



CITY COUNCIL REGULAR MEETING PACKET

February 05, 2024 @ 6:00pm Smith Park Shelter House

1. Call to Order: Mayor Bill Cook
2. Roll Call: Clerk of Council
3. Invocation:
4. Pledge of Allegiance:
5. Action on Minutes: 01/16/24 Regular Meeting
6. Communications: Discussion - Appointment of City Manager as Acting Clerk of Council
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; 2 - Action*)

***A. Resolution 2024-01R (Introduced on 01/16/24. Public Hearing and Action Tonight)**

A RESOLUTION ADOPTING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

***B. Resolution 2024-03R (Introduction, Public Hearing and Action Tonight)**

A RESOLUTION AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL FOR THE PURPOSE OF ACCEPTING A 2024 MARCS GRANT

11. ORDINANCES: (0 - Intro; 5 - Action*)

***A. Ordinance 2024-01 (Introduced on 01/16/24. Public Hearing and Action Tonight)**

AN ORDINANCE AUTHORIZING THE SALE, BY INTERNET AUCTION, OF CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED

***B. Ordinance 2024-02 (Introduced on 01/16/24. Public Hearing and Action Tonight)**

AN ORDINANCE AUTHORIZING CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, AND THAT HAS NO VALUE, TO BE DISCARDED OR SALVAGED

***C. Ordinance 2024-03 (Introduced on 01/16/24. Public Hearing and Action Tonight)**

AN ORDINANCE ESTABLISHING COMPENSATION FOR THE DIRECTOR OF PUBLIC SERVICE / ASSISTANT CITY MANAGER

***D. Ordinance 2024-04 (Introduced on 01/16/24. Public Hearing and Action Tonight)**

AN ORDINANCE ESTABLISHING COMPENSATION FOR THE FINANCE DIRECTOR

***E. Ordinance 2024-05 (Introduced on 01/16/24. Public Hearing and Action Tonight)**

AN ORDINANCE ESTABLISHING COMPENSATION FOR THE CITY MANAGER OF THE CITY OF NEW CARLISLE

12. OTHER BUSINESS:

- o Additional City Business:
 - City Offices Closed: Monday, February 19, 2024, to Observe President's Day
 - Open for Discussion on City Related Business

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

14. Return to Regular Session:

15. Adjournment

Next Regular City Council Meeting is Tuesday, February 20, 2024 @ Smith Park Shelter House. 6:00PM.

RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO REGULAR SESSION MEETING @ Smith Park Shelter House held 1/16/24 @ 6:00 PM

- 1. **Call to Order:** Mayor Cook calls the meeting to order.
- 2. **Roll Call:** Berner calls the roll- Cook, Grimm, Bahun, Shamy, Wright, Lindsey, Eggleston, 7 Members present Staff: Bridge, Kitko, Trusty
- 3. **Invocation:** Chief Trusty
- 4. **Pledge of Allegiance:** All are Welcome to Participate
- 5. **Action on Minutes:**
1/2/24 1st Eggleston 2nd Shamy YES: Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy NAY: 0 Accepted 7-0
- 6. **Communications:** Motion to accept the current acting clerk of court's resignation. Motion by Eggleston 2nd by Shamy YES: Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy 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 323 calls for service during the month of December.

Calls Taken: 323

Reports: 58

Assists: 64

Criminal Arrest: 12

Felony Arrest: 1

Misdemeanor Arrest: 9

Warrants: 2

Traffic Stops: 34

Traffic Warnings: 24

Moving Citations: 10

Business checks: 1712

Code Enforcement Follow-ups: 13

Traffic Crashes: 4

Parking Citations: 5

NEW CARLISLE	CALLS	ASSISTS	REPORTS	TRAFFIC STOP	CITATIONS	WARNINGS	ARREST	CODE ENFO	BUSINESS CHE	CRASH	PARKING CIT
December											
Dep. Bowers	70	14	11	12	6	6	2	13	855	1	5
Dep. Arnold	125	12	32	2	1	1	6	0	112	2	0
Dep. O'Brien	103	16	12	10	2	8	4	0	324	1	0
Dep. Speckman	25	16	1	5	0	5	0	0	214	0	0
Dep. Harris	18	6	2	5	1	4	0	0	207	0	0
Total	323	64	58	34	10	24	12	13	1712	4	5

No comments or questions from the council.

Fire/EMS Report:

City of New Carlisle
City Council Meeting
01-16-2024
Fire-EMS Report

- In the Month of December, the New Carlisle Fire Division responded to 95 EMS call in the city.
- The Division responded to 3 fire related calls, 21 good intent or service calls and 1 hazardous condition calls, and 4 False Alarms.
- We had 3 EMS calls answered by mutual aid, either by Pike Township or Bethel Clark, due to medic 52 being on a response.
- We answered 3 mutual aid EMS calls for Pike Township and 4 for Bethel Clark.
- Our total run count for the year 2023 was 1515.
- The Division was selected to receive the 2024 MARCS radio grant from the Ohio Department of Commerce, Division of State Fire Marshal. For a total grant award of \$17,110.85. This will allow the Division to purchase 5 new hand heal radios and speaker mikes and a large Radio bank charger.
- We still have FREE smoke alarms for our citizens, just call the station at (937)-854-8401 or stop by the station.

Steven Trusty
Fire Chief
City of New Carlisle

Incident / Run Series — Count: 124

Current Month

Last 3 Month/s

YTD

Last Year

Overall breakdown

Start:

2023-12-01 00:00

End:

2023-12-31 23:59

Date / Time Field

Incident Date & Time

Change date range and re-run the report

Run Report

Show Map

search

Hazardous Condition (No Fire)

Service Call

Fire

Good Intent Call

False Alarm & False Call

Severe Weather & Natural Disaster

Overpressure Rupture, Explosion, Overheat (NO Fire)

Special Incident Type

Rescue & Emergency Medical Service Incident

1 Hazardous Condition (No Fire)

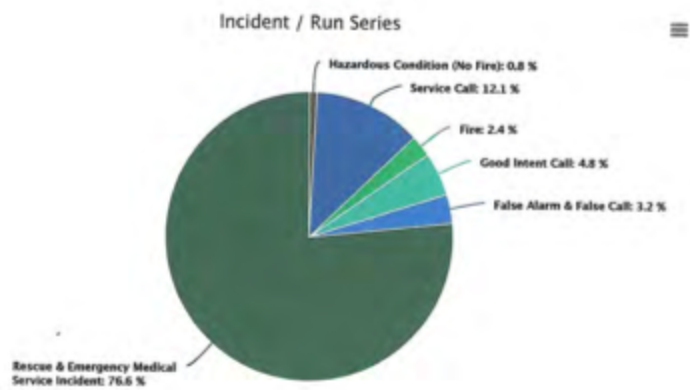
15 Service Call

3 Fire

6 Good Intent Call

4 False Alarm & False Call

95 Rescue & Emergency Medical Service Incident



No comments or questions from the council.

