



## CITY COUNCIL REGULAR MEETING PACKET

May 06, 2024 @ 6:00pm Smith Park Shelter House

1. Call to Order: Mayor Bill Cook
2. Roll Call: Clerk of Council
3. Invocation: All Welcome to Participate
4. Pledge of Allegiance: All Welcome to Participate
5. Action on Minutes: 04/15/24 Regular Meeting & 04/29/24 Special Meeting
6. Communications: (a) Proclamation by Mayor Cook – Apraxia Awareness Day - Attached  
(b) Taco Bell Site Plan and Conditional Use Approval from City Council  
– Packet Attached
7. City Manager Report: Attached
8. Committee Reports: City Council Dais Committee Update
9. Comments from Members of the Public: \*Comments limited to 5 minutes or less

### 10. RESOLUTIONS: (NONE)

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

#### **\*A. Ordinance 2024-18 (Introduced on 04/15/24. Public Hearing and Action Tonight)**

AN ORDINANCE AMENDING SECTION 1460.26 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING RESIDENTIAL VEGETATION

#### **\*B. Ordinance 2024-19 (Introduced on 04/15/24. Public Hearing and Action Tonight)**

AN ORDINANCE AMENDING SECTION 1460.43 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING THE PARKING OF PASSENGER, COMMERCIAL AND HEAVY VEHICLES

#### **\*C. Ordinance 2024-20 (Introduced on 04/15/24. Public Hearing and Action Tonight)**

AN ORDINANCE AMENDING SECTION 1460.44 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING ACCESSORY USES FOR RECREATIONAL VEHICLES AND EQUIPMENT, AND OVERNIGHT PARKING

#### **D. Ordinance 2024-21 (Introduction Tonight. Public Hearing and Action on 05/20/24)**

AN ORDINANCE AMENDING CHAPTER 1066 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE, OHIO TO REVISE CEMETERY FEES

### 12. OTHER BUSINESS:

- o Additional City Business:
  - Potential Board of Zoning Appeals Interview(s)
  - Open for Discussion on City Related Business

13. Executive Session:

14. Return to Regular Session:

15. Adjournment

Next City Council **Special** Meeting is Monday, May 13, 2024 @ Smith Park Shelter House. 6:00PM.

Next **Regular** City Council Meeting is Monday, May 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 4/15/24 @ 6:00 pm

- 1. **Call to Order:** Mayor Cook calls the meeting to order.
- 2. **Roll Call:** Bridge calls the roll- Cook, Grimm, Bahun, Wright, Lindsey (late), Eggleston. Absent: Shamy 6 members present
- 3. **Invocation:** Trusty
- 4. **Pledge of Allegiance:** All are Welcome to Participate
- 5. **Action on Minutes:**  
4/1/24: 1st Eggleston 2nd Wright YES: 6 Eggleston, Cook, Grimm, Bahun, Wright NAY: 0 Accepted 5-0

**6. Communications:**

**Chad Johnson:** A local woodworker will take on the dias build for the council. Mr. Johnson asked for some ideas from Council on what they would like—council discussions on what they would like. Cook suggested having the audience closer for the acoustics. Grimm noted there is no reason to raise themselves to a higher level. Wright agreed. Wright adds to focus it on the Mayor’s Court, having the judge up higher. She notes she likes the straight-line design. Grimm suggests a better sound system. Lindsey adds that in every city meeting he has attended in other cities, the council sits higher so people in the back can see. Lindsey agrees but noted it comes down to money. Lindsey gives his suggestions. Bahun added that he agrees with Grimm and likes having the judge higher. Eggleston agrees moving the Mayor’s court to the shelter should have an elevation. Bridge adds they should make some sort of improvement. Bridge suggests forming a committee so the council can keep working on it. Grimm motions to abandon the dias project no 2nd- died due to lack of second. Lindsey motions to have the city manager bring more information, such as cost, to the council Cook motions to make a committee of 3 with 2nd by Eggleston YES: Cook, Grimm, Bahun, Wright, Lindsey, Eggleston, NAY: 0 Accepted 6-0  
Wright and Eggleston Volunteer with community volunteer John Krabacher 1st Lindsey 2nd Wright to accept these members for the committee. YES: Lindsey, Eggleston, Cook, Bahun, Wright NAY: Grimm Accepted 5-1 Mr. Krabacher suggests coming back in 4 weeks to report out. Bridge notes at the first meeting they can decide that.

