## CITY COUNCIL <br> REGULAR MEETING PACKET

November 06, 2023 @ 6:00pm Smith Park Shelter House

1. Call to Order: Mayor Mike Lowrey
2. Roll Call: Clerk of Council
3. Invocation:
4. Action on Minutes: $10 / 16 / 23$ Regular Meeting \& $10 / 23 / 23$ Special Meeting
5. Communications:

- Mr. Matthew Mills - Tecumseh School Board
- Board of Zoning Appeals Hearing - Information Attached
- McDonald's Front Setback Variance
- McDonald's Sign Variances
- Planning Board Recommendation - Information Attached
- Overall Approval of Arbor Homes Preliminary Plat with a 26' pavement to pavement road width

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: (1-Intro \& Action*)
*A. Resolution 2023-17R (Introduction, Public Hearing \& Action Tonight)
A RESOLUTION APPOINTING THE CITY MANAGER AS THE DESIGNEE FOR THE CITY OF NEW CARLISLE'S MANDATORY PUBLIC RECORDS TRAINING REQUIRED BY THE OHIO PUBLIC RECORDS ACT
11. ORDINANCES: (2 - Intro; 3 - Action*)
*A. Ordinance 2023-55 (Introduced on 11/06/23. Public Hearing \& Action Tonight)
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR INSURANCE WITH USI INSURANCE SERVICES LLC REPRESENTING THE PUBLIC ENTITIES POOL OF OHIO FOR THE ADMINISTRATION OF SAID POLICY
*B. Ordinance 2023-56 (Introduced on 11/06/23. Public Hearing \& Action Tonight)
AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER TO ENTER INTO A CONSULTANT AGREEMENT WITH CHOICE ONE ENGINEERING FOR THE
DECORATIVE STREETLIGHT LED UPGRADE PROJECT (PID NO. 118645)
*C. Ordinance 2023-57 (Introduced on 11/06/23. Public Hearing \& Action Tonight
AN ORDINANCE AMENDING SECTION 1040.18 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING WATER CONNECTION CHARGES
D. Ordinance 2023-58 (Introduction Tonight. Public Hearing \& Action 11/20/23)

AN ORDINANCE ACCEPTING THE ANNEXATION OF 79.136 ACRES, MORE OR LESS, FROM BETHEL TOWNSHIP, CLARK COUNTY TO THE CITY OF NEW CARLISLE
E. Ordinance 2023-59 (Introduction Tonight. Public Hearing \& Action 11/20/23)

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

## 12. OTHER BUSINESS:

- Additional City Business:
- Open for Discussion on City Related Business

13. Executive Session: To Discuss the Employment of a Public Employee
14. Return to Regular Session:
15. Adjournment

## RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO REGULAR SESSION MEETING @ Smith Park Shelter House held 10/2/23@, 6:00 PM<br>1. Call to Order: Mayor Lowrey calls the meeting to order.<br>2. Roll Call: Berner calls the roll- Lowrey, Grimm, Bahun, Eggleston, Cook, Lindsey, Rodewald 7 members present Staff present: Bridge

3. Invocation: Trusty
4. Pledge of Allegiance: All are Welcome to Participate
5. Action on Minutes:

10/2/23 1st Lindsey 2nd Eggleston YES: 7 Cook, Lindsey, Rodewald, Lowrey, Grimm, Bahun, Eggleston
NAY: 0 Accepted 7-0

## 6. Communications:

-Dr. Greta Mayer- CEO of Mental Health and Recovery Board of Clark County- notes levy is up for renewal with no new taxes. All funds stay in Clark County. They work with many residents of all ages. Grimm notes he appreciates them and knows how helpful they can be.
Lowrey notes that they help them find the services they need and ask the cause of the rise in mental illness with our young people. Ms. Mayer notes how kids have access to so much, how adults are more in tune with possible issues now vs years ago. She notes how their brains are still developing along with trying to keep up. Ms. Mayer mentions social media and the links to depression. She notes that face to face connections are needed.
-Brubaker Alley Dedication-
Case Name: Brubaker Road Dedication
Hearing Date: October 16, 2023
Hearing Location: Smith Park Shelter House
Hearing Time: 6:00PM

## I. General Information and Case Description

| Case Type: | Brubaker Drive Dedication approval \& recommend the same for City Council |
| :--- | :--- |
| Planning Board: | Voted 4-0 to approve, without modification, at their 10/10/23 meeting. |
| Property Location: | Brubaker and Mill Roads |
| Owner: | Hensley Limited Family Partnership |
| Parcel Numbers: | 0300500029103026 |

## II. Exhibits and Attachments

| Item | Purpose |
| :--- | :--- |
| Council Staff Report | Details of the case |
| aker Drive Dedication | Use for legal description, boundary lines, and dedication size, among others |
| il of Dedication Area | Satellite imagery of area to recognize location |

## III. Staff Notes

- Very brief and straightforward case
- This area will be used for the Brubaker Drive entrance to the new residential development named
"The Reserves on Honey Creek."
- This area and entrance have been previously discussed and approved by both the Planning Board
and City Council via the DR Horton Preliminary Plan and Plat hearings.


## IV. Staff Recommendation

- Approve the previously discussed Brubaker Dedication to facilitate this project moving forward.

Grimm asks about the ownership, Kitko notes it is not a city owned property. The city will maintain it once it is dedicated after the development goes in.

Motion by Cook and 2nd by Eggleston to approve dedication of Brubaker Alley YES: Cook, Lindsey, Rodewald, Lowrey, Grimm, Bahun, Eggleston NAY: 0 Accepted 7-0

## 7. City Manager's Report:

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

Police Report:

## Patrol Division:

The New Carlisle Deputies were dispatched to 479 calls for service during the month of September.

## Calls Taken: 479

Reports: 40
Assists: 90
Criminal Arrest: 5
Felony Arrest: 1
Misdemeanor Ârrest: 3
Warrants: 1
Traffic Stops: 58

Traffic Warnings: 40
Moving Citations: 18
Business checks: 1870
Code Enforcement Follow-ups: 19
Traffic Crashes: 9

Respectfully,

Sgt. Ronnie E. Lemen

| NEW CARLISLE | CALLS | Assists | REPORTS | TRAFFIC STOP CITATIONS |  | WARNINGS | ARREST |  | CODE ENFO | BuSiness che Crash | SORNCheck |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| September |  |  |  |  |  |  |  |  |  |  |  |
| Dep. Bowers | 71 | 10 | 8 | 21 | 9 |  | 12 | 0 | 19 | 894 | 40 |
| Dep. Arnold | 170 | 4 | 10 | 5 | 2 |  | 3 | 4 | 0 | 117 | 00 |
| Dep. O'Brien | 155 | 30 | 15 | 13 | 3 |  | 10 | 1 | 0 | 460 | 20 |
| Dep. Speckman | 83 | 38 | 6 | 16 | 4 |  | 12 | 0 | 0 | 135 | 30 |
| Dep. Harris | 31 | 10 | 1 | 3 | 0 |  | 3 | 0 | 0 | 264 | $0 \quad 0$ |
| Total | 479 | 90 | 40 | 58 | 18 |  | 40 | 5 | 19 | 1870 | 90 |

# City of New Carlisle City Council Meeting <br> 10-16-2023 <br> Fire-EMS Report 

- In the Month of September, the New Carlisle Fire Division responded to 115 EMS call in the city and 5 in Elizabeth Township.
- The Division responded to 10 Fire related calls in the city and 0 in Elizabeth Township.
- We had 4 EMS calls answered by mutual aid, either by Pike Township or Bethel Clark, due to medic 52 being on a response
- We answered 3 mutual aid EMS calls for Pike Township and 5 for Bethel Clark
- We are still doing Hydrant flushing we are in area D.
- We still have FREE smoke alarms for our citizens, just call the station at (937)-854-8401 or stop by the station.



## Finance Report:

## COUNCIL FINANCIAL REPORT SUMMARY - SEPTEMBER 2023

| Estimated Revenue | $\$$ | $\mathbf{6 , 9 9 3 , 5 8 9 . 0 0}$ |
| :---: | :---: | ---: |
| Amended Est. Resources | $\$$ | $(89,966.00)$ |
| Amended Est. Resources | $\$$ | $164,190.00$ |
| Amended Est. Resources |  |  |
| Amended Est. Resources | $\$$ |  |
|  |  |  |
| 2023 REVISED TOTAL |  |  |
| EST. REV. | $\$$ | $\mathbf{7 , 0 6 7 , 8 1 3 . 0 0}$ |


| 2023 Original Budget | $\$$ | $9,073,325.00$ |
| ---: | :--- | ---: |
| 1st Q. Supplemental | $\$$ | $164,190.00$ |
| 2nd. Q. Supplemental | $\$$ | $156,500.00$ |
| 3rd. Q. Supplemental | $\$$ | $54,000.00$ |
| 4th Q. Supplemental |  |  |
|  |  |  |
| 2023 REVISED TOTAL BUDGET | $\$$ | $\mathbf{9 , 4 4 8 , 0 1 5 . 0 0}$ |


| Month | Revenue Received |  |
| :--- | :--- | ---: |
| January | $\$$ | $978,586.95$ |
| February | $\$$ | $642,527.07$ |
| March | $\$$ | $1,307,302.60$ |
| April | $\$$ | $587,319.24$ |
| May | $\$$ | $909,651.02$ |
| June | $\$$ | $786,638.36$ |
| July | $\$$ | $857,049.02$ |
| August | $\$$ | $1,327,816.31$ |
| September | $\$$ | $573,762.45$ |
| October |  |  |
| November |  |  |
| December |  | $\mathbf{7 , 9 7 0 , 6 5 3 . 0 2}$ |
|  |  |  |
| Received To Date | $\$$ |  |


| Month | Expenses Paid |  |
| :--- | ---: | ---: |
| January | $\$$ | $782,712.86$ |
| February | $\$$ | $632,359.22$ |
| March | $\$$ | $1,099,578.08$ |
| April | $\$$ | $632,999.08$ |
| May | $\$$ | $561,888.44$ |
| June | $\$$ | $731,237.17$ |
| July | $\$$ | $599,886.88$ |
| August | $\$$ | $840,915.75$ |
| September | $\$$ | $1,077,679.05$ |
| October |  |  |
| November |  |  |
| December | $\$$ | $\mathbf{6 , 9 5 9 , 2 5 6 . 5 3}$ |



Lindsey asks Mrs. Harris about the debt of infrastructure of Twins Creeks be paid off. Mrs. Harris will email that information.

Grimm notes he is not a financial wiz but he has questions about the statement of cash vs the revenue and expenditures. The difference is the amount with and without encumbrances (actual/budget). Grimm asks about the investments and if they are CD's. Harris noted they have collected $\$ 130,000$ in interest on the investments for 2023. Grimm asks if we are losing value on our investments at this time with inflation and Harris noted no. Continued discussions on the cash on hand.

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


Prepared a Subrniteod Bye
Knaty Thame, Clerk of Court

Motion by Grimm 2nd by Lindsey to accept the Mayor's Court report YES: 7 Rodewald, Lowrey, Grimm, Bhaun, Eggleston, Cook, Lindsey NAY: 0 Accepted 7-0.

## Service Report:

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To: Randy Bridge, City Manager
From: Howard Kitko, Service Director/Asst. City Manager
Date: October 16, 2023
Public Works Departments:
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        quarterly newsletter.
Water Department:
        Department: 
        have been very positive.
    Performing some general repairs throughout the plant
    Werking on OPWC Old High Service Pump Building Upgrade Project.
    Lead Service and Water Main replacement Project. Old Section of town. Score and enter into an
        agreement with a design engineer.
Sewer Department:
        Secondary Clarifier #1 1 and Primary Clarifier #2; Contract awarded to Peterson Construction.
        Clarificrs delivered 8/18. Installation began 10/2
    Clarifiers delivered 8/18. Installation began 10/2
2023 Road Reconstruction/Resurfacing Projects:
    #
```



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Carlisle Park Phase 1 upgrade Proiect:
    The City of New Carlisle has been awarded a CDBG grant. Project to remove the existing
        basketball court and replace it with a new courr. A new ADA accessible swing to be added to the
        existing Swing-set. Estimated Cost of $80,000 with the city's estimated share to be $20,000.
        Clark county awarded the contract to Outdoor Enterprises, LLC out of Tipp City. Start date to be
NatureWorks Grant:
    \square The City of New Carlisle has been awarded the ODNR NatureWorks grant. Project to add gazebos
        with ADA access.
Additional Items:
    Pease sidewalk. There is available right-of-way to install sidewalk on the west side of Pease.
    Discussion on timeframe to complete.
    \square 235 curve study. Kickoff meeting with engineer 9/20
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Eggleston notes missing caps at 307 S.Main. Kitko noted one is a gas cap, gas co. is aware. He will let the water dept know.

## Planning and Zoning Report:



## Planning Department Report

 Date: October 1st-October 13th 2023| Data Summary | October 1st- 13th |  |
| :---: | :---: | :---: |
| 1244.10 Zoning Permit Required |  |  |
| 1290.03 Sign Permit Required |  |  |
| 1290.20 Sign Construction and Maintenance |  |  |
| 1290.22 Sign Permit Application |  |  |
| 1460.15 Abatement of Nuisance by the City; Cost Recovery | 1 |  |
| 1460.23 Structural Soundness and Maintenance of Dwellings |  |  |
| 1460.25 Exterior Property and Structure Exteriors; Residential | 23 |  |
| 1460.25 (a) Exterior Space |  |  |
| 1460.25 (b) Exterior Maintenance |  |  |
| 1460.25 (c) Fences and Walls | 2 |  |
| 1460.25 (d) Yards, Tall Grass \& Weeds | 3 |  |
| 1460.25 (e) Hazards |  |  |
| 1460.25 (f) Temporary Occupancy |  |  |
| 1460.25 (g) Storage | 8 |  |
| 1460.25 (h) Drainage |  |  |
| 1460.25 (i) Drainage Swales |  |  |
| 1460.25 (i) Junk, Inoperable, Unlicensed Vehicle | 5 |  |
| 1460.25 (k) Sanitation | 3 |  |
| 1460.25 (1) Swimming Pools |  |  |
| 1460.25 (m) Open Fires |  |  |
| 1460.26 Vegetation; Residential | 5 |  |
| 1460.28 Accessory Structures |  |  |
| 1460.32-Exterior Property and Structure Exteriors; Commercial |  |  |
| 1460.33 Vegetation; Commercial |  |  |
| 1460.43 (c) On-Street Parking Limitations |  |  |
| 1460.43 (d) Parking on Private Property | 9 |  |
| 1460.44 Accessory Uses; Residential, Commercial, Industrial | 1 |  |



Disclaimer
Case Number
Case Num.
violated.
Main Status determins the activity of the entire case. Main Status will show Main statu determins the activity of the entire case. Main status
open even if some of the violations have been closed (remedied).

Violation Status means one or more violations assigned to the case are either open or closed.
Extensions are provided on a case by case scenario. In most cases the the Extensions are provided on a case by case scenario. In most cases the the
violations are exteme and more time is needed to remedy the situations.

## B. INFORMATIONAL ITEMS

