROIN JOHNATHAN P &
MORGAN D PRIDE
PID: 0300500035202014
213 DRAKE
LOT 419
- (R) GANSHEIMER SANDRA A
PID: 0300500035202018
205 DRAKE
LOT 423
- (V) VAUGHN DONALD L &
JENNIFER L
PID: 0300500035110006
814 BAYBERRY DR
LOT 64
- (Z) SOWERS TERRY
PID: 0300500035110002
822 LEATHERWOOD DR
LOT 68
- (F) KNEPP KIMBERLY
PID: 0300500035202006
229 DRAKE
LOT 411
- (L) PARK HILLS SENTRE LTD
PID: 0300500035202012
217 DRAKE
LOT 417
- (O) HESS TORI A
PID: 0300500035202015
211 DRAKE
LOT 420
- (S) UPTON LARRY C & CATHY S
PID: 0300500035202019
211 DRAKE
LOT 424
- (W) NORMAN WILLIAM MICHAEL
PID: 0300500035110005
816 BAYBERRY DR
LOT 65
- (AA) HEITZMAN MICHAEL W &
CAROL L
PID: 0300500035110001
896 LEATHERWOOD DR
LOT 69
- (BB) LAMBERT SUSAN E
PID: 0300500035107007
897 LEATHERWOOD DR
LOT 70
- (CC) GREGORY M. SNYDER AND
AMANDA J. SNYDER
O.R. 1961, PG. 1435
84.357 ACRES
- (DD) RICHARD E. STORCK AND
MARILYN A. STORCK, GRANTORS AND/OR TRUSTEES OF THE STORCK
FAMILY REVOCABLE LIVING TRUST, DATED JANUARY 27, 2005
O.R. 1736, PG. 1688
41.174 ACRES
- (EE) RONNIE L. SALYERS
O.R. 1407, PG. 948
2.332 ACRES
- (FF) NEW CARLISLE HEALTH
FACILITIES LLC
O.P. 202 PG. 580
1.100 ACRES
- (GG) NEW CARLISLE HEALTH
FACILITIES LLC
O.R. 1980, PG. 2243
5.353 ACRES
- (HH) NEW CARLISLE HEALTH
FACILITIES, LLC
O.R. 2056, PG. 1785
3.494 ACRES
- (JJ) JOHN CECIL DOYLE
O.R. 1850, PG. 2428
1.0035 ACRES
- (KK) STEVEN G. CALLON AND
MARGARET E. CALLON
O.R. 2118, PG. 2066
3.976 ACRES
- (LL) GERALD A. POLAND AND JANET M.
POLAND, TRUSTEE(S) UAD JULY 16, 2020,
THE GERALD A. POLAND AND JANET M.
POLAND REVOCABLE LIVING TRUST
O.R. 2175, PG. 1999
1.1145 ACRES (PARCEL II)



- UTILITY EASEMENTS
- ALL FRONT LINES ARE SUBJECT TO A 15' UTILITY EASEMENT, REAR LOT LINES A 10' UTILITY EASEMENT, AND SIDE LOT LINES A 5' UTILITY EASEMENT
 - GREEN SPACES ARE DEDICATED AS UTILITY AND DRAINAGE EASEMENTS

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PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO

OVERALL SITE PLAN

REVISIONS	DATE	SHEET NO.	DESCRIPTION
1	11/17/22	2-6-8	ALTERATION, SIGNAGE SHIFT LANDSCAPE MOUNDING, LOT SIZE REVISED REAR YARD SETBACKS.

APPROVAL PENDING NOT FOR
CONSTRUCTION

IN SUBMITTING BIDS IN RELIANCE ON
THESE PLANS THE CONTRACTOR
ASSUMES ALL RISKS OF ADDITIONAL
COSTS OR REVISIONS DUE TO
REQUIREMENTS OF THE OWNER OR
GOVERNMENTAL AUTHORITIES AND
MATERIAL REVISIONS IN THE COURSE
OF COMPLETING THE FINAL DESIGN.

DATE:	11/03/2022
DRAWN BY:	DA
CHECKED BY:	GPB
JOB NUMBER:	2021.03113

2/9

PLOT SCALE: 1"=118.22' - 2:34 PM, EDITED BY: LOELINK, DRAWING FILE: C:\2021\03113.D, DRAWING\CONSTRUCTION DOCUMENTS\PREM PLAT\2021.03113.CE.OSP.DWG

PLOT SCALE: 1"=50' DATE: 11/18/22 - 2:28 PM EDITED BY: LOELINK DRAWING FILE: 020203113.D DRAWING CIVIL CONSTRUCTION DOCUMENTS (PRELIMINARY PLAT) 03113.CE.GDWG



ARBOR
HOMES

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PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO

DETAILED PRELIMINARY PLAT

REVISIONS	DATE	SHEET NO.	DESCRIPTION
1	11/17/22	2-6, 8	ALTERATION SIGNAGE SHIFT LANDSCAPE MOUNDING, LOT SIZE REVISED REAR YARD SETBACKS.

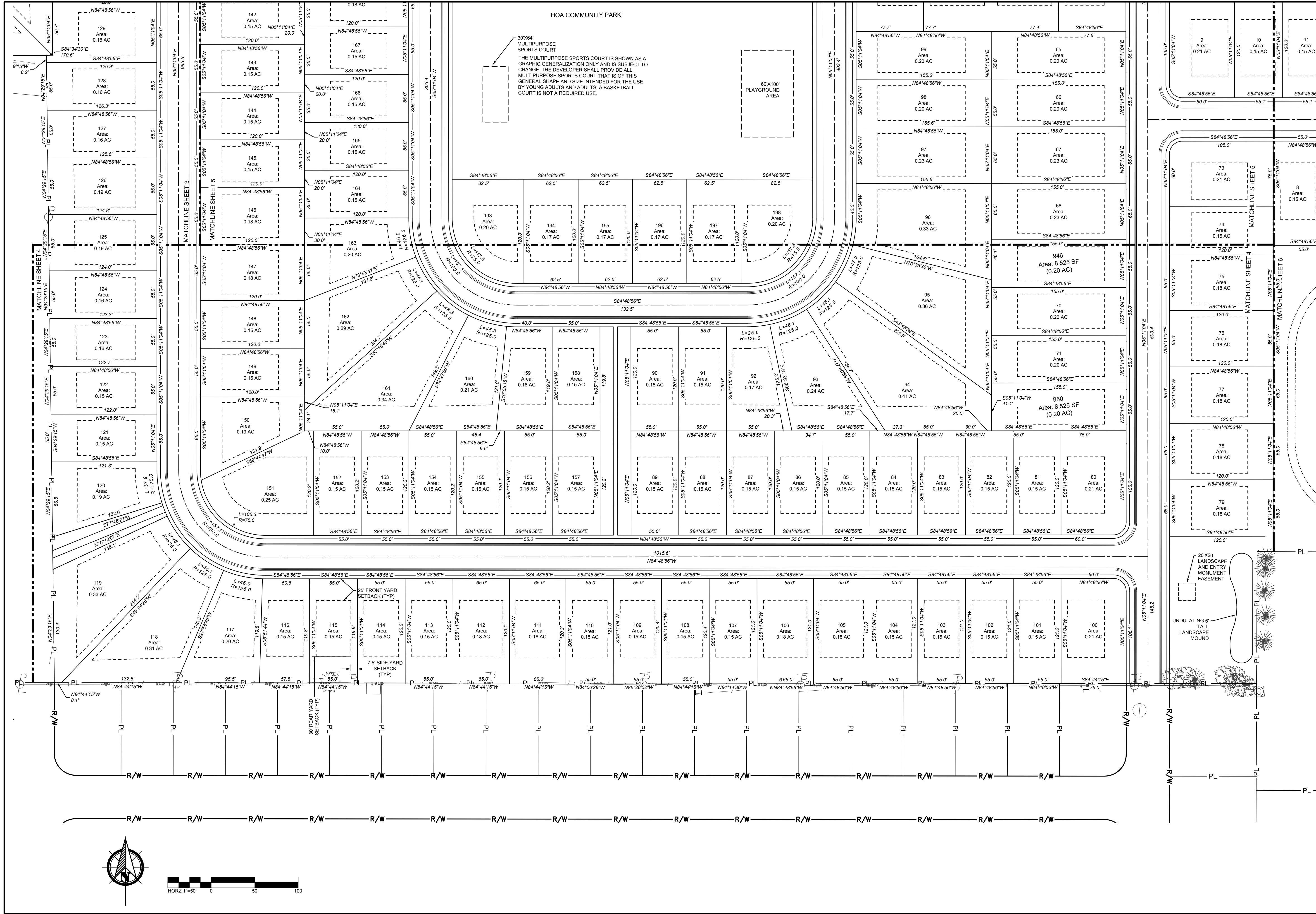
APPROVAL PENDING NOT FOR CONSTRUCTION


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DATE:	11/03/2022
DRAWN BY:	DA
CHECKED BY:	GPB
JOB NUMBER:	2021.03113


3/9

PLOT SCALE: 1"=100' DATE: 11/18/22 2:28 PM EDITED BY: LOELINK DRAWING FILE: Q:\2021\0313\3D DRAWINGS\CIVIL\CONSTRUCTION DOCUMENTS\PREM PLAT\2021.0313.CE.GPDWG





ARBOR
HOMES



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PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO

DETAILED PRELIMINARY PLAT

REVISIONS	DATE	SHEET NO.	DESCRIPTION
1	11/17/22	2-6, 8	ALTERATION, SIGNAGE, SHIFT LANDSCAPE MOUNDING, LOT SIZE REVISED REAR YARD SETBACKS.

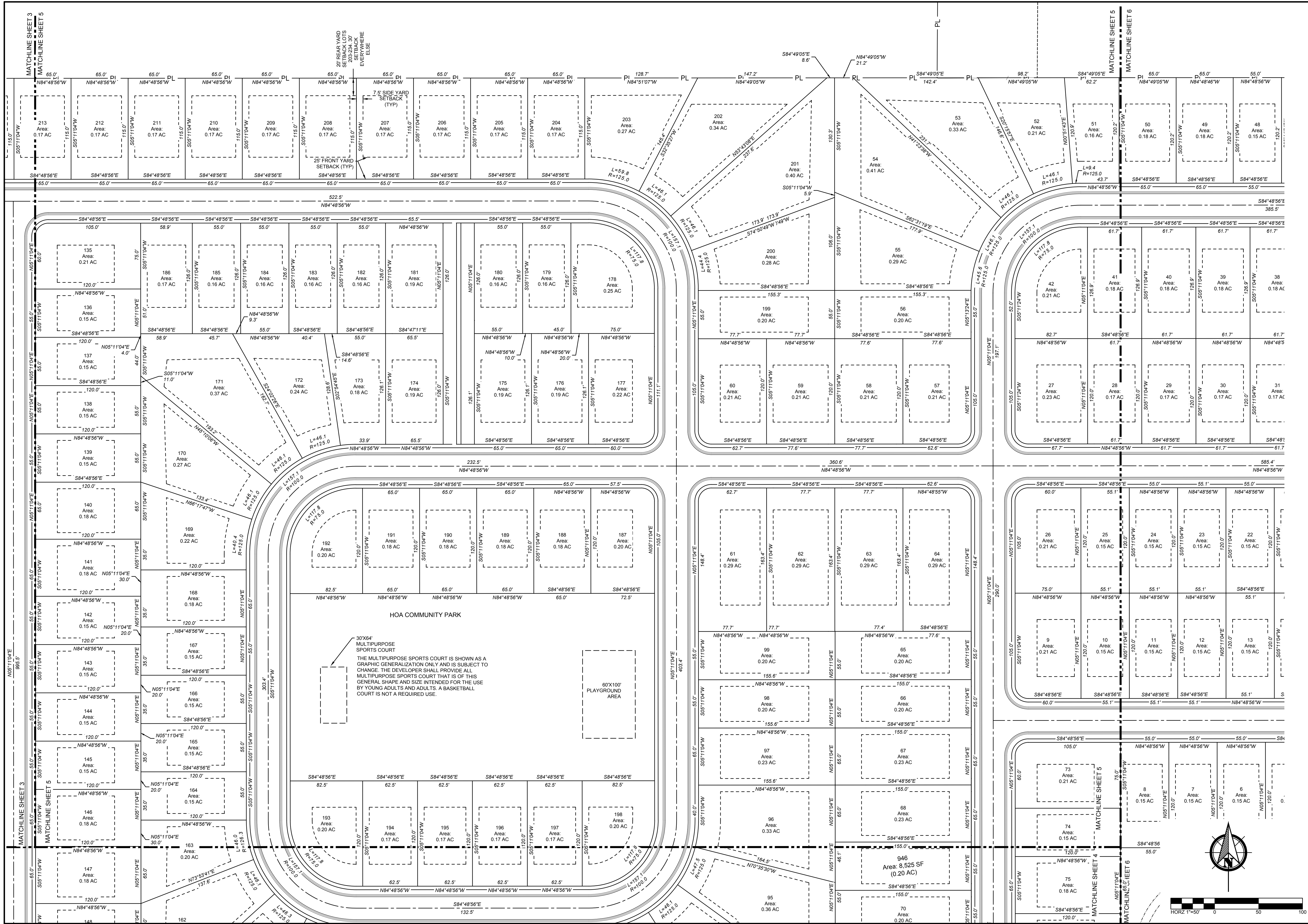
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JOB NUMBER:	2021.03113

4/9

PLOT SCALE: 1"=100' DATE: 11/18/22 - 2:28 PM EDITED BY: LOELINK DRAWING FILE: Q:\2021\0313\3D DRAWINGS\CIVIL\CONSTRUCTION DOCUMENTS\PRELIM PLAT\2021.0313.CE.GPDWG



REVISIONS		DATE	SHEET NO.	DESCRIPTION
1		11/17/22	2-6, 8	ALTERATION SIGNAGE SHIFT LANDSCAPE MOUNDING, LOT SIZE REVISED REAR YARD SETBACKS.

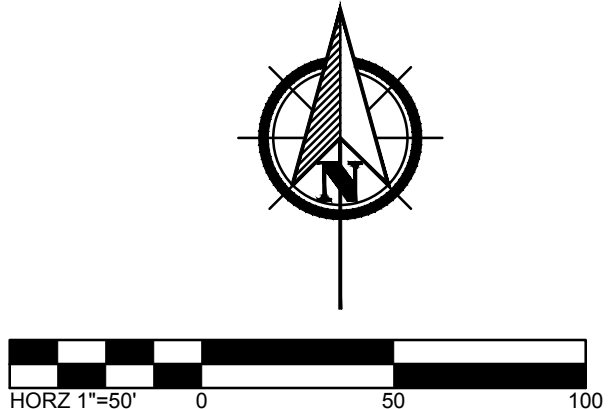
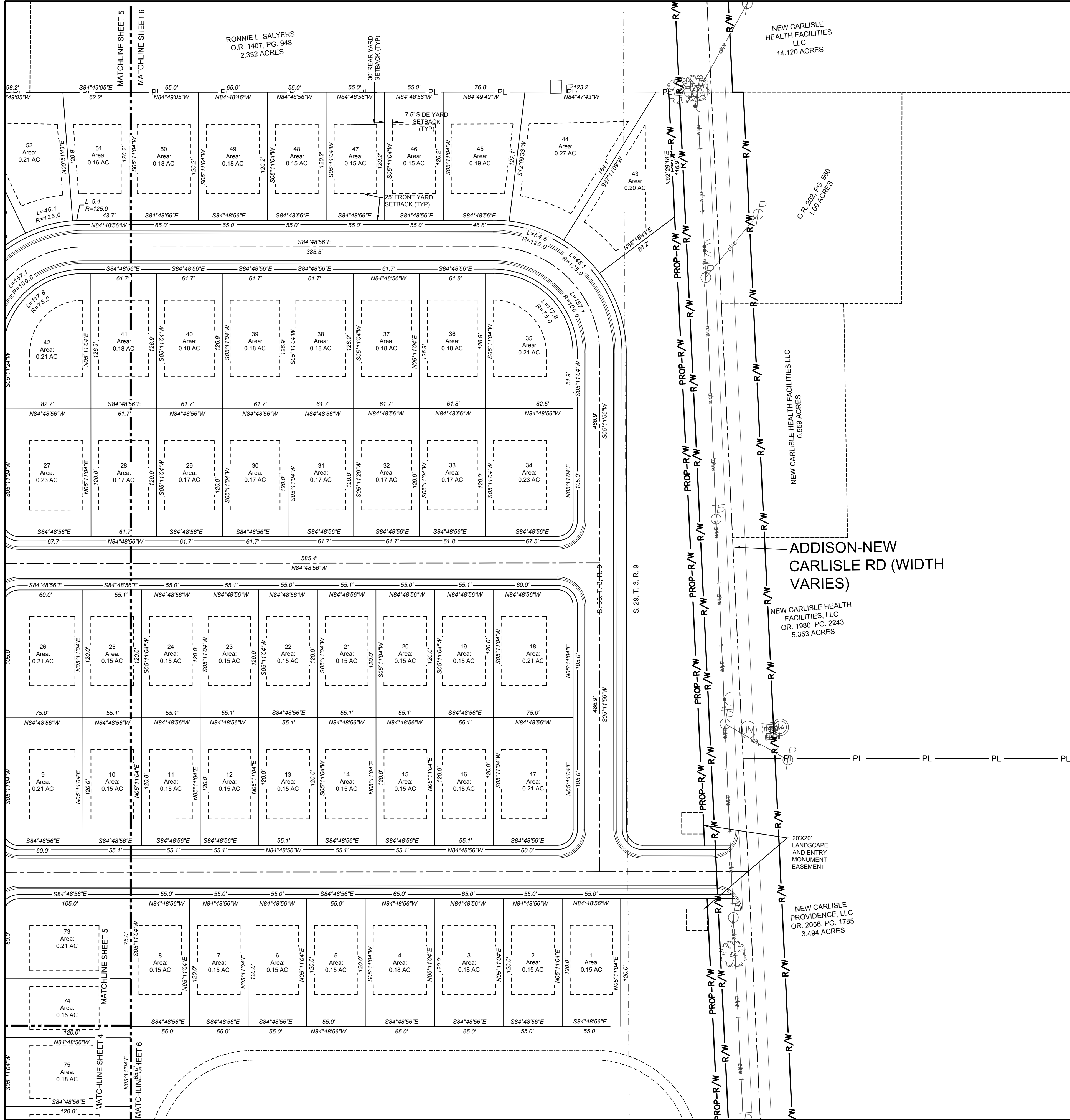
DATE:	11/03/2022
DRAWN BY:	DA
CHECKED BY:	GPB
JOB NUMBER:	2021.03113