Finance Report:

COUNCIL FINANCIAL REPORT SUMMARY – DECEMBER 2023

Estimated Revenue	\$	6,993,589.00
Amended Est. Resources		(89,966.00)
Amended Est. Resources	\$	164,190.00
Amended Est. Resources	\$	340,600.00
Amended Est. Resources	\$	-
2023 REVISED TOTAL		
EST. REV.	\$	7,408,413.00

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		
	\$	9,448,015.00

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	\$ 603,163.86
November	\$ 645,940.24
December	\$ 596,507.56
Received To Date	\$ 9,816,264.68

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	\$ 604,495.27
November	\$ 861,420.93
December	\$ 786,573.19
Expenses to Date	\$ 9,211,745.92

Statement of Cash from Revenue and Expense

From: 1/1/2023 to 12/31/2023

Fund	Description	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance
Grand Total:		\$7,510,472.46	\$9,816,264.68	\$9,211,745.92	\$8,114,991.22	\$80,442.48	\$8,034,548.74

DECEMBER

Bank Accounts	Bank Balance	Outstanding Vendor	Outstanding Employee	Deposits in Transit	NSF Check (s)	Adjustments	Book Balance	Difference
PNC - General	\$ 1,731,644.28	\$ (10.00)	\$ -	\$ 3,981.87	\$ -	\$ 114.64	\$ 1,735,730.79	\$ -
PNC - Payroll	\$ 200,198.76	\$ (198.76)	\$ -	\$ -	\$ -	\$ -	\$ 200,000.00	\$ -
Star Ohio	\$ 3,038,972.15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,038,972.15	\$ -
US BANK INVEST	\$ 1,005,629.19	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,005,629.19	\$ -
Park Nat. Secured	\$ 1,151,933.08	\$ (115,776.08)	\$ -	\$ 181.92	\$ -	\$ -	\$ 1,036,338.92	\$ -
Park Nat. - MMA	\$ 1,021,242.38	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,021,242.38	\$ -
Park Nat. - Mayor's	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -
NCF - CD's	\$ 76,377.79	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 76,377.79	\$ -
Cash on Hand	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500.00	\$ -
Grand Totals	\$ 8,226,697.63	\$ (115,984.84)	\$ -	\$ 4,163.79	\$ -	\$ 114.64	\$ 8,114,991.22	\$ -

New Carlisle
Bank Report

Banks: 0001 to 0100
As Of: 1/1/2023 to 12/31/2023

Include Inactive Bank Accounts: No

Bank	Beginning Bal.	MTD Revenue	YTD Revenue	MTD Expense	YTD Expense	YTD Other	Ending Bal.
PNC - GENERAL	\$2,264,056.58	\$163,830.84	\$3,198,795.04	\$283,933.55	\$2,258,259.70	(\$1,468,861.13)	\$1,735,730.79
PNC - PAYROLL	\$200,000.00	\$159,445.18	\$1,831,039.33	\$155,730.91	\$2,071,924.17	\$240,884.84	\$200,000.00
STAR OHIO	\$2,123,473.33	\$14,319.74	\$165,498.82	\$0.00	\$0.00	\$750,000.00	\$3,038,972.15
US BANK INVESTMENTS	\$0.00	\$3,277.73	\$5,629.19	\$0.00	\$0.00	\$1,000,000.00	\$1,005,629.19
PARK NAT. - GENERAL	\$2,102,765.43	\$0.00	\$3,812,016.67	\$0.00	\$3,683,419.93	(\$2,231,362.17)	\$0.00
PARK NAT. SECURED - GENERAL	\$0.00	\$246,463.73	\$722,409.33	\$340,710.73	\$1,145,935.46	\$1,459,865.05	\$1,036,338.92
PARK NAT. - MMA	\$744,172.18	\$2,641.00	\$27,070.20	\$0.00	\$0.00	\$250,000.00	\$1,021,242.38
PARK NAT. - MAYOR'S COURT	\$200.00	\$6,198.00	\$52,291.50	\$6,198.00	\$52,291.50	\$0.00	\$200.00
NCF	\$526.54	\$0.00	\$0.05	\$0.00	\$0.00	(\$526.59)	\$0.00
NCF - CD	\$74,778.40	\$331.34	\$1,599.39	\$0.00	\$0.00	\$0.00	\$76,377.79
CASH ON HAND	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500.00
Grand Total:	\$7,510,472.46	\$596,507.56	\$9,816,349.52	\$786,573.19	\$9,211,830.76	\$0.00	\$8,114,991.22

MONTHLY NET INCOME TAX COLLECTION COMPARISON 2022-2023

MONTH PAYMENT RECEIVED	CCA				STATE OF OHIO			
	2022	2023	DIFFERENCE	% DIFFERENCE	2022	2023	DIFFERENCE	% DIFFERENCE
JANUARY	141,755.52	144,974.32	3,218.80		0.00	0.00	0.00	
FEBRUARY	172,064.40	181,446.56	9,382.16		524.44	0.00	(524.44)	
MARCH	113,959.66	119,665.23	5,705.57		0.99	0.00	(0.99)	
APRIL	158,953.45	158,553.70	(399.75)		0.00	678.60	678.60	
MAY	228,536.13	269,682.42	41,146.29		0.00	0.00	0.00	
JUNE	167,099.17	222,937.99	55,838.82		8,153.45	73,987.05	65,833.60	
JULY	186,332.59	199,114.62	12,782.03		0.00	0.00	0.00	
AUGUST	152,366.38	132,130.21	(20,236.17)		2,904.00	17,795.95	14,891.95	
SEPTEMBER	148,517.31	126,544.27	(21,973.04)		1.97	0.00	(1.97)	
OCTOBER	142,376.51	145,152.44	2,775.93		0.00	256.05	256.05	
NOVEMBER	167,814.43	154,443.86	(13,370.57)		3,145.38	8,208.29	5,062.91	
DECEMBER	112,317.96	110,364.61	(1,953.35)		19,507.56	166.24	(19,341.32)	
TOTALS	1,892,093.51	1,965,010.23	72,916.72	3.85%	34,237.79	101,092.18	66,854.39	195.26%

COMBINED TOTAL NET COLLECTIONS-2023 \$2,066,102.41



MAYOR'S COURT REPORT
FOR DECEMBER 2023

Total Citations: 21 (11 Traffic + 10 Other)
*December 2022 Citations - 8 (5 Traffic)

FUND RECEIVED	CURRENT MONTH	YEAR-TO-DATE
Fines	\$ 2,381.00	\$ 27,337.00
Court Cost	\$ 1,851.50	\$ 26,274.00
Fines- Clark County Municipal (transfer Cases)	\$ -	\$ -
Total Fees Paid (LF, Bounced Cks, BW)	\$ 120.00	\$ 755.00
Other (Bond Forfeiture)	\$ -	\$ -
Misc Fees Paid (Jail Time)	\$ -	\$ -
Bond Collected	\$ -	\$ -
Restitution	\$ -	\$ -
SB 17 Indigent driver interlock & alcohol	\$ -	\$ -
TOTAL FUNDS RECEIVED	\$ 4,352.50	\$ 54,366.00
FUNDS DISBURSED		
Victims of Crime	\$ 117.00	\$ 1,854.00
Child Safety/Seat Belts	\$ -	\$ 30.00
Indigent Defense Support Fund	\$ 315.00	\$ 5,210.00
Drug Law Enforcement Fund	\$ 38.50	\$ 668.50
Expungement	\$ -	\$ -
State Bond Surcharge (new as of 2010)	\$ -	\$ -
TOTAL REMITTED TO STATE	\$ 470.50	\$ 7,762.50
Indigent Drivers Alcohol Treatment (Springfield)	\$ 16.50	\$ 286.50
Remitted to Computer Fund (Clerk)	\$ 188.00	\$ 2,288.00
Remitted to Computer Fund (Court)	\$ 54.00	\$ 690.00
Remitted to Court Security Fund	\$ 180.00	\$ 2,300.00
Remitted to Facility Fee	\$ 92.50	\$ 1,150.00
Remitted to City GF - Fines	\$ 2,381.00	\$ 27,232.00
Remitted to City GF - Court Court/Misc	\$ 970.00	\$ 12,657.00
Remitted to City- Jail Expenses	\$ -	\$ -
Remitted to City- Enforcement & Education	\$ -	\$ -
Remitted to City- Drug Analysis	\$ -	\$ -
SB 17 Indigent Driver Interlock & Alcohol	\$ -	\$ -
TOTAL REMITTED TO CITY	\$ 3,865.50	\$ 46,317.00
Capital Recovery	\$ -	\$ -
Restitution	\$ -	\$ -
Bonds forfeitured	\$ -	\$ -
TOTAL DISBURSED	\$ 4,352.50	\$ 54,366.00

Prepared & Submitted By:
Kristy Thome, Clerk of Court

No comments from Council.