```
Discussion Topics
    - Updates
            . Rumpke/Waste Management; Nature Work Grant; Rite Aid Building
        Heritage of Flight Festival and Parade
    - 11/06/23 Regular Meeting
            * Board of Zoning Appeals Hearing - Road width variance for Arbor Homes Development
                (Monroe Meadows)
            - City Council approval of the Preliminary Plat
                \circ Planning Board approved at their 10/10/23 meeting.
    - Addison-New Carlisle/St. Rt. }235\mathrm{ Cut-Thru
            Meeting with landowners this week
        Clark County Health Update - Attached
    CPR Training for Staff
    City Counci
            - Council Retreat - City Council Discussion Needed?
            . Meet the Candidates?
        Additional Discussion Topics
    - Upcoming Legislation
            - Liability Insurance Renewal (Introduced Tonight, Vote on 11/06)
            - Clark County EMA MOU with Fire/EMS Department
            - Health Insurance Renewal
            - Ordinance to Accept Codification Update
            -2024 Operating Budget (First Read on 11/20; Second on 12/4)
```

Cook notes $3 / 5$ of the candidates are willing to do a meet the candidate night. Council will do a meet the candidate night at 7 pm at shelter house. Cook will reach out to the candidates.

Grimm noted years ago the city was told they had 195.00 in their account. He noted that Bridge stated he wanted to have $\$ 500,000$. He notes Bridge should be happy. The oldest report he found the city had 5 mil. He states it is time to use some of those funds for the residents starting with a pickle ball court. Kitko notes the pickle ball is in the works. HE also notes this is good to discuss in the budget work session. He notes he will not be opposed to using the funds along with a possible bond issue to put in a new swimming pool. Rodewald asks about the pickle ball court and noted he thought the prices had been given.

Lowrey mentions he stopped at Mayor's court (he thought the door to 101 was left open). He noted there were a lot of cases mainly yard ordinances.... He asks if the old sweeper can get removed. Kitko notes it is getting listed on gov deals soon. Lowrey notes the upgrades the city has done to the offices. He notes the old building that the street department uses needs an upgrade. He states it is time to give them something, a newer building better office space esp since the city is buying a new street sweeper. He thinks it is time to give the street department an upgrade. Lindsey adds this is good info to discuss in the budget talks. Rodewald asks how much time they are in the actual building. Kitko notes an hour or so. Lindsey asks if all the equipment sits outside or inside? Kitko talks have been in the works. Bahun asks about the building behind the dr office on Main, Kitko notes city garage and storage. Bahun asks if there is a need to for heated and cold storage? Kitko notes the HUT is heated the cold storage behind the dr office. Bahun agrees when you have employees working for you, you want to give them the best tools and equipment. Lowrey asks Mrs. Harris how the sharing of funds would work and if it is doable between the streets and water department. Harris noted it can be looked at.

Lowrey motions to have Kitko get a rough number on a new pole building. Kitko notes he doesn't need a motion and he can get that before the next meeting or near the budget talks. Lowrey rescinds his motion.

Lowrey motions to be able to give a proclamation to a city employee or employees with a 2 nd by Grimm. Bahun asks why a motion is needed. Lindsey motions to amend Lowreys motion by amending ROC "not needing to ask council to give a proclamation". It was agreed Lindsey would remove his motion due to it not being an amendment of the original motion but a new motion. YES: 7 Bahun, Eggleston, Cook, Lindsey, Rodewald, Lowrey, Grimm NAY: 0 Accepted 7-0

Lindsey motions to amend rules of council to allow the mayor to give proclamations with a resolution or need legislation 2nd by Bahun YES: 2 Lindsey, Bahun NAY: 5 Eggleston, Cook, Lindsey, Rodeald, Lowrey Failed 2-5

## 8. COMMITTEE REPORTS: none

Kate Macveigh 211 W. Jackson- helped at the parade wanted it noted Pike St. wasn't closed off as the parade started.

Janelle Zimmerman 219 Prentice- noted she is very proud of the work the committee puts in and the festival is great. She did say it was difficult to make it to church on Sunday.

## 10. RESOLUTIONS: None

## 11. ORDINANCES:

Ordinance 2023-55 (Introduction Tonight. Public Hearing \& Action 11/06/23) AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR INSURANCE WITH USI INSURANCE SERVICES LLC REPRESENTING THE PUBLIC ENTITIES POOL OF OHIO FOR THE ADMINISTRATION OF SAID POLICY
Ordinance 2023-56 (Introduction Tonight. Public Hearing \& Action 11/06/23) AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER TO ENTER INTO A CONSULTANT AGREEMENT WITH CHOICE ONE ENGINEERING FOR THE DECORATIVE STREETLIGHT LED UPGRADE PROJECT (PID NO. 118645)
Ordinance 2023-57 (Introduction Tonight. Public Hearing \& Action 11/06/23) AN ORDINANCE AMENDING SECTION 1040.18 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING WATER CONNECTION CHARGES

## 12. OTHER BUSINESS:

Eggleston asks about putting a sign up for dogs and needing to be on a leash at the park and bike path. Rodewald notes there is a sign near the bike path.
13. Executive Session: none
14. Adjournment:_1st Lindsey 2nd Grimm @ 7:09 pm Yes: Rodewald, Lowrey, Grimm, Bahun, Eggleston, Cook, Lindsey NAY: 0 Accepted 7-0

Mayor Mike Lowrey

Clerk of Council Emily Berner

## RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO SPECIAL SESSION MEETING @ , Smith Park Shelter House held 10/23/23@, 7:00 PM

1. Call to Order: Mayor Lowrey calls the meeting to order.
2. Roll Call: Bridge calls the roll- Lowrey, Grimm, Eggleston, Cook, Lindsey, Rodewald 6 members present Staff present: Bridge
Grimm moves to adjourn the meeting with a second by Eggleston due to the meeting being illegal. Grimm notes he received the agenda for the special meeting. Grimm reviews the section of the charter 4.12 on Special Meetings. He notes the Mayor did not call the meeting and Council did not vote to have the meeting. The agenda was sent with two discussion points. Grimm continues to note from his experience, budget discussions can be lengthy and council does not need to discuss meet the candidates night. Grimm also questions the facebook. Grimm states "the people are here for meet the candidates night." He concludes they need to end the meeting.
Cook reads over the Open Meeting Act and the consequences of holding a meeting and feels the city would be in violation of the ORC, Open Meeting Act by not following their guidelines. .
Grimm notes he is not sure who called the meeting and gives the definition of a meeting and notes meet the candidates night will not be "discussing business". He continues to note discussion or deliberation definitions. He adds that meet the candidates night is "information gathering". It is to learn about the candidates. He adds that if the evening is already in a scheduled council meeting it could be a "detriment and they need to be fair to everyone."
Bridge notes a motion is on the floor to adjourn the meeting due to it being illegal with a second by Eggleston. YES: Lindsey, Lowrey, Grimm, Eggleston NAY: 2 Cook, Rodewald Accepted 5-2
Bridge notes the only discussion was to not go over numbers but say yes or no to a temporary budget or move forward to an operating budget. He advises the council to be familiar with the rules of council. He also noted that this was advertised and recommended by the law director for the City.
Grimm notes the Charter notes Mr. Grimm cannot call a special meeting. Continued discussions on the meeting and Bridge noted they advertised it as a special meeting to cover them.
Lindsey motions to excuse Bahun with a second by Lowrey YES: Cook, Rodewald, Eggleston, Lindsey, Lowrey, Grimm Accepted 6-0 Clerk will be asking the council to excuse Bahun from the meeting during the next regularly scheduled council meeting due to the fact that the motion was made after the council voted 5-2 to adjourn.
Lowrey noted he would have been fine breaking rules of council to allow the candidates to speak. He also understands Grimm's point on current members being a part of the meet the candidates night.
3. Invocation: none
4. Pledge of Allegiance: All are Welcome to Participate
5. Action on Minutes: none
6. Communications: none
7. City Manager's Report: none

DEPARTMENTAL REPORTS- Given at 2nd meeting of the month.
Police Report: none

## Fire/EMS Report: none

Finance Report: none
Service Report: none

## Planning and Zoning Report: none

8. COMMITTEE REPORTS: none
9. COMMENTS FROM MEMBERS OF THE PUBLIC:

## 10. RESOLUTIONS: N/A

## 11. ORDINANCES: N/A

12. OTHER BUSINESS:

## 13. Executive Session:

14. Adjournment: adjournment after roll call.

Mayor Mike Lowrey

Clerk of Council Emily Berner

## City Council Staff Report

Case Name: McDonalds Request for Front Setback Variance
Hearing Date: November 6, 2023
Hearing Location: Smith Park Shelter House
Hearing Time: 6:00PM

## I. General Information and Case Description

| Case Type: | BZA Recommendation to Approve Front Setback Variance |
| :---: | :---: |
| City Council: | 1. Will Vote on a Front Setback Variance (See "Variance Needed" Section Below) |
| Applicant: | Seth Dorman, Permit Solutions on behalf of M cDonalds |
| Property Location: | 500 N M ain Street New Carlisle, Ohio 45344 |
| Owner: | Lakeview Plaza Inc |
| Parcel Numbers: | 0300500029103019 |
| Adjacent Properties: | Zoning Use |
| North: GB-General Business Districts 1268.03 (b) Automobile sales \& service facilities |  |
| South: GB-General Business Districts 1268.03 (j) Public facilities and utilities |  |
| East: GB-General Business Districts 1268.03 (k) Any other retail or service establishment |  |
| West: CB-Central Business Districts 1270.03 (b) Retail establishments and service businesses |  |
| Parcel Size: | 44,867 Square Foot |
| Current Zoning: | GB-General Business District |

## II. Exhibits and Attachments

| Item | Purpose |
| :--- | :--- |
| BZA Application | Application for Board of Zoning Appeals (BZA) Variance Request |
| Site Photos | Photos showing east, southeast, and northeast towards vacant lot |
| Aerial Photo | Denotes Property Lines (Teal) \& Setback Measurements (Red) |
| Narrative Statement | Applicant Narrative Statement |
| Site Plan Drawing | Measurement of Proposed Front Setback Distance |
| City Code 1268.08 | Code Governing GB District Setback Requirements |
| Legal Advertisement | Required by City Code |
| Mailing Address | Of Property Owners within 600ft of Application Address |

## III. Staff Notes

- The front setback requirements for GB Zoning District in the City is 100 ft and is measured from the edge of the principal structure to the property line
- The applicant is requesting a front setback of $62 \mathrm{ft}(38 \mathrm{ft})$ in lieu of 100 ft variance


## - Upcoming Timeline

o TONIGHT-11/06/23 City Council votes on front setback variance needed.
o 11/14/23 City of New Carlisle Planning Board hearing to review, discuss, hear public comments, and vote on a site plan.
o 11/20/23 City Council to vote on Site Plan

- Pertinent Code Sections:
o 1224 Administration
o 1246 Procedure for Board of Appeals
o 1268 GB-General Business Districts
- Variances Needed (Board of Zoning Appeals (BZA) will vote on these)
o 1268.08 Yards
B Yard requirements for a GB General Business District are as follows:
(a) Front. There shall be a minimum depth of 100 feet.
(b) Side. There shall be a minimum width on either side of fifty feet, with the combined width of both side yards not less than 100 feet.
(c) Rear. There shall be a minimum depth of fifty feet.

| Building Setback <br> Location | Required Setback (ft.) | Proposed Setback (ft.) | Variance |
| :---: | :---: | :---: | :---: |
| Front | 100 | 62 | 38 ft |
| Rear | 50 | 76 | N/A |
| Side (North) | 50 | 100 | N/A |
| Side (South) | 50 | 53.5 | N/A |

## IV. Staff Recommendation

- The City Council should make a motion tonight as follows:
o Approve the Site Plan with the requested front setback variance as an addition of a fastfood establishment eating option for citizens and expand the City's tax base.

| City of New Carlisle Planning Department 331 S. Church Street New Carlisle, Ohio 45344 937.845.9492 planning@newcarlisleohio.gov | APPLICATION BOARD OF ZONING APPEALS VARIANCE REQUEST | Received Stamp <br> Office Use Only |
| :---: | :---: | :---: |

## Please read before completing this application.

- Required -
\$125
Application Fee
- Submission of a completed Variance Request Application, including all of the items listed in the application checklist. Variance Request Application fee of $\$ 125$.
- Note: Fee is not refundable if Variance is denied.
- Submission of a completed Zoning Application. Application Fee for Zoning Permit does not requirement payment until after the Variance is granted.
- Submitted applications and all checklist items shall be reviewed by City Staff for completeness. Submittals found to be incomplete will be rejected and the application will not be placed on the Board agenda. If an application is found to be incomplete, the applicant may submit the missing materials to complete application requirements.
- The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of a completed application. The Applicant or a Representative must be present at hearing.

- All property owners and interested parties within 500 feet of the proposed variance will be notified of Public Hearing.


## Applicant Information

Name: Seth Dorman, Permit Solutions Phone: 740-975-4232

Address: 100 North Avenue, Suite 103-164, Tallmadge, OH 44278
Email: sdorman@permitsolutionsohio.com

## Property Information

Address for Variance Request: 500 N Main Street New Carlisle Ohio 45344. (Parcel ID\# 0300500029103019)
Zoning District: GB
Lot Number: $\qquad$
Owner of Record according to the Clark County Auditor's Office): Lakeview Plaza, Inc.
Owners Mailing Address: $\quad 7410$ Ratchford Court, New Albany, OH 43054
Owners Phone: 6142885087 Email: _sanjay 211@yahoo.com

## Variance Requested

Description of the nature of the Variance requested:

# Front yard setback variance for proposed McDonald's restaurant (62' in lieu of 100' req.) <br> Signage Variance: Pole Sign Height, Pole Sign \& Directional Sign Setback, Number of Wall Signs 

## Application Requirements Checklist

| Required Items |  | Staff Use |
| :---: | :---: | :---: |
| $\checkmark$ | Narrative Statement demonstrating that the requested variance conforms to the following standards; |  |
| $\checkmark$ | a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district; |  |
| $\checkmark$ | b) That a literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under this Zoning Code; |  |
| $\checkmark$ | c) That special conditions and circumstances do not result from the actions of the applicant; and |  |
| $\checkmark$ | d) That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district. |  |
| $\checkmark$ | Site Plan that includes parcel shape and size, primary structure location and dimensions, any accessory structures that exist on the property, driveway and sidewalk locations. |  |
| $\checkmark$ | Proposed Site Plan that includes all of the items listed in above Site Plan and the Proposed structure. Include all dimensions of proposed structure and the setback dimensions of all sides of the proposed structure. |  |
| $\checkmark$ | Zoning Permit Application submitted along with this application for the proposed structure. |  |
| $\checkmark$ | Photos of the area where the variance is being requested. |  |

I hereby attest to the truth and exactness of all information supplied on and with this application.
 $\qquad$

Property Owner's Signature: $\underbrace{\text { SANJAY PATEL }}$| $\begin{array}{l}\text { Digitally signed by sANJAY } \\ \text { PARTE: } \\ \text { Date: 2033.10.17 17:49:07-04 }\end{array}$ |
| :--- |

(If different than Applicant)

Office Use Only
Fee $\$ 125$ Paid Date:
This application has been reviewed and is found to be complete. City

Staff: $\qquad$ Position: $\qquad$ Date: $\qquad$
Decision of the Board of Zoning Appeals

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Date Decision Ruled on:
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$\qquad$