5/9

PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO
DETAILED PRELIMINARY PLAT

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PLOT SCALE: 1"=100' DATE: 11/18/22 - 2:28 PM EDITED BY: LOJELINK DRAWING FILE: Q:\2021\03113.D. DRAWINGS\CIVIL\CONSTRUCTION DOCUMENTS\PREM PLAT\2021.03113.CE.GP.DWG





PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO
DETAILED PRELIMINARY PLAT

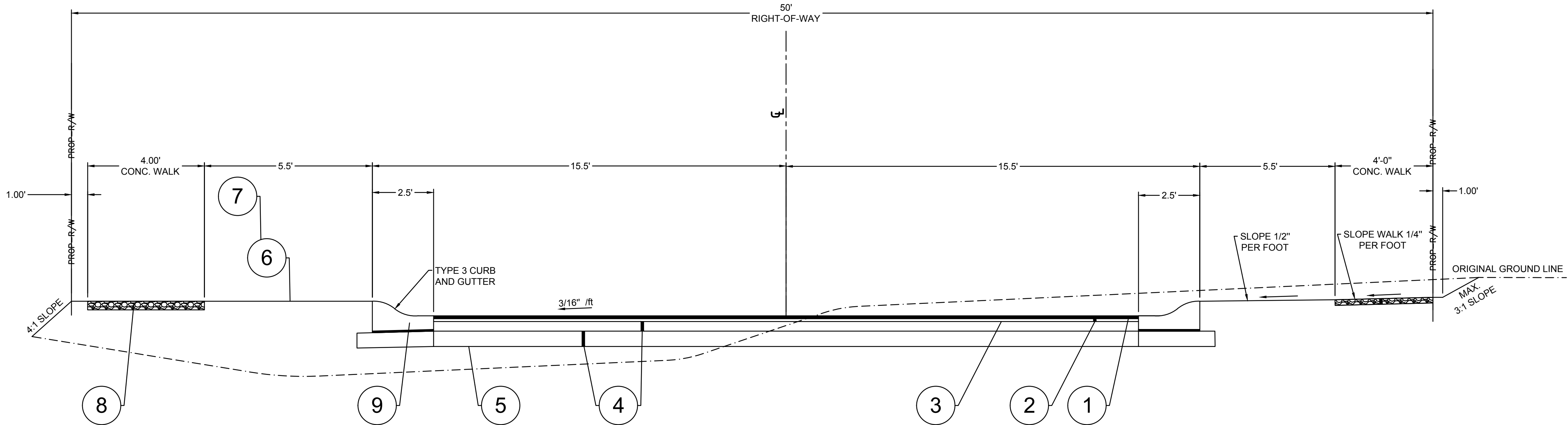
REVISIONS	DATE	SHEET NO.	DESCRIPTION
1	11/17/22	2-6, 8	ALTERATION, SIGNAGE SHIFT LANDSCAPE MOUNDING, LOT SIZE REVISED REAR YARD SETBACKS.

APPROVAL PENDING NOT FOR CONSTRUCTION
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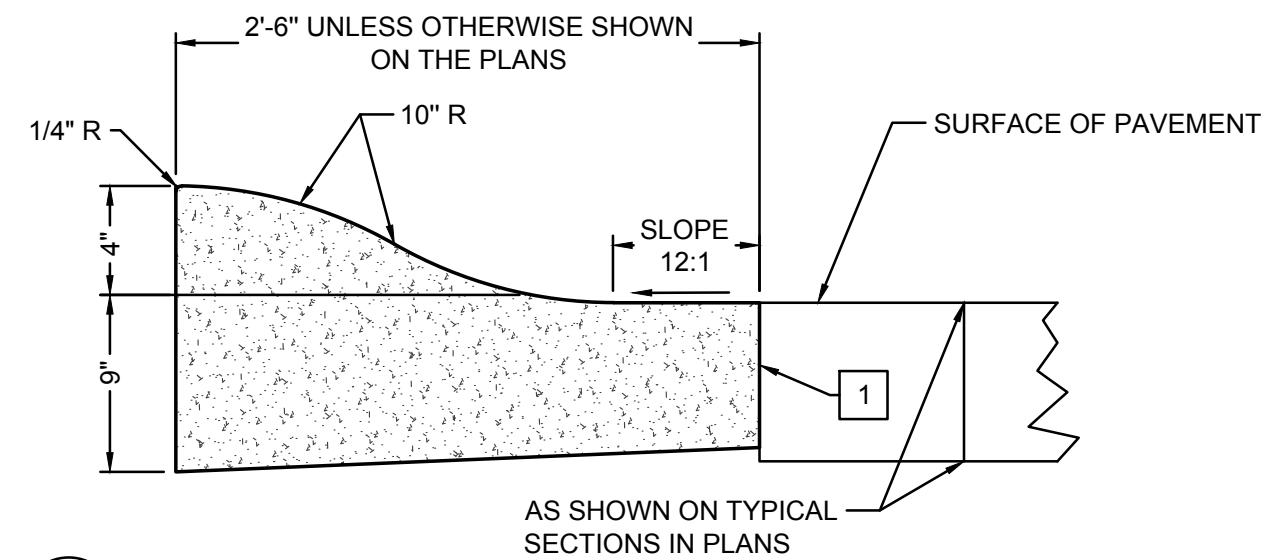
DATE:	11/03/2022
DRAWN BY:	DA
CHECKED BY:	GPB
JOB NUMBER:	2021.03113

6/9

PLOT SCALE: 1:1 EDIT DATE: 11/8/22 - 2:46 PM EDITED BY: LOJELINK DRAWING FILE: 01202103113.D DRAWINGS\CIVIL\CONSTRUCTION DOCUMENTS\PREM PLAT\2021_03113.CE1.S.DWG



TYPICAL CROSS
SECTION
50' CURBED STREET



JOINTS:

1" EXPANSION JOINTS SHALL EXTEND UP TO THE TOP OF THE CURB AND SHALL BE CONSTRUCTED IN THE CURB AND GUTTER SECTION IN SUCH MANNER THAT THE JOINT WILL EXTEND THE FULL WIDTH OF THE GUTTER AND INTO THE CURB FACE A SUFFICIENT DISTANCE TO SEAL THE JOINT TO AN ELEVATION OF A LEAST 2" ABOVE THE FLOW LINE OF THE GUTTER. DOWEL BARS SHALL BE USED IN THE CURB AND GUTTER SECTION AT EXPANSION JOINTS AND TO THE SURFACE OF THE PAVEMENT. TRANSVERSE EXPANSION JOINT MATERIAL SHALL MEET THE REQUIREMENTS OF ITEM 705.03.

TOLERANCES:

DIMENSIONAL TOLERANCES ARE AS FOLLOWS:
CURBS: -1/32 TO +1/4
GUTTERS: 0 TO +1/2

LEGEND:

1- BUTT JOINTS SHALL BE PROVIDED BETWEEN COMBINED CURB-AND-GUTTER AND NEW OR EXISTING RIGID PAVEMENTS. WITH TIE BARS OR HOOK BOLTS PROVIDED AT INTERVALS OF 5'. SEE SCD BP-2.1 FOR DETAILS OF TIE BARS AND HOOK BOLTS. IF THE COMBINED CURB-AND-GUTTER ADJOINS A NEW RIGID BASE OR AN EXISTING RIGID BASE OR PAVEMENT THAT IS TO BE SURFACED WITH ASPHALT CONCRETE, A BUTT JOINT SHALL ALSO BE PROVIDED. HOWEVER, TIE BARS OR HOOK BOLTS SHALL BE OMITTED WHEN THE VERTICAL OVERLAP ("V" IN DETAIL) BETWEEN THE CURB-AND-GUTTER AND RIGID PAVEMENT IS LESS THAN 7".



NOTES:

1. THE ABOVE RENDERINGS ARE TO BE USED FOR GENERALIZATION ONLY AND ARE SUBJECT TO CHANGE BASED ON AVAILABILITY. ALL PLAYGROUND EQUIPMENT WILL BE PERMITTED AS REQUIRED BY THE CITY OF NEW CARLISLE AND CLARK COUNTY.

LEGEND	
①	ITEM 404 - 1" ASPHALT CONCRETE AC-20 TO BE APPLIED 9 MONTHS AFTER 402 COURSE IS APPLIED.
②	ITEM 402 - 2" ASPHALT CONCRETE AC-20 AT END OF 24 HOURS AFTER 408.
③	ITEM 408 - PRIME COAT MC-30 OR RT 2 AT 0.50 GAL. PER SQ. YD. TO BE APPLIED IMMEDIATELY AFTER 304.
④	ITEM 304 - AGGREGATE BASE - 2 - 4 1/2" LIFTS
⑤	ITEM 203 - SUBGRADE COMPACTION
⑥	ITEM 659 - SEEDING AND MULCHING
⑦	ITEM 659 - COMMERCIAL FERTILIZER
⑧	ITEM 608 - CONCRETE WALK 4"
⑨	ITEM 609 - CONCRETE CURB AND GUTTER - TYPE 3

NOTES:

1. ITEM 404 ASPHALT CONCRETE SHALL NOT BE APPLIED UNTIL ITEM 402 ASPHALT CONCRETE HAS BEEN IN PLACE AT LEAST 9 MONTHS. ANY ITEM 402 DETERIORATION OR SETTLEMENT THAT HAS DEVELOPED DURING THIS PERIOD SHALL BE REMOVED AND REPLACED BEFORE THE ITEM 404 COURSE IS APPLIED, UNDER THE SUPERVISION AND INSPECTION BY THE CLARK COUNTY ENGINEER.
2. ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE IN CONFORMANCE WITH THE CURRENT EDITION OF THE STATE OF OHIO. DEPARTMENT OF TRANSPORTATION, CONSTRUCTION AND MATERIAL SPECS.
3. ALL TRENCHES WITHIN THE RIGHT-OF-WAY MUST BE BACKFILLED WITH COMPACTED GRANULAR MATERIAL.

PRELIMINARY PLAT
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO
PRELIMINARY PLAT
DETAIL SHEET

REVISIONS	DATE	SHEET NO.	DESCRIPTION
1	11/17/22	2-6, 8	ALTERATION, SIGNAGE SHIFT LANDSCAPE MOUNDING, LOT SIZE REVISED REAR YARD SETBACKS.

APPROVAL PENDING NOT FOR CONSTRUCTION
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DATE:	11/03/2022
DRAWN BY:	DA
CHECKED BY:	GPB
JOB NUMBER:	2021.03113

PLOT SCALE: 1"=110' DATE: 10/31/22 - 11:04 AM EDITED BY: DANUGERAH DRAWING FILE: O:\2021\0311\31.D. DRAWINGS\CIVIL\CONSTRUCTION DOCUMENTS\PRELIM\2021\0311\31.CE-UP.DWG

UTILITY LEGEND

SAN

PROP. SANITARY MAIN

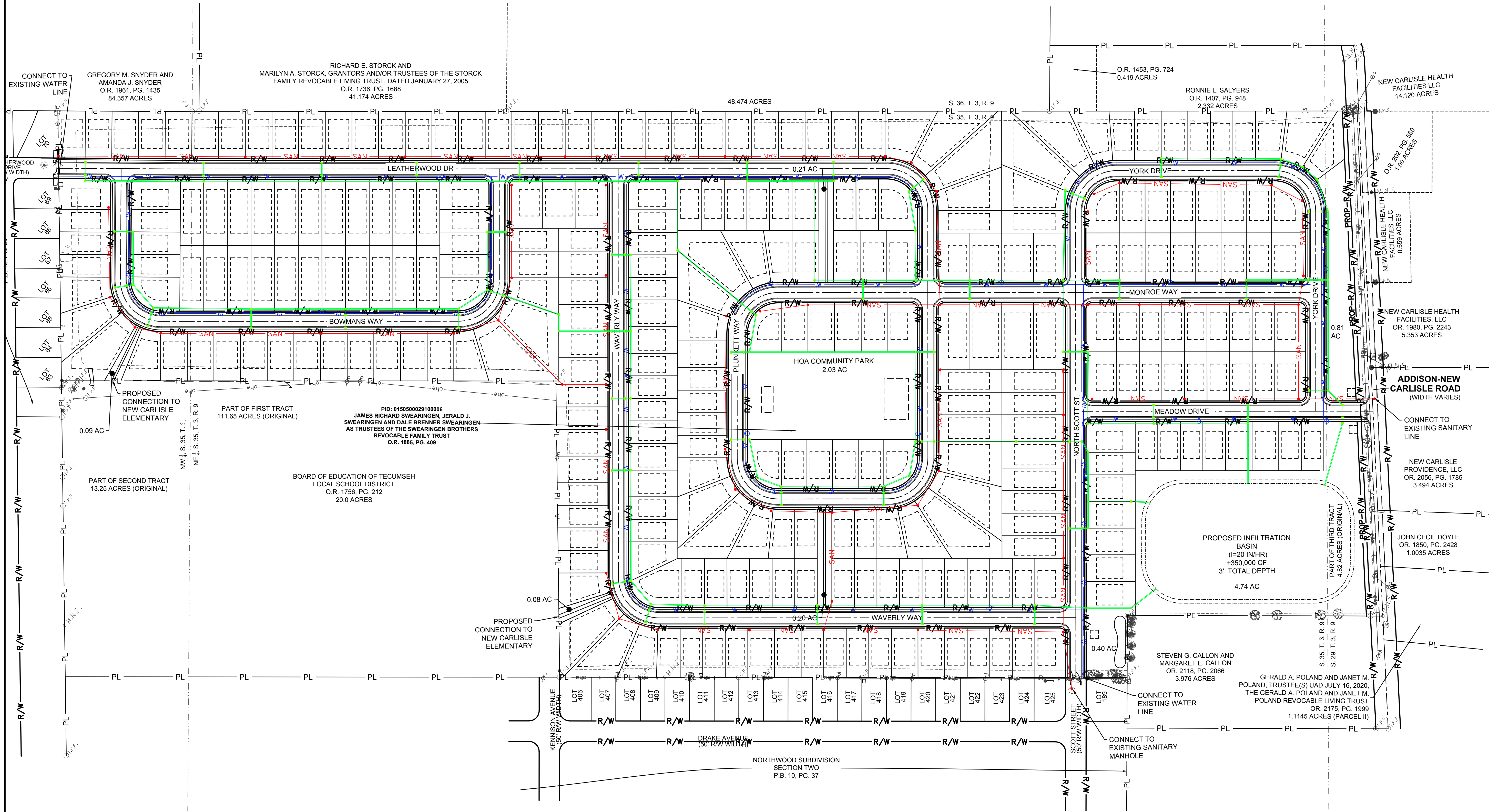
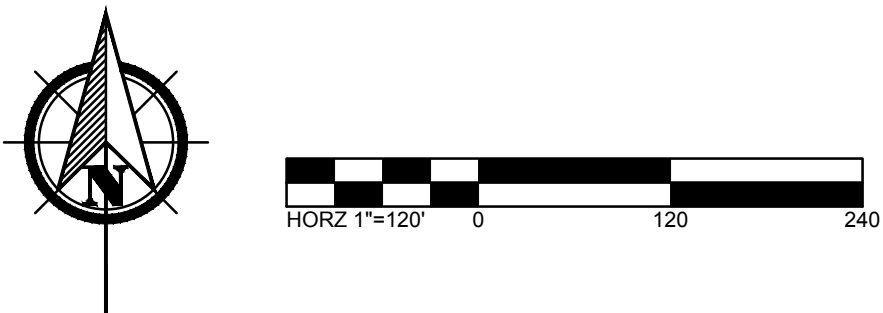
STM

PROP. STORM MAIN

W

PROP. WATER MAIN

PROP. FIRE HYDRANT



AMERICAN
STRUCTUREPOINT
INC.

2550 Corporate Exchange Dr., Ste 300 | Columbus, Ohio 43231
TEL: 614.455.1226
www.structurepoint.com

PRELIMINARY PLAN
FOR
MONROE MEADOWS
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO

UTILITY PLAN

REVISIONS	DATE	SHEET NO.	DESCRIPTION
1	11/17/22	2-6, 8	ALTERATION SIGNAGE SHIFT LANDSCAPE MOUNDING, LOT SIZE REVISED REAR YARD SETBACKS.

APPROVAL PENDING NOT FOR
CONSTRUCTION

IN SUBMITTING BIDS IN RELIANCE ON
THESE PLANS THE CONTRACTOR
ASSUMES ALL RISKS OF ADDITIONAL
COSTS OR REVISIONS DUE TO
REQUIREMENTS OF THE OWNER OR
GOVERNMENTAL AUTHORITIES AND
MATERIAL REVISIONS IN THE COURSE
OF COMPLETING THE FINAL DESIGN.