Motion by Eggleston 2nd by Grimm to accept the Finance Report YES: Bahun, Shamy, Wright, Lindsey, Eggleston, Cook, Grimm NAY: 0 Accepted 7-0

Motion by Eggleston 2nd by Shamy to accept the Mayor's court report. YES: Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy NAY: 0 Accepted 7-0

Bridge and Cook made a quick note about the size of the mayor's court and the possibility of moving to one of the shelter houses.

Service Report:



To: Randy Bridge, City Manager
From: Howard Kitko, Service Director/Asst. City Manager
Date: January 16, 2024
Subject: Council Update

Public Works Departments:

- Providing some finishing touches to the New Shelter in Smith Park
- Snow and Ice removal

Water Department:

- Private well inspection ongoing. We have about 20 to go. The interactions with residents have been very positive.
- Working on OPWC Old High Service Pump Building Upgrade Project.
- Lead Service and Water Main replacement Project. Old Section of town. Legislation coming, possibly emergency, to be approved by council for Engineering Agreement

Sewer Department:

- Performing general maintenance.
- Plant Expansion Study: Kick-Off meeting was 5/9. Study will be utilized for future development needs. Study is nearing completion.

2023 Road Reconstruction/Resurfacing Projects:

- Working on 2024 Road Reconstruction items.
- Working with contractor on additional ADA ramp replacements in the Willowick Area.
- Fenwick Dr. Reconstruction Phase II: Complete except manhole adjustments.

Carlisle Park Phase 1 upgrade Project:

- The City of New Carlisle has been awarded a CDBG grant. Project to remove the existing basketball court and replace it with a new court. 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. Spring 2024 Start time.

NatureWorks Grant:

- 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.
- 235 curve study. Reviewing Data.
- Gov. Deals: Legislation coming to council for a couple of additional pieces to dispose of.
- New Shelter discussion

B. INFORMATIONAL ITEMS

- Discussion Topics
 - Rumpke
 - StoryWalk
 - Metronet
 - Swimming Pool
 - New Shelter House Information and Discussion
 - Administration at Council Meetings
 - Upcoming Legislation
 - Ordinance to Accept Codification Update
 - Additional Discussion Topics

Bridge noted and thanked the Council for the donation towards the Story Walk. He adds that it is an excellent addition to the park and has lots of positive feedback.

Bridge notes the name of the new shelter will be Dillenger Hall. A brief Council discussion about the name and Bridge stated it would pay homage to New Carlisle and be easy to remember. Rates for the hall are very competitive and have been researched.

8. COMMITTEE REPORTS: none

9. COMMENTS FROM MEMBERS OF THE PUBLIC:

Janel Zimmerman 219 Prentice- Asks about how the Mayor and Vice Mayor are chosen... Discussions on the mayor and vice mayor elections. She asks about the charter committee and when it will be passed.

Bill Zimmerman 219 Prentice- Notes he has been a resident for nine years and made note of an incident that occurred at the middle school that was racially charged. He noted the family was receiving the Habitat home and has decided to no longer move here due to this event. He just wanted the council to be aware.

10. RESOLUTIONS:

Resolution 2024-01R (Introduction Tonight. Public Hearing and Action on 02/05/24) A RESOLUTION ADOPTING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

Resolution 2024-02R (Introduction, Public Hearing and Action Tonight) A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STREET, GENERAL BOND RETIREMENT, GOVERNMENT CENTER AND WATER-LEAD OUT FUNDS OF THE CITY OF NEW CARLISLE 1st Eggleston 2nd Shamy YES: Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy NAY: 0 Accepted 7-0

11. ORDINANCES: (6 - Intro; 1 - Action*)

Ordinance 2024-01 (Introduction Tonight. Public Hearing & Action on 02/05/24) AN ORDINANCE AUTHORIZING THE SALE, BY INTERNET AUCTION, OF CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED

Ordinance 2024-02 (Introduction Tonight. Public Hearing & Action on 02/05/24) AN ORDINANCE AUTHORIZING CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, AND THAT HAS NO VALUE, TO BE DISCARDED OR SALVAGED

Ordinance 2024-03 (Introduction Tonight. Public Hearing & Action on 02/05/24) AN ORDINANCE ESTABLISHING COMPENSATION FOR THE DIRECTOR OF PUBLIC SERVICE / ASSISTANT CITY MANAGER

Ordinance 2024-04 (Introduction Tonight. Public Hearing & Action on 02/05/24) AN ORDINANCE ESTABLISHING COMPENSATION FOR THE FINANCE DIRECTOR

Ordinance 2024-05 (Introduction Tonight. Public Hearing & Action on 02/05/24) AN ORDINANCE ESTABLISHING COMPENSATION FOR THE CITY MANAGER OF THE CITY OF NEW CARLISLE

Ordinance 2024-06E (Introduction, 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 WATER MAIN AND LEAD SERVICE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY 1st Grimm 2nd Eggleston Wright asks if the roads will be tore up. Kitko explains the areas and what this project entails. Wright asks if there will be enough funds to cover the project. Kitko notes he put in for the grant two years ago, so there will be some inflation. YES: Cook, Grimm, Bahun, Shamy, Wright, Lindsey, Eggleston NAY: 0 Accepted 7-0

12. OTHER BUSINESS:

1. **Acting Clerk of Council Discussion-** Grimm suggests posting on social media and asking the community.
2. **City Council Retreat-**Cook discusses a retreat, and Bridge notes that the Council can let him know when and where. Bridge explains some of the things a retreat could bring and notes he thinks there needs to be committees and a discussion on the form of government. The council will put together some dates. Most noted Mondays will be good.
3. **Renovation to Smith Park Shelter House-** Cook notes some possible renovations such as a raised area and curtain to block off area for Council. Cook notes that the Mayor's court could utilize the shelter. Cook mentions updating the sound system for the Council. Grimm asks why it would be elevated. Discussions on being elevated and having the risers to elevate the Magistrate and council. Bridge notes it would be pleasant but temporary. Lindsey asks about costs. Bridge notes having the Council discuss it, and they can direct the Admin to look into it. Lindsey agrees, but Grimm and Bahun are not interested. Bridge reminds the Council it is not “being above” others but helping with views and voices to carry. Wright notes she doesn’t feel Council needs to be raised but can see the Magistrate. Bridge notes make things look more professional. Grimm notes that it makes people know they are “real people.” Lindsey notes most little villages use tables, and most Cities have a diocese—council discussion on how to look more professional. Lindsey suggests having the admin come up with some numbers and possible plans. Continued discussions and comments Lindsey motions with a 2nd by Cook to look into the cost of the diocese plan, options for acoustics, sound equipment, camera equipment, and or anything needed to lock the area along with decent chairs YES: Bahun, Shamy, Lindsey, Eggleston, Cook NAY: 2 Grimm, Wright Accepted 5-2
4. **Coffee with City Council-** Cook thinks we should have it again, Council discussions, and Grimm notes it makes “us available.” Council discussions and council agreed to have them on the following dates:

3/36- 10- 12 pm @ Dillenger Hall, 7/15 10-2 pm @ New Carlisle Farmers Market, 9/21 10-2 @ New Carlisle Farmers Market, 11/18 Town Hall 2 5:30 followed by Regular Council Meeting at 6:00 pm.

5. **Open for Discussion on City-Related Business-** none

13. Executive Session: Motion by Lindsey 2nd by Shamy at 7:42 pm to move to executive session to discuss the employment and compensation of public employees.