``` Action Taken: Approved / Denied Conditions for Approval:
``` \(\qquad\)



Proposed McDonald's Location
Looking southeast toward vacant lot


Proposed McDonald's Location
Looking east toward vacant lot


Proposed McDonald's Location
Looking northeast toward vacant lot

\title{
VARIANCE APPLICATION NARRATIVE STATEMENT
}

TO: \(\quad\) Board of Zoning Appeals Members \& City Planning Staff

FROM: Seth Dorman, Permit Solutions
DATE: \(\quad\) October 13, 2023

SUBJECT: Proposed McDonald's Restaurant at 1685 N. Dayton-Lakeview Road Request for Front Yard Setback Variance

McDonald's is proposing to construct a new restaurant on a vacant commercial lot in front of the IGA shopping center along N. Dayton-Lakeview Road (SR-235) in New Carlisle.

The proposed McDonald's would have a footprint of 3,694 square feet with the long side of the building running north to south on the site and the short side of the building running west to east on the site. The restaurant would have double drive-thru lanes and forty (40) total parking spaces, including two (2) accessible spaces. A short public/private sidewalk extension is proposed with a crosswalk located on the McDonald's parking lot to provide designated pedestrian access to the restaurant. Indoors, the restaurant dining area will have seating for thirty-eight (38) and the largest number of employees per shift will be seventeen (17).

Access to the proposed McDonald's would come from two driveways. The first proposed driveway is located at the southwest corner of the site and would be a right-in/right-out only driveway from N. DaytonLakeview Road meaning that traffic coming south on SR-235 could not turn left into the site; they would have to turn left into the IGA shopping center and utilize the second driveway. The second proposed driveway is located at the northeast corner of the site and would be a full access driveway from a drive aisle located within the shopping center.

The proposed layout of the McDonald's does require a variance from the front yard setback requirement of the General Business (GB) zoning district. Section 1268.08 'Yards' of the City of New Carlisle Zoning Code, specifies the following building setbacks:
\begin{tabular}{|c|c|c|c|}
\hline \begin{tabular}{c} 
Building Setback \\
Location
\end{tabular} & Required Setback (ft.) & Proposed Setback (ft.) & \% Variance \\
\hline Front & 100 & 62 & \(38 \%\) \\
\hline Rear & 50 & 76 & N/A \\
\hline Side (North) & 50 & 100 & N/A \\
\hline Side (South) & 50 & 53.5 & N/A \\
\hline
\end{tabular}

With the required building setbacks in the GB zone, and the width of the existing lot ( \(181.22^{\prime}\) is the average width of the lot), McDonald's was left with a building envelope that is approximately \(31^{\prime}\) wide. Most commercial or stand-alone restaurant structures are wider than \(31^{\prime}\) and given the existing depth of the outlots in front of the IGA store, a building setback variance becomes inevitable.

Despite the narrow building envelope on the subject property, the proposed McDonald's does comply with the other required setbacks for rear and side yards.

In considering this request, and as you look at existing businesses located along SR-235 through the City, there does appear to be existing businesses that would not comply with the 100 ' front yard and 50 ' rear yard setback requirement of the GB zone. However, many of the properties with existing businesses are zoned Central Business (CB) and the building setbacks in the CB are much less ( 0 ' front yard, 0 ' side yard, and \(5^{\prime}\) rear yard), so this property is unique in that it is one (1) of only seven (7) properties in the entire City that are zoned GB. There is a similarly sized outlot to the north of the entrance to the IGA shopping center that is an overflow parking lot for the New Carlisle Chrysler Jeep Dodge Ram dealership, so the proposed McDonald's is unique in that it would be the only stand-alone commercial structure built on one (1) of the two (2) smallest lots in the GB zone.

For this request, the existing dimensions of the property, which in part necessitate the front yard setback variance for the proposed McDonald's, are not the result of actions of the applicant (McDonald's). This outlot was platted by the owner of the shopping center long before McDonald's became interested in the property. In addition, the other lots in the GB zone are larger, so permitting a front yard setback variance for the proposed McDonald's does not convey special privilege on McDonald's that was denied to other developments in the GB zone because the other lots had sufficient depth to meet the required building setbacks. Just the opposite, the granting of this variance request would allow McDonald's to develop the subject property just as the other lots in the GB zoning district have been allowed to develop.


Notice is hereby given that the City of New Carlisle Board of Zoning Appeals will hold a public hearing on Monday, November 6, 2023, 6:00PM at the New Carlisle Fire Station, 315 N. Church Street, New Carlisle, Ohio 45344. The purpose of the hearing is to review, discuss, hear comments, and vote on a variance for a front yard setback and (potentially) signage for a McDonald's to be built on St. Rt. 235 by IGA. This meeting will take place during a regularly scheduled City Council meeting.

Notice is also given that the City of New Carlisle Planning Board will hold a public hearing on Tuesday, November 14, 2023, 6:00PM at the Smith Park Shelter House, 801 West Jefferson Street, New Carlisle, Ohio 45344. The purpose of the hearing is to review, discuss, hear public comments, and vote on a site plan for a McDonald's to be built on St. Rt. 235 by IGA.

Owner Name
CALLON STEVEN G \& MARGARET E
CHAMMA CHAMMA LLC
SHORE ESTEL R SR
PICKWICK FARMS LLC
WHITING F WAYNE \& DONNA E
PAYTON DENNIS C
HENSLEY MARK
HENSLEY MARK
LAKEVIEW PLAZA INC
C TOBEY ENTERPRISES LLC HENSLEY MARK

SANCRAINT CHAD
CROWE JAMES M
SHORT PROPERTIES LTD
MC KNIGHT JUSTICE D \& EMILY D LAMBERT
RASOR JACQUELINE
STICE GARY L \& CONNIE L
SWITZER JOHN R \& PATRICIA
WILLIAMS STEFANIE K
LEWIS ROGER LEE JR
MARTINEZ WILSON LEONARDO RECINOS \&

Property Address
1769 ADDISON-NEW CARLISLE RD
101 GALEWOOD DR
435 N MAIN ST
439 N MAIN ST
1756 N DAYTON-LAKEVIEW RD
1763 N DAYTON-LAKEVIEW RD
1744 ADDISON-NEW CARLISLE RD
1720 ADDISON-NEW CARLISLE RD
524 N MAIN ST
580 N MAIN ST
1701 ADDISON-NEW CARLISLE RD
1685 ADDISON-NEW CARLISLE RD
802 N SCOTT ST
800 N SCOTT ST
111 GALEWOOD DR
109 GALEWOOD DR
107 GALEWOOD DR
108 GALEWOOD DR
106 GALEWOOD DR
702 N SCOTT ST
700 N SCOTT ST

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\section*{City Council Staff Report}

Case Name: McDonald's Request for Signage Variance
Hearing Date: November 6, 2023
Hearing Location: Smith Park Shelter House
Hearing Time: 6:00PM

\section*{I. General Information and Case Description}
\begin{tabular}{|ll|}
\hline Case Type: & BZA Recommendation to Approve Sign Variance \\
\hline City Council: & \begin{tabular}{l} 
1. Will Vote on Number of W all Signs Signage Variance \\
2. Will Vote on Height of Pylon Sign
\end{tabular} \\
\hline Applicant: & Seth Dorman, Permit Solutions on behalf of M cDonalds \\
\hline Property Location: & 500 N M ain Street New Carlisle, Ohio 45344 \\
\hline Owner: & Lakeview Plaza Inc \\
\hline Parcel Numbers: & 0300500029103019 \\
\hline Adjacent Properties: & Zoning \\
\hline \multicolumn{1}{|c|}{ North: } & GB-General Business Districts 1268.03 (b)
\end{tabular}

\section*{II. Exhibits and Attachments}
\begin{tabular}{|l|l|}
\hline \multicolumn{1}{|c|}{ Item } & \multicolumn{1}{c|}{ Purpose } \\
\hline BZA Application & Application for Board of Zoning Appeals (BZA) Variance Request \\
\hline Narrative Statement & Applicant Narrative Statement \\
\hline Signage Site Plan & \begin{tabular}{l} 
Drawn to scale, showing position of the sign and other advertising structures in \\
relation to nearby buildings, structure, and streets
\end{tabular} \\
\hline Signage Copy Details & Lettering, symbols, graphics, and anything else that will appear on the sign \\
\hline City Code 1290.11 & Code Governing GB District Signage Requirements \\
\hline Legal Advertisement & Required by City Code \\
\hline Mailing Address & Of Property Owners within 600ft of Application Address \\
\hline
\end{tabular}

\section*{III. Staff Notes}
- Upcoming Timeline
o TONIGHT-11/06/23 City Council votes on front setback variance needed.
o 11/14/23 City of New Carlisle Planning Board hearing to review, discuss, hear public comments, and vote on a site plan
o 11/20/23 City Council to vote on Site Plan

\section*{- Pertinent Code Sections:}
o 1224 Administration
o 1246 Procedure for Board of Appeals
o 1290.11 Sign Requirements for General Business (GB) Districts
- Variances Needed (Board of Zoning Appeals (BZA) will vote on these)
o 1290.11 (b) (1) Permanent Wall Signs-One permanent wall sign is permitted for each established business use subject to provisions under division (b)(4) of this section.
o 1290.11 (a) (6) Permanent Ground Signs-Signs may not exceed 15 feet in height.
o 1290.11 (a) (2) The maximum size for any one sign is 50 square feet per face.
o 1290.11 (a) (7) Signs must be at least ten feet from any property lines.
o 1290.04 (e) (6) Shall be set back a minimum of five feet from all property lines.
\begin{tabular}{|c|c|}
\hline Required Number of Wall Signs & Proposed Number of Wall Signs \\
\hline 1 & 2 Wall Signs on East Wall \\
\hline
\end{tabular}
\begin{tabular}{|c|c|}
\hline Maximum Size For Any One Sign & Proposed Size for Ground Sign \\
\hline 50 SF & 93.75 SF \\
\hline
\end{tabular}
\begin{tabular}{|c|c|}
\hline Required Ground Sign Height (ft.) & Proposed Ground Sign Height (ft.) \\
\hline 15 ft & 30ft \\
\hline
\end{tabular}
\begin{tabular}{|c|c|c|}
\hline Sign & Setback Requirements & Proposed Setback \\
\hline Ground Sign & 10 ft & 5 ft \\
\hline Direction Signs & 5 ft & 0.5 ft \\
\hline
\end{tabular}

\section*{IV. Staff Recommendation}
- The City Council should make a motion tonight as follows:
1. Approve the variance for the number of wall signs on the east wall.
2. Approve the variance for the maximum size of one sign of 93.75 SF in lieu of 50 SF
3. Approve the variance for the height of the ground sign to 30 feet in lieu of 15 feet.
4. Approve the variance for the setback of ground sign to 5 ft in lieu of 10 feet.
5. Approve the variance for directional signs on the proposed right-in/right-out driveway to 0.5 ft from west property line in lieu of 5 ft
\begin{tabular}{|c|c|c|}
\hline City of New Carlisle Planning Department 331 S. Church Street New Carlisle, Ohio 45344 937.845.9492 planning@newcarlisleohio.gov & APPLICATION BOARD OF ZONING APPEALS VARIANCE REQUEST & \begin{tabular}{l}
Received Stamp \\
Office Use Only
\end{tabular} \\
\hline
\end{tabular}

\section*{Please read before completing this application.}
- Required -
\$125
Application Fee
- Submission of a completed Variance Request Application, including all of the items listed in the application checklist. Variance Request Application fee of \(\$ 125\).
- Note: Fee is not refundable if Variance is denied.
- Submission of a completed Zoning Application. Application Fee for Zoning Permit does not requirement payment until after the Variance is granted.
- Submitted applications and all checklist items shall be reviewed by City Staff for completeness. Submittals found to be incomplete will be rejected and the application will not be placed on the Board agenda. If an application is found to be incomplete, the applicant may submit the missing materials to complete application requirements.
- The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of a completed application. The Applicant or a Representative must be present at hearing.

- All property owners and interested parties within 500 feet of the proposed variance will be notified of Public Hearing.

\section*{Applicant Information}

Name: Seth Dorman, Permit Solutions Phone: 740-975-4232

Address: 100 North Avenue, Suite 103-164, Tallmadge, OH 44278
Email: sdorman@permitsolutionsohio.com

\section*{Property Information}

Address for Variance Request: 500 N Main Street New Carlisle Ohio 45344. (Parcel ID\# 0300500029103019)
Zoning District: GB
Lot Number: \(\qquad\)
Owner of Record according to the Clark County Auditor's Office): Lakeview Plaza, Inc.
Owners Mailing Address: \(\quad 7410\) Ratchford Court, New Albany, OH 43054
Owners Phone: 6142885087 Email: _sanjay 211@yahoo.com

\section*{Variance Requested}

Description of the nature of the Variance requested:

\title{
Front yard setback variance for proposed McDonald's restaurant (62' in lieu of 100' req.) \\ Signage Variance: Pole Sign Height, Pole Sign \& Directional Sign Setback, Number of Wall Signs
}

\section*{Application Requirements Checklist}
\begin{tabular}{|c|c|c|}
\hline \multicolumn{2}{|r|}{Required Items} & Staff Use \\
\hline \(\checkmark\) & Narrative Statement demonstrating that the requested variance conforms to the following standards; & \\
\hline \(\checkmark\) & a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district; & \\
\hline \(\checkmark\) & b) That a literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under this Zoning Code; & \\
\hline \(\checkmark\) & c) That special conditions and circumstances do not result from the actions of the applicant; and & \\
\hline \(\checkmark\) & d) That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district. & \\
\hline \(\checkmark\) & Site Plan that includes parcel shape and size, primary structure location and dimensions, any accessory structures that exist on the property, driveway and sidewalk locations. & \\
\hline \(\checkmark\) & Proposed Site Plan that includes all of the items listed in above Site Plan and the Proposed structure. Include all dimensions of proposed structure and the setback dimensions of all sides of the proposed structure. & \\
\hline \(\checkmark\) & Zoning Permit Application submitted along with this application for the proposed structure. & \\
\hline \(\checkmark\) & Photos of the area where the variance is being requested. & \\
\hline
\end{tabular}

I hereby attest to the truth and exactness of all information supplied on and with this application.
 \(\qquad\)
Property Owner's Signature: \(\underbrace{\text { SANJAY PATEL }}\)\begin{tabular}{l}
\(\begin{array}{l}\text { Digitally signed by sANJAY } \\
\text { PARTE: } \\
\text { Date: 2033.10.17 17:49:07-04 }\end{array}\) \\
\hline
\end{tabular}
(If different than Applicant)

Office Use Only
Fee \(\$ 125\) Paid Date:
This application has been reviewed and is found to be complete. City

Staff: \(\qquad\) Position: \(\qquad\) Date: \(\qquad\)
Decision of the Board of Zoning Appeals
```