DATE:	11/03/2022
DRAWN BY:	DA
CHECKED BY:	GPB
JOB NUMBER:	2021.03113

8/9

PLOT SCALE: 1"=110' DATE: 11/18/22 - 2:34 PM EDITED BY: LOEILINK DRAWING FILE: Q:\2021\03\13\3D DRAWINGS\CIVIL\CONSTRUCTION\DOCUMENTS\PREM PLAT\2021.03\13 CEECP.DWG

EXISTING LEGEND

— PL —

PROPERTY LINE

— R/W —

RIGHT-OF-WAY

— —

PAVEMENT/SIDEWALK

— —

PAVEMENT STRIPING

=====

CURB

ROAD CENTERLINE

~~~~~

TREE DRIP LINE

— / —

FENCE

— ··· —

STREAM

— san —

SANITARY SEWER

— w —

WATER LINE

— g —

GAS LINE

— fo —

FIBER OPTIC LINE

— e —

ELECTRIC

— ohe —

OVERHEAD ELECTRIC

— t —

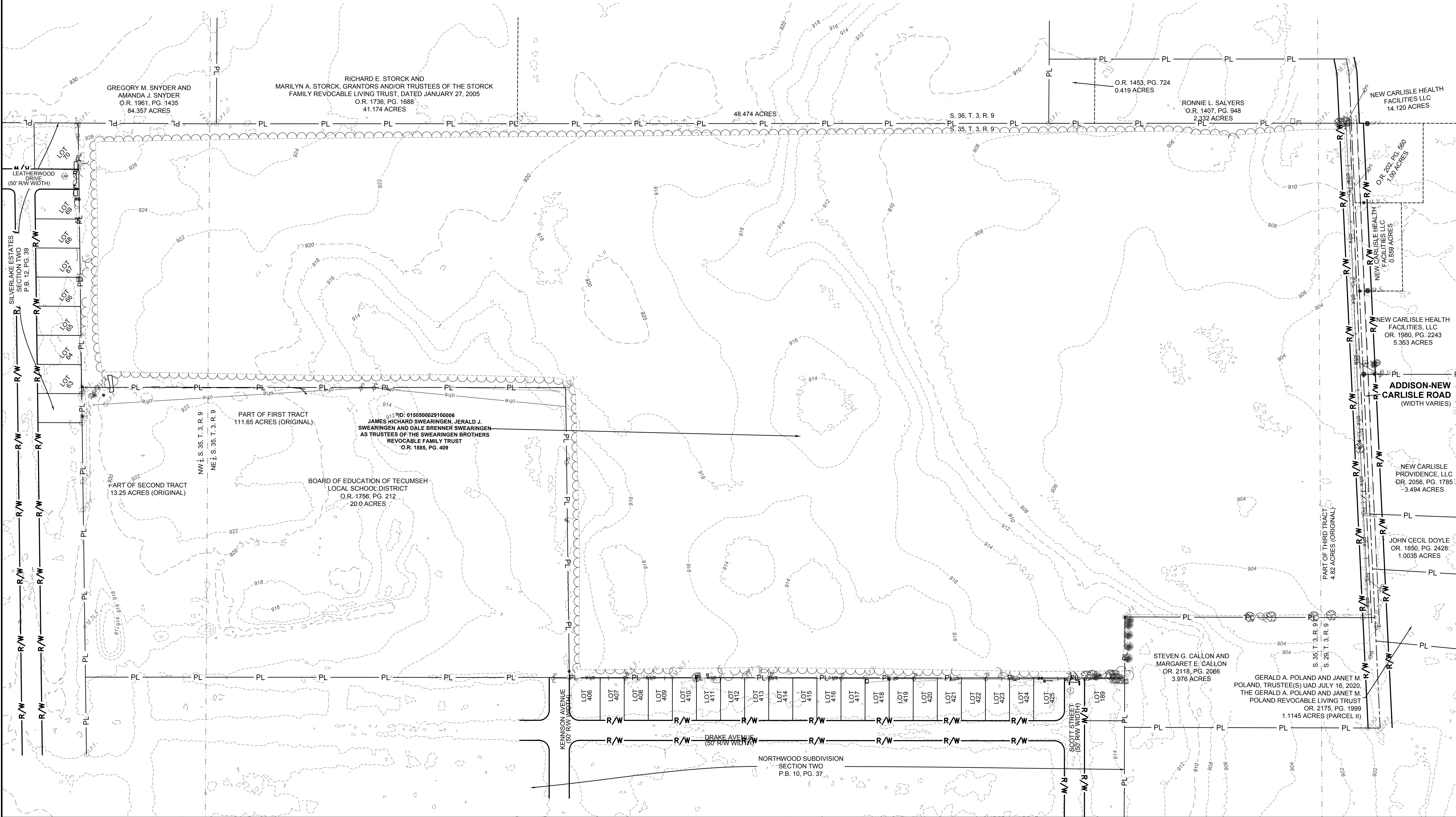
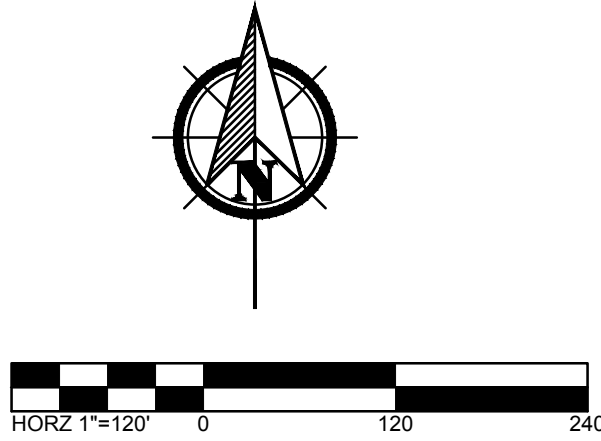
TELECOMMUNICATION

— ctv —

CABLE TELEVISION

— stm —

STORM SEWER



ARBOR  
HOMES

AMERICAN  
STRUCTUREPOINT  
INC.

2550 Corporate Exchange Dr., Ste 300 | Columbus, Ohio 43231  
TEL: 614.444.1226 FAX: 614.444.1226  
www.structurepoint.com

PRELIMINARY PLAT  
FOR  
MONROE MEADOWS  
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO

EXISTING CONDITIONS

| REVISIONS | DATE     | SHEET NO. | DESCRIPTION                                                                              |
|-----------|----------|-----------|------------------------------------------------------------------------------------------|
| 1         | 11/17/22 | 2-6, 8    | ALTERATION, SIGNAGE SHIFT<br>LANDSCAPE MOUNDING, LOT SIZE<br>REVISED REAR YARD SETBACKS. |
|           |          |           |                                                                                          |
|           |          |           |                                                                                          |

APPROVAL PENDING NOT FOR  
CONSTRUCTION

IN SUBMITTING BIDS IN RELIANCE ON  
THESE PLANS THE CONTRACTOR  
ASSUMES ALL RISKS OF ADDITIONAL  
COSTS OR REVISIONS DUE TO  
REQUIREMENTS OF THE OWNER OR  
GOVERNMENTAL AUTHORITIES AND  
MATERIAL REVISIONS IN THE COURSE  
OF COMPLETING THE FINAL DESIGN.

|             |            |
|-------------|------------|
| DATE:       | 11/03/2022 |
| DRAWN BY:   | DA         |
| CHECKED BY: | GPB        |
| JOB NUMBER: | 2021.03113 |

9/9





**ARBOR**  
**H O M E S**

A BERKSHIRE HATHAWAY COMPANY

**BUILDING GREAT NEIGHBORHOODS AND HOMES FOR  
PEOPLE TO CELEBRATE LIFE**

[YourArborHome.com](http://YourArborHome.com)

# Anti Monotony: Floor Plans, Elevations, and Materials

- 12 Unique Floor Plans
- 6+ Elevation Styles Per Floor Plan
- Structural Options- *Basement, Sunrooms, Great Room Extensions, etc.*
- Interior Options - *Gourmet Kitchen, Deluxe Master Bathroom, etc.*
- Vinyl Siding - *Horizontal, Vertical, Shake, Board and Batten*
- Masonry - *Brick and Stone Fafades*
- 'Buyer Choice Value' Proposition



# Sample\_f\_lo\_or Plan: The Bradford



## THE BRADFORD BY ARBOR HOMES



ELEVATION A WITH OPTIONAL BRICK & SHUTTERS

1,611+ SQ. FT. 13 BEDROOMS 12 BATHROOMS 12 CAR GARAGE



ELEVATION B  
SHOWN WITH  
OPTIONAL BRICK &  
SHUTTERS



TRADITIONAL  
AVAILABLE  
IN SELECT  
COMMUNITIES



CRAFTSMAN  
AVAILABLE  
IN SELECT  
COMMUNITIES



RUSTIC  
AVAILABLE  
IN SELECT  
COMMUNITIES

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# Sample-Floor Plan: the Cooper



## THE COOPER BY ARBOR HOMES



ELEVATION B WITH OPTIONAL BRICK & SHUTTERS

2,801+ SQ. FT. | TWO-STORY | 4 BEDROOMS | 2.5 BATHROOMS | 2 CAR GARAGE



ELEVATION A  
SHOWN WITH  
OPTIONAL BRICK



TRADITIONAL  
AVAILABLE  
IN SELECT  
COMMUNITIES



CRAFTSMAN  
AVAILABLE  
IN SELECT  
COMMUNITIES



TUDOR  
AVAILABLE  
IN SELECT  
COMMUNITIES

[YourArborHome.com](http://YourArborHome.com)





Sample Floor Plan:  
The Norway



## THE NORWAY BY ARBOR HOMES

2,971+ SQ. FT. | TWO-STORY | 5 BEDROOMS | 2.5 BATHROOMS | 2 CAR GARAGE



ELEVATION A  
SHOWN WITH OPTIONAL BRICK & SHUTTERS



CRAFTSMAN  
AVAILABLE IN SELECT COMMUNITIES



ELEVATION B  
SHOWN WITH OPTIONAL BRICK & SHUTTERS



TRADITIONAL  
AVAILABLE IN SELECT COMMUNITIES



ELEVATION C  
SHOWN WITH OPTIONAL BRICK & SHUTTERS



TUDOR  
AVAILABLE IN SELECT COMMUNITIES

YourArborHome.com





# Sample-Floor Plan: The Spruce



## THE SPRUCE BY ARBOR HOMES



ELEVATION A WITH OPTIONAL BRICK & SHUTTERS

2,343+ SQ. FT. | TWO-STORY | 4 BEDROOMS | 2.5 BATHROOMS | 2 CAR GARAGE



ELEVATION B  
SHOWN WITH  
OPTIONAL BRICK &  
SHUTTERS



TRADITIONAL  
AVAILABLE  
IN SELECT  
COMMUNITIES



CRAFTSMAN  
AVAILABLE  
IN SELECT  
COMMUNITIES



TUDOR  
AVAILABLE  
IN SELECT  
COMMUNITIES

[YourArborHome.com](http://YourArborHome.com)

G-t





## Buyer-Choice Model



### OUR BUILDING PROCESS AT ARBOR HOMES

-  **ESTABLISH A BUDGET & DETERMINE YOUR BUYING POWER**
- 1st** **PICK THE BEST FLOOR PLAN AND HOME SITE FOR YOU.**
- 1st** **MAKE YOUR NEW HOME FINAL! SIGN THE PURCHASE AGREEMENT & TAKE YOUR NEW HOME AND HOME SITE OFF THE MARKET!**
-  **MEET WITH ONE OF OUR TRUSTED LENDERS TO OBTAIN A PRE-APPROVAL**
  - Home is of the essence. Make sure all paperwork is turned in within the given time frame.
  - Receive a pre-approval.
- 1st** **PERSONALIZE YOUR HOME WITH QUALITY PRODUCTS**
  - Meet with one of our Color Coordinators at the Design Center.
  - Sign off on all selection documents. After we get this paperwork, we can pull the permit for your home.
- 1st** **MEET WITH YOUR FRONT-END CONSTRUCTION SUPERINTENDENT FOR YOUR PERSONALIZED PRE-CONSTRUCTION MEETING.**
  - You will go over your home's blueprints. Ask any Questions you may have.
- 1st** **MEET WITH YOUR FRONT-END CONSTRUCTION SUPERINTENDENT AGAIN FOR YOUR PRE-DRYWALL MEETING.**
  - Review the progress made on your home. We want you to be Involved!
-  **NEXT, MEET WITH YOUR BACK-END CONSTRUCTION SUPERINTENDENT FOR THE PRE-CLOSING INSPECTION.**
  - Get a proper Introduction to your new home. Walk through with your Superintendent to Inspect the home and ask Questions.
- 1st** **TIME TO HAND YOU THE KEYS! OUR CLOSINGS MAY BE LOCATED AT THE MODEL FOR YOUR CONVENIENCE.**
  - Make sure you transfer all utility bills in your name.
  - Make sure tax exemptions are on file with the township tax assessor.

Your, -rborHome.com





# Basements Available



## STANDARD BASEMENT FEATURES WITH ARBOR HOMES

### FOOTINGS

- 8" x 16" Interior Footings
- 8" x 16" Footings under Poured Yr.Ills
- 24" X 24" Port Footings

### POURED WALLS

- 8" x 8" Poured ea.,m.,nt Yr.Ills
- optional 9'X8' Poured easem<1nt walls
- 3 x 8" Pour11d upp11r walls

### SLABS

- 4" Thick eas,ment Slab
- 4" Thick Garag<1 slab with cure and S<al

### DRAINAGE

- 4" inwior and Ext<1rior Drain Tk<1
- sump Pit
- Granular Fill

### WATERPROOFING

- Promium w.aterproofing with 20 Year w.arr.nty

### FLOOR SYSTEM

- steel P051S
- L.iminated wood Beams
- Eng<1<1r<1d I-Joins
- 1/4" Tongu<1 and Grovo OSB Docking
- sand eboards covored with House, wrap

### ELECTRICAL

- one Outlet
- one smoke ootector
- Keyless Light Fixture,

### HVAC & PLUMBING

- FUMac<1 and Woltter Heater Located in easement
- Partial eas<1ments 1ndud<1 on11 Rggf<1r
- Full Basomonts 1ndudo 1Wo R<191stors
- Optional Plumbing Rough-Ins

### STAIR SYSTEM

- Finished and Painted Drywall Stairwall
- Trimmed and Paint<1d Skirt Board, Troad and Risers - Ready for Carpot
- Stairwell Light Fixture

### DECK

- 8' x 10' Treated wood OOCk
- Optional 10' x 12' Treated Wood Dock
- optional 12' x 14' Troated Wood cock

### OPTIONAL FINISHED BASEMENTS

- Optional Finished Bathroom
- Optional Finished Basements, includes Battery Back-Up sump Pump

### OPTIONAL WINDOWS

- optional eas,ment sash windows
- (1) easement Egr,ss Windows

### WARRANTIES & SERVICE

- 24-Hour emergency service
- Phono calls Roturnod within 1 Business oay
- 10 year RC1Sd<1ntal warranty corporation (RWC)
- 11-Month Request for service (Upon Request)

011"911"X<1:e  
f.Ng,sm.r.,,ige"tf



# Eco Friendly



## ECO SMART WITH ARBOR HOMES

### HERS® HOME ENERGY RATING SYSTEM

The Home Energy Rating System (HERS)® Index is the industry standard by which a home's energy efficiency is measured. It's also the nationally recognized system for inspecting and calculating a home's energy performance. The lower the HERS Index score, the more efficient the home, which means you'll save money on your monthly energy bills as long as you live in your home.



An Arbor Home is rated better than a Typical New Home on the HERS Index.

On average, Arbor homes are **23%** more energy efficient than a typical new home and **53%** more energy efficient than a typical used home. Just another reason why an Arbor home is an (eco) smart choice.

Arbor Homes believes green homes are better built homes; great comfort, better efficiency, a healthier green living environment & more savings. These are just some of the added benefits provided to you from an Eco Smart Arbor home.

The HERS Index is a registered trademark of RESNET. Additional information on the HERS Index and RESNET can be found at [www.hersindex.org](http://www.hersindex.org). The HERS Index is a registered trademark of RESNET. Additional information on the HERS Index and RESNET can be found at [www.hersindex.org](http://www.hersindex.org). The HERS Index is a registered trademark of RESNET. Additional information on the HERS Index and RESNET can be found at [www.hersindex.org](http://www.hersindex.org).

YourArborHome.com



## ENERGY EFFICIENCY CHECKLIST



BETTER  
THAN  
CODE

ADVANCED AIR SEALING  
THROUGHOUT CONSTRUCTION

YES

INSULATED EXTERIOR FOAM  
SHEATHING

YES

LOWE WINDOWS (U032)

YES

SLAB INSULATION R-10,  
TOTAL OF 41

YES

COMPREHENSIVE DUCT  
SEALING

YES

ADVANCED FRAMING  
(CALIFORNIA CORNERS,  
INSULATED HEADERS, LADDER  
BLOCKING)

YES

3 INDEPENDENT ENERGY  
EFFICIENCY INSPECTIONS  
THROUGHOUT CONSTRUCTION

YES

PERFORMANCE ANALYSIS  
DEMONSTRATING "BETTER-  
THAN-CODE" CONSTRUCTION

YES

GREATER COMFORT AND  
LOWER HEATING & COOLING  
COSTS

YES



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2.1.11



## Application for Approval of Preliminary Map

Date filed October 6, 2022

FOR ZONING FEES  
FROM MONROE MEADOWS ARBOR HO  
AMT DUE: 200.00 40156  
10-17-22 13:58 Z0638123 638

1. Proposed name of subdivision: Monroe Meadows
  - a. Location: Section 29 & 35 Town \_\_\_\_\_  
Range 9 Township Bethel Township  
Within the Municipality of New Carlisle To be Annexed into New Carlisle  
Annexation contemplated Yes - From Bethel Township to New Carlisle  
Within three miles of the Municipality of New Carlisle The City is adjacent on the East, South and West
  - b. Map: Preliminary Yes Resubmitted preliminary \_\_\_\_\_
2. Sponsor of subdivision:  
Name of owner The Swearingen Brothers Revocable Family Trust  
Address: Street 220 South Dayton Brandt Road City New Carlisle, Ohio 45344  
Phone 1.937-604-3719  
Name of Developer Clayton Properties Group, Inc. dba Arbor Homes  
Name of engineer and surveyor American Structurepoint - Columbus, Ohio
3. Subdivision plan:  
Type of development Single Family Subdivision  
Date when construction will start Development - Spring 2023. Homes by December 2023  
Number of residential lots 302 are shown, would like the approval for up to 305  
Typical lot width and depth Average - 50 ft wide x 120 depth / 60 ft wide x 115 depth.  
Total area (acres) 78.28 acres  
Industrial area (acres) N/A  
Business area (acres) N/A  
Park area (acres) 2.03 Acres in a Private Subdivision Park  
Other (acres) N/A  
Will dwellings be built on each residential lot before lot is sold?  
Each lot will be developed, platted, homes built and then a Closing with the Homebuyer.  
Zoning classification of the area, if any? Currently Agricultural - Required change to a PUD

Are any changes in zoning proposed? Yes to a PUD. A draft PUD Text is being provided.

Will there be any area dedicated for public use? Public Right of Ways for all public roads.

Streets 14.34 acres, other than streets 63.94 acres

Are public utilities available in this area? Yes at the existing public streets

Sanitary sewer Yes Water Yes Storm drainage Storm Water to infiltrate

Normal size of building to be erected 1,200 sf to 3,200 sf

Is any part of the plat within 100-year floodplain as defined by the U.S. Army Corps of Engineers? No

Are map elevations based on sea level data? Yes

4. Typical Dwelling: Stories One or two story Rooms varies. Single Family Homes

Garage: Built-in Two Car Garages. Attached Third Car garage is an option on some  
Detached None lots.

Signed

Paul A. Metzger  
Engineer, Developer, Owner

10/6/22  
(Planning Staff)

Received by Renee Bridge

Date 10/10/2022

Paul A. Metzger  
Director of Land Acquisitions & Entitlement

Arbor Homes  
950 Centre Point Drive - Suite 210  
West Chester, Ohio 45069

1.513.667.1182

1.513.678.2417



## Rezoning Applications



City of New Carlisle  
Planning Department  
331 S. Church Street  
New Carlisle, Ohio 45344  
937.845.9492  
[planning@newcarlisle.net](mailto:planning@newcarlisle.net)

### PLANNING BOARD REVIEW APPLICATION

**Application Fee \$200.00**

#### Applicant Information

Name of Applicant: Clayton Properties Group, Inc dba Arbor Homes Email: paul.metzger@yourarborhomes.com  
Mailing Address: 9050 Centre Point Drive - Suite 210. West Chester, Ohio 45069  
Phone Number: 1-513-667-1182 Office Additional Number: 1-513-678-2414 Office

#### Project Description

Address of Property: Addison New Carlisle Road - PIN 015-05-00029-100-006  
Property Owner: James Richard Swearingen Property Owner Phone: 1-937-845-7305  
Property Owner Mailing Address: 2200 South Dayton Brandt Road, New Carlisle, Ohio 45344  
Existing Use (i.e., residential, commercial, etc.): Agricultural  
Zoning District (If not known, leave blank): \_\_\_\_\_

Reason for Planning Board Review: ☐ Subdivision Preliminary Plan ☐ Final Plat ☐ Replat  
☐ Site Plan Review ☐ Conceptual Plan ☐ Lotsplit ☒ Request for Zoning Amendment  
☐ Special Use ☐ Home Occupation ☐ Other: \_\_\_\_\_

Describe Selection Above: It is our desire to have this property annexed into the City, conditioned upon the approval of our Rezoning to a PUD, and the Approval of our Preliminary Plat.

Certification: I, Paul A. Metzger, hereby affirm that I am the property owner or am authorized by the property owner to file this application for review. I further certify that this application and the attached plans and specifications are not a first draft product and represent the actual proposal for which I seek approval. I have investigated the City of New Carlisle Codified Ordinances and hereby certify that to the best of my knowledge, these plans conform to the pertinent requirements.

Signature: Paul A. Metzger Date: 10/6/22  
Paul A. Metzger - Director of Land Acquisition & Entitlement

#### OFFICE USE ONLY

Received By: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Fee Paid: \$ \_\_\_\_\_



City of New Carlisle  
Planning Department  
331 S. Church Street  
New Carlisle, Ohio 45344  
937.845.9492  
[planning@newcarlisle.net](mailto:planning@newcarlisle.net)

**PLANNING BOARD  
REVIEW  
APPLICATION**

**BUILDING INFORMATION**

Number of Employees: N/A Building Capacity: Single Family Homes Number of Seats: N/A  
Building Height: not to exceed 35 ft Building Footprint: 1,200 to 3,400 Building Floor Levels: One & Two Story  
Total Floor Area: \_\_\_\_\_ Located in a Floodplain: \_\_\_ Yes or X No  
Boundary Clearances:  
Front Setback: 25 ft Rear Yard: 25 ft Left Side Yard: 5 ft Right Side Yard: 5 ft  
Other Building Information: \_\_\_\_\_

New Submissions with up to 315 single family lots of 50 ft. wide (75% +/-) and 60 ft. wide (25% +/-)

**DOMESTIC WATER**

Size of Service Requested: A new public water systems will be installed.  
Basis for Design: Subdivision Regulations and Standards of the City of New Carlisle.  
Water Service Details: Standard of the City of New Carlisle  
Fire Service Details: N/A  
Landscape Irrigation: \_\_\_\_\_

**SANITARY SEWER SERVICE**

Size of Service Requested: \_\_\_\_\_  
Basis for Design: Subdivision Regulations and Standards of the City of New Carlisle.  
Special Pre-Treatment: \_\_\_\_\_  
Location, Connection: Connect to the existing system  
Sanitary Service Details: Subdivision Regulations and Standards of the City of New Carlisle.





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Planning Department  
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New Carlisle, Ohio 45344  
937.845.9492  
[planning@newcarlisle.net](mailto:planning@newcarlisle.net)

**PLANNING BOARD  
REVIEW  
APPLICATION**

---