Motion by Lindsey 2nd by Eggleston to move back into regular session YES: 7 Cook, Grimm, Bahun, Shamy, Wright, Lindsey, Eggleston NAY: 0 Accepted 7-0

Motion by Lindsey to give the .50 cent step raises to Water and Wastewater with 2nd by Shamy. YES: 7 Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy NAY: 0 Accepted 7-0

14. Adjournment: 1st Lindsey 2nd Shamy @ 8:17 pm YES: 7 Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy NAY: 0 Accepted 7-0

City Manager Report

February 05, 2024

A. DEPARTMENTAL REPORTS

- The Following Departmental Reports will be given at the next City Council meeting that will be held on Tuesday, February 20, 2024
 - Finance, Public Service, Fire/EMS, and Police
- Planning & Zoning, Mayor's Court Report - **Attached**

B. INFORMATIONAL ITEMS

- Discussion Topics
 - Pete Bales, Local Government Consultants at the 02/20/24 meeting to discuss with City Council what their needs and vision is for the Council retreat.
 - Administration at City Council Meetings, effective 02/20/24
 - 2024 Fireworks Display
 - Financial Disclosure Form
 - Next Intergovernmental Meeting is 09/30 @ THS. Begins at 6pm.
 - Executive Assistant to the City Manager Job Posting
 - Dillinger Hall rentals start tomorrow, February 6th!
 - City Council Training Seminar – **Information Attached**
 - New! Text My Gov! Launches tomorrow, February 6th!
 - More information at textmygov.com
 - General Fund Ending Balance History
 - 2014 - \$52,442
 - 2015 - \$169,320 – City Manager's 1st year; Projected to end with \$8,000
 - 2016 - \$525,980
 - 2017 - \$829,667
 - 2018 - \$949,241
 - 2019 - \$1,160,780
 - 2020 - \$1,677,192
 - 2021 - \$1,983,546
 - 2022 - \$2,324,053
 - 2023 - \$2,894,895
 - Upcoming Legislation
 - Ordinance to Accept Codification Update – Intro 02/20; Action 03/04
 - Incentive Pay Policy - Intro 02/20; Action 03/04
 - Ongoing Council Projects
 - Swimming Pool
 - Mayor's Court
 - Council Chambers
 - Incentive Pay Policy
 - Additional Discussion Topics

Attachment Summary:

- Planning & Zoning, Mayor's Court Reports
- City Council Training Seminar

Motion Summary:

- None



Planning Department Report

Date: January 1, 2024-February 2, 2024

Data Summary	Jan 1st-Feb 2nd	
1280.05 Additional Yard Height Requirements		
1280.03 Private Swimming Pools		
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		
1460.23 Structural Soundness and Maintenance of Dwellings		
1460.25 Exterior Property and Structure Exteriors; Residential	1	
1460.25 (a) Exterior Space	1	
1460.25 (b) Exterior Maintenance		
1460.25 (c) Fences and Walls		
1460.25 (d) Yards, Tall Grass & Weeds		
1460.25 (e) Hazards	1	
1460.25 (f) Temporary Occupancy		
1460.25 (g) Storage	6	
1460.25 (h) Drainage		
1460.25 (i) Drainage Swales		
1460.25 (j) Junk, Inoperable, Unlicensed Vehicle	3	
1460.25 (k) Sanitation	1	
1460.25 (l) Swimming Pools		
1460.25 (m) Open Fires		
1460.26 Vegetation; Residential		
1460.28 Accessory Structures		
1460.32 -Exterior Property and Structure Exteriors; Commercial		
1460.33 Vegetation; Commercial		
1460.43 (c) On-Street Parking Limitations	1	
1460.43 (d) Parking on Private Property	3	
1460.44 Accessory Uses; Residential, Commercial, Industrial	1	

	Jan 1st-Feb 2nd		
Total Violations	18		
Total Properties Violated	9		
Average Violations Per Property	2		
Abatement Complete			
Closed Violations	4		
Sheriff's Dept.			
Under Investigation			
Vacant Property Violated			
Work Order Issued			
Nuisance Property List			
# of Violations Submitted to Mayor's Court	4		
Property Extensions Granted			

Disclaimer

Case Number is a unique identifier assigned to the parcel address being violated.

Main Status determines 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.

Permit Date	Permit Type	Main Status	Parcel Address	Total Payments
1/9/2024	New Residential Construction	Approved	610 West Madison Str	\$0.00
1/9/2024	New Residential Construction	Approved	608 West Madison Str	\$0.00
1/9/2024	Fence	Approved	105 VILLA DR	\$20.00
1/3/2024	Fence	Approved	213 DRAKE AVE	\$20.00
1/2/2024	Fence	Approved	705 BROOKFIELD DR	\$30.00
1/2/2024	Sign	Approved	104 W WASHINGTON S	\$46.00
1/2/2024	Change of Use / Occupancy	Approved	104 W WASHINGTON S	\$25.00
1/2/2024	Change of Use / Occupancy	Approved	105 S MAIN ST	\$25.00
1/2/2024	Fence	Approved	803 BROOKFIELD DR	\$20.00

1/31/2024	Sidewalk/Curb/Gutter	Approved	500 N MAIN ST NEW C	\$20.00
1/31/2024	Change of Use / Occupancy	Approved	104 -106 S MAIN ST NB	\$25.00



Planning Department Report
Date: January 1, 2024-February 2, 2024

Case #	Main Status	Violation Date	Correction Deadline	Extension Date	Parcel Address	Violation Name	Violation Status
1673	Open	1/4/2024	1/11/2024	0	206 W JEFFERSON ST	1460.25 (g) Storage	Open
1674	Open	1/4/2024	1/12/2024	0	201 S CHURCH ST	1460.25 (j) Junk, Inoperable, Unlicensed Vehicle	Open
1675	Open	1/4/2024	1/11/2024	0	216-222 ORTH DR	1460.43 (d) Parking on Private Property	Open
1676	Open	1/4/2024	1/12/2024	0	335 FUNSTON AVE	1460.43 (d) Parking on Private Property	Open
1676	Open	1/4/2024	1/12/2024	0	335 FUNSTON AVE	1460.44 Accessory Uses; Residential, Commercial, Industrial	Open
1677	Open	1/4/2024	1/15/2024	0	119-125 ORTH DR	1460.25 (e) Hazards	Open
1677	Open	1/4/2024	1/15/2024	0	119-125 ORTH DR	1460.25 (g) Storage	Open
1677	Open	1/4/2024	1/15/2024	0	119-125 ORTH DR	1460.25 (j) Junk, Inoperable, Unlicensed Vehicle	Open
1677	Open	1/4/2024	1/15/2024	0	119-125 ORTH DR	1460.25 (k) Sanitation	Open
1677	Open	1/4/2024	1/15/2024	0	119-125 ORTH DR	1460.25 Exterior Property and Structure Exteriors; Residential	Open
1678	Open	1/30/2024	2/5/2024	0	122 N CHURCH ST	1460.25 (g) Storage	Open
1678	Open	1/30/2024	2/5/2024	0	122 N CHURCH ST	1460.25 (j) Junk, Inoperable, Unlicensed Vehicle	Open
1679	Open	1/30/2024	2/9/2024	0	913 LEATHERWOOD DR	1460.25 (a) Exterior Space	Open
1679	Open	1/30/2024	2/9/2024	0	913 LEATHERWOOD DR	1460.25 (g) Storage	Open
1679	Open	1/30/2024	2/9/2024	0	913 LEATHERWOOD DR	1460.43 (d) Parking on Private Property	Open
1680	Open	1/30/2024	2/9/2024	0	227 DRAKE AVE	1460.25 (g) Storage	Open
1681	Open	1/30/2024	2/5/2024	0	810 APPLEWOOD DR	1460.25 (g) Storage	Open
1681	Open	1/30/2024	2/5/2024	0	810 APPLEWOOD DR	1460.43 (c) On-Street Parking Limitations.	Open



Exterior Property Maintenance Mayor's Court Submittal Report Date: January 1, 2024-February 2, 2024