Date Decision Ruled on:

```
\(\qquad\)
``` Action Taken: Approved / Denied Conditions for Approval:
``` \(\qquad\)

\title{
VARIANCE APPLICATION
} NARRATIVE STATEMENT

TO: \(\quad\) Board of Zoning Appeals Members \& City Planning Staff

FROM: Seth Dorman, Permit Solutions

DATE: \(\quad\) October 30, 2023

\author{
SUBJECT: Proposed McDonald’s Restaurant at 1685 N. Dayton-Lakeview Road (N. Main Street) Request for Signage Variance
}

McDonald's is proposing to construct a new restaurant on a vacant commercial lot in front of the IGA shopping center along N. Dayton-Lakeview Road (SR-235) in New Carlisle.

The proposed McDonald's would have a footprint of 3,694 square feet with the long side of the building running north to south on the site and the short side of the building running west to east on the site. The restaurant would have double drive-thru lanes and forty (40) total parking spaces, including two (2) accessible spaces. A short public/private sidewalk extension is proposed with a crosswalk located on the McDonald's parking lot to provide designated pedestrian access to the restaurant. Indoors, the restaurant dining area will have seating for thirty-eight (38) and the largest number of employees per shift will be seventeen (17).

Access to the proposed McDonald's would come from two driveways. The first proposed driveway is located at the southwest corner of the site and would be a right-in/right-out only driveway from N. DaytonLakeview Road meaning that traffic coming south on SR-235 could not turn left into the site; they would have to turn left into the IGA shopping center and utilize the second driveway. The second proposed driveway is located at the northeast corner of the site and would be a full access driveway from a drive aisle located within the shopping center.

The proposed sign package for the new restaurant does require several variances, including: (1) Setback of the ground sign from the north property line; (2) Overall height of the ground sign; (3) Overall area of the ground sign; (4) Setback of the two directional signs located along N. Main Street; and (5) Number of wall signs on the east elevation.
(1) Setback of Ground Sign:
a. Section 1290.11 (a)(7) of the New Carlisle Codified Ordinances indicates that permanent ground signs shall be set back a minimum of ten feet from all property lines. The proposed road sign will be located 3 feet from the north property line. The reason that the proposed road sign cannot comply with the required ten-foot setback is that there is a fifty (50) foot wide high pressure gas line easement located along the frontage of the
proposed McDonald's site, and no structural foundation or footing can be installed within the easement area. The proposed road sign would be located just outside of the easement area, which represents the closest the sign can be to N. Main Street, and in this area, the width of the green space in between the north property line and the curb for the proposed parking spaces along the north side of the parking lot is approximately 7' wide, so the road sign is proposed to be located about halfway between the north property line and the curb line for the proposed parking spaces. It is important to note here that there is an additional 25-27' of green space in between McDonald's north property line and the edge of pavement for the entrance drive into the IGA Shopping Center, so the proposed road sign will be offset approximately 28-30' from the entrance drive into the shopping center.
(2) Overall Height of the Ground Sign
a. Section 1290.11 (a)(6) of the New Carlisle Codified Ordinances indicates that permanent ground signs may not exceed 15 feet in height. The proposed road sign will have an overall height of 30 feet. The reason that McDonald's is proposing the taller ground sign is due to the required location of the sign. Due to the fifty (50) foot wide high pressure gas line easement the road sign is proposed to be located about 51 feet from the west property line adjacent to \(\mathbf{N}\). Main Street instead of the required 10 -foot setback. To help overcome this obstacle, the proposed road sign will be 30 ' tall instead of 15 ' which will help traffic traveling north and south bound on N. Main Street register the location of the McDonald's in time to either turn into the site at the right-in/right-out for northbound traffic or the shopping center entrance for southbound traffic.
(3) Overall Area of the Ground Sign
a. Section 1290.11 (a)(2) of the New Carlisle Codified Ordinances indicates that one freestanding sign is permitted for each zoning lot with a maximum sign area of 30 square feet, except that the area may increase 1 square foot for every 2.5 linear feet of frontage above the initial 150 linear feet of frontage up to a frontage of 300 linear feet. The maximum size for any one sign is 50 square feet per face. The proposed road sign will have an overall sign area of approximately 93.75 square feet; this includes a "Arch" panel at the top of the sign that has an area of \(7.5^{\prime} \times 7.5^{\prime}\) or 56.25 square feet. In addition, the proposed road sign will have an electronic messaging center (digital panel) with an area of approximately \(5^{\prime} \times 7.5^{\prime}\) or 37.5 square feet. The total area requires a variance because it exceeds the maximum 50 square feet. Due to the fifty ( 50 ) foot wide high pressure gas line easement the road sign is proposed to be located about 51 feet from the west property line adjacent to \(\mathbf{N}\). Main Street instead of the required 10 -foot setback. To help overcome this obstacle, the proposed road sign will have an area larger than what is permitted by code to help traffic traveling north and south bound on N. Main Street register the location of the McDonald's in time to either turn into the site at the right-in/right-out for northbound traffic or the shopping center entrance for southbound traffic.
(4) Setback of Directional Signs:
a. Section 1290.04 (e)(6) of the New Carlisle Codified Ordinances indicates that on-site directional signs shall be set back a minimum of five feet from all property lines. The two on-site directional signs proposed at either side of the proposed right-in/right-out driveway on N. Main Street (SR-235) will be located 0.5 foot from the west property line. The reason that these directional signs cannot comply with the minimum five (5) foot setback for on-site directional signs is that there is a fifty (50) foot wide high pressure gas line easement located along the frontage of the proposed McDonald's site, and no structural foundation or footing can be installed within the easement area.
(5) Number of Wall Signs on East Elevation:
a. Section 1290.11 (b) of the New Carlisle Codified Ordinances indicates that permanent wall signs are permitted one (1) per frontage, not to exceed \(5 \%\) of the wall area to which they are attached. For the McDonald's building, the short sides (north and south) are 14'-2" tall x 45 ' wide or 637.5 square feet in area. The Code permits a maximum of 32 square feet of signage on these walls if a permanent ground sign is proposed. The long sides of the building (east and west) are \(14^{\prime}-2^{\prime \prime}\) tall x \(84^{\prime}-71_{2 \prime \prime}^{\prime \prime}\) wide or \(1,199.2\) square feet in area. The Code permits a maximum of 60 square feet of signage on these walls if a permanent ground sign is proposed. Proposed on the McDonald's building are the following wall signs:
- Front Elevation (south side):

○ One (1) "Arch" wall sign with an area of 7.5 s.f.
- This side complies as only 1 sign is proposed with an area less than 32 s.f.
- Non-Drive-Thru Elevation (east side):
- One (1) "Arch" wall sign with an area of 7.5 s.f.
- One (1) "Wordmark (McDonald's)" wall sign with an area of 33 s.f.
- This side does not comply because 2 signs are proposed; however, the overall area of the \(\mathbf{2}\) signs is less than \(\mathbf{6 0}\) s.f.
- Drive-Thru Elevation (west side):
- One (1) "Wordmark (McDonald's)" wall sign with an area of 33 s.f.
- This side complies as only 1 sign is proposed with an area less than \(\mathbf{6 0}\) s.f.
- Rear Elevation (north side):
- No wall signs are proposed on this side

There are justifications present for each of the requested Sign Code variances. For the ground sign setback and overall height variances and the directional sign setback variance, the 50 ' wide high pressure gas line easement prevents McDonald's from complying with the code in these areas and/or presents a physical barrier or obstacle that McDonald's is attempting to overcome with the proposed variances. For wall signage, McDonald's is proposing a total area of 81 square feet of wall signage spread out through four (4)

100 North Avenue, Suite 103-164
Tallmadge, OH 44278
wall signs on three (3) building elevations. For a commercial restaurant with a footprint area of 3,694 square feet, eighty-one (81) total square feet is relatively minimal. The overall wall area for the proposed building, between the four sides, is \(3,673.4\) square feet, of which 81 square feet represents \(2.2 \%\) of the overall wall area for the building.

Thank you very much for your consideration of our proposed signage variances!


\(\begin{array}{ll}\text { Illumination: } & \text { LED } \\ \text { Electrical: } & 11.20 \text { Amps @ 120V } \\ \text { Power Supply: } & \text { Agilight PS12-60W-100/277V } \\ \text { Face Detail: } & \begin{array}{l}\text { Laser cut aluminum faces with } \\ \text { illuminated copy and push thru arch }\end{array} \\ & \end{array}\)

\section*{Available Panels -}


24 Hours
WiFi

Electronic Message Center (EMC) option also available.