**STORM WATER MANAGEMENT**

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Storm Water Detention Plan: Subdivision Regulations and Standards of the City of New Carlisle.

Storm Water Retention Plan: \_\_\_\_\_

Outlet To: \_\_\_\_\_

100 Year Storm Calculations: \_\_\_\_\_

1 Year Storm Calculations: \_\_\_\_\_

Total Quantity of Detention Proposed: \_\_\_\_\_

Storm Piping Details: Subdivision Regulations and Standards of the City of New Carlisle.

FEMA Flood Zone: \_\_\_\_\_ Flood Zone Details: \_\_\_\_\_

---

**PARKING LOT DESIGN**

---

Type & Thickness of Paving: \_\_\_\_\_

Subdivision Regulations and Standards of the City of New Carlisle.

Total Number of Spaces: N/A Number of Handicap Accessible Spaces: N/A

Minimum Size Parking Space: two per lot on driveway Minimum Width of Aisle: N/A

Number and Type of Truck Loading Spaces: N/A

Parking Lot Layout: Subdivision Regulations and Standards of the City of New Carlisle.

Driveway Width: 16 ft Driveway Details: 4" Poured Concrete Driveways

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937.845.9492  
[planning@newcarlisle.net](mailto:planning@newcarlisle.net)

# PLANNING BOARD REVIEW APPLICATION

## EXTERIOR AND PARKING LOT ILLUMINATION

Lumens: N/A

Basis for Design: Subdivision Regulations and Standards of the City of New Carlisle.

Number of Exterior Lights: TBD - By AES

Types: ☐ Floodlights ☒ Pole Mounted ☐ Shoebox ☐ Building Mounted

Lighting Details and Fixture Information: \_\_\_\_\_

As provided by Franchise Agreement with the City of New Carlisle. Developer to pay up front cost.

## LANDSCAPING

See Landscape Plan on Sheet Number: N/A

Width and Types of Landscaping Along Streets: N/A

Width and Types of Perimeter Landscaping: N/A

Total Area and Type in Parking Lot Interior: N/A

Percentage of Interior Landscaping Compared to Paved Area: N/A

Adjacent Uses: North: N/A South: N/A

West: N/A East: N/A

Type and Width of Landscape Buffer Along Property Lines: N/A

Irrigation: \_\_\_\_\_ Yes ☒ No

Size, Type, and Number of New Trees: \_\_\_\_\_

One (1) - 1 1/2" Deciduous Tree Per Lot. Eight (8) shrubs or bushes per lot with completion of the Homes.





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**PLANNING BOARD  
REVIEW  
APPLICATION**

Size, Type, and Number of Trees Saved: \_\_\_\_\_

N/A

Size, Type, and Number of Trees Removed or Destroyed: \_\_\_\_\_

As required for Gradings and Improvements

Size, Type, and Number of New Bushes, Shrubs: \_\_\_\_\_

See above

Percentage of Landscaped/Lawn Area Compared to Lot Area: \_\_\_\_\_

Area Equals: Maximum House Area + Driveway Pavement Area + Sidewalks = Less than 40%

**OTHER PERTINENT INFORMATION**

Attach Additional Sheets as Needed

## Order Confirmation

**Ad Order Number**

0000772839

**Customer**

New Carlisle, City of

**Payor Customer**

New Carlisle, City of

**PO Number**

Addison-New Carlisle Road

**Sales Rep.**

amy.kirby

**Customer Account**

16724

**Payor Account**

16724

**Ordered By**

Randy Bridge

**Order Taker**

angela.pace

**Customer Address**

PO Box 419

NEW CARLISLE OH 45344 USA

**Payor Address**

PO Box 419

NEW CARLISLE OH 45344 USA

**Customer Fax****Customer EMail**

rbridge@newcarlisle.net

**Order Source**

Non Web

**Customer Phone**

9378459492

**Payor Phone**

9378459492

**Special Pricing****Invoice Text****Ad Order Notes****Net Amount**

\$66.70

**Tax Amount**

\$0.00

**Total Amount**

\$66.70

**Payment Amount**

\$0.00

**Amount Due**

\$66.70

**Ad Number**

0000772839-01

**Ad Type**

Legal

**Production Method**

AdBooker

**Production Notes****External Ad Number****Ad Attributes****Ad Released**

No

**Pick Up****Ad Size**

1 X 29 li

**Color**

| <u>Run Date</u>            | <u>Product</u>         | <u>Placement</u> | <u>Sched Cst</u> | <u>Disc/Prem</u> | <u>Color</u> | <u>Pickup</u> | <u>Tax</u> | <u>Subtotal</u> |
|----------------------------|------------------------|------------------|------------------|------------------|--------------|---------------|------------|-----------------|
| 12/01/2022                 | O-Springfield News Sun | Legals           | \$66.70          | \$0.00           | \$0.00       | \$0.00        | \$0.00     | \$66.70         |
| 12/01/2022 -<br>01/17/2023 | O-Web                  | Legals           | \$0.00           | \$0.00           | \$0.00       | \$0.00        | \$0.00     | \$0.00          |

**Ad Content**



Notice is hereby given that the City of New Carlisle City Council will introduce legislation and hold public hearing on a preliminary planned unit development and zone change application submitted by Arbor Homes for a residential development located off Addison-New Carlisle Road. The public hearing shall take place during the regularly scheduled City Council meeting on January 3, 2023, 6:30PM, at the Smith Park Shelter House, 801 West Jefferson Street, New Carlisle, Ohio 45344. Legislative action will be taken at the regularly scheduled meeting on January 17, 2023, 6:30pm, at the address noted above.  
12-1/2022

0000772839-01

# City Manager Report

January 03, 2023

---

## **A. DEPARTMENTAL REPORTS**

- The Following Departmental Reports will be given at the next City Council meeting that will be held on Tuesday, January 17, 2023
  - Finance, Public Service, Fire/EMS, and Police

## **B. INFORMATIONAL ITEMS**

- Discussion Topics
  - Mayor's Court
    - December Reports - *Attached*
  - Rules of Council
    - *Attached* - Please review for any changes
    - Resolution to accept at the 1/17/2023 meeting
  - Volunteer Fire Fighters' Dependent Fund Board (VFDF)
    - Council needs to elect 2 members for board placement
    - Currently Vice Mayor Grimm and Councilman Lindsey
    - *Motion Request* for board placement
  - 2023 Board Rosters
    - Mr. Steve Fields, Planning Board
    - Mr. Paul Mola, Tax Review Board
    - Ms. Sue Thompson, Tax Review Board
    - *Motion to re-approve* board members at the 01/17/23 meeting
  - Parks & Rec Board
    - Charlotte Farley resigned on 12/15/23, *motion requested* to accept
    - Needs to discuss overall effectiveness, operations, and by-laws of board at another time
  - Intergovernmental Joint Meeting
    - Email communication - *Attached*
    - *Motion to approve* date requested
  - City Administration Building Operational Updates
    - Effective January 03, 2023 - City Building will be closed, daily, between the hours of 12pm-1pm for staff lunches. This will lead to better customer service, due to a full staff, when operating.
  - Future Discussion Needed
    - Ordinance 2022-59 - Residential Trash Can Placement

### Attachment Summary:

Mayor's Court December Reports  
Rules of Council  
Intergovernmental Joint Meeting

### Motion Summary:

VFDF Motion  
Charlotte Farley Parks Board Resignation  
Intergovernmental Joint Meeting





# Mayor's Court Report

December 2022

## December 7, 2022

- **Haworth, Kimberly** of New Carlisle pled guilty to Driving under OVI Suspension and Expired Registration. Defendant to bring in the driving privileges. Continued until January 4.
- **Jenkins, Larry** of Huber Heights pled guilty to License Forfeiture and was fined \$500 plus court cost. If defendant provides this court with valid license within 180 days then \$300 will be suspended. Payment arrangements made.
- **Jobes, Ronnie** of New Carlisle pled guilty to Expired Tags and was fined \$30 plus court cost.
- **Sadgebury, Beverly** of New Carlisle charged with Ext Property & Structure used as storage. Continued until December 21.
- **Storer, Nancy L** of Tipp City pled to Non-Compliance Suspension and Failure to Display. Defendant provided court with a valid license. Fined \$200 plus court cost. Payment arrangements made.

### PAID THROUGH VIOLATION BUREAU

- Stump, Alexis of New Carlisle, Assured clear distance

## December 21, 2022

- **Bailey, Brandon** of Mechanicsburg pled guilty to Non Compliance Suspension. Fined \$700 plus court cost. If defendant gets valid license within 90 days and provides it to the Court then \$500 will be suspended.
- **Chaffman, Christopher** of New Carlisle appeared before this Court due to failure to pay. Defendant made a payment and is required to pay or appear in 2 weeks.
- **Morris, Edward** of New Carlisle appeared before this Court due to failure to pay. (Although Defendant made payment online after he received his letter to appear). Defendant made a payment and is required to pay or appear in 2 weeks.
- **Walden, Amber** of Medway appeared before this Court due to failure to pay. Defendant made a payment and is required to pay or appear in 2 weeks.

### PAID THROUGH VIOLATION BUREAU

- Norman, Marshall of New Carlisle, Expired Plates, \$218



## **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).

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## **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. Committee Reports
9. Comments from Members of the Public
10. Resolutions
11. Ordinances
12. Other Business
13. 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 2022-03R

*Revised 08/01/2022 via Res 2022-13R*



**Subject:** Joint Board Meeting

**Date:** Tuesday, December 20, 2022 at 2:05:17 PM Eastern Standard Time

**From:** VanFleet, Peggy

**To:** Amy Hopkins, Dale Grimm, Linda Eggleston Nowakowski, Mike Lowrey, Peggy Eggleston, Randy Bridge, Ron Cobb

Hi all -

Since January is right around the corner, I wanted to confirm that New Carlisle is set to host the next Joint Board Meeting on January 30th. Is that correct?

***Peggy Van Fleet***

Administrative Assistant, Central Office

phone **937.845.3576**

fax 937.845.4453

ARROW PRIDE!!

**CONFIDENTIALITY NOTICE:** This message may contain personally identifiable information that is confidential. Such information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, printing, distribution, or the taking of any action in reliance on the contents of the information contained herein is strictly prohibited. If you receive this email message in error, please immediately notify me by phone at (937) 845-3576 and delete the message from your computer. Thank you.

## **RESOLUTION 2023-01R**

### **A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE AMERICAN RESCUE FUND TO THE SPECIAL REVENUE AND ENTERPRISE FUNDS OF THE CITY OF NEW CARLISLE**

**WHEREAS**, Sections 5705.14, 5705.15 and 5705.16 of the Ohio Revised Code provide procedures for the legal transfers of funds; and

**WHEREAS**, legal transfers of funds by resolution are intended to be used as a means of providing additional revenues to funds that are in a negative fund balance status or require additional funding for anticipated expenses; and

**WHEREAS**, as part of the City's budgetary process, fund transfers from the City's American Rescue Fund to certain other funds were discussed in public meetings, and were included in the appropriations presented to City Council and attached to City Ordinance 2022-62; and

**WHEREAS**, the City Finance Director has determined that it is necessary to transfer funds from the City's American Rescue Fund to the State Highway and Water Operating Funds in order to prevent and/or clear deficit fund balances.

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

SECTION 1. To permanently transfer funds from the City's American Rescue Fund to the State Highway and Water Operating Funds in the amounts indicated below:

| <b><u>Fund #</u></b>        | <b><u>Description</u></b> | <b><u>Transfer - Out</u></b> | <b><u>Transfer - In</u></b> |
|-----------------------------|---------------------------|------------------------------|-----------------------------|
| <b>American Rescue Fund</b> |                           |                              |                             |
| 235                         | Federal Grant             | \$ 306,661.00                |                             |
| <b>Special Revenue Fund</b> |                           |                              |                             |
| 202                         | State Highway             |                              | \$ 217,500.00               |
| <b>Enterprise Fund</b>      |                           |                              |                             |
| 501                         | Water Operating           |                              | \$ 89,161.00                |
|                             |                           |                              |                             |
|                             | <b>Total All Funds</b>    | <b>\$ 306,661.00</b>         | <b>\$ 306,661.00</b>        |

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

SIGNATURE PAGE TO FOLLOW



Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
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: 01/03/23  
Action: 01/03/23  
Effective: 01/18/23

## **RESOLUTION 2023-02R**

### **A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE DEBT SERVICE, CAPITAL PROJECTS AND ENTERPRISE FUNDS OF THE CITY OF NEW CARLISLE**

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

**WHEREAS**, legal transfers of funds by resolution are intended to be used as a means of providing additional revenues to funds that are in a negative fund balance status or require additional funding for anticipated expenses; and

**WHEREAS**, as part of the City's budgetary process, fund transfers from the City's General Fund to certain other funds were discussed in public meetings, and were included in the detailed appropriations presented to City Council and attached to City Ordinance 2022-62; and

**WHEREAS**, the City Finance Director has determined that it is necessary to transfer funds from the City's General Fund to the General Bond Retirement, Government Center, Pool and Cemetery Funds in order to prevent and/or clear deficit fund balances.

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

**SECTION 1.** To permanently transfer funds from the City's General Fund to the General Bond Retirement, Government Center, Pool and Cemetery Funds in the amounts indicated below:

| <b><u>Fund #</u></b>    | <b><u>Description</u></b> | <b><u>Transfer - Out</u></b> | <b><u>Transfer - In</u></b> |
|-------------------------|---------------------------|------------------------------|-----------------------------|
| <b>General Fund</b>     |                           |                              |                             |
| 101                     | General Fund              | \$ 85,000.00                 |                             |
| <b>Debt Service</b>     |                           |                              |                             |
| 301                     | General Bond Retirement   |                              | \$ 30,000.00                |
| <b>Capital Projects</b> |                           |                              |                             |
| 400                     | Government Center         |                              | \$ 25,000.00                |
| <b>Enterprise Funds</b> |                           |                              |                             |
| 505                     | Pool Fund                 |                              | \$ 20,000.00                |
| 510                     | Cemetery                  |                              | \$ 10,000.00                |
|                         |                           |                              |                             |
|                         | <b>Total All Funds</b>    | <b>\$ 85,000.00</b>          | <b>\$ 85,000.00</b>         |

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

SIGNATURE PAGE TO FOLLOW



Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
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: 01/03/23  
Action: 01/03/23  
Effective: 01/18/23

## **RESOLUTION 2023-03R**

### **A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE ENTERPRISE FUND TO THE CAPITAL PROJECTS FUND OF THE CITY OF NEW CARLISLE**

**WHEREAS**, Sections 5705.14, 5705.15 and 5705.16 of the Ohio Revised Code provide procedures for the legal transfers of funds; and

**WHEREAS**, legal transfers of funds by resolution are intended to be used as a means of providing additional revenues to funds that are in a negative fund balance status or require additional funding for anticipated expenses; and

**WHEREAS**, as part of the City's budgetary process, a fund transfer from the City's Enterprise Fund to the Water Capital Improvement Fund was discussed in public meetings, and was included in the appropriations presented to City Council and attached to City Ordinance 2022-62; and

**WHEREAS**, the City Finance Director has determined that it is necessary to perform a transfer of funds from the City's Enterprise Fund to the Water Capital Improvement Fund in order to prevent and/or clear a deficit fund balance.

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