Case #	Mayor's Court Date	Main Status	Parcel Address	Violation Name
1672	1/31/2024	Submitted to Mayor's Court	603 WALSH DR	1460.25 Exterior Property and Structure Exteriors; Residential
1672	1/31/2024	Submitted to Mayor's Court	603 WALSH DR	1460.25 (g) Storage
1672	1/31/2024	Submitted to Mayor's Court	603 WALSH DR	1460.25 (k) Sanitation
1672	1/31/2024	Submitted to Mayor's Court	603 WALSH DR	1460.43 (d) Parking on Private Property
1672	1/31/2024	Submitted to Mayor's Court	603 WALSH DR	1460.44 Accessory Uses; Residential, Commercial, Industrial
1618	1/31/2024	Submitted to Mayor's Court	301 MADISON- 221 ADAM	1460.25 Exterior Property and Structure Exteriors; Residential
1618	1/31/2024	Submitted to Mayor's Court	301 MADISON- 221 ADAM	1460.25 (g) Storage
1618	1/31/2024	Submitted to Mayor's Court	301 MADISON- 221 ADAM	1460.25 (e) Hazards
1618	1/31/2024	Submitted to Mayor's Court	301 MADISON- 221 ADAM	1460.25 (k) Sanitation
1618	1/31/2024	Submitted to Mayor's Court	301 MADISON- 221 ADAM	1460.25 (j) Junk, Inoperable, Unlicensed Vehicle

CITY OF NEW CARLISLE MAYOR'S COURT



Court Report January 17, 2024

Aguirre, Alfonson of New Carlisle charged with Junk, Inoperable and unlicensed vehicle. Continued until January 31.

Aguirre, Cutberto of New Carlisle charged with Junk, Inoperable and unlicensed vehicle. Continued until January 31.

Dingle, Alexis Nicole of Dayton pled guilty to Non-Compliance and was found guilty. Fined \$500 plus court cost. If defendant provides this court with proof of valid license within 30 days, then \$400 will be suspended.

Medoza, Paz Fabian S of New Carlisle pled guilty to Ext Property & Structural, Storage and Parking on Private Property. Fined court cost only. (Property was previously inspected when wife went through Court)

Parker, Jerika of New Carlisle previously pled guilty to Non-Compliance. Continued until January 3 to discuss Community Service.

Sanders, Timothy J of Springfield previously pleaded not guilty to Stop Sign. After the trial defendant was found guilty. Defendant appeared to discuss payment arrangements.

PAID THROUGH VIOLATION BUREAU

Devlin, Sherri of Troy, Speed 54/35, \$245

Jones, Kyle of Middletown, Speed 42/25, \$245

Lewis, Aaron of New Carlisle, Parking on Sidewalk, curb or street lawn area, \$40

Littrell, Lexis of Huber Heights, Speed 52/35, \$285

McCord, Kenneth of Miami, FL, Speed 51/35, \$245

Meno, Christopher of New Carlisle, Parking on Sidewalk, curb or street lawn area, \$40

Parker, Shawn of New Carlisle, Parking on Sidewalk, curb or street lawn area, \$60 (late fee)

CITY OF NEW CARLISLE MAYOR'S COURT



Court Report January 31, 2024

Aguirre, Alfonso of Lebanon pled guilty to Storage and Junk, Inoperable, Unlicensed. Fined court cost only.

Aguirre, Cutberto of Lebanon pled guilty to Storage and Junk, Inoperable, Unlicensed. Fined court cost only.

Aveyard, Brian of Medway pleaded not guilty to Ext Property & Structural, Hazards, Storage, Junk Inoperable Unlicensed Vehicle and Sanitation. Trial scheduled for January 31.

Hardman, Jeremy of pled guilty to Exterior Property & Structural, Storage, Sanitation, Parking on private property, Accessory Uses. Fined court cost only.

Parker, Jerika C of New Carlisle was previously charged with Non-Compliance Suspension. Defendant to return to Court on February 28.

Phipps, James A of Springfield pled no contest to Operating a Motor vehicle without valid license. Fined \$500 plus court cost. If defendant provides this Court with proof of valid license 120 days then \$400 will be suspended.

Plymale, Eric of New Carlisle pled guilty to amended charges of Failure to Reinstate. Fined \$500 plus court cost. If defendant provides this Court with valid license within 180 days then \$400 will be suspended.

Plymale, Eric of New Carlisle pled guilty to amended charges of Failure to Reinstate. Fined \$500 plus court cost. If defendant provides this Court with valid license within 180 days then \$400 will be suspended.

PAID THROUGH VIOLATION BUREAU

Basham, Stephen E of Urbana, Speed 49/35, \$235

Bliss, Logan of Tipp City, Speed 43/25, \$245

Campbell, Iaian M of Tipp City, Vehicle parked in excess of 2 hr parking limit, \$40

Easley, DeAira of Dayton, Speed 44/25, \$245

Hellyer, Lisa of New Carlisle, Parking vehicle with expired tags on roadway, \$40

Keeton, Kyle of New Carlisle, Expired z Registration, \$220

McKibben, Jayden of New Carlisle, Parking Vehicle with expired tags on roadway, \$60
(includes fees)



Date: January 2024
Subject: Newly Elected Council Training Seminar

OML is once again asking for your assistance. As in the past during even numbered years the OML conducts seminars for newly elected council members after the municipal election year. These seminars are held on Saturdays for convenience and have the same program for each location. We would be so grateful if you could circulate the information on these programs to the newly elected council members in your municipality. If “veteran” members of council or municipal officials wish to attend, we also welcome them. Registration & a tentative agenda can be found online at our website www.omlohio.org. (About Us/ Training Programs) or by using the QR code at the top of the page.

Registrants will receive a confirmation email with available materials 7 days in advance of the date of the seminar registered for. Materials may be printed in advance and brought to the seminar and/or downloaded to personal electronic devices. Some presenters may choose not to share materials prior to the seminar. Please be aware that emails are sent through the same software as the OML Legislative Bulletin, anyone who has “unsubscribed” from the distribution list must re-subscribe or use a different email address. If you have any questions, please feel free to contact the OML office at 614-221-4349.

Registration Begins at 8:30 am at all 3 locations

- Saturday, March 02** Nationwide Hotel and Conference Center, 100 Green Meadows Drive South, Lewis Center, 43035
Saturday, March 16 The Ohio University Inn, 331 Richland Avenue, Athens, 45701
Saturday, March 23 Embassy Suites Rockside, 5800 Rockside Woods Blvd, Independence, 44131

Multiple registrations may be paid for in one check or one credit card transaction.

Registration and Payment Deadlines: *February 23* for the **March 02** Seminar; *March 09* for the **March 16** Seminar; *March 16* for the **March 23** Seminar. All paid registrations will begin receiving the confirmation email with materials 7 days prior to the seminar selected. If you have any questions about the registration process please feel free to contact the OML office.

No Show & Refund Policy: Email info@omlohio.org for cancellations. No refunds will be made unless cancellation is received in writing 7 days prior to the seminar date. No Refund for “No Shows”

Seminars are information only. No Certification

RESOLUTION 2024-01R

A RESOLUTION ADOPTING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

WHEREAS, the Rules of Council establish guidelines for the Council of the City of New Carlisle to conduct its business; and

WHEREAS, said rules must be reviewed and adopted by Council in January after Council elections; and

WHEREAS, the Rules of Council were last amended and adopted on March 6, 2023 via Resolution 2023-08R; and

WHEREAS, the Rules of Council may be amended by a two-thirds vote of the Council members present at a regular meeting.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY RESOLVES that the New Carlisle City Council Rules of Council, attached as Exhibit A to this resolution, be adopted.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Wright	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Cook	Y	N
V. Mayor Eggleston	Y	N
Shamy	Y	N
Grimm	Y	N

Totals:

Pass

Fail

Intro: 01/16/24
Action: 02/05/2024
Effective: 02/20/2024

RULES OF COUNCIL

SECTION I: MEETINGS

A. Regular Meetings

Regular Meetings shall be held every first and third Monday of each month at 6:00 P.M. When the date of a regular meeting is determined to create a conflict, or falls on a holiday observed by the City, Council may, by majority vote, change the date and/or hour and issue proper notices thereof.