**BZA: Safe and Sound**

**Board of Zoning Appeals (BZA)  
Staff Report**

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**Case Name:** Safe & Sound Request for Sign Variance  
**Hearing Date:** April 15, 2024  
**Hearing Location:** Smith Park Shelter House  
**Hearing Time:** 6:00PM

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**I. General Information and Case Description**

|                             |  |  |  |
|-----------------------------|--|--|--|
| <b>Case Type:</b>           | Request for a Variance from Section 1290.17(b) of City Code  |  |  |
| <b>BZA:</b>                 | Will vote to approve or deny ground sign placement variance on a property that does not contain the principal structure. |  |  |
| <b>Applicant:</b>           | Mark Hensley Safe & Sound  |  |  |
| <b>Property Location:</b>   | 1701 Addison Carlisle Road New Carlisle, Ohio 45344  |  |  |
| <b>Owner:</b>               | Mark Hensley   |  |  |
| <b>Parcel Numbers:</b>      | 0300500035200005   |  |  |
| <b>Adjacent Properties:</b> | <b>Zoning</b>  | <b>Use</b>                                       |  |
| <b>North:</b>               | CB-Central Business Districts 1270.03 (b)  | Retail establishments and service businesses     |  |
| <b>South:</b>               | CB-Central Business Districts 1270.03 (b)  | Retail establishments and service businesses     |  |
| <b>East:</b>                | CB-Central Business Districts 1270.03 (b)  | Retail establishments and service businesses     |  |
| <b>West:</b>                | R7-Residential 1260  | High-Density Single-Family Residential Districts |  |
| <b>Parcel Size:</b>         | 124,146 Square Foot  |  |  |
| <b>Current Zoning:</b>      | CB-Central Business Districts  |  |  |

**II. Exhibits and Attachments**

| Item                    | Purpose  |
|-------------------------|--|
| 1244.06 - Variances     | City Code Governing Variances                                  |
| BZA Application         | Application for Board of Zoning Appeals (BZA) Variance Request |
| Sign Permit Application | Permit Application submitted by Applicant                      |
| Narrative Statement     | Applicant Narrative Statement                                  |
| Site Photo & Sign Copy  | Location of Proposed Sign & Dimensions of Signage              |
| Legal Advertisement     | Required by City Code  |
| Mailing Address         | Of Property Owners within 500ft of Application Address         |

**III. Staff Notes**

- **Upcoming Timeline**
  - TONIGHT – 4/15/2024 The BZA votes to approve or deny ground sign placement variance on a property that does not contain the principal structure.
- **Pertinent Code Sections:**
  - 1224 Administration
  - 1244.06 Variances
  - 1246 Procedure for Board of Appeals
  - 1290.01 Sign Regulations Intent
  - 1290.11 Sign Requirements for General Business (GB) Districts
  - 1290.12 Sign Requirements for Central Business (CB) Districts- signage within the CB District is subject to all pertinent provisions for signage within the General Business (GB) District
- **Variances Needed:**
  - 1290.17 LOCATION OF SIGNS
    - (d) No sign shall be located on a vacant lot, except for the purpose of:
      - (1) Advertising the lot for sale, lease, or pending development;
      - (2) The notification of present danger;
      - (3) Prohibition of trespassing, hunting and similar notifications; or
      - (4) Political advertising.

**IV. Staff Narrative**

Mark Hensley, applicant, and owner of Safe & Sound Outfitters located at 1701 Addison Carlisle Road and adjacent property across the street at 1720 Addison Carlisle Road is seeking a sign variance on a denied sign permit application submitted on February 12, 2024. City Ordinance 1290.17 prohibits businesses to erect or install a sign advertising a business on a vacant lot where the principal business structure is not located. This variance request has not been granted in the past for other businesses.

Mr. Hensley plans to remove the "Welcome to New Carlisle" sign located on the 1720 Addison Carlisle Road lot. Mr. Hensley wishes to remove his current Safe & Sound Sign and re-install it across the street 135ft North of where the "Welcome to New Carlisle" sign was removed. The proposed sign meets all the setbacks (10ft from east right of way, 10ft from west right of way), size (4ft x 8ft=32SF), and height (4ft) requirements for the Central Business District.

**V. Staff Recommendation**

- The Board of Zoning Appeals should make a motion tonight as follows:
  1. Vote to deny the variance that would permit a ground sign for a business to be erected on vacant property solely due to the applicant not meeting all the requirements of Section 1244.06 (b) of the City of New Carlisle Codified Ordinances (See below)

**1244.06 VARIANCES.**

(a) Upon appeal, the Board of Appeals may authorize a variance where, because of physical circumstances such as exceptional narrowness, shallowness, shape, topographic condition or other extraordinary lot conditions, there is no possibility that the property can be developed in strict conformity with this Zoning Code and adjustment is therefore necessary to enable the reasonable use of the property, provided that such minimum relief can be granted without substantial detriment to the public good and does not substantially impair the intent of this Zoning Code.