**SECTION 1.** To permanently transfer funds from the City's Enterprise Fund to the Water Capital Improvement Fund in the amount indicated below:

| <b><u>Fund #</u></b>    | <b><u>Description</u></b> | <b><u>Transfer - Out</u></b> | <b><u>Transfer - In</u></b> |
|-------------------------|---------------------------|------------------------------|-----------------------------|
| <b>Enterprise Funds</b> |                           |                              |                             |
| 501                     | Water Operating           | \$ 5,000.00                  |                             |
| <b>Capital Projects</b> |                           |                              |                             |
| 550                     | Water Capital Improvement |                              | \$ 5,000.00                 |
|                         |                           |                              |                             |
|                         | <b>Total All Funds</b>    | <b>\$ 5,000.00</b>           | <b>\$ 5,000.00</b>          |

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

SIGNATURE PAGE TO FOLLOW



Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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:          |   |   |

Intro: 01/03/23  
Action: 01/03/23  
Effective: 01/18/23

Pass      Fail

## **ORDINANCE 2023-01**

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PETERSON CONSTRUCTION COMPANY FOR THE PURCHASE AND INSTALLATION OF A PRIMARY CLARIFIER AND A SECONDARY CLARIFIER, AND THE DEMOLITION OF TWO CLARIFIERS FOR THE WASTEWATER TREATMENT PLANT

**WHEREAS**, the City needs to replace a primary clarifier and a secondary clarifier maintained by the wastewater department; and

**WHEREAS**, both referenced clarifiers have been in existence for approximately 40 years; and

**WHEREAS**, although both clarifiers are currently operational, neither one of them can be rebuilt in a cost-effective manner or within a reasonable timeframe without custom work because manufacturer parts are no longer available – in essence, each referenced clarifier is past its useful life; and

**WHEREAS**, the City has reviewed and evaluated the bids for the purchase, installation and demolition associated with obtaining two new clarifiers; and

**WHEREAS**, the lowest and best bid for the project was submitted by Peterson Construction Co., which is the responsible bidder that submitted the lowest responsive bid; and

**WHEREAS**, the City desires to accept Peterson Construction Co.'s "base bid" for ClearStream Environmental Inc. clarifiers over its less expensive "alternate bid" for Envirodyne Systems Inc. clarifiers; and

**WHEREAS**, by accepting the "base bid," the new clarifiers will be similar to the other two ClearStream Environmental Inc. clarifiers installed in recent years; and

**WHEREAS**, if all four of the City's clarifiers are manufactured by ClearStream Environmental Inc., then the City would benefit from only needing to stock minimal spare parts, easier training and operation, and access to a manufacturer's representative located in Ohio, all of which would outweigh the lesser cost of the "alternate bid" over the next twenty to thirty years; and

**WHEREAS**, partial funding for this project has been secured through funds from the Ohio Public Works Commission (OPWC) and American Rescue Plan Act (ARPA), with the balance to be paid from the wastewater operating fund.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS** that:

Section 1. The City finds that Peterson Construction Co. is the responsible bidder that submitted the lowest responsive bid, and its bid meets or exceeds the wastewater requirements for this project.

Section 2. The City accepts Peterson Construction Co.'s "base bid," which includes all materials, demolition and turnkey installation for two ClearStream Environmental Inc. clarifiers for a price of Three Hundred Eighty-Five Thousand Dollars (\$385,000.00).



Section 3. The City Manager, or the Director of Public Service/Assistant City Manager as the City Manager's designee, be, and he hereby is, authorized to enter into a contract and to execute all related documents with the successful bidder, Peterson Construction Co., for the purchase of a primary clarifier and a secondary clarifier with installation, including all necessary electrical work, demolition, and any unforeseen project costs, in accordance with the bid specifications.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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

Intro: 1/3/23

Action: 1/17/23

Effective: 2/1/23

## **ORDINANCE 2023-02**

AN ORDINANCE TO PROCEED WITH SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF THE RENEWAL OF AN EXISTING 3.0-MILL TAX LEVY FOR THE OPERATION OF THE NEW CARLISLE FIRE/EMS DEPARTMENT

**WHEREAS**, on December 19, 2022, this Council adopted Resolution 2022-17R pursuant to Section 5705.03 of the Revised Code declaring it necessary to renew an existing 3.0-mill tax levy, for five years, and requesting the Clark County Auditor to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that renewal levy; and

**WHEREAS**, on January 3, 2023, the County Auditor certified the total current tax valuation of the City and the dollar amount of revenue that would be generated by the 3.0-mill renewal tax levy.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS**, that:

Section One. City Council has received certification issued by the County Auditor for Clark County, Ohio, pursuant to Section 5705.03 of the Revised Code, as amended.

Section Two. The amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the City of New Carlisle.

Section Three. City Council of New Carlisle, two-thirds of all members elected thereto concurring, determines that it is necessary to renew an existing 3.0-mill ad valorem property tax outside of the ten-mill limitation for the benefit of the City of New Carlisle for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, at a rate not exceeding 3.0 mills for each one dollar (\$1.00) of valuation, which amounts to thirty cents (\$0.30) for each one hundred dollars (\$100.00) of valuation for a 5-year period commencing in tax year 2023, first due in calendar year 2024.

Section Four. The City of New Carlisle will proceed with the submission of the question of the tax to the electors. Said levy shall be submitted to the electors of this City at the election to be held on Tuesday, May 2, 2023, and at the regular place or places of voting within this City as established by the Board of Elections of Clark County, Ohio during the election hours established by state law or by said Board of Elections. This ballot measure shall be submitted to voters in the entire territory of the City of New Carlisle, and the entire territory of the City of New Carlisle is located within Clark County, Ohio.

Section Five. Said levy shall be placed upon the tax list and duplicate of the then current year of 2023 (the proceeds of which levy first would be available for collection in the calendar year of 2024), if a majority of the qualified electors of this City voting thereon vote in favor thereof.

Section Six. The Clerk of Council, or other authorized official of the City, is hereby directed to deliver or cause to be delivered a certified copy of this Ordinance, Resolution 2022-17R referred to in the first preamble of this Ordinance, and the related County Auditor's certificate to the Board of Elections of Clark County, Ohio, not later than four o'clock (4:00) p.m. on the ninetieth (90<sup>th</sup>) day before the date of said election and to request that the Board of Elections of Clark County, Ohio, cause notice of the election on the question of levying said tax be given as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mike Lowrey, MAYOR

\_\_\_\_\_  
Emily Berner, CLERK

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: 01/03/23

Action: 01/17/23

Effective: 02/01/23



## **ORDINANCE 2023-03**

### **AN ORDINANCE TO PROCEED WITH SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF THE RENEWAL OF AN EXISTING 1.0-MILL TAX LEVY FOR PUBLIC HEALTH PURPOSES**

**WHEREAS**, on December 19, 2022, this Council adopted Resolution 2022-18R pursuant to Section 5705.03 of the Revised Code declaring it necessary to renew an existing 1.0-mill tax levy, for six years, and requesting the Clark County Auditor to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that renewal levy; and

**WHEREAS**, on January 3, 2023, the County Auditor certified the total current tax valuation of the City and the dollar amount of revenue that would be generated by the 1.0-mill renewal tax levy.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS**, that:

- Section One. City Council has received certification issued by the County Auditor for Clark County, Ohio, pursuant to Section 5705.03 of the Revised Code, as amended.
- Section Two. The amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the City of New Carlisle.
- Section Three. City Council of New Carlisle, two-thirds of all members elected thereto concurring, determines that it is necessary to renew an existing 1.0-mill ad valorem property tax outside of the ten-mill limitation for the benefit of the City of New Carlisle for the purpose of supplementing the general fund for the provision of health services to the citizens of the City, at a rate not exceeding 1.0 mill for each one dollar (\$1.00) of valuation, which amounts to ten cents (\$0.10) for each one hundred dollars (\$100.00) of valuation for a 6-year period commencing in tax year 2023, first due in calendar year 2024.
- Section Four. The City of New Carlisle will proceed with the submission of the question of the tax to the electors. Said levy shall be submitted to the electors of this City at the election to be held on Tuesday, May 2, 2023, and at the regular place or places of voting within this City as established by the Board of Elections of Clark County, Ohio during the election hours established by state law or by said Board of Elections. This ballot measure shall be submitted to voters in the entire territory of the City of New Carlisle, and the entire territory of the City of New Carlisle is located within Clark County, Ohio.
- Section Five. Said levy shall be placed upon the tax list and duplicate of the then current year of 2023 (the proceeds of which levy first would be available for collection in the calendar year of 2024), if a majority of the qualified electors of this City voting thereon vote in favor thereof.

Section Six. The Clerk of Council, or other authorized official of the City, is hereby directed to deliver or cause to be delivered a certified copy of this Ordinance, Resolution 2022-18R referred to in the first preamble of this Ordinance, and the related County Auditor's certificate to the Board of Elections of Clark County, Ohio, not later than four o'clock (4:00) p.m. on the ninetieth (90<sup>th</sup>) day before the date of said election and to request that the Board of Elections of Clark County, Ohio, cause notice of the election on the question of levying said tax be given as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mike Lowrey, MAYOR

\_\_\_\_\_  
Emily Berner, CLERK

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:

Intro: 01/03/23

Action: 01/17/23

Effective: 02/01/23

Pass

Fail

## **ORDINANCE 2023-04**

AN ORDINANCE REZONING APPROXIMATELY 79.136 ACRES OF PROPERTY BOUNDED BY ADDISON NEW CARLISLE ROAD TO THE EAST, DRAKE ROAD TO THE SOUTH, BAYBERRY DRIVE TO THE WEST, AND THE BETHEL/PIKE TOWNSHIP LINE TO THE NORTH TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (R-PUD) AND ALSO APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

**WHEREAS**, Clayton Properties Group, Inc. dba Arbor Homes (the “Applicant”) submitted a zoning amendment application to change the zoning of approximately 79.136 acres bounded by Addison New Carlisle Road to the East, Drake Road to the South, Bayberry Drive to the West, and the Bethel/Pike Township Line to the North, which such property is identified as Clark County Parcel ID Number 0150500029100006 and is more fully depicted on Exhibit A (the “Subject Property”), from its current zoning classification “R-2A” Medium Density Single-Family Residence to “R-PUD” Residential Planned Unit Development on the City’s Official Zoning Map, and a Preliminary Planned Unit Development Plan; and

**WHEREAS**, the owners of the Subject Property intend on petitioning the Board of County Commissioners of Clark County for annexation of the Subject Property into the City of New Carlisle; and

**WHEREAS**, the Applicant has entered into a contract to acquire the Subject Property from the owners; and

**WHEREAS**, on November 15, 2022, the Planning Board held a public hearing, after notice of the time and place of the public hearing had been given as required by law, and voted to recommend approval of the requested zoning change and Preliminary Planned Unit Development Plan; and

**WHEREAS**, following the public hearing, the Planning Board made a report of its recommendations, which is attached hereto as Exhibit B, to Council; and

**WHEREAS**, on January 3, 2023, Council held a public hearing on the requested zoning change and Preliminary Planned Unit Development Plan, and recommendations of the Planning Board, after notice of the time and place of the public hearing had been given as required by law; and

**WHEREAS**, Council has determined that the implementation and approval of the requested zoning change and Preliminary Planned Unit Development Plan are in the best interest of the City and its residents.



**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
NEW CARLISLE, CLARK COUNTY, OHIO THAT:**

Section 1. City Council accepts the Planning Board's recommendation and approves the rezoning with map amendment from "R-2A" Medium Density Single-Family Residence to "R-PUD" Residential Planned Unit Development for the property bounded by Addison New Carlisle Road to the East, Drake Road to the South, Bayberry Drive to the West, and the Bethel/Pike Township Line to the North, which such property is identified as Clark County Parcel ID Number 0150500029100006 and is more fully depicted on Exhibit A, contingent upon and subject to a successful annexation petition.

Section 2. City Council accepts the Planning Board's recommendation and approves the Preliminary Planned Unit Development Plan as depicted on Exhibit C attached to this Ordinance, contingent upon and subject to a successful annexation petition.

Section 3. The Applicant shall submit a Final Planned Unit Development Plan acceptable to the City in order to obtain final approval for the Applicant's project. This Final Planned Unit Development Plan must include and comply with all formal requirements of both the Preliminary and Final Planned Unit Development Plan Application processes, as well as all other requirements set forth in Chapter 1278 of the Codified Ordinances and all other applicable provisions of the City's Codified Ordinances.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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

Intro: 1/3/2023  
Action: 1/17/2023  
Effective: 2/16/2023

**DESCRIPTION OF A 79.136 Acres**

Situated in the State of Ohio, County of Clark, Bethel Township, being located in Section 29 and 35, Township 3, Range 9, Between the Miamis, and being a part of those 111.65 acre (original), 13.25 acre (original), and 4.82 acre (original) tracts of land described in a deed to **James Richard Swearingen, Jerald J. Swearingen and Dale Brenner Swearingen as Trustees of the Swearingen Brothers Revocable Family Trust**, of record in Official Record 1885, Page 409, all records referenced herein are on file at the Office of the Recorder for Clark County, Ohio, and being further bounded and described as follows:

**BEGINNING** at a 1.5" iron pipe found at the northwest corner of said Section 29, being the northeast corner of said Section 35, and being in the north line of Bethel Township and the south line of Pike Township, said iron pipe being at the northwest corner of said 4.82 acre (original) tract, the northeast corner of said 111.65 acre (original) tract, and said iron pipe being on the south line of that 2.332 acre tract of land described in a deed to Ronnie L. Salyers, of record in Official Record 1407, Page 948;

Thence **South 84 degrees 43 minutes 34 seconds East**, along the north line of said Section 29, along the north line of said 4.82 acre (original) tract, and along the south line of said 2.332 acre tract, (passing a 5/8" iron pin found with a "PS6028" cap at a distance of 52.45 feet), a total distance of **82.45 feet** to a harrows tooth found at the northeast corner of said 4.82 acre (original) tract, being on the centerline of right-of-way for Addison-New Carlisle Road (right-of-way width varies), said harrows tooth being at the northwest corner of that 1.00 acre tract of land described in a deed to New Carlisle Health Facilities, LLC, of record in Official Record 202, Page 560;

Thence **South 02 degrees 29 minutes 09 seconds West**, along the east line of said 4.82 acre (original) tract, along the centerline of right-of-way for said Addison-New Carlisle Road, and along the west lines of said 1.00 acre tract, those 0.559 acre and 5.353 acre tracts described in a deed to New Carlisle Health Facilities, LLC, of record in Official Record 1980, Page 2243, that 3.494 acre tract of land described in a deed to New Carlisle Providence, LLC, of record in Official Record 2056, Page 1785, that 1.0035 acre tract of land described in a deed to John Cecil Doyle, of record in Official Record 1850, Page 2428, and that 1.1145 acre tract of land described as Tract II in a deed to Gerald A. Poland and Janet M. Poland, Trustee(s) UAD July 16, 2020, The Gerald A. Poland and Janet M. Poland Revocable Living Trust, of record in Official Record 2175, Page 1999, a distance of **1,233.26 feet** to a MAG nail found at the northeast corner of that 3.976 acre tract of land described in a deed to Steven G. Callon and Margaret E. Callon, of record in Official Record 2118, Page 2066;

Thence through said 4.82 acre (original), said 111.65 acre (original), and said 13.25 acre (original) tract along the following five (5) described courses:

1. **North 84 degrees 37 minutes 16 seconds West**, along the north line of said 3.976 acre tract, (passing a 3/4" iron pipe at a distance of 30.05 feet), a total distance of **622.88 feet** to a 5/8" iron pin found at the northwest corner of said 3.976 acre tract;
2. **South 05 degrees 26 minutes 12 seconds West**, along the west line of said 3.976 acre tract, a distance of **152.02 feet** to a 3/4" iron pipe found at the northeast corner of Northwood Subdivision Section Two, as record in Plat Book 10, Page 37;
3. **North 84 degrees 44 minutes 15 seconds West**, along the north line of said Northwood Subdivision Section Two, (passing 5/8" iron pin found 0.23 feet south with a "ML Oxner" cap at a distance of 647.15 feet, a 3/4" iron pipe found 0.15 feet south at a distance of 887.33 feet, a 5/8" iron pin found 0.24 feet south at a distance of 947.36 feet, a MAG nail found at a distance of 1,127.30 feet, a 3/4" iron pipe found 0.12 feet north at a distance of 1,187.37 feet, and a PK Nail found at a distance of 1,247.51 feet), a total distance of **1,383.87 feet** to the southeast corner of that 20.0 acre tract of land described in a deed to Board of Education of Tecumseh Local School District, of record in Official Record 1756, Page 212, (reference a 5/8" iron pin found bearing North 04 degrees 29 minutes 15 seconds East at a distance of 0.18 feet);
4. **North 04 degrees 29 minutes 15 seconds East**, along the east line of said 20.0 acre tract, (passing a 5/8" iron pin found at a distance of 0.18 feet), a total distance of **722.41 feet** to a 1" iron pipe found at the northeast corner of said 20.0 acre tract;

5. **North 84 degrees 45 minutes 29 seconds West**, along the north line of said 20.0 acre tract, (passing a 5/8" iron pin at a distance of 1,166.92 feet), a total distance of **1,206.04 feet** to an iron pin set at the northwest corner of said 20.0 acre tract, being on the west line of said 13.25 acre (original) tract, and being on the east line of Silverlake Estates Section Two, as recorded in Plat Book 12, Page 39;

Thence **North 04 degrees 27 minutes 57 seconds East**, along the west line of said 13.25 acre tract and along the east line of said Silverlake Estates Section Two, a distance of **658.46 feet** to a 3/4" iron pipe (bent) found at the northwest corner of said 13.25 acre (original) tract, (reference Clark County GPS Monument designated "CLARK 4" bearing South 86 degrees 10 minutes 49 seconds West at a distance of 2,493.77 feet), being the northeast corner of said Silverlake Estates Section Two, said iron pipe being on the north line of said Section 35, and being on the south line of that 84.357 acre tract of land described in a deed to Gregory M. Snyder and Amanda J. Snyder, of record in Official Record 1961, Page 1435;

Thence **South 84 degrees 27 minutes 21 seconds East**, along the north line of said Section 35, along the north line of said 13.25 acre (original) tract, along the south line of said 84.357 acre tract, and along the common line between Bethel Township and Pike Township, a distance of **327.79 feet** to a 5/8" iron pin found at the northeast corner of said 13.25 acre (original) tract, being the northwest corner of said 111.65 acre (original) tract, said iron pin being at the common corner of the northwest quarter and northeast quarter of said Section 35;

Thence **South 84 degrees 49 minutes 05 seconds East**, along the north line of said Section 35, along the north line of said 111.65 acre (original) tract, and along the south lines of said 84.357 acre tract, those 41.174 acre and 48.474 acre tracts of land described in a deed to Richard E. Storck and Marilyn A. Storck, Grantors and/or Trustees of The Storck Family Revocable Living Trust, dated January 27, 2005, of record in Official Record 1736, Page 1688, that 0.419 acre tract of land described in a deed to Ronnie L. Salyers, of record in Official Record 1453, Page 724, and said 2.332 acre tract, (passing a 5/8" iron pin found 1.10 feet north at a distance of 16.50 feet, a 5/" iron pin found 1.44 feet north at a distance of 766.04 feet, and a 5/8" iron pin found 0.15 feet north at a distance of 2,090.66 feet), a total distance of **2,762.19 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **79.136 acres** (including 0.849 acres with the present road occupied) out of Clark County Auditor's Parcel Number 0150500029100006.

Iron pins referenced as set are 5/8" diameter by 30" long rebar with caps inscribed "ASI PS 8808".

Bearings described herein are based on the bearing of South 02 degrees 29 minutes 09 seconds West for the centerline of Addison-New Carlisle Road, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), established utilizing a GPS Survey and an NGS OPUS solution.

This description was prepared by Michael J. Ward, Registered Professional Surveyor Number 8808, is based on an actual survey of the premises performed under my direction, completed May 23, 2022, and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

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Michael J. Ward  
Registered Professional Surveyor No. 8808

---

Date



**Jake Jeffries**

---

**From:** Randy Bridge <rbridge@newcarlisleohio.gov>  
**Sent:** Thursday, December 29, 2022 9:13 AM  
**To:** Jake Jeffries  
**Subject:** FW: Planning Board Report November 15. 2022

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sincerely,

Randy Bridge, City Manager  
New Carlisle, OH  
937.845.9492  
[www.newcarlisleohio.gov](http://www.newcarlisleohio.gov)

- This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This message contains confidential information and is intended only for the individual named. If you are not the named addressee, you should not disseminate, distribute or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. If you are not the intended recipient, you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

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**From:** Planning Board #3 <pb3@newcarlisleohio.gov>  
**Date:** Wednesday, November 16, 2022 at 10:21 AM  
**To:** Randy Bridge <rbridge@newcarlisleohio.gov>  
**Subject:** Planning Board Report November 15. 2022

Mr. Bridge, Members of City Council

On November 15, 2022, the Planning Board held a public meeting for Arbor Homes Preliminary Map and Zoning Change Application. After reviewing the site plan, all the requested changes the Board had requested from the previous meeting had been completed. During this meeting public comments from Mr. & Mrs. Callon 1769 Addison-New Carlisle Rd. Requested some sort of a barrier at the property line that abuts this project. This was discussed by the Board, The Planning Director Mr. Bridge, and Mr. Metzger from Arbor Homes, also a request for a 20-foot rear set back on lots 204-234 from Mr. Metzger. The Planning Board Approved this Preliminary Map and Zoning Change with the following Modifications.

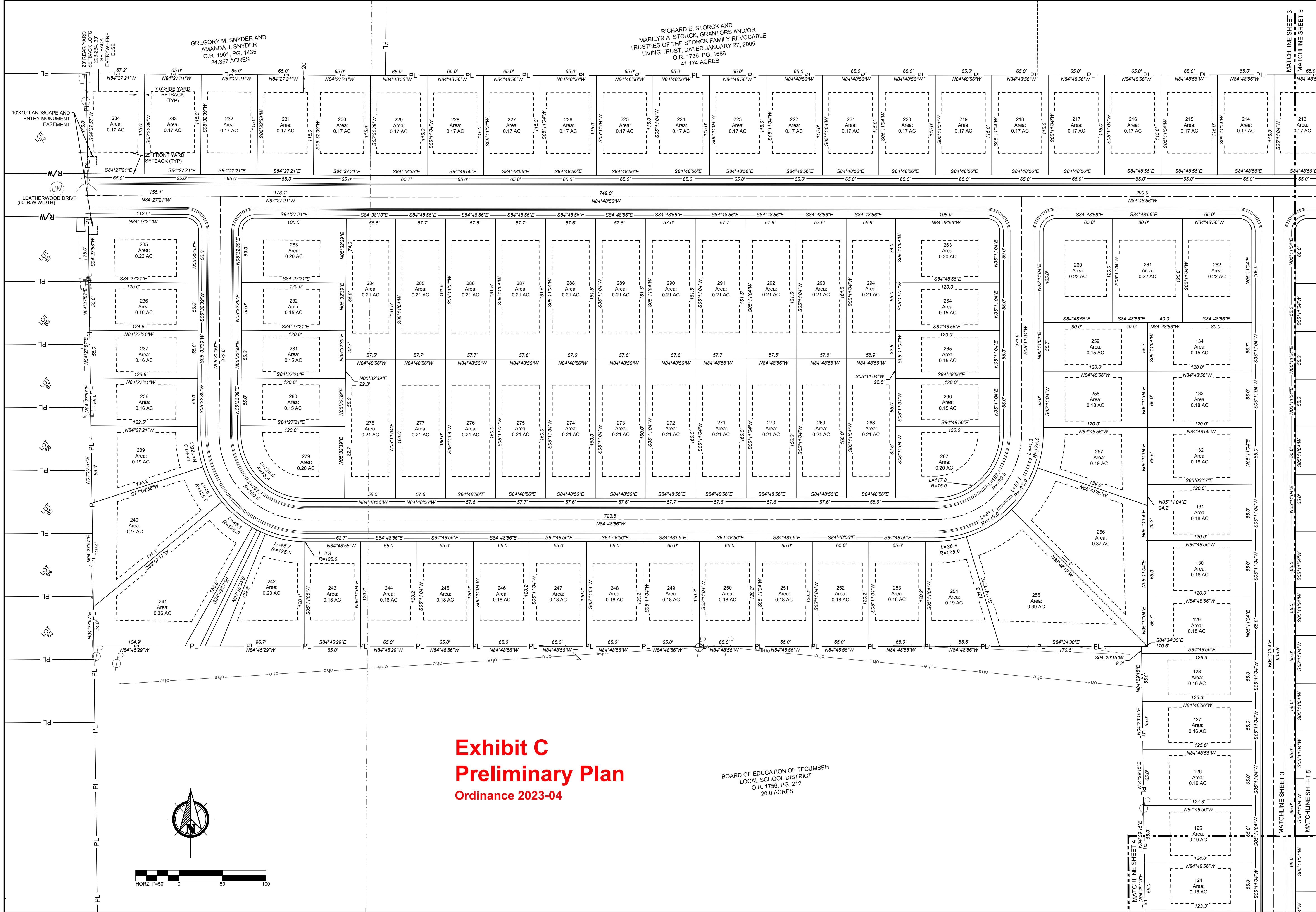
1. There will be a 6-foot dirt mound in the open space D with Green Shrubs along the West property line of the Callon Property.
2. Lots 204 thru 234 on the North side of the Development will be permitted a 20-foot rear set back to accommodate the Houses they plan to build in this development.

The Planning Board Recommends Council Approve this preliminary Site Plan and Zoning Request, with any further Modifications Council should choose to make.

Our Next Planning Board Meeting is scheduled for January 10, 2023, 6PM at the Shelter House.

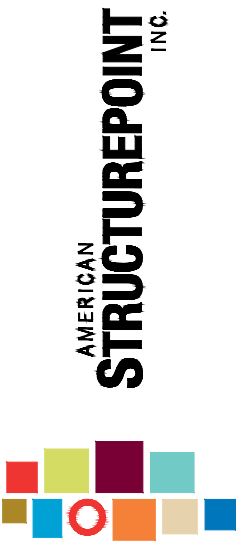

Respectfully Submitted, Steve Fields, President New Carlisle Planning Board.

PLOT SCALE: 1"=50' DATE: 11/18/22 - 2:28 PM EDITED BY: LOELINK DRAWING FILE: 020203113.D DRAWING CIVIL CONSTRUCTION DOCUMENTS\PRELIM PLAT\2021.03113.CE.GDWG



**Exhibit C**  
**Preliminary Plan**  
Ordinance 2023-04

BOARD OF EDUCATION OF TECUMSEH  
LOCAL SCHOOL DISTRICT  
O.R. 1756, PG. 212  
20.0 ACRES



2550 Corporate Exchange Dr., Ste 300 | Columbus, Ohio 43231  
TEL: 614.461.1226  
www.structurepoint.com

PRELIMINARY PLAT  
FOR  
**MONROE MEADOWS**  
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO

**DETAILED PRELIMINARY PLAT**

| REVISIONS | DATE     | SHEET NO. | DESCRIPTION                                                                             |
|-----------|----------|-----------|-----------------------------------------------------------------------------------------|
| 1         | 11/17/22 | 2-6, 8    | ALTERATION SIGNAGE SHIFT<br>LANDSCAPE MOUNDING, LOT SIZE<br>REVISED REAR YARD SETBACKS. |

APPROVAL PENDING NOT FOR  
CONSTRUCTION

IN SUBMITTING BIDS IN RELIANCE ON  
THESE PLANS THE CONTRACTOR  
ASSUMES ALL RISKS OF ADDITIONAL  
COSTS OF REVISIONS DUE TO  
REQUIREMENTS OF THE OWNER OR  
GOVERNMENTAL AUTHORITIES AND  
MATERIAL REVISIONS IN THE COURSE  
OF COMPLETING THE FINAL DESIGN.

|             |            |
|-------------|------------|
| DATE:       | 11/03/2022 |
| DRAWN BY:   | DA         |
| CHECKED BY: | GPB        |
| JOB NUMBER: | 2021.03113 |

3/9



## **ORDINANCE 2023-05**

### **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH CLAYTON PROPERTIES GROUP, INC. (DBA ARBOR HOMES) AND THE CURRENT PROPERTY OWNERS**

**WHEREAS**, Clayton Properties Group, Inc. dba Arbor Homes (“Developer”) has a contract to acquire fee simple title to approximately 79.136 acres of undeveloped land bounded by Addison New Carlisle Road to the East, Drake Road to the South, Bayberry Drive to the West, and the Bethel/Pike Township Line to the North, which such property is identified as Clark County Parcel ID Number 0150500029100006 and is more fully depicted on Exhibit A attached to the Pre-Annexation Agreement (“Property”); and

**WHEREAS**, the current owners of the Property are the Trustees of the Swearingen Brothers Revocable Family Trust (collectively, “Owner”); and

**WHEREAS**, Developer has indicated its desire to petition the Clark County Commissioners for the annexation of the Property into the City of New Carlisle; and

**WHEREAS**, Developer wishes to annex the Property into the City in order to avail the Property of all City services available to other parts of the City, including fire and police protection, emergency medical, waste collection, water, sanitary sewer, zoning, and City street maintenance services, which services will be provided to the extent and in the same manner as provided to other parts of the City; and

**WHEREAS**, the proposed Pre-Annexation Agreement between the City, Developer and Owner is attached; and

**WHEREAS**, Council has deemed it to be in the best interest of the City and its residents to enter into the aforesaid Pre-Annexation Agreement.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS**, that:

**SECTION 1.** The City Manager is hereby authorized to enter into a Pre-Annexation Agreement, in a form substantially similar to the Pre-Annexation Agreement attached hereto and incorporated herein by reference, with Developer and Owner on behalf of the City of New Carlisle.

SIGNATURE PAGE TO FOLLOW

Passed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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:          |   |   |

Intro: 01/03/23  
Action: 01/17/23  
Effective: 02/01/23

Pass Fail

## **PRE-ANNEXATION AGREEMENT**

This PRE-ANNEXATION AGREEMENT (the “Agreement”) is made and entered into by and between the City of New Carlisle, Ohio, an Ohio municipal corporation (the “City”), and Clayton Properties Group, Inc. (dba Arbor Homes), (“Developer”) under the following circumstances:

- A. Developer has a contract to acquire fee simple title to approximately 79.136 acres of undeveloped land bounded by Addison New Carlisle Road to the East, Drake Road to the South, Bayberry Drive to the West, and the Bethel/Pike Township Line to the North with Clark County Parcel ID Number 0150500029100006. This undeveloped land is proposed to be annexed into the City; specifically, the land more particularly described on Exhibit A and depicted on Exhibit B attached hereto and made a part hereof (the “Property”); and
- B. Developer with the consent of the owners of the Property (collectively, the “Owner”) as provided herein, desires to annex the Property into the City in order to obtain the City’s services; and
- C. The Developer, the Owner and the City can benefit by having the Property annexed into the City.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and Developer hereby agree as follows:

1. Annexation.

(a) The Developer will, at its own expense, prepare and file the necessary annexation petition executed by the Owner, with accompanying map or plat with the Clark County Board of County Commissioners (“Commissioners”) within thirty (30) days after the execution of this Agreement. The Owner will sign the annexation petition as prepared and will support and not withdraw its name or request withdrawal of the petition or petitions during the annexation process and/or any subsequent administrative or legal action involving pursuit of the annexation.

(b) The annexation petition shall be filed as an “Expedited Type 2” annexation as provided in Section 709.023 of the Ohio Revised Code.

(c) The City acknowledges its intent to pass a service resolution and/or any necessary supporting resolutions as required by Section 709.023(C) of the Ohio Revised Code within twenty (20) days of the date of the filing of the annexation petition with the Commissioners. Under the service resolution, the City will make available to the Property all City services available to other parts of the City, including fire and police protection, emergency medical, waste collection, water, sanitary sewer, zoning, and City street maintenance services, which services will be provided to the extent and in the same manner as provided to other parts of the City. The service resolution will establish the approximate date when those services will be available to the Property, once annexed. Additionally, the City further agrees if a street or highway will be divided or segmented by the boundary line between the municipality and township as to create a road maintenance problem, due to the proposed annexation, the City, as a condition of