B. Special Meetings

The Mayor, Vice-Mayor, City Manager or at least four (4) members of Council may call for a special meeting. If Council membership should fall to five (5) or less, a simple majority may call a special meeting. The special meeting may be called upon at least a twelve (12) hour written notification to all Council Members. This notice may be delivered to each Member personally or left at his or her place of residence and should generally state the subjects to be discussed at the meeting. Every effort shall also be made to contact the Member by telephone, e-mail, and in other ways. Written notice to any Member may be waived by that Member.

C. Closed Sessions/Executive Sessions

All meetings during which official business is conducted will be held in public. However, Council may convene in a closed or executive session to discuss those matters permitted by section 121.22(G) of the Ohio Revised Code, which are listed in Section XV of these rules. All Council Elect shall be included in all executive sessions after being certified by the board of elections.

SECTION II: NOTIFICATION OF MEETINGS

Upon establishment of special meetings, the City Manager, Council Members, and the public shall be notified. Notification shall be made by posting a notice at the City Building, by contacting a newspaper of general circulation within the City, any requesting media organization, and others regularly notified of meetings.

SECTION III: AGENDA

A. The Clerk of Council, in conjunction with the City Manager, the Law Director and the Council, shall prepare and distribute the meeting agenda, listing the items for discussion and the order of business for the meeting.

B. For an item to be included on the agenda, it must be submitted to the Clerk or the City Manager no later than three (3) working days preceding the meeting date.

C. A copy of all Ordinances or Resolutions must be made available to all Council Members, the Clerk, and any department head whose department may be involved in the legislation, a minimum of forty-eight (48) hours prior to the Council meeting at which the legislation is to be introduced.

D. An item that does not appear on the agenda shall not be acted upon without suspension of the Rules of Council.

- E. No letter or communication to Council shall be considered or acted upon by Council unless the letter or communication has been signed by its sender.
- F. Subsections B, C, & D are not applicable regarding emergency legislation.

SECTION IV: PRESIDING OFFICER AT MEETINGS

- A. The Mayor, selected in the manner set forth by the City Charter (Section 4.04), shall assume the duties and responsibilities contained therein, and shall act as Presiding Officer over all Council Meetings.
- B. The Vice-Mayor, selected in the manner set forth by the City Charter (Section 4.05), shall assume the duties and responsibilities contained therein and perform the duties of Mayor in the Mayor's absence, including that of Presiding Officer.
- C. In the case of absence of both the Mayor and Vice-Mayor at a Council meeting, the Council shall select a Temporary Presiding Officer by a majority vote of Members present.
- D. The Presiding Officer shall preserve decorum and decide all questions of order, subject to appeal to Council, by any one of its members. Should any Members transgress these rules of Council, the Presiding Officer shall, or any Member may, call him or her to order, and in the latter instance, the Presiding Officer shall render a decision as to the point of order. The Presiding Officer shall be sustained unless overruled by a majority vote of Council Members present.
- E. Addressing the Presiding Officer
A Member of Council shall address the Presiding Officer when requesting permission to speak. The Presiding Officer shall then declare the person entitled to the floor. All discussion shall be confined to the question under debate. Members of the audience will also request permission to address Council from the Presiding Officer and should do so by raising their hand(s).

SECTION V. THE CLERK OF COUNCIL

Council shall select a Clerk and one or more Acting Clerks in accordance with the City Charter (Section 4.09).

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SECTION VI. MEETING PROCEDURE

The order of business by the Council shall be:

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Action on Minutes of previous meeting(s)
6. Communications
7. City Manager's Report
8. Committee Reports
9. Comments from Members of the Public (*Under 5 Minutes per Speaker*)
10. Resolutions
11. Ordinances
12. Other Business
13. Executive Session
14. Return to Regular Session
15. Adjournment

SECTION VII: VOTING

A. Quorum

A majority of Council Members must be present at any meeting for official and valid business to be conducted, except as otherwise provided by the City Charter.

B. Absences

If a Council Member is to be absent from a meeting and desires to be excused from that meeting, the Member shall communicate that information to the Mayor or the Vice Mayor as early as possible prior to that meeting and should specify the reason(s) for said absence. If unable to contact them, the Member shall contact any other Council Member or the City Manager.

Having received such request, the Mayor, or Vice Mayor, or other Council Member or City Manager shall present that information during the "other business" portion of the meeting from which the Member wishes to be excused.

C. Voting Procedure

Voting on all proposed legislation and motions shall be oral and in open Council. The Clerk of Council shall call the roll, beginning with the member seated to the left of the member who seconded the motion. Members may signify approval with a "Yes" vote, disapproval with a "No" vote, or "Abstain" for reasons such as:

- (1) The Member feels his or her vote would constitute a conflict of interest.
- (2) The Member was not present at the previous meeting (re: minutes).

When a Council Member chooses to abstain, he or she shall state, "I abstain because," indicating the reason for the abstention. No other comments shall be in order during the voting procedure. The Clerk of Council shall announce the result and the vote immediately after the roll call.

D. Voting on Suspension of Rules

Suspensions of these Rules of Council shall require a two-thirds (2/3) vote of Council Members present.

E. Dissent from Majority Opinion

Any Member of Council may dissent or protest a decision of the majority of Council, or any Ordinance, Resolution, or Motion, and may have that dissent entered into record. Such dissent may be oral or written and shall be presented at the next meeting following the action on such Ordinance, Resolution, or Motion.

F. Reconsideration

Any Member who voted with the prevailing side on the vote on a given action of Council may move a reconsideration of that action, provided that the motion be made not later than the next regular meeting after the action was taken.

A motion to reconsider shall be in order at any time except when a motion on some other subject is standing.

A motion to reconsider being laid on the table may be taken up and acted upon at any time when the Council is engaged in transaction of miscellaneous business.

No motion to reconsider shall be made more than once on any matter or subject, and the same number of votes shall be required to reconsider the action of the Council as are required to pass or adopt the same.

No Motion, Resolution, or Ordinance, having been voted upon, shall be reintroduced within ninety (90) days, except with majority concurrence of Council.

SECTION VIII: SPEAKING REGULATIONS

A. Each Council Member and person addressing Council during the legislative agenda shall make every effort to confine his or her discussion to the question under debate. Members of Council and members of the audience shall be limited to five (5) minutes and shall not speak more than once on any subject.

B. Comments from persons in the audience should be addressed to the Presiding Officer, not to proponents or opponents of any issue, not to city staff, and not to other members of the audience.

C. A public meeting or a public hearing is an opportunity for Council to receive input from citizens of the community. It is not the place for a debate between persons in the audience and other citizens, persons in the audience and city staff, or persons in the audience and members of Council. Debating tactics such as demanding answers to questions are frowned upon and may be prohibited.

Since the meetings are for input, not an instant dialogue or debate, questions to which Council chooses to respond may well be answered at a subsequent meeting or as decided by the presiding officer.

D. The Council reserves the right to put an end to that portion of any meeting or hearing in which comments from the audience are allowed, in order to leave adequate time for Council to proceed with its other business.

- E. When citizens raise questions or complaints which can be dealt with best by staff or do not require immediate action, arrangements may be made for discussion outside of the meeting. Citizens may, of course, return to a later meeting of the Council to speak to the subject if they are not satisfied with the response they receive.
- F. During the public comment part of the agenda, members of the audience may speak on subjects of their choice, addressing comments and questions to the Presiding Officer after being granted the floor, and shall be limited to five minutes.
- G. Language used shall be appropriate for a public meeting.