```

Illumination: LED
Electrical: . 35 AMPS
Ballast: (1) OSRAM OT75-120-277-24

```

Ship Weight:


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Notice is also given that the City of New Carlisle Planning Board will hold a public hearing on Tuesday, November 14, 2023, 6:00PM at the Smith Park Shelter House, 801 West Jefferson Street, New Carlisle, Ohio 45344. The purpose of the hearing is to review, discuss, hear public comments, and vote on a site plan for a McDonald's to be built on St. Rt. 235 by IGA.

Owner Name
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LEWIS ROGER LEE JR
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524 N MAIN ST
580 N MAIN ST
1701 ADDISON-NEW CARLISLE RD
1685 ADDISON-NEW CARLISLE RD
802 N SCOTT ST
800 N SCOTT ST
111 GALEWOOD DR
109 GALEWOOD DR
107 GALEWOOD DR
108 GALEWOOD DR
106 GALEWOOD DR
702 N SCOTT ST
700 N SCOTT ST

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\section*{City Council Staff Report}

\author{
Case Name: Arbor Homes Preliminary Plat Planning Board Recommendation for Approval Hearing Date: November 6, 2023 \\ Hearing Location: Smith Park Shelter House \\ Hearing Time: 6:00PM
}

\section*{I. General Information and Case Description}
\begin{tabular}{|ll|}
\hline Case Type: & Planning Board Recommendation to Approve Preliminary Plat \\
\hline City Council: & \begin{tabular}{l} 
Will hear, discuss, and vote on the Planning Board's recommendation to approve, \\
approve w/ modifications, or deny the preliminary plan with the noted road width
\end{tabular} \\
\hline Applicant: & Paul Metzger, Arbor Homes \\
\hline Property Location: & Development at Addison Carlisle Road \\
\hline Owner: & Clayton Property Groups \\
\hline Parcel Number: & 0150500029100006 \\
\hline
\end{tabular}

\section*{II. Exhibits and Attachments}
\begin{tabular}{|l|l|}
\hline \multicolumn{1}{|c|}{ Item } & \multicolumn{1}{c|}{ Purpose } \\
\hline City Council Staff Report & Details the subject matter of the hearing \\
\hline Preliminary Plat Packet & \begin{tabular}{l} 
Submitted by the applicant and used for review and compliance with city code. Can \\
be used as a visual for road width discussion
\end{tabular} \\
\hline Planning Board Communication & From Planning Board President stating approval of preliminary plat w/ modifications \\
\hline City Code 1238.08 & Road width standards \\
\hline Legal Advertisement & Required by city code \\
\hline Mailing Addresses & List of addresses that were directly notified of hearing by the city \\
\hline
\end{tabular}

\section*{III. Staff Notes}
- Planning Board / City Council History
- 6/7//22 Informal Preliminary Plan with the Planning Board
- 10/18/22 Preliminary Plan - First meeting with the Planning Board
- 11/15/22 Preliminary Plan - Final meeting with the Planning Board
- 01/03/23 City Council Introduces legislation for Preliminary Plan approval and zone change request.
- 01/17/23 City Council approved Ordinance 2023-04 that rezoned the property / approved the preliminary plan, and approved Ordinance 2023-06 calling for the arrangements of provisions for the improvements needed.
- 10/10/23 Preliminary Plat with Planning Board-Approved placement of new detention basin, that will be dry mostly, that shall have signage indicating such placement and that certain utilities can be placed in the ROW and not under the road itself. The attached preliminary plat packet currently indicates these utilities under the road. Updated plans are in the works.
- Pertinent Code Sections: 1228 Procedure for Subdivision Involving More Than Five Lots
- 1237.07 Alleys
- 1238 Improvements
- 1238.02 Streets
- 1238.03 Sidewalk, Curb and Gutters
- 1238.05 Fencing Around Drainage Right-of-Ways
- 1238.06 Water and Sanitary Sewerage Systems
- 1238.08 Standards
- Road Width Information
- 1238.08 Standards (a)Streets
- Local Street - Urban Minimum Requirements
- Right-of-Way Width 50ft; Pavement Width 36ft
- Applicant Request 50ft Right-of-Way; 24ft. Pavement Width
- Local Street Comparison
\begin{tabular}{|l|l|l|}
\hline Street & \begin{tabular}{l} 
Pavement to \\
Pavement
\end{tabular} & Pavement w/ Gutter \\
\hline Fenwick & \(23^{\prime}\) & \(26^{\prime}\) \\
\hline Kennison & \(23^{\prime}\) & \(26^{\prime}\) \\
\hline ARBOR & \(26^{\prime}\) & \(31^{\prime}\) \\
\hline DR Horton & \(24^{\prime}\) & \(28^{\prime}\) \\
\hline Edgebrook & \(26^{\prime}\) & \(29^{\prime}\) \\
\hline Glenn & \(26^{\prime}\) & \(29^{\prime}\) \\
\hline Greenheart & \(26.5^{\prime}\) & \(29.5^{\prime}\) \\
\hline Leatherwood & \(26.5^{\prime}\) & \(29.5^{\prime}\) \\
\hline White Pine & \(27.5^{\prime}\) & \(30.5^{\prime}\) \\
\hline Lake & \(38^{\prime}\) & \(41^{\prime}\) \\
\hline
\end{tabular}

\section*{IV. Staff Recommendation}
- Both the Planning Board and the City Council approved the Preliminary Plan that established zoning for the subdivision, such as lot sizes and setbacks (Chapter 1278 R-PUD's).
- The Preliminary Plat will split the large parcel into smaller parcels and detail the infrastructure improvements needed (storm drainage, sanitary sewer, roads, etc.,)
- Final Plat allows for needed changes due to construction or other unforeseen issues.
- City Council to make a motion as follows:
- Approve the preliminary plat to include a 26' pavement to pavement road width, permit certain utilities to be placed in the ROW and not under the road itself, and permit the addition of a second detention basin with proper signage. On June 5th, City Council approved a 24' pavement to pavement road width for DR Horton.

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

\(\frac{\text { VICINITY MAP }}{\text { NTS }}\)



\(\frac{\text { VICINITY MAP }}{\text { NTS }}\)
SURVEYOR



ENGINEER




APPROVALS:
\(\qquad\)









Subject: Planning Board Report October 10,2023
Date: Wednesday, October 11, 2023 at 1:10:44 PM Eastern Daylight Time
From: Planning Board \#3
To: Randy Bridge
CC: Bryan Moore
Mr. Bridge, Mr. Moore, Members of New Carlisle
City Council.
On the above date at 6PM the New Carlisle Planning
Board held
a public meeting for the Preliminary Plat for Monroe
Meadows.
The Board approved this plan with the following amendments,
1. the Retention pond must have signs warning of water in the pond during a heavy rain event, or snow melt.
2. Placement of the Sanitary, Water and Storm behind the curb, within the ROW upon city Service Director, and City Manager review and
approval.
The Board reviewed the Brubaker Alley Dedication for the Reserves at Honey Creek. This was approved by the Board. As presented.

These Items are sent on to the New Carlisle City Council for any changes.
you choose to make and request your approval.

Respectfully submitted,
(a) Streets.
(1) Classification. All streets in a subdivision shall be classified and governed in accordance with till following table:
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline & A & B1 & \(C^{2}\) & D & \(E^{4}\) & F 5 \& 6 \\
\hline & & \begin{tabular}{l}
(see note \\
1)
\end{tabular} & \[
\begin{aligned}
& \hline \text { (see } \\
& \text { note 2) }
\end{aligned}
\] & & (see note 4) & \[
\begin{aligned}
& \text { (see notes } \\
& 5 \& 6 \text { ) }
\end{aligned}
\] \\
\hline Classification of street & Right-ofway width (ft.) & Pavement width (ft.) & Max. grade (\%) & Max. curvature (degrees) & Radius of curvature (ft.) & Vertical visibility (ft.) \\
\hline & A & \(B^{1}\) & \(\mathrm{c}^{2}\) & D & \(E^{4}\) & F 5 \& 6 \\
\hline & & \begin{tabular}{l}
(see note \\
1)
\end{tabular} & \[
\begin{aligned}
& \hline \text { see } \\
& \text { note } \\
& \text { 2) } \\
& \hline
\end{aligned}
\] & & \begin{tabular}{l}
(see note \\
4)
\end{tabular} & (see notes 5\&6) \\
\hline Classification of street & Right-ofway width (ft.) & Pavement width (ft.) & \[
\begin{array}{|l|}
\hline \text { Max. } \\
\text { grade } \\
\text { (\%) } \\
\hline
\end{array}
\] & Max. curvature (degrees) & Radius of curvature (ft.) & Vertical visibility (ft.) \\
\hline Primary thoroughfare & 80 & 44 & 5 & 11.5 & 500 & 500 \\
\hline Secondary thoroughfare & 60 & 40 & 5 & 14 & 400 & 400 \\
\hline Collector street Urban Rural & \[
\begin{aligned}
& 60 \\
& 60
\end{aligned}
\] & \[
\begin{aligned}
& 36 \\
& 41
\end{aligned}
\] & \[
\begin{aligned}
& 7 \\
& 7
\end{aligned}
\] & \[
\begin{aligned}
& 19 \\
& 19
\end{aligned}
\] & \[
\begin{aligned}
& 300 \\
& 300
\end{aligned}
\] & \[
\begin{aligned}
& 200 \\
& 200
\end{aligned}
\] \\
\hline Local street Urban Rural & \[
\begin{aligned}
& 50 \\
& 50
\end{aligned}
\] & \[
\begin{aligned}
& 36 \\
& 31
\end{aligned}
\] & \[
\begin{aligned}
& 10 \\
& 10
\end{aligned}
\] & (see Note 3) & \multicolumn{2}{|l|}{(see Note 3)} \\
\hline Special Multi-family, business and industrial & \multicolumn{6}{|l|}{To be determined by Council. The pavement width need not exceed forty feet in any case.} \\
\hline
\end{tabular}

\section*{Notes:}
1. This dimension is determined by measuring back to back of curb.
2. The minimum street grade is one percent.
3. The degree of curvature shall be determined by a minimum curb radius of thirty-five feet.
4. All dimensions in Column \(E\) are street centerline measurements.
5. All dimensions in Column F shall be measured from four and one-half feet above the street surface to an object four inches above the street surface.
6. All changes in grade shall be made by vertical curves of minimum length equal to 100 times the algebraic difference in rate of grade for thoroughfares and one-half such minimum length for collector and local streets using the nearest twenty-five foot length of curve.
7. All subdivisions (platted or unplatted) shall be required to dedicate necessary rights-of- way when streets involved in such subdivisions are part of the Official Thoroughfare Plan. However, in the case of a lot split, if the grantor wishes to dedicate additional rights-of-way along his or her entire road frontage, the County Prosecutor's Office or the Department of Law, whichever is applicable, will handle the necessary paperwork.
(2) Intersection; curb radius.
A. Grade. Street grades shall not exceed three percent within a distance of 100 feet from an intersection.
B. Curb radius. All street pavements shall intersect each other as near to right angles as possible. At right angle intersections, the curb radius shall be fifteen feet at intersections involving two fifty-foot rights-of-way. At all other street intersections, the curb radius shall be twenty-five feet unless specified otherwise by the Director of Public Service. At intersections where the angle is other than ninety degrees, the Director shall determine acceptable curb radii.
(3) Dead ends. When a cul-de-sac is permitted, the minimum road surface radius within the turn-around shall be forty feet. The surface configuration for a temporary cul-de-sac shall be according to Municipal standards.
(b) Drainage. Where curbs and gutters are involved, curb inlets shall be constructed on the upstream side of the crosswalks. At points where drainage ditches enter the area being developed, grate inlets are required. Spacing of curb inlets on streets shall be as indicated by the principles of good design.
(Ord. 83-32. Passed 8-15-83.)

Notice is hereby given that the City of New Carlisle Board of Zoning Appeals will hold a public hearing on Monday, November 6, 2023, 6:00PM at the New Carlisle Fire Station, 315 N. Church Street, New Carlisle, Ohio 45344. The purpose of the hearing is to review, discuss, hear public comments, and vote on road width variance for a residential development located of AddisonNew Carlisle Road.

HULL MELISSA LORRAINE \& SCOTT G 1000 N SCOTT ST SMITH JAMES P 1002 KENNISON AVE CLAWSON DENNIS A 1002 N SCOTT ST DIEKER PHYLLIS JEAN 1003 KENNISON AV
ARROWOOD MARVIN R \& SHERRY D 1003 N SCOTT ST
AREVALO HUMBERTO 1004 N SCOTT ST
SUERDICK MARY M
SANDERS WILLIAM E SR
FERGUSON TERRY L \& PATRICIA A
KRIMA INC
CETONE CALEB M J
FISCHER RICHARD V SR \& BARBARA 」 1102 N SCOTT ST
BOARD OF EDUCATION OF TECUMSEl 1203 KENNISON AVE
SANCRAINT CHAD
STAFFORD TASHONDA S MORITZ
BUNKER CHARLES A
WOODRUM SHIRLEY A
WHITING F WAYNE \& DONNA E
PAYTON DENNIS C
CALLON STEVEN G \& MARGARET POLAND GERALD A \& JANET M TRUS 1779 N DAYTON-LAKEVIEW RD DOYLE JOHN CECIL
NEW CARLISLE PROVIDENCE LLC
NEW CARLISLE HEALTH FACILITIES LL( 1885 DAYTON LAKEVIEW RD
NEW CARLISLE HEALTH FACILITIES LL( 1948 ADDISON-NEW CARLISLE RD SALYERS RONNIE L
MARTIN JEANETTE L
PRICE MANDY E
1961 ADDISON-NEW CARLISLE RD
1981 ADDISON-NEW CARLISLE RD
200 DRAKE AVE
HOOVER RONALD R \& CHARLOTTE LA 200 FENWICK DR
ELLISON BETTY R 200 RAWSON DR
DEAN BRADLEY D \& RAYANNA
WOODARD NICHOLAS G
BRYANT SAMPSON A
ALGREN RUSSELL T II \& KATHLEEN C
FLETCHER JAMIE L \& JUSTIN L
CROOK EMILY
HANSEL FREDDIE E \& TERRI A
UPTON LARRY C \& CATHY S
ROUCH BRANDI
COURNEY TIMOTHY J
HAHNEMANN GEORGE E \& MARCELL
LUIS JAY D \& BONNIE M
GANSHEIMER SANDRA A
STACY RANDY \& MARILYN
ADAMS CHARLES T \& JOANNA L
COURNEY TIMOTHY J
TURNWOOD LLC
WHITAKER JAMIE
PARKS STEPHEN L
CUICA MA GUADALUPE OCHOA
AVEYARD BRIAN \& CHRISTINA
HENDERSON CHARLENE TRUSTEE
RYMAN DAVID A \& ANITA K
BOYER BETH A
2001 ADDISON-NEW CARLISLE RD
201 FENWICK DR
201 RAWSON DR
202 DRAKE AVE
202 FENWICK DR
202 RAWSON DR
2025 ADDISON-NEW CARLISLE RD
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209 FENWICK DR
209 RAWSON DR
FISCHER RICHARD V SR \& BARBARA J 210 DRAKE AVE

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\hline HESS TORI A & 211 DRAKE AVE \\
\hline \multicolumn{2}{|l|}{GONZALES ALBERTO M \& ALMA D GC 211 RAWSON DR} \\
\hline AREVALOS BRENDA & 212 DRAKE AVE \\
\hline SIROIN JOHNATHAN P \& MORGAN D & 213 DRAKE AVE \\
\hline GONZALEZ ALBERTO \& ALMA DELIA & 213 RAWSON DR \\
\hline HELKE MARILYN J & 214 DRAKE AVE \\
\hline PAGE MICHELLE & 215 DRAKE AVE \\
\hline MILAM SUSAN & 215 RAWSON DR \\
\hline HELKE MICHAEL & 216 DRAKE AVE \\
\hline PARK HILLS SENTRE LTD & 217 DRAKE AVE \\
\hline STACCIA \& ASSOCIATES & 217 RAWSON DR \\
\hline FERGUSON DENISE N & 218 DRAKE AVE \\
\hline RITCHIE ROGER \& CRYSTAL & 219 DRAKE AVE \\
\hline MAUSOLF NICOLE M & 219 RAWSON DR \\
\hline BAKER DARREL A & 220 DRAKE AVE \\
\hline MOLLA WILLIAM D & 221 DRAKE AVE \\
\hline MEADOWS SARAH N & 221 RAWSON DR \\
\hline AGUIRRE ALFONSO \& CUTBERTO & 222 DRAKE AVE \\
\hline BLACKBURN LYNN C & 223 DRAKE AVE \\
\hline \multicolumn{2}{|l|}{VARGAS ROCIO \& GENARO BERNARD 223 RAWSON DR} \\
\hline CORNELL GROUP LLC THE & 224 DRAKE AVE \\
\hline MYERS GRACE HOLLY & 225 DRAKE AVE \\
\hline WILLOWS RUN LLC & 225 RAWSON DR \\
\hline PEREZ MARIO & 226 DRAKE AVE \\
\hline FRANKS JOHN B & 227 DRAKE AVE \\
\hline WILLOWS RUN LLC & 227 RAWSON DR \\
\hline COLLINS LINDA & 228 DRAKE AVE \\
\hline KNEPP KIMBERLY & 229 DRAKE AVE \\
\hline TRUJILLO JAIRO & 229 RAWSON DR \\
\hline SNYDER GREGORY M \& AMANDA J & 2291 ADDISON NEW CARLISLE RD \\
\hline \multicolumn{2}{|l|}{BREWER WILLIAM NATHAN \& DELOR 230 DRAKE AVE} \\
\hline \multicolumn{2}{|l|}{NELSON CHARLES E \& TERESA L THOr 231 DRAKE AVE} \\
\hline EDWARDS VINCENT S & 231 RAWSON DR \\
\hline SHEARER JONAH LEE & 232 DRAKE AVE \\
\hline LEVI MELINDA T & 233 DRAKE AVE \\
\hline FISCHER RICHARD V SR \& BARBARA J & 233 RAWSON DR \\
\hline MATA COLLETTE & 234 DRAKE AVE \\
\hline FISCHER RICHARD V SR \& BARBARA J & 235 DRAKE AVE \\
\hline FANNIN JOYCE B & 235 RAWSON DR \\
\hline FISCHER RICHARD V SR \& BARBARA J & 237 DRAKE AVE \\