annexation, will assume maintenance of that street or highway or otherwise correct the problem. The service resolution shall provide a statement of incompatible land uses and zoning buffer as required by Section 709.023(C) of the Ohio Revised Code.

(d) The Developer, the Owner, and the City agree to cooperate and provide information necessary for the Commissioners for any review of the annexation as required by Section 709.023 of the Ohio Revised Code. If, at the conclusion of the review process the Commissioners deny the annexation petition, the Developer and Owner may at their sole cost and expense file in the appropriate court a request for a writ of mandamus to compel the Commissioners to approve the annexation as set out in Section 709.023 of the Ohio Revised Code.

(e) Should the annexation petition be granted by the Commissioners, the Owner, the Developer, and the City agree to further process the annexation as provided by law, subject to the terms of this Agreement.

## 2. Zoning.

(a) The Property sought to be annexed is currently zoned R-2A. The City agrees that once an annexation petition has been approved by the Commissioners, the City will accept a zoning application for rezoning the Property to an R-PUD District which will, among other things, permit the Developer/Owner's intended use as a single-family housing community as generally depicted on Exhibit C (Preliminary Site Plan).

(b) The City recognizes that if the Commissioners grant the annexation petition, once the annexation proceedings are placed before City Council by the City Clerk, the City has one hundred twenty days (120) days to accept or reject the annexation. The City agrees that it will not accept the annexation of the Property unless and until it is prepared to contemporaneously rezone the Property through the requisite planning and zoning process to the R-PUD classification, in a form that is substantially similar to Exhibit C. If the rezoning cannot be accomplished and/or the re-zoning is referred to the voters or defeated for any reason, or the other conditions of this Agreement cannot be met as acceptable to the Developer and the Owner, the City agrees that, upon written request of the Owner and Developer, it will not annex the Property.

(c) Notwithstanding Section 2(b) or any other contrary provision of this Agreement, if the City annexes the Property and the rezoning is thereafter referred to the voters or defeated for any reason, the City shall, upon the Developer's written request, (i) reconsider the ordinance or resolution accepting the annexation and rescind, repeal and reject such acceptance, and/or (ii) unless not permitted by the City's Charter or Codified Ordinances, cooperate fully with the Developer and the Owner to detach or de-annex the Property from the City under applicable Ohio Revised Code procedures and consent to, wholly and fully support and not oppose any petition by the Owner to detach or de-annex the Property from the City and take any other action provided or required by law to detach or de-annex the Property. Developer reserves the right to seek specific performance of the City's obligations under this Section 2(c).

(d) The City will consider proposed tax increment financing for any public streets and/or other public improvements in the proposed residential development of the Property, provided that the City reserves the right to approve the financial aspects and all other terms and conditions of the proposed tax increment financing.

3. Platting. Once the annexation to the City has been completed and the re-zoning approved, the Owner may submit, if desired by Owner, a preliminary and final plat. If filed, the City agrees to process the preliminary and/or final plat application as soon as practical under the City's Subdivision Rules and Regulations and will attempt to provide the engineering reviews and other items necessary for preliminary and/or preliminary and final combined plats in a reasonable and expeditious manner. It is understood that the platting will meet the City's Subdivision Rules and Regulations, including but not limited to standards and regulations relating to streets, street/road improvements, and traffic; and the regular fees for such review will be applied.

4. Waiver. The failure of any party to insist upon strict adherence to any term of this Agreement on any occasion shall not be considered a waiver of any right hereunder, nor shall it deprive that party of the right thereafter to insist upon strict adherence to that term or any other term of this Agreement. Any waiver must be made in writing.

5. Execution. This Agreement shall not be binding on the parties unless and until it has been signed on their behalf by a duly authorized representative. Commencement of performance hereunder shall not constitute a waiver of this requirement. This Agreement may be executed in one or more counterparts by either party hereto and by all parties hereto in separate counterparts, each of which, when so executed and delivered to the other parties, shall be deemed an original. All such counterparts together shall constitute one and the same instrument.

6. Severability. If any provision of this Agreement should be or become fully or partly invalid or unenforceable for any reason whatsoever or violate any applicable law, this Agreement is to be considered divisible as to such provision and such provision is to be deleted from this Agreement, and the remainder of this Agreement shall be deemed valid and binding as if such provision were not included herein.

7. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

8. Relationship of the Parties. Except as expressly stated and provided for herein, neither anything contained in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of association between any of the parties to this Agreement.

9. No Third-Party Beneficiary. The provisions of this Agreement are for the exclusive benefit of the City, the Developer and the Owner and not for the benefit of any other person or entity, nor shall this Agreement be deemed to have conferred any rights, express or implied, upon any other person or entity.

10. Time is of the Essence. Time is of the essence for all matters in this Agreement and each party shall diligently pursue and complete its obligations hereunder. In the event any deadline falls on a weekend or holiday the deadline shall be extended to the next business day, being Monday through Friday.

11. Force Majeure. Neither party shall be in default in the performance of any obligation on such party's part to be performed under this Agreement, other than an obligation requiring payment of a sum of money, if and so long as the non-performance of such obligation shall be directly caused by labor disputes, lockouts, acts of God, enemy action, civil commotion, pandemic, epidemic, governmental order, rule or regulations, riot, and conditions that could not have been reasonably foreseen by the claiming party.

12. Assignment of Agreement. Developer shall not assign this Agreement, or any part thereof, or any duty, obligation, privilege or right granted under this Agreement to any other developer, person, or entity without the express written consent of the City, which shall not be unreasonably withheld.

13. Binding Effect. This Agreement and all of the provisions herein shall run with the land and shall be binding upon and inure to the benefit of the parties and their respective successors and permitted assigns.

14. Entire Agreement/Merger/Modification. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter set forth herein and supersedes any and all other agreements, oral or written. No modification, amendment, alteration, or addition shall be made to this Agreement except in writing duly executed by the City and the Developer (with written consent thereto by the Owner).

15. Joinder of Owner. The Owner joins in the execution of this Agreement to consent to the terms hereof and to acknowledge Owner's agreement to sign the annexation petition and perform the other actions of Owner contemplated by this Agreement.

16. Effective Date. This Agreement shall be effective when duly signed by the Developer, the City, and the Owner.

[Remainder of Page Intentionally Left Blank]



The foregoing instrument was executed this \_\_\_\_ day of \_\_\_\_\_, 2023.

DEVELOPER:

Clayton Properties Group, Inc. (dba Arbor Homes)

By: \_\_\_\_\_

Name:

Title:

STATE OF OHIO )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

BEFORE ME, a Notary Public in and for such County and State, personally appeared \_\_\_\_\_, the \_\_\_\_\_ of Clayton Properties Group, Inc. (dba Arbor Homes), who acknowledged that he did sign the foregoing instrument for and on behalf of such company, and that the same is the free act and deed of such officer and the free act and deed of him personally and as such Company. This is an acknowledgment. No oath or affirmation was administered to the signer with regard to this notarial act.

IN TESTIMONY, I set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary Public (Seal)



STATE OF OHIO )  
 ) SS.  
COUNTY OF \_\_\_\_\_)

BEFORE ME, a Notary Public in and for such County and State, personally appeared Jerald J. Swearingen, Trustee, who acknowledged that he did sign the foregoing instrument, and that the same is his free act and deed personally and in trust capacity. This is an acknowledgment. No oath or affirmation was administered to the signer with regard to this notarial act.

IN TESTIMONY, I set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary Public (Seal)

STATE OF OHIO )  
 )  
 ) SS.  
COUNTY OF \_\_\_\_\_)

BEFORE ME, a Notary Public in and for such County and State, personally appeared Dale Brenner Swearingen, Trustee, who acknowledged that he did sign the foregoing instrument, and that the same is his free act and deed personally and in trust capacity. This is an acknowledgment. No oath or affirmation was administered to the signer with regard to this notarial act.

IN TESTIMONY, I set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary Public (Seal)



CITY

CITY OF NEW CARLISLE, an Ohio municipal  
corporation

By:\_\_\_\_\_

Name:

Title:

Approved as to Form:

\_\_\_\_\_  
Director of Law

**DESCRIPTION OF A 79.136 Acres**

Situated in the State of Ohio, County of Clark, Bethel Township, being located in Section 29 and 35, Township 3, Range 9, Between the Miamis, and being a part of those 111.65 acre (original), 13.25 acre (original), and 4.82 acre (original) tracts of land described in a deed to **James Richard Swearingen, Jerald J. Swearingen and Dale Brenner Swearingen as Trustees of the Swearingen Brothers Revocable Family Trust**, of record in Official Record 1885, Page 409, all records referenced herein are on file at the Office of the Recorder for Clark County, Ohio, and being further bounded and described as follows:

**BEGINNING** at a 1.5" iron pipe found at the northwest corner of said Section 29, being the northeast corner of said Section 35, and being in the north line of Bethel Township and the south line of Pike Township, said iron pipe being at the northwest corner of said 4.82 acre (original) tract, the northeast corner of said 111.65 acre (original) tract, and said iron pipe being on the south line of that 2.332 acre tract of land described in a deed to Ronnie L. Salyers, of record in Official Record 1407, Page 948;

Thence **South 84 degrees 43 minutes 34 seconds East**, along the north line of said Section 29, along the north line of said 4.82 acre (original) tract, and along the south line of said 2.332 acre tract, (passing a 5/8" iron pin found with a "PS6028" cap at a distance of 52.45 feet), a total distance of **82.45 feet** to a harrows tooth found at the northeast corner of said 4.82 acre (original) tract, being on the centerline of right-of-way for Addison-New Carlisle Road (right-of-way width varies), said harrows tooth being at the northwest corner of that 1.00 acre tract of land described in a deed to New Carlisle Health Facilities, LLC, of record in Official Record 202, Page 560;

Thence **South 02 degrees 29 minutes 09 seconds West**, along the east line of said 4.82 acre (original) tract, along the centerline of right-of-way for said Addison-New Carlisle Road, and along the west lines of said 1.00 acre tract, those 0.559 acre and 5.353 acre tracts described in a deed to New Carlisle Health Facilities, LLC, of record in Official Record 1980, Page 2243, that 3.494 acre tract of land described in a deed to New Carlisle Providence, LLC, of record in Official Record 2056, Page 1785, that 1.0035 acre tract of land described in a deed to John Cecil Doyle, of record in Official Record 1850, Page 2428, and that 1.1145 acre tract of land described as Tract II in a deed to Gerald A. Poland and Janet M. Poland, Trustee(s) UAD July 16, 2020, The Gerald A. Poland and Janet M. Poland Revocable Living Trust, of record in Official Record 2175, Page 1999, a distance of **1,233.26 feet** to a MAG nail found at the northeast corner of that 3.976 acre tract of land described in a deed to Steven G. Callon and Margaret E. Callon, of record in Official Record 2118, Page 2066;

Thence through said 4.82 acre (original), said 111.65 acre (original), and said 13.25 acre (original) tract along the following five (5) described courses:

1. **North 84 degrees 37 minutes 16 seconds West**, along the north line of said 3.976 acre tract, (passing a 3/4" iron pipe at a distance of 30.05 feet), a total distance of **622.88 feet** to a 5/8" iron pin found at the northwest corner of said 3.976 acre tract;
2. **South 05 degrees 26 minutes 12 seconds West**, along the west line of said 3.976 acre tract, a distance of **152.02 feet** to a 3/4" iron pipe found at the northeast corner of Northwood Subdivision Section Two, as record in Plat Book 10, Page 37;
3. **North 84 degrees 44 minutes 15 seconds West**, along the north line of said Northwood Subdivision Section Two, (passing 5/8" iron pin found 0.23 feet south with a "ML Oxner" cap at a distance of 647.15 feet, a 3/4" iron pipe found 0.15 feet south at a distance of 887.33 feet, a 5/8" iron pin found 0.24 feet south at a distance of 947.36 feet, a MAG nail found at a distance of 1,127.30 feet, a 3/4" iron pipe found 0.12 feet north at a distance of 1,187.37 feet, and a PK Nail found at a distance of 1,247.51 feet), a total distance of **1,383.87 feet** to the southeast corner of that 20.0 acre tract of land described in a deed to Board of Education of Tecumseh Local School District, of record in Official Record 1756, Page 212, (reference a 5/8" iron pin found bearing North 04 degrees 29 minutes 15 seconds East at a distance of 0.18 feet);
4. **North 04 degrees 29 minutes 15 seconds East**, along the east line of said 20.0 acre tract, (passing a 5/8" iron pin found at a distance of 0.18 feet), a total distance of **722.41 feet** to a 1" iron pipe found at the northeast corner of said 20.0 acre tract;

5. **North 84 degrees 45 minutes 29 seconds West**, along the north line of said 20.0 acre tract, (passing a 5/8" iron pin at a distance of 1,166.92 feet), a total distance of **1,206.04 feet** to an iron pin set at the northwest corner of said 20.0 acre tract, being on the west line of said 13.25 acre (original) tract, and being on the east line of Silverlake Estates Section Two, as recorded in Plat Book 12, Page 39;

Thence **North 04 degrees 27 minutes 57 seconds East**, along the west line of said 13.25 acre tract and along the east line of said Silverlake Estates Section Two, a distance of **658.46 feet** to a 3/4" iron pipe (bent) found at the northwest corner of said 13.25 acre (original) tract, (reference Clark County GPS Monument designated "CLARK 4" bearing South 86 degrees 10 minutes 49 seconds West at a distance of 2,493.77 feet), being the northeast corner of said Silverlake Estates Section Two, said iron pipe being on the north line of said Section 35, and being on the south line of that 84.357 acre tract of land described in a deed to Gregory M. Snyder and Amanda J. Snyder, of record in Official Record 1961, Page 1435;