SECTION IX: LEGISLATION

- A. Drafting
The Director of Law shall, on motion of Council, prepare legislation, in writing and over the Director's signature, in which the City is concerned.
- B. Ordinances and Resolutions
Ordinances and Resolutions that are proposed by any Member of Council will contain the signature of the Member of Council introducing the legislation. Resolutions shall require one reading by title only. Ordinances shall require two (2) readings by title only. Upon the request and approval by a majority of Council, legislation may be read in its entirety.
- C. Motions of Council
Motions shall be used only to expedite the orderly transaction of business of Council and shall not be substituted for Resolutions or Ordinances. The form of all Motions shall be, "I move that...", followed by the substance of the motion. A second shall be required for any motion except as specifically provided for in a rule, but upon demand of any Member, any motion shall be reduced to writing by the Clerk of Council. Any such motion may be withdrawn by the maker with the consent of the second before it has been amended or voted upon. When a motion is made, it shall be stated by the Presiding Officer before any debate is in order. All motions which have been entertained by the Presiding Officer shall be entered upon the minutes.
- D. Precedence of Motions. When a question is before Council, no motion shall be entertained except the following:
 - (1) To adjourn
 - (2) To fix the hours of adjournment
 - (3) To request that discussion on the previous question end and that the motion being considered be voted on
 - (4) To lay on the table
 - (5) To postpone definitely
 - (6) To postpone indefinitely
 - (7) To refer to a committee
 - (8) To amend.

These motions shall have precedence in the order indicated. The motion to adjourn and the motion to previous question shall be put to a vote without debate. The motion to fix the hour of adjournment shall be debatable only as to the time of such adjournment.

All other motions shall be debatable.

A motion to adjourn shall be in order at any time with a second and majority vote.

A motion for the previous question shall require a majority vote of Council Members present. It shall be considered only once; may be renewed after intervening business; shall take precedence over all debatable questions. When the previous question is moved and seconded by one other Member of Council, it shall be stated by the Presiding Officer: "Shall the main question be now put?"

There shall be no further amendment or debate but pending amendments shall be put in their order before their main question. If the question, "Shall the main question be now put?" is decided in the negative, the main question remains debatable before Council.

A motion to lay on the table (to table) shall dispose finally of all legislation against which it is invoked, but a motion to lay on the table a pending amendment to an Ordinance or Resolution shall not carry the Ordinance or Resolution with it. The motion to lay on the table shall require a majority vote of Council Members present.

A motion to postpone to a certain date shall require a majority vote of Council Members present; shall be subject to reconsideration; may be renewed after intervening business; shall be debatable as to the propriety of the postponement, but not upon the merits of the legislation; and may be amended by changing the date. Upon the arrival of the date to which postponed, the legislation shall be considered in the regular order of business.

A motion to postpone indefinitely shall have the same effect as the motion to lay on the table and shall require a majority vote of all Council Members present. A motion to postpone indefinitely shall not be reconsidered, shall be debatable, shall open the legislation to debate, may be renewed after intervening, may not be amended, or laid on the table, and shall be subject to the previous question.

A motion to amend shall be susceptible to but one amendment. An amendment, once rejected, may not be moved again in the same form. Any Member of Council may call for a division of the question, or the Presiding Officer may direct the same, and the same in either case shall be divided if it comprehends questions so distinct that, one being taken away, the other will stand as an entire question for decision.

Questions of privilege shall be: First, those affecting the rights of the Council collectively, and the safety, dignity, and integrity of its proceedings; second, the rights, reputation, and conduct of the Members of Council individually in their capacity as Council Members. A question of privilege shall have precedence over all questions except a motion to adjourn.

SECTION X: COMMITTEES

Council, shall have the authority to appoint committees, or to establish a Committee of the Whole (Council), for any purpose the Council deems necessary. Such committees shall exist only until their work is completed.

SECTION XI: CITY CHARTER OF NEW CARLISLE

- A. These rules acknowledge the existence of the City Charter of New Carlisle, Ohio.
- B. In cases of conflict between these Rules and the Charter, the City Charter shall prevail.

SECTION XII: ROBERT'S RULES OF ORDER

In the absence of any Council rule or Charter provision upon the matter of business, Council shall be governed by Robert's Rules of Order.

SECTION XIII: ADOPTION OF RULES

These Rules of Council shall be effective upon adoption of a Resolution passed by a two-thirds (2/3) (five) vote of Council. They shall be reviewed and adopted by Council in January after Council elections.

SECTION XIV: AMENDMENT TO RULES

These Rules may be amended by a resolution approved by a two-thirds (2/3) vote (five) of the Council.

SECTION XV: EXECUTIVE SESSIONS

Council may hold an executive session only after a majority of a quorum of Council determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

1. To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to Paragraph (1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in Paragraph (1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting;
2. To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No

member of a public body shall use Paragraph (2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned;

3. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action;
4. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;
5. Matters required to be kept confidential by federal law or regulations or state statutes;
6. Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office;
7. To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:
 - (a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. Or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.
 - (b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

If a public body holds an executive session to consider any of the matters listed in Paragraphs (2) to (7) of this section, the motion and vote to hold that executive session shall state which one or more of the approved matters listed in those divisions are to be considered at the executive session.

As a courtesy to the audience, the presiding officer should announce if any additional business is anticipated after executive session.

Rules of Council Revision History

Revised 01/20/04

Reviewed 01/04/10

Reviewed 01/17/12

Revised 01/06/14

Revised 3/8/18 via Res 18-03R

Revised 5/21/18 via Res 18-08R

Revised 1/22/19 via Res 19-03R

Revised 1/21/20 via Res 20-01R

Revised 4/6/2020 via Res 2020-06R (COVID Procedures - No Longer in Effect)

Revised 2/1/2021 via Res 2021-02R (COVID Procedures - No Longer in Effect)

Revised 2/22/2022 via Res 2022-03R

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

Revised 01/17/2023 via Res 2023-06R

Revised 03/06/2023 via Res 2023-08R

RESOLUTION 2024-03R

A RESOLUTION AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL FOR THE PURPOSE OF ACCEPTING A 2024 MARCS GRANT

WHEREAS, the City's Fire/EMS Division has been selected to receive a 2024 MARCS Grant, in the amount of Seventeen Thousand One Hundred Ten and 85/100 Dollars (\$17,110.85), from the Ohio Department of Commerce, Division of State Fire Marshal; and

WHEREAS, the grant funds must be used in accordance with the terms and conditions set forth in the attached grant agreement; and

WHEREAS, the grant agreement requires that grant funds be used for MARCS radios and/or equipment but not for subscription fees; and

WHEREAS, according to the grant agreement, the grant funds must be expended by July 1, 2024 and the radios and/or equipment purchased must be on the Ohio MARCS statewide network by that same date; and

WHEREAS, Council has determined that it would be in the best interests of the City and its residents for the City to accept the grant funds and enter into the attached grant agreement.

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

SECTION 1. The City accepts the 2024 MARCS Grant in the amount of Seventeen Thousand One Hundred Ten and 85/100 Dollars (\$17,110.85).

SECTION 2. The City Manager, or the Director of Public Service/Assistant City Manager as the City Manager's designee, be, and hereby is, authorized to enter into the attached grant agreement and to execute all other documents as may be necessary for the City to receive the 2024 MARCS Grant.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Emily Berner, Clerk of Council

1st _____

2nd: _____

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

Wright	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Cook	Y	N
V. Mayor Eggleston	Y	N
Shamy	Y	N
Grimm	Y	N
Totals:		

Intro: 02/05/2024
Action: 02/05/2024
Effective: 02/20/2024

Pass Fail

ORDINANCE 2024-01

AN ORDINANCE AUTHORIZING THE SALE, BY INTERNET AUCTION, OF CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED

WHEREAS, the City's vehicles and equipment listed on the attached Exhibit A are no longer needed, are past their useful life and may have already been replaced; and

WHEREAS, pursuant to RC § 721.15(D), the City is authorized to sell unneeded, obsolete or unfit property through internet auction; and

WHEREAS, the City desires to utilize the services of GovDeals, Inc. ("GovDeals") as the City's contracted representative to conduct auctions of the listed property on the City's behalf; and

WHEREAS, GovDeals is located at 100 Capital Commerce Boulevard, Suite 110, Montgomery, Alabama 36117, its website address is govdeals.com and its telephone number is (800) 613-0156; and

WHEREAS, Council has determined that the most cost-effective and efficient way to sell the listed property would be through the internet auction process.