\hline ARNOLD GREGORY L & 300 DRAKE AVE \\
\hline VAUGHN JULIE ANN \& DAVID PAUL & 301 RAWSON DR \\
\hline GIBSON DIANA G & 302 DRAKE AVE \\
\hline GALLEGOS RUTH & 303 DRAKE AVE \\
\hline VB ONE LLC & 304 DRAKE AVE \\
\hline CLICK ROSE MARIE & 305 DRAKE AVE \\
\hline PEXTO LLC & 305 RAWSON DR \\
\hline \multicolumn{2}{|l|}{GRIESHOP LEIF ROBERT \& ZOE M HILI 306 DRAKE AVE} \\
\hline CLEMENTS LINDA J & 307 DRAKE AVE \\
\hline TONER TERRY \& SHEILA & 307 RAWSON DR \\
\hline SHEPHERD REBECCA A & 308 DRAKE AVE \\
\hline MOLLA DANNY & 309 DRAKE AVE \\
\hline HARTMAN RONALD J \& LARRY N & 309 RAWSON DR \\
\hline \multicolumn{2}{|l|}{ESPINOZA FLORENCIO MENDOZA \& \(~ 311\) DRAKE AVE} \\
\hline LAKEVIEW PLAZA INC & 524 N MAIN ST \\
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\hline C TOBEY ENTERPRISES LLC & 580 N MAIN ST \\
\hline PARK HILLS SENTRE LTD & 800 BAYBERRY DR \\
\hline SHORT PROPERTIES LTD & 800 N SCOTT ST \\
\hline MASTICE MARC & 801 N SCOTT ST \\
\hline MEDINA HAYDEE Y \& JUAN VILLEGAS & 802 BAYBERRY DR \\
\hline CROWE JAMES M & 802 N SCOTT ST \\
\hline MC DONALD PAT & 803 BAYBERRY DR \\
\hline ROSSMAN BARBARA S & 804 BAYBERRY DR \\
\hline SMITH RACHEL R & 804 N SCOTT ST \\
\hline STEFANKO PROPERTIES LLC & 805 BAYBERRY DR \\
\hline BLAYLOCK TAMMY \& ABEN & 806 BAYBERRY DR \\
\hline OFFICER JENNIFER L \& MATTHEW A & 806 N SCOTT ST \\
\hline SHURTE LEAH A & 807 BAYBERRY DR \\
\hline EASON KAREN K & 807 N SCOTT ST \\
\hline NC GROUP LLC & 808 BAYBERRY DR \\
\hline DEAM HEATHER N & 809 BAYBERRY DR \\
\hline FRAWLEY TAYLOR M & 810 BAYBERRY DR \\
\hline BLANTON JACOB T & 811 BAYBERRY DR \\
\hline TONER TERRY L \& SHEILA R & 812 BAYBERRY DR \\
\hline SILER DENNIS WAYNE & 812 PLUMWOOD DR \\
\hline HOCKETT JONAS P & 813 BAYBERRY DR \\
\hline VAUGHN DONALD L \& JENNIFER L & 814 BAYBERRY DR \\
\hline BAUGHMAN KENNETH A \& JACQUE & 814 PLUMWOOD DR \\
\hline JACOBS SIDNEY J \& TANYA & 815 BAYBERRY DR \\
\hline NORMAN WILLIAM MICHAEL & 816 BAYBERRY DR \\
\hline DOAK APRIL LYNN & 816 PLUMWOOD DR \\
\hline OCEGUEDA MARIO MARTINEZ SR \& Y & 817 BAYBERRY DR \\
\hline VUKOVIC MICHAEL D & 818 BAYBERRY DR \\
\hline HOWARD JACK & 818 PLUMWOOD DR \\
\hline PARKER THOMAS W & 819 BAYBERRY DR \\
\hline BLAIR DANNY D & 820 BAYBERRY DR \\
\hline PATRICK JAMES W \& CONNIE L CARPI & 820 PLUMWOOD DR \\
\hline GARCIA PASTORA & 821 BAYBERRY DR \\
\hline SOWERS TERRY & 822 BAYBERRY DR \\
\hline TOMPKINS KIRSTYN \& JAYDEN J MCK & 822 PLUMWOOD DR \\
\hline CRAFT JAMES A JR \& TEENA I & 823 BAYBERRY DR \\
\hline MC BROOM ROBERT W \& TAMMY L & 824 PLUMWOOD DR \\
\hline GARRETT DAWN DENISE & 825 BAYBERRY DR \\
\hline MARTINEZ ANGELICA MENDOZA & 826 PLUMWOOD DR \\
\hline BOSWELL LYNSEY K \& ROBERT A & 828 PLUMWOOD DR \\
\hline HONAKER JOHN L \& CRYSTAL L & 830 PLUMWOOD DR \\
\hline BERNHARD NANCY L & 832 PLUMWOOD DR \\
\hline HEITZMAN MICHAEL W \& CAROL L & 896 LEATHERWOOD DR \\
\hline LAMBERT SUSAN E & 897 LEATHERWOOD DR \\
\hline LIPPS BEVERLY & 899 LEATHERWOOD DR \\
\hline WOODZELL RODNEY L & 900 N SCOTT ST \\
\hline MC CLINTOCK ANGELA \& JUSTIN BAR & 901 LEATHERWOOD DR \\
\hline MC CLAIN MICHAELLA & 902 LEATHERWOOD DR \\
\hline EVANS ROBERT \& LINDA & 902 SCOTT CIR \\
\hline ESPINOZA FLORENCIO MENDOZA \& & 903 LEATHERWOOD DR \\
\hline SWITZER BRANDON & 904 SCOTT CIR \\
\hline SPENCER MARK D \& DANIELLE N & 905 LEATHERWOOD DR \\
\hline WILLIAMS DONALD E \& VIOLA M & 906 SCOTT CIR \\
\hline ROBERTSON KENNETH A & 907 LEATHERWOOD DR \\
\hline THOMAS CHAWNA DENIECE & 908 N SCOTT ST \\
\hline
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\title{
City Manager Report
}

November 06, 2023

\section*{A. DEPARTMENTAL REPORTS}
- The Following Departmental Reports will be given at the next City Council meeting that will be held on Monday, October 16, 2023
- Finance, Public Service, Fire/EMS, and Police
- Planning \& Zoning, Mayor's Court Report - Attached

\section*{B. INFORMATIONAL ITEMS}
- Discussion Topics
- Updates / Explanations
- Rumpke/Waste Management
- Accepting Annexation Ordinance
- Addison-New Carlisle / St. Rt. 235 Cut-Thru
- Meeting Upcoming
- Main Street Curve Study - Attached
- Please review for discussion at the 11/20/23 Regular Meeting
- City Council
- Council Retreat - City Council Discussion Needed?
- Number of Contracted Deputies for 2024
- Additional Budget Work Session - Motion Needed
- Altafiber and Metronet
- Additional Discussion Topics
- Upcoming Legislation
- Clark County EMA MOU with Fire/EMS Department
- Ordinance to Accept Codification Update
- 2024 Sheriff's Contract
- 2024 Operating Budget (First Read on 11/20; Second on 12/4)

\section*{Attachment Summary:}
- Main Street Curve Study
- Planning Department \&Mayor's Court Report
- Additional Budget Work Session

\section*{Traffic Memo}

\section*{Project Snapshot}

The City of New Carlisle has contracted with Choice One Engineering to provide a traffic memo on Main Street (SR 235). This memo is intended to address the safety of a slight dog leg curve on Main Street between W. Linden Avenue and W. Madison Street.

\section*{Existing Conditions}

Main Street is a two-lane roadway segment (1 northbound lane, 1 southbound lane) from W. Linden Avenue at SLM 4.191 to W. Madison Street at SLM 4.364. The existing speed limit on this segment is 25 mph . Main Street is classified as a "Major Collector" in ODOT's Functional Classification system and carries an AADT of approximately 6,800 vehicles. There is an existing sidewalk on the west side of Main Street. See Appendix A for a plan view of the existing signage.

\section*{Crash Data}

Crash data was obtained from ODOT's Transportation Information Mapping System (TIMS) from 2014-2023. During this ten-year span, seven crashes occurred within the corridor as shown below in Table 1. Six of these crashes occurred from northbound traffic, while only one crash occurred from southbound traffic. Of the total crashes, \(29 \%\) (2 crashes) resulted in injury. The most prominent types of crashes were fixed object at \(71 \%\) ( 5 crashes), parked vehicle at 14\% (1 crash), and overturning at \(14 \%\) ( 1 crash). Most crashes occurred during darkness on dry pavement under no adverse weather conditions. The crashes were predominately located at the curve. The crash data shows that vehicles lose control near the curve during nighttime hours. A table of crash summaries is shown below. See Appendix B for a complete crash summary sheet.

Table 1: Crashes by Year
\begin{tabular}{|c|c|}
\hline YEAR & TOTAL CRASHES \\
\hline 2014 & 1 \\
\hline 2015 & 0 \\
\hline 2016 & 0 \\
\hline 2017 & 0 \\
\hline 2018 & 0 \\
\hline 2019 & 1 \\
\hline 2020 & 1 \\
\hline 2021 & 1 \\
\hline 2022 & 2 \\
\hline \(2023^{*}\) & 1 \\
\hline
\end{tabular}
* Includes data as of October 20, 2023

\section*{Recommendations}

After investigation of recent crash data and a site visit, Choice One proposes to increase drivers' awareness around the curve through the use of signage and pavement markings. It is recommended that a measure approach be utilized. Each improvement should be installed and evaluated before moving onto the other recommended improvements.

\section*{First Improvement:}
- Remove existing small chevron signs and install three (3) large Chevron Alignment Signs (W1-6L) [24" X 30"].
- Install a Large Arrow warning sign (W1-8L) [36" X 18"]
- Install a 6 " edge line on the northbound lane.

\section*{Second Improvement:}
- Install a Left Curve warning sign to the left side of the corridor (W1-2L) [30" X 30"].
- Install Edge Lit LED Flasher signs. It is recommended that the Large Arrow and both Left Curve warning signs be upgraded.

\section*{Third Improvement:}
- Install rumble strips (per ODOT's Traffic SCD TC-64.10) along the proposed 6" edge line. If this option is chosen, it should be noted that rumble strips can cause loud noise which will be heard by residents in the area. Therefore, it is recommended that a public meeting be held to inform the residents of the noise that can be generated. The outcome of the meeting should be considered before moving forward with the installation.

\section*{Appendix}
A. Concept Plan
B. Crash Data

\section*{APPENDIX}

\section*{APPENDIX A - Concept Plan}


\section*{APPENDIX B - Crash Data}

2014-2023 Curve Crashes Crash Summary Sheet
\begin{tabular}{cll|}
\hline \multicolumn{2}{l|}{ Crashes Per Year } \\
\hline & \multicolumn{2}{l|}{ Serious Injuries } \\
\hline & Fatalities & 0 \\
1 & 0 & 0 \\
1 & 0 & 0 \\
1 & 0 & 0 \\
1 & 0 & 0 \\
2 & 0 & 0 \\
1 & 0 & 0 \\
7 & 0 & 0
\end{tabular}


Injury Level
Total Crashe
Crash Type
Fixed Object
Parked Vehicle
Overturning
Grand Total
(4) Injury Possi (5) PDO/No Injı Grand Total

0 Con Ton


\begin{tabular}{|l|r|}
\hline Month & Total Crashes \\
\hline February & 1 \\
\hline March & 2 \\
\hline May & 1 \\
\hline July & 2 \\
\hline November & 1 \\
\hline Grand Total & 7 \\
\hline
\end{tabular}
\begin{tabular}{|l|l|}
\hline & \\
\hline Day in Week & Total Crashes \\
\hline (1) Sunday & 1 \\
\hline (3) Tuesday & 1 \\
\hline (5) Thursday & 2 \\
\hline (6) Friday & 1 \\
\hline (7) Saturday & 2 \\
\hline Grand Total & 7 \\
\hline
\end{tabular}
\begin{tabular}{lcrr}
\hline Weather & Total Crashes & Fatalities & Serious Injuries \\
\hline Clear & 6 & 0 & 0 \\
\hline Other / Unknown & 1 & 0 & 0 \\
\hline Grand Total & 7 & 0 & 0 \\
\hline
\end{tabular}
\begin{tabular}{lclll}
\hline Crash Location & Total Crashes & Fatalities & Serious Injuries \\
\hline Not An Intersection & 6 & 0 & 0 \\
\hline T-Intersection & 1 & 0 & 0 \\
\hline Grand Total & 7 & 0 & 0 \\
\hline
\end{tabular}
\begin{tabular}{|cccc|}
\hline Roadway Contour & Total Crashes & Fatalities & Serious Injuries \\
\hline Curve Level & 6 & 0 & 0 \\
\hline Straight Level & 1 & 0 & 0 \\
\hline Grand Total & 7 & 0 & 0 \\
\hline
\end{tabular}


\section*{Planning Department Report}

\section*{Date: Date: October 1st-October 13th 2023}
\begin{tabular}{|c|c|c|c|c|c|c|c|}
\hline Case \# & Main Status & Violation Date & Correction Deadline & Extension Date & Parcel Address & Violation Name & Violation Status \\
\hline 1616 & Open & 10/18/2023 & 10/23/2023 & 0 & 317 S SCOTT ST & 1460.43 (c)On-Street Parking Limitations. & Open \\
\hline 1616 & Open & 10/18/2023 & 10/23/2023 & 0 & 317 S SCOTT ST & 1460.44 Accessory Uses; Residential, Commercial, Industrial & Open \\
\hline 1617 & Closed & 10/18/2023 & 10/27/2023 & 0 & 607 W MADISON ST & 1460.25 (k) Sanitation & Closed \\
\hline 1617 & Closed & 10/18/2023 & 10/27/2023 & 0 & 607 W MADISON ST & 1460.25 Exterior Property and Structure Exteriors; Residential & Closed \\
\hline 1617 & Closed & 10/18/2023 & 10/27/2023 & 0 & 607 W MADISON ST & 1460.25 (e) Hazards & Closed \\
\hline 1617 & Closed & 10/18/2023 & 10/27/2023 & 0 & 607 W MADISON ST & 1460.25 (g) Storage & Closed \\
\hline 1618 & Open & 10/18/2023 & 10/27/2023 & 0 & 301 MADISON- 221 ADAMS ST & 1460.25 Exterior Property and Structure Exteriors; Residential & Open \\
\hline 1618 & Open & 10/18/2023 & 10/27/2023 & 0 & 301 MADISON- 221 ADAMS ST & 1460.25 (e) Hazards & Open \\
\hline 1618 & Open & 10/18/2023 & 10/27/2023 & 0 & 301 MADISON- 221 ADAMS ST & 1460.25 (g) Storage & Open \\
\hline 1618 & Open & 10/18/2023 & 10/27/2023 & 0 & 301 MADISON- 221 ADAMS ST & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle & Open \\
\hline 1618 & Open & 10/18/2023 & 10/27/2023 & 0 & 301 MADISON- 221 ADAMS ST & 1460.25 (k) Sanitation & Open \\
\hline 1619 & Open & 10/18/2023 & 11/17/2023 & 0 & 205 N SCOTT ST & 1280.03 Private Swimming Pools & Open \\
\hline 1619 & Open & 10/18/2023 & 11/17/2023 & 0 & 205 N SCOTT ST & 1460.25 (e) Hazards & Open \\
\hline 1620 & Closed & 10/18/2023 & 10/23/2023 & 0 & 307 N SCOTT ST & 1460.43 (d) Parking on Private Property & Closed \\
\hline 1621 & Open & 10/18/2023 & 10/30/2023 & 11/10/2023 & 523 N SCOTT ST & 1460.26 Vegetation; Residential & Open \\
\hline 1621 & Open & 10/18/2023 & 10/30/2023 & 11/10/2023 & 523 N SCOTT ST & 1460.25 Exterior Property and Structure Exteriors; Residential & Open \\
\hline 1621 & Open & 10/18/2023 & 10/30/2023 & 11/10/2023 & 523 N SCOTT ST & 1460.25 (e) Hazards & Open \\
\hline 1621 & Open & 10/18/2023 & 10/30/2023 & 11/10/2023 & 523 N SCOTT ST & 1460.23 Structural Soundness and Maintenance of Dwellings & Open \\
\hline 1621 & Open & 10/18/2023 & 10/30/2023 & 11/10/2023 & 523 N SCOTT ST & 1460.25 (g) Storage & Open \\
\hline 1621 & Open & 10/18/2023 & 10/30/2023 & 11/10/2023 & 523 N SCOTT ST & 1460.25 (k) Sanitation & Open \\
\hline 1622 & Closed & 10/18/2023 & 10/23/2023 & 0 & 722 SPINNING RD & 1460.26 Vegetation; Residential & Closed \\
\hline 1622 & Closed & 10/18/2023 & 10/23/2023 & 0 & 722 SPINNING RD & 1460.25 Exterior Property and Structure Exteriors; Residential & Closed \\
\hline
\end{tabular}
\begin{tabular}{|l|l|l|l|l|l|l|}
\hline 1622 & Closed & \(10 / 18 / 2023\) & \(10 / 23 / 2023\) & 0 & 722 SPINNING RD & 1460.25 (d) Yards, Tall Grass \& Weeds \\
\hline 1623 & Closed & \(10 / 18 / 2023\) & \(10 / 27 / 2023\) & 0 & 704 SPINNING RD & 1460.43 (d) Parking on Private Property \\
\hline 1623 & Closed & \(10 / 18 / 2023\) & \(10 / 27 / 2023\) & 0 & 704 SPINNING RD & 1460.26 Vegetation; Residential \\
\hline 1623 & Closed & \(10 / 18 / 2023\) & \(10 / 27 / 2023\) & 0 & 704 SPINNING RD & Closed \\
\hline 1624 & Open & \(10 / 18 / 2023\) & \(11 / 17 / 2023\) & 0 & 801 KENNISON AVE & Closed \\
\hline 1624 & Open & \(10 / 18 / 2023\) & \(11 / 17 / 2023\) & 0 & 801 KENNISON AVE & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1624 & Open & \(10 / 18 / 2023\) & \(11 / 17 / 2023\) & 0 & 801 KENNISON AVE & 1460.25 (e) Hazards \\
\hline 1625 & Closed & \(10 / 18 / 2023\) & \(10 / 27 / 2023\) & 0 & 703 W LAKE AVE & 1460.23 Structural Soundness and Maintenance of Dwellings \\
\hline 1625 & Closed & \(10 / 18 / 2023\) & \(10 / 27 / 2023\) & 0 & 703 W LAKE AVE & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle \\
\hline 1626 & Closed & \(10 / 19 / 2023\) & \(10 / 27 / 2023\) & 0 & 514 W JEFFERSON ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1627 & Closed & \(10 / 19 / 2023\) & \(10 / 25 / 2023\) & 0 & 604 W Jefferson & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1627 & Closed & \(10 / 19 / 2023\) & \(10 / 25 / 2023\) & 0 & 604 W Jefferson & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1627 & Closed & \(10 / 19 / 2023\) & \(10 / 25 / 2023\) & 0 & 604 W Jefferson & Closed \\
\hline 1628 & Closed & \(10 / 25 / 2023\) & \(10 / 31 / 2023\) & 0 & 208 S HENRY ST & 1460.43 (d) Parking on Private Property \\
\hline 1628 & Closed & \(10 / 25 / 2023\) & \(10 / 31 / 2023\) & 0 & 208 S HENRY ST & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle \\
\hline 1629 & Open & \(10 / 25 / 2023\) & \(10 / 30 / 2023\) & 0 & 216 GALEWOOD DR & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline
\end{tabular}

\section*{Planning Department Report}

\section*{Date: October 1st-October 28th 2023}
\begin{tabular}{|c|c|c|}
\hline Data Summary & October 1st-13th & \[
\begin{gathered}
\text { October } \\
\text { 14th-28th }
\end{gathered}
\] \\
\hline \multicolumn{3}{|l|}{1244.10 Zoning Permit Required} \\
\hline \multicolumn{3}{|l|}{1290.03 Sign Permit Required} \\
\hline \multicolumn{3}{|l|}{1290.20 Sign Construction and Maintenance} \\
\hline \multicolumn{3}{|l|}{1290.22 Sign Permit Application} \\
\hline 1460.15 Abatement of Nuisance by the City; Cost Recovery & 1 & \\