Thence **South 84 degrees 27 minutes 21 seconds East**, along the north line of said Section 35, along the north line of said 13.25 acre (original) tract, along the south line of said 84.357 acre tract, and along the common line between Bethel Township and Pike Township, a distance of **327.79 feet** to a 5/8" iron pin found at the northeast corner of said 13.25 acre (original) tract, being the northwest corner of said 111.65 acre (original) tract, said iron pin being at the common corner of the northwest quarter and northeast quarter of said Section 35;

Thence **South 84 degrees 49 minutes 05 seconds East**, along the north line of said Section 35, along the north line of said 111.65 acre (original) tract, and along the south lines of said 84.357 acre tract, those 41.174 acre and 48.474 acre tracts of land described in a deed to Richard E. Storck and Marilyn A. Storck, Grantors and/or Trustees of The Storck Family Revocable Living Trust, dated January 27, 2005, of record in Official Record 1736, Page 1688, that 0.419 acre tract of land described in a deed to Ronnie L. Salyers, of record in Official Record 1453, Page 724, and said 2.332 acre tract, (passing a 5/8" iron pin found 1.10 feet north at a distance of 16.50 feet, a 5/" iron pin found 1.44 feet north at a distance of 766.04 feet, and a 5/8" iron pin found 0.15 feet north at a distance of 2,090.66 feet), a total distance of **2,762.19 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **79.136 acres** (including 0.849 acres with the present road occupied) out of Clark County Auditor's Parcel Number 0150500029100006.

Iron pins referenced as set are 5/8" diameter by 30" long rebar with caps inscribed "ASI PS 8808".

Bearings described herein are based on the bearing of South 02 degrees 29 minutes 09 seconds West for the centerline of Addison-New Carlisle Road, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), established utilizing a GPS Survey and an NGS OPUS solution.

This description was prepared by Michael J. Ward, Registered Professional Surveyor Number 8808, is based on an actual survey of the premises performed under my direction, completed May 23, 2022, and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

---

Michael J. Ward  
Registered Professional Surveyor No. 8808

---

Date



PLOT SCALE: 1"=200' DATE: 8/19/22 - 7:47 AM EDITED BY: MWJ DRAWING FILE: O:\2021\03113.D. DRAWINGSSURVEY\202103113.SV.2022-06-20.BOUNDARY PLAT.DWG

LEGEND

- I.P.S. 5/8" iron pin set w/ "Structurepoint-PS 8808" cap
- I.P.F. iron pipe found (see note for type, size, etc.)
- ⊙ I.P.F. iron pin found (see note for type, size, etc.)
- P.K.F. PK nail found
- M.N.F. MAG nail found
- ⊙ Clark County GPS Monument

BOUNDARY PLAT OF 79.136 ACRES

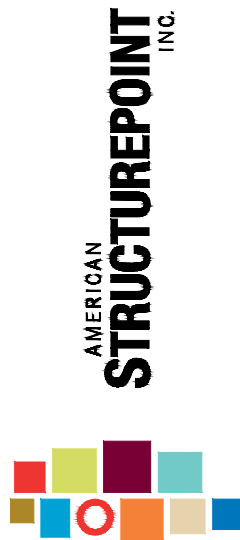
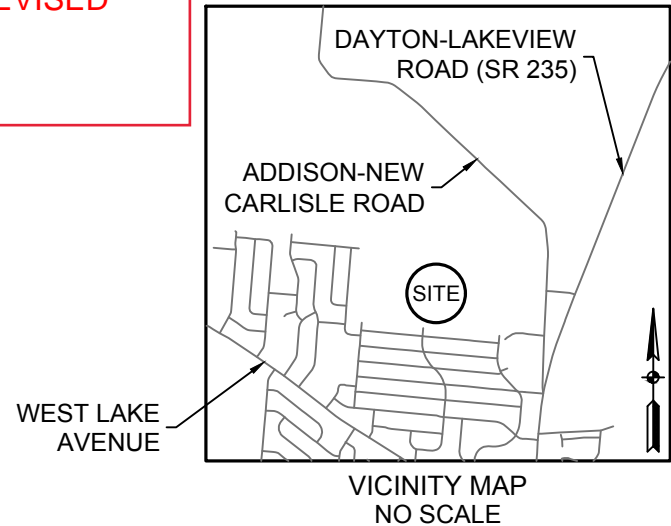
STATE OF OHIO, COUNTY OF CLARK, TOWNSHIP OF BETHEL  
SECTIONS 29 & 35, TOWNSHIP 3, RANGE 9  
BETWEEN THE MIAMIS

PRE-APPROVED  
Not to be used for recording  
Clark County Tax Map Department  
Richard Hankison P.S. - Aug 19, 2022

AS NOTED

CLARK COUNTY ENGINEER'S REVISED  
RECORD OF LAND SURVEYS  
VOLUME\_\_\_\_, PAGE\_\_\_\_

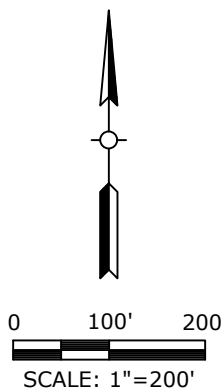
THIS SHOULD BE  
IN THE UPPER  
RIGHT HAND  
CORNER OF THE  
SHEET.



2550 Corporate Exchange Dr., Ste 300 | Columbus, Ohio 43231  
TEL 614.901.2235 | FAX 614.901.2236  
www.structurepoint.com

BOUNDARY SURVEY  
FOR  
MONROE MEADOWS  
CLARK COUNTY, OHIO

Exhibit B  
Boundary Plat  
Ordinance 2023-05



BASIS OF BEARINGS

Bearings described hereon are based on South 02 degrees 29 minutes 09 seconds West for the centerline of Addison-New Carlisle Road, measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

PID: 0150500029100006  
JAMES RICHARD SWEARINGEN, JERALD J. SWEARINGEN AND DALE BRENNER  
SWEARINGEN AS TRUSTEES OF THE  
SWEARINGEN BROTHERS REVOCABLE  
FAMILY TRUST  
O.R. 1885, PG. 409  
79.136 ACRES (MEASURED)  
0.849 ACRES (P.R.O.)

ADDISON-NEW CARLISLE ROAD  
(WIDTH VARIES)

STEVEN G. CALLON AND  
MARGARET E. CALLON  
O.R. 2118, PG. 2066  
3.976 ACRES

GERALD A. POLAND AND JANET M.  
POLAND, TRUSTEE(S) UAD JULY 16,  
2020, THE GERALD A. POLAND AND  
JANET M. POLAND REVOCABLE  
LIVING TRUST  
O.R. 2175, PG. 1999  
1.1145 ACRES (PARCEL II)

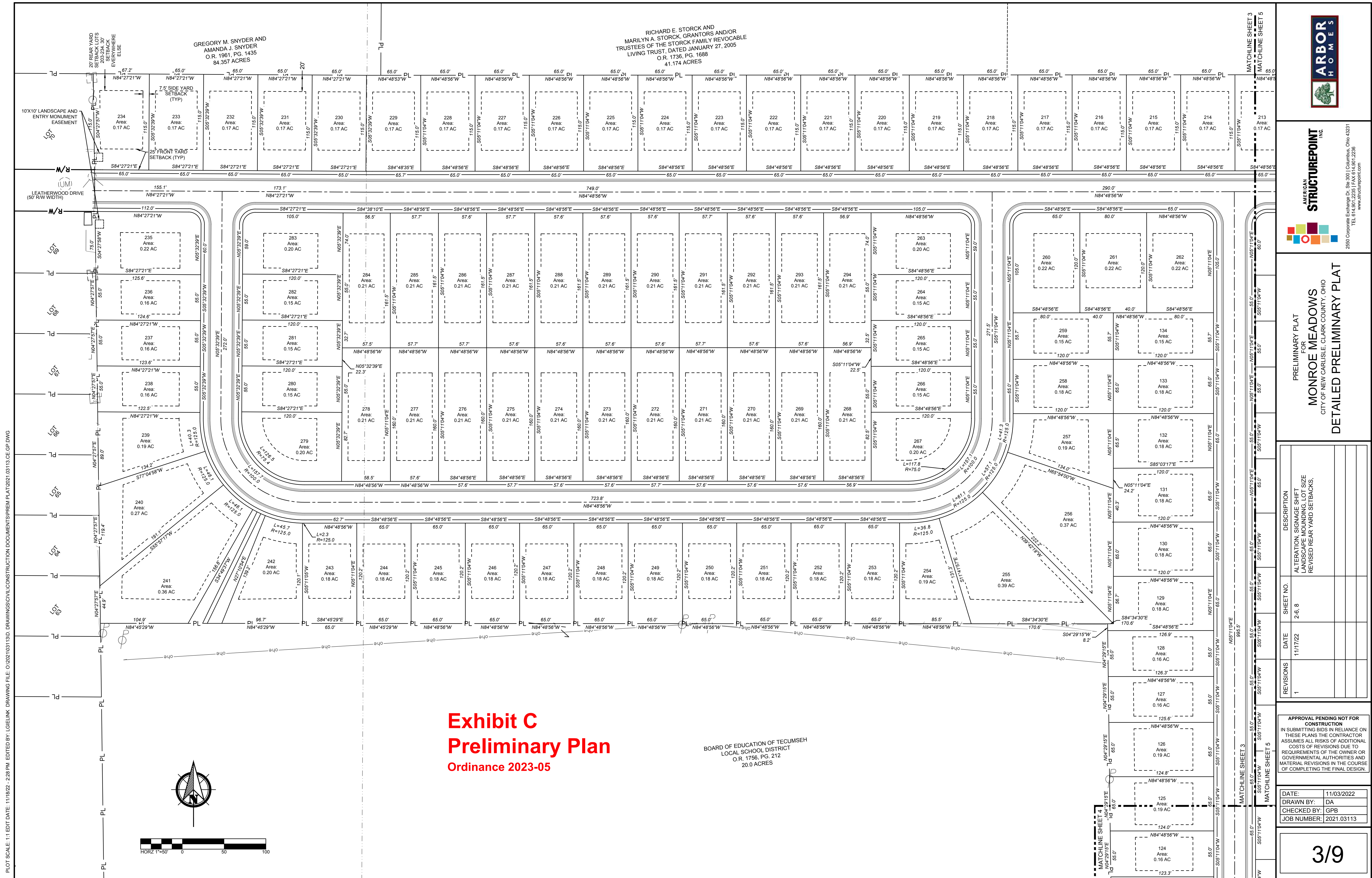
This plat of survey is based upon an actual survey performed of the premises in May, 2022 and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

Michael J. Ward Date  
Professional Land Surveyor 8808

1 of 1





AMERICAN  
**STRUCTUREPOINT**  
INC.

2550 Corporate Exchange Dr, Ste 300 | Columbus, Ohio 43231  
TEL 614.901.2235 | FAX 614.901.2236

PRELIMINARY PLAT  
FOR  
**MONROE MEADOWS**  
CITY OF NEW CARLISLE, CLARK COUNTY, OHIO  
DETAILED PRELIMINARY PLAT

| REVISIONS | DATE     | SHEET NO. | DESCRIPTION                                                                            |
|-----------|----------|-----------|----------------------------------------------------------------------------------------|
| 1         | 11/17/22 | 2 of 8    | ALTERATION SIGNAGE SHIFT<br>LANDSCAPE MOUNDING LOT SIZE<br>REVISED REAR YARD SETBACKS, |
|           |          |           |                                                                                        |
|           |          |           |                                                                                        |
|           |          |           |                                                                                        |

**APPROVAL PENDING NOT FOR CONSTRUCTION**  
IN SUBMITTING BIDS IN RELIANCE ON THESE PLANS THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS IN THE COURSE OF COMPLETING THE FINAL DESIGN.

|             |            |
|-------------|------------|
| DATE:       | 11/03/2022 |
| DRAWN BY:   | DA         |
| CHECKED BY: | GPB        |
| JOB NUMBER: | 2021.03113 |

3/9

## **ORDINANCE 2023-06**

### **AN ORDINANCE REGARDING THE ARRANGEMENT FOR PROVISION OF IMPROVEMENTS FOR AN R-PUD PLANNED UNIT DEVELOPMENT DISTRICT**

**WHEREAS**, the Trustees of the Swearingen Brothers Revocable Family Trust (collectively, “Owner”), are the owners of approximately 79.136 acres of undeveloped land bounded by Addison New Carlisle Road to the East, Drake Road to the South, Bayberry Drive to the West, and the Bethel/Pike Township Line to the North, which such property is identified as Clark County Parcel ID Number 0150500029100006 and is more fully depicted on the attached Exhibit A (“Subject Property”); and

**WHEREAS**, Clayton Properties Group, Inc. dba Arbor Homes (“Applicant”) submitted a zoning change application and Preliminary Planned Unit Development Plan to the City of New Carlisle in regard to the Subject Property; and

**WHEREAS**, the Applicant has entered into a contract to acquire the Subject Property from the Owner; and

**WHEREAS**, pursuant to Section 1278.11(a) of the Codified Ordinances, City Council’s approval of a Preliminary Planned Unit Development Plan constitutes the creation of a separate R-PUD Planned Unit Development District; and

**WHEREAS**, pursuant to Section 1278.12 of the Codified Ordinances, at the time of the creation of an R-PUD Planned Unit Development District, Council shall make appropriate arrangements in writing, to be guaranteed by a bond to be furnished by the applicant, to ensure the accomplishment of the necessary public improvements as shown on the approved Preliminary Planned Unit Development Plan.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS**, that:

**SECTION 1.** Promptly upon the approval of the Applicant’s Preliminary Planned Unit Development Plan, Council shall make appropriate arrangements in writing, to be guaranteed by a bond to be furnished by Clayton Properties Group, Inc. dba Arbor Homes to ensure the accomplishment of the necessary public improvements as shown on the approved Preliminary Planned Unit Development Plan.

SIGNATURE PAGE TO FOLLOW



Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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

Intro: 1/3/2023

Action: 1/17/2023

Effective: 2/1/2023

**DESCRIPTION OF A 79.136 Acres**

Situated in the State of Ohio, County of Clark, Bethel Township, being located in Section 29 and 35, Township 3, Range 9, Between the Miamis, and being a part of those 111.65 acre (original), 13.25 acre (original), and 4.82 acre (original) tracts of land described in a deed to **James Richard Swearingen, Jerald J. Swearingen and Dale Brenner Swearingen as Trustees of the Swearingen Brothers Revocable Family Trust**, of record in Official Record 1885, Page 409, all records referenced herein are on file at the Office of the Recorder for Clark County, Ohio, and being further bounded and described as follows:

**BEGINNING** at a 1.5" iron pipe found at the northwest corner of said Section 29, being the northeast corner of said Section 35, and being in the north line of Bethel Township and the south line of Pike Township, said iron pipe being at the northwest corner of said 4.82 acre (original) tract, the northeast corner of said 111.65 acre (original) tract, and said iron pipe being on the south line of that 2.332 acre tract of land described in a deed to Ronnie L. Salyers, of record in Official Record 1407, Page 948;

Thence **South 84 degrees 43 minutes 34 seconds East**, along the north line of said Section 29, along the north line of said 4.82 acre (original) tract, and along the south line of said 2.332 acre tract, (passing a 5/8" iron pin found with a "PS6028" cap at a distance of 52.45 feet), a total distance of **82.45 feet** to a harrows tooth found at the northeast corner of said 4.82 acre (original) tract, being on the centerline of right-of-way for Addison-New Carlisle Road (right-of-way width varies), said harrows tooth being at the northwest corner of that 1.00 acre tract of land described in a deed to New Carlisle Health Facilities, LLC, of record in Official Record 202, Page 560;

Thence **South 02 degrees 29 minutes 09 seconds West**, along the east line of said 4.82 acre (original) tract, along the centerline of right-of-way for said Addison-New Carlisle Road, and along the west lines of said 1.00 acre tract, those 0.559 acre and 5.353 acre tracts described in a deed to New Carlisle Health Facilities, LLC, of record in Official Record 1980, Page 2243, that 3.494 acre tract of land described in a deed to New Carlisle Providence, LLC, of record in Official Record 2056, Page 1785, that 1.0035 acre tract of land described in a deed to John Cecil Doyle, of record in Official Record 1850, Page 2428, and that 1.1145 acre tract of land described as Tract II in a deed to Gerald A. Poland and Janet M. Poland, Trustee(s) UAD July 16, 2020, The Gerald A. Poland and Janet M. Poland Revocable Living Trust, of record in Official Record 2175, Page 1999, a distance of **1,233.26 feet** to a MAG nail found at the northeast corner of that 3.976 acre tract of land described in a deed to Steven G. Callon and Margaret E. Callon, of record in Official Record 2118, Page 2066;

Thence through said 4.82 acre (original), said 111.65 acre (original), and said 13.25 acre (original) tract along the following five (5) described courses:

1. **North 84 degrees 37 minutes 16 seconds West**, along the north line of said 3.976 acre tract, (passing a 3/4" iron pipe at a distance of 30.05 feet), a total distance of **622.88 feet** to a 5/8" iron pin found at the northwest corner of said 3.976 acre tract;
2. **South 05 degrees 26 minutes 12 seconds West**, along the west line of said 3.976 acre tract, a distance of **152.02 feet** to a 3/4" iron pipe found at the northeast corner of Northwood Subdivision Section Two, as record in Plat Book 10, Page 37;
3. **North 84 degrees 44 minutes 15 seconds West**, along the north line of said Northwood Subdivision Section Two, (passing 5/8" iron pin found 0.23 feet south with a "ML Oxner" cap at a distance of 647.15 feet, a 3/4" iron pipe found 0.15 feet south at a distance of 887.33 feet, a 5/8" iron pin found 0.24 feet south at a distance of 947.36 feet, a MAG nail found at a distance of 1,127.30 feet, a 3/4" iron pipe found 0.12 feet north at a distance of 1,187.37 feet, and a PK Nail found at a distance of 1,247.51 feet), a total distance of **1,383.87 feet** to the southeast corner of that 20.0 acre tract of land described in a deed to Board of Education of Tecumseh Local School District, of record in Official Record 1756, Page 212, (reference a 5/8" iron pin found bearing North 04 degrees 29 minutes 15 seconds East at a distance of 0.18 feet);
4. **North 04 degrees 29 minutes 15 seconds East**, along the east line of said 20.0 acre tract, (passing a 5/8" iron pin found at a distance of 0.18 feet), a total distance of **722.41 feet** to a 1" iron pipe found at the northeast corner of said 20.0 acre tract;

5. **North 84 degrees 45 minutes 29 seconds West**, along the north line of said 20.0 acre tract, (passing a 5/8" iron pin at a distance of 1,166.92 feet), a total distance of **1,206.04 feet** to an iron pin set at the northwest corner of said 20.0 acre tract, being on the west line of said 13.25 acre (original) tract, and being on the east line of Silverlake Estates Section Two, as recorded in Plat Book 12, Page 39;

Thence **North 04 degrees 27 minutes 57 seconds East**, along the west line of said 13.25 acre tract and along the east line of said Silverlake Estates Section Two, a distance of **658.46 feet** to a 3/4" iron pipe (bent) found at the northwest corner of said 13.25 acre (original) tract, (reference Clark County GPS Monument designated "CLARK 4" bearing South 86 degrees 10 minutes 49 seconds West at a distance of 2,493.77 feet), being the northeast corner of said Silverlake Estates Section Two, said iron pipe being on the north line of said Section 35, and being on the south line of that 84.357 acre tract of land described in a deed to Gregory M. Snyder and Amanda J. Snyder, of record in Official Record 1961, Page 1435;

Thence **South 84 degrees 27 minutes 21 seconds East**, along the north line of said Section 35, along the north line of said 13.25 acre (original) tract, along the south line of said 84.357 acre tract, and along the common line between Bethel Township and Pike Township, a distance of **327.79 feet** to a 5/8" iron pin found at the northeast corner of said 13.25 acre (original) tract, being the northwest corner of said 111.65 acre (original) tract, said iron pin being at the common corner of the northwest quarter and northeast quarter of said Section 35;

Thence **South 84 degrees 49 minutes 05 seconds East**, along the north line of said Section 35, along the north line of said 111.65 acre (original) tract, and along the south lines of said 84.357 acre tract, those 41.174 acre and 48.474 acre tracts of land described in a deed to Richard E. Storck and Marilyn A. Storck, Grantors and/or Trustees of The Storck Family Revocable Living Trust, dated January 27, 2005, of record in Official Record 1736, Page 1688, that 0.419 acre tract of land described in a deed to Ronnie L. Salyers, of record in Official Record 1453, Page 724, and said 2.332 acre tract, (passing a 5/8" iron pin found 1.10 feet north at a distance of 16.50 feet, a 5/" iron pin found 1.44 feet north at a distance of 766.04 feet, and a 5/8" iron pin found 0.15 feet north at a distance of 2,090.66 feet), a total distance of **2,762.19 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **79.136 acres** (including 0.849 acres with the present road occupied) out of Clark County Auditor's Parcel Number 0150500029100006.

Iron pins referenced as set are 5/8" diameter by 30" long rebar with caps inscribed "ASI PS 8808".

Bearings described herein are based on the bearing of South 02 degrees 29 minutes 09 seconds West for the centerline of Addison-New Carlisle Road, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), established utilizing a GPS Survey and an NGS OPUS solution.

This description was prepared by Michael J. Ward, Registered Professional Surveyor Number 8808, is based on an actual survey of the premises performed under my direction, completed May 23, 2022, and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

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Michael J. Ward  
Registered Professional Surveyor No. 8808

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Date