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

SECTION 1. The personal property listed on the attached Exhibit A is not needed for public use, or is obsolete or unfit for the use for which it was acquired.

SECTION 2. The City Manager, or the Director of Public Service/Assistant City Manager as the City Manager's designee, be and he hereby is, authorized and empowered to retain the services of GovDeals to effectuate the sale of the property listed on Exhibit A by internet auction, to enter into an appropriate user agreement between the City and GovDeals in a form approved by the Law Director, and to execute all documents and perform all acts required to complete the sale of the property listed on Exhibit A.

SECTION 3. The internet auctions will be conducted by GovDeals in accordance with its rules, regulations and procedures. As required by law, the property will be listed for a minimum of ten (10) days, including Saturdays, Sundays and legal holidays.

SECTION 4. The Clerk of Council shall publish, in a newspaper of general circulation within the City or as provided in RC § 7.16, notice of the City's intent to sell the unneeded, obsolete or unfit municipal personal property listed on the attached Exhibit A by internet auction. The notice shall include a summary of the information provided herein and shall be published twice. The second notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice. A similar notice also shall be posted in a conspicuous place in the office of the Clerk of Council and posted on the City's website.

SIGNATURE PAGE TO FOLLOW

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Wright	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Cook	Y	N
V. Mayor Eggleston	Y	N
Shamy	Y	N
Grimm	Y	N
Totals:		
	Pass	Fail

Intro: 01/16/2024
Action: 02/05/2024
Effective: 02/20/2024

EXHIBIT A

Vehicles And Equipment for Sale or Disposal

1994 Case 580SK Backhoe PIN: JJG0181206

2001 Dodge Ram Quad Cab VIN: 3B7HF12Y81G201569

2001 Jeep Cherokee Sport VIN: 1J4FF48S61L623011

2001 Chevy Impala VIN: 2G1WF55K619360244

2007 Ford Econoline Van VIN: 1FTNE14W97DA86598

ORDINANCE 2024-02

AN ORDINANCE AUTHORIZING CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, AND THAT HAS NO VALUE, TO BE DISCARDED OR SALVAGED

WHEREAS, the City's vehicles and equipment listed on the attached Exhibit A are no longer needed, are past their useful life and may have already been replaced; and

WHEREAS, Ordinance 2024-01 directs that the listed property be sold through internet auction; and

WHEREAS, any item of personal property listed on the attached Exhibit A, which fails to sell through internet auction, has no value; and

WHEREAS, pursuant to RC § 721.15(C), the City is authorized to discard or salvage unneeded, obsolete or unfit property that has no value; and

WHEREAS, Council has determined that it would be in the City's best interest to discard or salvage the listed property that has no value instead of continuing to store and maintain it.

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

SECTION 1. The personal property listed on the attached Exhibit A is not needed for public use, or is obsolete or unfit for the use for which it was acquired.

SECTION 2. Any item of personal property listed on the attached Exhibit A, which fails to sell through internet auction, has no value.

SECTION 3. The City Manager, or the Director of Public Service/Assistant City Manager as the City Manager's designee, be and he hereby is, authorized and directed to discard or salvage all personal property listed on Exhibit A which fails to sell through internet auction, and to execute all documents and perform all acts required to complete the same.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Wright	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Cook	Y	N
V. Mayor Eggleston	Y	N
Shamy	Y	N
Grimm	Y	N

Totals: _____

Pass

Fail

Intro: 01/16/2024

Action: 02/05/2024

Effective: 02/20/2024

EXHIBIT A

Vehicles And Equipment for Sale or Disposal

1994 Case 580SK Backhoe PIN: JJG0181206

2001 Dodge Ram Quad Cab VIN: 3B7HF12Y81G201569

2001 Jeep Cherokee Sport VIN: 1J4FF48S61L623011

2001 Chevy Impala VIN: 2G1WF55K619360244

2007 Ford Econoline Van VIN: 1FTNE14W97DA86598

ORDINANCE 2024-03

**AN ORDINANCE ESTABLISHING COMPENSATION FOR THE
DIRECTOR OF PUBLIC SERVICE / ASSISTANT CITY MANAGER**

WHEREAS, Howard Kitko, as Director of Public Service / Assistant City Manager, has shown dedication to the City of New Carlisle, excelled since his promotion to Assistant City Manager as evidenced by his development and execution of contracts pertaining to his departments, created a full-time position that will further beautify the City, and begun to look at City operations through an "Assistant City Manager" lens; and

WHEREAS, the City Manager affirms that Howard Kitko has performed at a high level in all aspects of his job duties; and

WHEREAS, the City Charter requires the passage of an ordinance to change the salary of administrative department heads.

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

Section 1. The compensation paid to Howard Kitko shall be increased by 3.0% (i.e., \$2,436), which will raise his yearly salary to \$83,636.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Wright	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Cook	Y	N
V. Mayor Eggleston	Y	N
Shamy	Y	N
Grimm	Y	N
Totals:		

Intro: 01/16/24
Action: 02/05/24
Effective: 02/20/24

Pass Fail

ORDINANCE 2024-04

**AN ORDINANCE ESTABLISHING COMPENSATION FOR THE
FINANCE DIRECTOR**

WHEREAS, Colleen Harris, as Finance Director, has utilized her highly unique and valuable skill set to ensure that the City’s finances are sound, shown dedication to the City, and moved the City's annual audits in a great direction; and

WHEREAS, the City Manager affirms that Colleen Harris has performed at a high level in all aspects of her job duties; and

WHEREAS, the City Charter requires the passage of an ordinance to change the salary of administrative department heads.

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

Section 1. The compensation paid to Colleen Harris shall be increased by 3.0% (i.e., \$2,631.60), which will raise her yearly salary to \$90,351.60.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Wright	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Cook	Y	N
V. Mayor Eggleston	Y	N
Shamy	Y	N
Grimm	Y	N
Totals:		

Pass

Fail

ORDINANCE 2024-05

**AN ORDINANCE ESTABLISHING COMPENSATION FOR THE CITY
MANAGER OF THE CITY OF NEW CARLISLE**

WHEREAS, Randy Bridge, as City Manager, has shown dedication to the City of New Carlisle;
and

WHEREAS, Randy Bridge has saved the City thousands of dollars through contract renegotiations, bond refinancing, sound administrative decisions and the close monitoring of the City's expenditures; and

WHEREAS, this past fiscal year, the City had a General Fund surplus in excess of \$2 million;
and

WHEREAS, Randy Bridge, in conjunction with other City staff and City Council, has helped the City to progress significantly since taking office in 2015 by starting a Mayor's Court, repairing roads, improving the City's parks with new playground equipment and many other advancements; and

WHEREAS, Randy Bridge has been instrumental in attracting residential developments that will propel the City's growth and further solidify its stability for many years to come; and

WHEREAS, Randy Bridge makes himself readily available to City Council, residents and business owners well past normal working hours and on days not part of a customary workweek; and

WHEREAS, City Council affirms that Randy Bridge excels at his job duties; and

WHEREAS, the City Charter requires an ordinance to be passed in order to change the salary of the City Manager.

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

Section 1. The compensation paid to Randy Bridge shall be increased by 3.0% (i.e., \$3,001.05), which will raise his yearly salary to \$103,036.05.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

Wright	Y	N
Bahun	Y	N
Lindsey	Y	N
Mayor Cook	Y	N
V. Mayor Eggleston	Y	N
Shamy	Y	N
Grimm	Y	N

Totals:

Pass

Fail

Intro: 01/16/24

Action: 02/05/24

Effective: 02/20/24