\hline 1460.23 Structural Soundness and Maintenance of Dwellings & & 2 \\
\hline 1460.25 Exterior Property and Structure Exteriors; Residential & 23 & 10 \\
\hline 1460.25 (a) Exterior Space & & \\
\hline 1460.25 (b) Exterior Maintenance & & \\
\hline 1460.25 (c) Fences and Walls & 2 & \\
\hline 1460.25 (d) Yards, Tall Grass \& Weeds & 3 & 1 \\
\hline 1460.25 (e) Hazards & & 5 \\
\hline 1460.25 (f) Temporary Occupancy & & \\
\hline 1460.25 (g) Storage & 8 & 4 \\
\hline 1460.25 (h) Drainage & & \\
\hline 1460.25 (i) Drainage Swales & & \\
\hline 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle & 5 & 3 \\
\hline 1460.25 (k) Sanitation & 3 & 3 \\
\hline 1460.25 (I) Swimming Pools & & \\
\hline 1460.25 (m) Open Fires & & \\
\hline 1460.26 Vegetation; Residential & 5 & 3 \\
\hline 1460.28 Accessory Structures & & \\
\hline
\end{tabular}
\begin{tabular}{|l|r|r|r|r|}
\cline { 2 - 5 } \multicolumn{1}{c|}{} & \begin{tabular}{c} 
October 1st- \\
13th
\end{tabular} & \begin{tabular}{c} 
October \\
14th-28th
\end{tabular} & \begin{tabular}{c} 
Total for \\
Month
\end{tabular} & \multicolumn{1}{c|}{} \\
\hline Total Violations & 60 & 39 & 99 & \\
\hline Total Properties Violated & 22 & 14 & 36 & \\
\hline Average Violations Per Property & 3.67 & 3.6 & 3.63 & \\
\hline Abatement Complete & 3 & 0 & & \(0.03 \%\) \\
\hline Closed Violations & 13 & 19 & 32 & \(32.00 \%\) \\
\hline \begin{tabular}{l} 
Properties Submitted to Mayor's \\
Court
\end{tabular} & 12 & 4 & 16 & \(16.00 \%\) \\
\hline Extensions Granted & 6 & 6 & 12 & \(13.00 \%\) \\
\hline
\end{tabular}

\footnotetext{
Disclaimer
Case Number is a unique identifier assigned to the parcel address being violated.
}

Main Status determins the activity of the entire case. Main Status will show open even if some of the violations have been closed (remedied).

Violation Status means one or more violations assigned to the case are either open or closed.

Extensions are provided on a case by case scenario. In most cases the the violations are exteme and more time is needed to remedy the situations.
\begin{tabular}{|l|r|r|}
\hline 1460.32 -Exterior Property and Structure Exteriors; Commercial & & \\
\hline 1460.33 Vegetation; Commercial & & \\
\hline 1460.43 (c) On-Street Parking Limitations & & 1 \\
\hline 1460.43 (d) Parking on Private Property & 9 & 4 \\
\hline 1460.44 Accessory Uses; Residential, Commercial, Industrial & 1 & 1 \\
\hline
\end{tabular}
\begin{tabular}{|l|l|l|l|r|}
\hline Permit Date & Permit Type & Main Status & Parcel Address & \begin{tabular}{l} 
Total \\
Payments
\end{tabular} \\
\hline \(10 / 16 / 2023\) & Tool Lending Center & Approved & 14 Detmer Avenue & \(\$ 0.00\) \\
\hline \(10 / 18 / 2023\) & Sidewalk/Curb/Gutter & Approved & 1303 BUTTERNUT DR & \(\$ 20.00\) \\
\hline \(10 / 23 / 2023\) & Tool Lending Center & Approved & \(110-116\) ORTH DR & \(\$ 0.00\) \\
\hline \(10 / 23 / 2023\) & Tool Lending Center & Approved & 220 FUNSTON AVE & \(\$ 0.00\) \\
\hline \(10 / 23 / 2023\) & Sign & Approved & 209 W Lake Avenue & \(\$ 42.50\) \\
\hline \(10 / 24 / 2023\) & Tool Lending Center & Approved & 110-116 ORTH DR & \(\$ 0.00\) \\
\hline \(10 / 24 / 2023\) & Planning Board Review & Approved & ADDISON NEW CARLIS & \(\$ 200.00\) \\
\hline \(10 / 24 / 2023\) & Board of Zoning Appeals & Approved & 500 N Main Street & \(\$ 125.00\) \\
\hline
\end{tabular}
\begin{tabular}{|c|c|c|c|c|}
\hline Case \# & Mayor's Court Date & Main Status & Parcel Address & Violation Name \\
\hline 1249 & 10/11/2023 & Submitted to Mayor's Court & 322 S ADAMS ST & Accessory Structures \\
\hline 1249 & 10/11/2023 & Submitted to Mayor's Court & 322 S ADAMS ST & Exterior Maintenance \\
\hline 1249 & 10/11/2023 & Submitted to Mayor's Court & 322 S ADAMS ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1445 & 10/11/2023 & Submitted to Mayor's Court & 410 N CHURCH ST & 1460.25 (b) Exterior Maintenance \\
\hline 1445 & 10/11/2023 & Submitted to Mayor's Court & 410 N CHURCH ST & 1460.25 (c) Fences and Walls \\
\hline 1445 & 10/11/2023 & Submitted to Mayor's Court & 410 N CHURCH ST & 1460.23 Structural Soundness and Maintenance of Dwellings \\
\hline 1445 & 10/11/2023 & Submitted to Mayor's Court & 410 N CHURCH ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1465 & 10/11/2023 & Submitted to Mayor's Court & 231 DRAKE AVE & 1460.25 (b) Exterior Maintenance \\
\hline 1465 & 10/11/2023 & Submitted to Mayor's Court & 231 DRAKE AVE & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1465 & 10/11/2023 & Submitted to Mayor's Court & 231 DRAKE AVE & 1460.26 Vegetation; Residential \\
\hline 1469 & 10/11/2023 & Submitted to Mayor's Court & 324 GALEWOOD DR & 1460.25 (g) Storage \\
\hline 1469 & 10/11/2023 & Submitted to Mayor's Court & 324 GALEWOOD DR & 1460.44 Accessory Uses; Residential, Commercial, Industrial \\
\hline 1469 & 10/11/2023 & Submitted to Mayor's Court & 324 GALEWOOD DR & 1460.43 (d) Parking on Private Property \\
\hline 1469 & 10/11/2023 & Submitted to Mayor's Court & 324 GALEWOOD DR & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1469 & 10/11/2023 & Submitted to Mayor's Court & 324 GALEWOOD DR & 1460.25 (b) Exterior Maintenance \\
\hline 1469 & 10/11/2023 & Submitted to Mayor's Court & 324 GALEWOOD DR & 1460.26 Vegetation; Residential \\
\hline 1476 & 10/11/2023 & Submitted to Mayor's Court & 312 FUNSTON AVE & 1460.43 (d) Parking on Private Property \\
\hline 1476 & 10/11/2023 & Submitted to Mayor's Court & 312 FUNSTON AVE & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1476 & 10/11/2023 & Submitted to Mayor's Court & 312 FUNSTON AVE & 1460.25 (b) Exterior Maintenance \\
\hline 1486 & 10/11/2023 & Submitted to Mayor's Court & 217 FENWICK DR & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle \\
\hline 1486 & 10/11/2023 & Submitted to Mayor's Court & 217 FENWICK DR & 1460.25 (e) Hazards \\
\hline 1486 & 10/11/2023 & Submitted to Mayor's Court & 217 FENWICK DR & 1460.43 (d) Parking on Private Property \\
\hline 1486 & 10/11/2023 & Submitted to Mayor's Court & 217 FENWICK DR & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1517 & 10/11/2023 & Submitted to Mayor's Court & 802 APPLEWOOD DR & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1517 & 10/11/2023 & Submitted to Mayor's Court & 802 APPLEWOOD DR & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle \\
\hline 1517 & 10/11/2023 & Submitted to Mayor's Court & 802 APPLEWOOD DR & 1460.26 Vegetation; Residential \\
\hline 1517 & 10/11/2023 & Submitted to Mayor's Court & 802 APPLEWOOD DR & 1460.25 (d) Yards, Tall Grass \& Weeds \\
\hline 1517 & 10/11/2023 & Submitted to Mayor's Court & 802 APPLEWOOD DR & 1460.25 (g) Storage \\
\hline 1554 & 10/11/2023 & Submitted to Mayor's Court & 323 PRENTICE DR & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1554 & 10/11/2023 & Submitted to Mayor's Court & 323 PRENTICE DR & 1460.25 (d) Yards, Tall Grass \& Weeds \\
\hline 1554 & 10/11/2023 & Submitted to Mayor's Court & 323 PRENTICE DR & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle \\
\hline 1557 & 10/11/2023 & Submitted to Mayor's Court & 300 S MAIN ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1557 & 10/11/2023 & Submitted to Mayor's Court & 300 S MAIN ST & 1460.25 (g) Storage \\
\hline 1557 & 10/11/2023 & Submitted to Mayor's Court & 300 S MAIN ST & 1460.25 (k) Sanitation \\
\hline 1559 & 10/11/2023 & Submitted to Mayor's Court & 305 PRENTICE DR & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1559 & 10/11/2023 & Submitted to Mayor's Court & 305 PRENTICE DR & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle \\
\hline 1562 & 10/11/2023 & Submitted to Mayor's Court & 510 ZIMMERMAN ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline
\end{tabular}
\begin{tabular}{|l|l|l|l|l|}
\hline 1562 & \(10 / 11 / 2023\) & Submitted to Mayor's Court & 510 ZIMMERMAN ST & 1460.25 (g) Storage \\
\hline 1562 & \(10 / 11 / 2023\) & Submitted to Mayor's Court & 510 ZIMMERMAN ST & 1460.25 (c) Fences and Walls \\
\hline 1562 & \(10 / 11 / 2023\) & Submitted to Mayor's Court & 510 ZIMMERMAN ST & 1460.43 (d) Parking on Private Property \\
\hline 1562 & \(10 / 11 / 2023\) & Submitted to Mayor's Court & 510 ZIMMERMAN ST & 1460.44 Accessory Uses; Residential, Commercial, Industrial \\
\hline 1586 & \(10 / 11 / 2023\) & Submitted to Mayor's Court & 202 S Pike Street & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1586 & \(10 / 11 / 2023\) & Submitted to Mayor's Court & 202 S Pike Street & 1460.43 (d) Parking on Private Property \\
\hline 1586 & \(10 / 11 / 2023\) & Submitted to Mayor's Court & 202 S Pike Street & 1460.44 Accessory Uses; Residential, Commercial, Industrial \\
\hline 1481 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 608 N SCOTT ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1481 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 608 N SCOTT ST & 1460.25 (k) Sanitation \\
\hline 1481 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 608 N SCOTT ST & 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle \\
\hline 1481 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 608 N SCOTT ST & 1460.23 Structural Soundness and Maintenance of Dwellings \\
\hline 1481 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 608 N SCOTT ST & 1460.44 Accessory Uses; Residential, Commercial, Industrial \\
\hline 1507 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 227 FUNSTON AVE & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1507 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 227 FUNSTON AVE & 1460.25 (g) Storage \\
\hline 1507 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 227 FUNSTON AVE & 1460.25 (k) Sanitation \\
\hline 1545 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 311 S CHURCH ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1545 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 311 S CHURCH ST & 1460.25 (g) Storage \\
\hline 1545 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 311 S CHURCH ST & 1460.26 Vegetation; Residential \\
\hline 1545 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 311 S CHURCH ST & 1460.25 (k) Sanitation \\
\hline 1547 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 313 S CHURCH ST & 1460.25 Exterior Property and Structure Exteriors; Residential \\
\hline 1547 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 313 S CHURCH ST & 1460.25 (g) Storage \\
\hline 1547 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 313 S CHURCH ST & 1460.25 (k) Sanitation \\
\hline 1547 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 313 S CHURCH ST & 1460.25 (e) Hazards \\
\hline 1547 & \(10 / 25 / 2023\) & Submitted to Mayor's Court & 313 S CHURCH ST & 1460.43 (d) Parking on Private Property \\
\hline
\end{tabular}

\section*{CITY OF NEW CARLISLE MAYOR'S COURT}


Court Report October 25, 2023

Beaty, Clinton B of New Carlisle pled guilty to Speed 11-15 Over and Two Lights Required. Fined \$10 plus court cost.

Bryan, Shelby L of Dayton pled no contest to Speeding 11-15 over. Fined \$10 plus court cost. Payment arrangements made.

Englebrecht, Cindy of New Carlisle pled No Contest to Ext Property, Storage, Sanitation, Parking on Private Property and Vegetation. Fined \(\$ 600\) plus court costs. If defendant gets property up to City standards within 10 days then fines will be suspended.

Haller, John of Troy pled guilty to Speeding 16-20 over. Fined court cost only. Case Closed.
Mynhier, Eric of New Carlisle pled not guilty to Ext Property \& Structural, Storage and Sanitation. Trial scheduled for November 8.

Ryan, Zachary of New Carlisle pled not guilty to Speed 51 in 25 mph. Requested to speak to the Prosecutor.

Townsends, Mitchell R of Tipp City pled no contest to Speeding 16-20 over. Fined \$40 plus court cost. Case closed.

Wiley, William G of New Carlisle charged with Property Violations. With the recommendation from the City the defendant was fined court cost only. Property incompliance.

York, Ryan of New Carlisle pled no contest to Improper Backing. Fined court cost.

\section*{PAID THROUGH VIOLATION BUREAU}

Brown, Deseria of New Carlisle, Parking Citation, \$40
Petersime, Dustin of New Carlisle, Speed 40/25, \$235
Seebeck, Kelly of New Carlisle, Parking Citation, \$40
Seebeck, Kelly of New Carlisle, Parking Citation, \$40
Stafford, TaShonda of Sarasota, FL, Speed 55/35, \$240

\section*{RESOLUTION 2023-17R}

A RESOLUTION APPOINTING THE CITY MANAGER AS THE DESIGNEE FOR THE CITY OF NEW CARLISLE'S MANDATORY PUBLIC RECORDS TRAINING REQUIRED BY THE OHIO PUBLIC RECORDS ACT

WHEREAS, the Ohio Public Records Act requires all local and statewide elected government officials or their designees to attend a public records training program during each term of elective office; and

WHEREAS, the Council Members of the City of New Carlisle desire to appoint the City Manager, Randy Bridge, as their designee for the purpose of attending the mandatory public records training program.

\section*{BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW CARLISLE, CLARK COUNTY, STATE OF OHIO, THAT:}

SECTION 1. Council hereby appoints the City Manager, Randy Bridge, as designee for the City of New Carlisle Council Members for the purpose of attending the mandatory public records training required by the Ohio Public Records Act. Council Members are as follows:
\begin{tabular}{ll} 
Mayor Mike Lowrey & Mr. Dan Rodewald \\
Vice Mayor Dale Grimm & Mr. William Lindsey \\
Mr. Bill Cook & Mr. Ben Bahun \\
Ms. Peggy Eggleston &
\end{tabular}

Passed this \(\qquad\) day of \(\qquad\) , 2023.

\author{
Mike Lowrey, Mayor \\ Emily Berner, Clerk of Council
}

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW
\begin{tabular}{|c|c|c|}
\hline \multicolumn{3}{|c|}{1st} \\
\hline \multicolumn{3}{|c|}{2cd:} \\
\hline Eggleston & Y & N \\
\hline Bahun & Y & N \\
\hline Lindsey & Y & N \\
\hline Mayor Lowrey & \(\mathbf{Y}\) & N \\
\hline Vice Mayor Grimm & Y & N \\
\hline Rodewald & Y & N \\
\hline Cook & Y & N \\
\hline \multicolumn{3}{|c|}{Totals:} \\
\hline & Pass & Fail \\
\hline
\end{tabular}

\section*{ORDINANCE 2023-55}

\section*{AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR INSURANCE WITH USI INSURANCE SERVICES LLC REPRESENTING THE PUBLIC ENTITIES POOL OF OHIO FOR THE ADMINISTRATION OF SAID POLICY}

WHEREAS, the City requires liability and property insurance; and
WHEREAS, the City has had a relationship with the Public Entities Pool of Ohio ("PEP") since October 2010 and has received above-average service from them, and they have knowledge of City property; and

WHEREAS, after completing a review and update of City inventory, USI Insurance Services LLC submitted a liability and property insurance proposal, a copy of which is attached as Exhibit A; and

WHEREAS, the Annual Contribution renewal cost for 2023/2024 has increased by \(\$ 5,390\) from 2022/2023, with the total premium being \(\$ 71,865\); and

WHEREAS, the City's Annual Contribution renewal cost for 2023/2024 was reduced by \(\$ 1,993\), in the form of a "Member Loyalty Credit," due to the long relationship between the City and PEP; and

WHEREAS, the reasons for the cost increase are set forth on the attached Exhibit A; and
WHEREAS, the start date for this contract will be November 1, 2023 and despite the effective date being past the start date of the contract, no lapse of coverage will occur; and

WHEREAS, the premium cost history for the City is as follows:
```

2017/2018 - \$76,709
2018/2019 - \$60,499
2019/2020 - \$59,084
2020/2021 - \$57,266

```

\section*{NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS that:}

Section 1. It is hereby determined that the City desires that its liability and property insurance be provided by USI Insurance Services LLC representing the Public Entities Pool of Ohio.

Section 2. The City Manager be, and hereby is, authorized and empowered to enter into an agreement for the administration of the City's liability and property insurance through the Public Entities Pool of Ohio.
\(\qquad\) , 2023.

\author{
Mike Lowrey, Mayor
}

Emily Berner, Clerk of Council

\section*{APPROVED AS TO FORM:}

\author{
Jake Jeffries, DIRECTOR OF LAW
}


\section*{EXHIBIT A}
\begin{tabular}{|c|c|c|c|}
\hline COVERAGE & \[
\begin{aligned}
& \hline 2022 \text { - } 2023 \text { Policy } \\
& \text { Term } \\
& \hline
\end{aligned}
\] & \[
\begin{aligned}
& \text { 2023-2024 Policy } \\
& \text { Term }
\end{aligned}
\] & Reason for Increase in Premium, if any. \\
\hline GL & \$13,506 & \$13,398 & 2022 Expenditures: \(\$ 9,037,691\)
2023 Expenditures: \(\$ 13,898,501\) \\
\hline AL & \$4,875 & \$5,569 & \begin{tabular}{l}
2022 \#Autos: 39 \\
2023 \#Autos: 39
\end{tabular} \\
\hline POL & \$1,918 & \$1,918 & \\
\hline APD & \$11,915 & \$12,635 & \begin{tabular}{l}
2022 Total Insd Values: \$2,499,745 \\
2023 Total Insd Values: \$2,524,682 \\
5\% Rate Increase due to Market Conditions
\end{tabular} \\
\hline Property & \$34,261 & \$40,338 & \begin{tabular}{l}
10\% Inflation Guard added to Building Values \\
5\% Rate Increase due to Market Conditions \\
2022 Building TIV: \$23,853,908 \\
2023 Building TIV: \$26,728,876 \\
2022 Pers Prop TIV: \$343,500 \\
2023 Pers Prop TIV: \$363,500 \\
2022 Add'I Property TIV: \\
\$1,490,716 \\
2023 Add'I Property TIV: \$1,665,543
\end{tabular} \\
\hline SUB TOTAL & \$66,475 & \$73,858 & \\
\hline PEP MEMBER LOYALTY CREDIT & \$N/A & (\$1,993.) & \\
\hline Totals & \$66,475 & \$71,865 & \\
\hline
\end{tabular}

\section*{ORDINANCE 2023-56}

\section*{AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER TO ENTER INTO A CONSULTANT AGREEMENT WITH CHOICE ONE ENGINEERING FOR THE DECORATIVE STREETLIGHT LED UPGRADE PROJECT (PID NO. 118645)}

WHEREAS, the City and the Ohio Department of Transportation (ODOT) have determined that the decorative streetlights along State Route 235 and State Route 571 within the municipality need to be upgraded with new LED fixtures; and

WHEREAS, Choice One Engineering has agreed to design the Decorative Streetlight LED Upgrade Project pursuant to the attached agreement; and

WHEREAS, the total maximum compensation authorized by the attached agreement is Thirty-Six Thousand Five Hundred and xx/100 Dollars \((\$ 36,500)\); and

WHEREAS, the total maximum compensation of \(\$ 36,500\) will be paid directly by ODOT with Federal Highway Administration (FHWA) funds and Toll Revenue Credit (TRC) funds as set forth in the LPA Federal ODOT-LET Project Agreement approved by Ordinance 2023-43.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS that:
Section 1. 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 the attached agreement on behalf of the City of New Carlisle with Choice One Engineering for the Decorative Street Light LED Upgrade Project (PID No. 118645).

Section 2. The City of New Carlisle authorizes the expenditure of FHWA and TRC funds of up to \(\$ 36,500\), which is an amount sufficient to pay the total maximum compensation under the agreement.

Passed this \(\qquad\) day of \(\qquad\) , 2023.

> Mike Lowrey, MAYOR

Emily Berner, CLERK OF COUNCIL

\section*{APPROVED AS TO FORM:}

Jake Jeffries, DIRECTOR OF LAW
\begin{tabular}{|c|c|c|}
\hline \multicolumn{3}{|l|}{2nd:} \\
\hline Eggleston & Y & N \\
\hline Bahun & Y & N \\
\hline Lindsey & Y & N \\
\hline Mayor Lowrey & Y & N \\
\hline Vice Mayor Grimm & Y & N \\
\hline Rodewald & Y & N \\
\hline Cook & Y & N \\
\hline Totals: & & \\
\hline & Pass & Fail \\
\hline
\end{tabular}

\section*{ORDINANCE 2023-57}

AN ORDINANCE AMENDING SECTION 1040.18 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING WATER CONNECTION CHARGES

WHEREAS, Chapter 1040 of the Codified Ordinances establishes the requirements for water in the City of New Carlisle; and

WHEREAS, Section 1040.18 of the Codified Ordinances specifically addresses water connection charges; and

WHEREAS, the City desires to amend Subsection (a) of Section 1040.18 for the purpose of increasing water connection charges.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY
ORDAINS that Subsection (a) of Section 1040.18 of the Codified Ordinances of New Carlisle be amended as follows:

\subsection*{1040.18 CONNECTION CHARGES.}
(a) Charge Based on Meter Size. There is hereby established a water connection charge, based on the size of the water meter to serve the premises, for each water connection made to each structure in the Municipality, to be based on the following table:
\begin{tabular}{|l|l|}
\hline \multicolumn{1}{|c|}{ Meter Size (Inches) } & \multicolumn{1}{c|}{ Charge } \\
\hline \(3 / 4\) & \(\$ 1,150 \quad \$ 1,400\) \\
\hline 1 & \(\$ 1,350 \quad \$ 1,800\) \\
\hline \(1-1 / 2\) & \(\$ 1,550 \quad \$ 2,500\) \\
\hline 2 & \(\$ 1,750 \quad \$ 3,750\) \\
\hline 3 & \(\$ 2,150 \quad \$ 6,000\) \\
\hline \(4>3\) & \begin{tabular}{l}
\(\$ 2,250\) Any water connection charge for a \\
water meter larger than 3" must be calculated \\
by the City's engineer or the engineer's \\
designee
\end{tabular} \\
\hline 6 & \(\$ 2,750\) \\
\hline 8 & \(\$ 3,150\) \\
\hline
\end{tabular}

Passed this \(\qquad\) day of \(\qquad\) , 2023.

Mike Lowrey, MAYOR

\section*{Emily Berner, CLERK}

\section*{APPROVED AS TO FORM:}

\author{
Jacob M. Jeffries, DIRECTOR OF LAW
}
\begin{tabular}{llll} 
& & \\
& & & \\
\hline
\end{tabular}

\section*{ORDINANCE 2023-58}

\section*{AN ORDINANCE ACCEPTING THE ANNEXATION OF 79.136 ACRES, MORE OR LESS, FROM BETHEL TOWNSHIP, CLARK COUNTY TO THE CITY OF NEW CARLISLE}

WHEREAS, an Expedited Type II annexation petition for 79.136 acres, more or less, from Bethel Township, Clark County to the City of New Carlisle was filed in the offices of the Clark County Commissioners by Thaddeus M. Boggs, Attorney/Agent for Petitioner, the Swearingen Brothers Revocable Family Trust ("the Property"); and

WHEREAS, the Clark County Commissioners granted the annexation petition on August 30, 2023; and

WHEREAS, pursuant to R.C. § 709.033, the Clark County Commissioners certified the entire record of the proceedings in connection with the annexation to the New Carlisle Clerk of Council, who received it on September 5, 2023; and

WHEREAS, more than sixty (60) days from the date the Clerk of Council received the record of the annexation proceedings have elapsed and the Clerk has laid the resolution of the Clark County Commissioners granting the petition, accompanying map and petition before Council at its next regular session following the expiration of the sixty (60) days in accordance with the provisions of R.C. § 709.04; and

WHEREAS, the Council of the City of New Carlisle has determined that annexation of the Property would be in the best interest of the City.

\section*{NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW CARLISLE that:}

SECTION 1. The petition for the annexation of 79.136 acres, more or less, to the City of New Carlisle is hereby accepted.

SECTION 2. The Clerk of Council is hereby authorized and directed to make three (3) copies of this Ordinance, to each of which shall be attached copies of the petition, the map accompanying the petition and the transcript of the proceedings of Clark County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk shall then deliver one copy to the County Auditor, one copy to the County Recorder and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective, and further the Clerk shall do all other things with respect to the action taken by this Ordinance as may be required by law.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest date allowed by law.
Passed this ___ day of __ , 2023.

Mike Lowrey, Mayor

\author{
Emily Berner, Clerk of Council
}

\section*{APPROVED AS TO FORM:}

Jacob M. Jeffries, DIRECTOR OF LAW

1st \(\qquad\)
2nd: \(\qquad\)
\begin{tabular}{|c|c|c|}
\hline \multicolumn{3}{|l|}{1st} \\
\hline \multicolumn{3}{|l|}{2nd:} \\
\hline Eggleston & Y & N \\
\hline Bahun & Y & N \\
\hline Lindsey & Y & N \\
\hline Mayor Lowrey & Y & N \\
\hline Vice Mayor Grimm & Y & N \\
\hline Rodewald & Y & N \\
\hline Cook & Y & N \\
\hline Totals: & & \\
\hline & Pass & Fail \\
\hline
\end{tabular}

\section*{ORDINANCE 2023-59}

\section*{AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR CITY EMPLOYEE HEALTH INSURANCE}

WHEREAS, health insurance is a benefit available to all City employees; and
WHEREAS, the existing contract with Medical Mutual of Ohio expires \(12 / 31 / 2023\); and
WHEREAS, City employees have studied the available health insurance options; and
WHEREAS, the employees have made their choices known to the City Manager.
NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS, that:
Section 1. Medical Mutual of Ohio has offered the most cost-effective options to the City and its employees for health insurance coverage, as indicated below:
\begin{tabular}{|c|c|c|c|c|}
\hline Coverage Type & Monthly Rate Expiring & New Monthly Rate & Number of Employees & Monthly Total \\
\hline Single & \$1,070.68 & \$1,156.15 & 10 & \$11,561.50 \\
\hline Emoployee + Spouse & \$2,358.84 & \$2,547.62 & 3 & \$7,642.86 \\
\hline Employee/Children & \$1,929.46 & \$2,083.80 & 3 & \$6,251.40 \\
\hline Family & \$3,475.27 & \$3,475.27 & 1 & \$3,475.27 \\
\hline & & & & \$28,931.03 \\
\hline
\end{tabular}

Section 2. The 2024 annual premium is \(8 \%\) more than the 2023 annual premium. The prior annual increase was also \(8 \%\). The total annual premium based on current employee coverage elections would be \(\$ 347,172.36\). The annual cost will likely fluctuate due to employees changing their coverage levels and employees being hired or terminated throughout the year.

Section 3. The City Manager is authorized and empowered to enter into an agreement with Medical Mutual of Ohio on behalf of the City of New Carlisle to provide health insurance for all eligible City employees.

Passed this \(\qquad\) day of \(\qquad\) , 2023.

> Mike Lowrey, Mayor

Emily Berner, Clerk

\section*{APPROVED AS TO FORM:}

> Jake Jeffries, DIRECTOR OF LAW
\begin{tabular}{|c|c|c|}
\hline Eggleston & Y & N \\
\hline Bahun & Y & N \\
\hline Lindsey & Y & N \\
\hline Mayor Lowrey & Y & N \\
\hline Vice Mayor Grimm & Y & N \\
\hline Rodewald & Y & N \\
\hline Cook & Y & N \\
\hline Totals: & & \\
\hline & Pass & Fail \\
\hline
\end{tabular}```