(b) No variance shall be granted unless the Board finds that all of the following conditions exist:

| Required Conditions  | Conditions Met Yes/No | Explanation   |
|--|-----------------------|---|
| (1) The proposed variance will not constitute a change, including an adjustment in use, on the Official Zoning Map. In no case shall the Board approve a variance for a use not permitted in the zoning district in which the land, structures or buildings are located.           | Yes                   | The proposed variance will not constitute a change in the Zoning Map. The proposed location is Zoned Central Business District.   |
| (2) The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not result from the actions of the applicant or apply generally to other buildings or land in the vicinity.                                   | Yes                   | The special circumstances do not affect other buildings or land not owned by the applicant in the vicinity.   |
| (3) The literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under this Zoning Code.  | No                    | The Zoning Code would not deprive the applicant of rights enjoyed by other properties in the same zoning district under the Zoning Code.  |
| (4) The granting of the variance is necessary for the preservation and enjoyment of the substantial property right and will not merely serve as a convenience to the applicant.  | No                    | The granting of the variance is convenient to the applicant but also applicant does not provide a narrative on which property will be enjoyed and preserved.  |
| (5) The granting of the variance requested will provide the minimum necessary relief to alleviate the hardship and will not confer on the applicant any special privilege which is denied by this Zoning Code to other land, structures, or buildings in the same zoning district. | No                    | The granting of the variance may or may not provide relief to the hardship of the applicant; however, "special privilege" is evident as no other business has been granted such variance in lieu of Zoning Code 1290.11 (a) (2) –" One free-standing sign is permitted for each zoning lot" |
| (6) The granting of the variance will be in harmony with the general purposes and intent of this Zoning Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.   | Yes                   | The reasonable regulations governing size and character are met, however, the location of the proposed sign is not deemed reasonable as it sets the precedent for other businesses to have signage on other locations without the principal structure.                                      |

**1290.01 INTENT.**

It is the intent of this chapter to establish reasonable regulations governing the size, character, and location of signs within the City of New Carlisle, in the interest of the safety and general welfare of its citizens, business concerns, and other affected sectors of the community. It is intended to protect property values, create a more attractive economic and business climate, enhance, and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign distractions and sight obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, to provide more open space, and to curtail the deterioration of the natural environment and to enhance community development.



**ZONING PERMIT**  
 City of New Carlisle  
 Planning Department  
 331 S. Church Street  
 New Carlisle, Ohio 45344  
 937-845-9492

**Permit #:** 20240031  
**Permit Date:** 04/04/24  
**Permit Type:**  
**Permit Type:** Board of Zoning Appeals  
**Review Type:** Variance Request  
**Project Address:** 1720 Addison-New Carlisle Road  
**Project Description:** 32SF Sign Location Variance  
**Applicant Name:** Mark Hensley  
**Applicant Phone #:** 937-478-7814  
**Alt. Phone #:** 0  
**Applicant Email:** mark@safeandsoundoutfitters.com  
**Business Name:** Safe & Sound Outfitters  
**Current Zoning District:** CB  
**City, State, Zip:** New Carlisle, Ohio 45344  
**Property Owner Phone #:**  
**Property Owner Email:**  
**Approved Permit #:** 20240031  
**Approved / Denied Date:** 04/04/2024  
**Tools Loaned to Applicant:**  
**Tools Pickup Date:**  
**Tools Return Date:**  
**Status:** Approved  
**Assigned To:** Bryan Moore

# APPROVED

Permit Conditions:  
 0000-001 0000-001  
 Fee: \$125.00  
 (online) \$125.00 Cash  
 Charge: \$0.00  
 4/11/2024 10:20 AM #200038  
 Thank you very much!  
 Mark & Nancy Hensley

| Property        |  |                               |              |             |        |  |
|-----------------|--|-------------------------------|--------------|-------------|--------|--|
| Parcel #        | Address  | Legal Description             | Owner Name   | Owner Phone | Zoning |  |
| 036050013200001 | 1701 ADDISON-NEW CARLISLE RD NEW CARLISLE OH 45344 | N E QR SEC 35 & N W QR SEC 29 | HENSLEY MARK |             |        |  |

| Fees    |     |             |       |              |                 |  |
|---------|-----|-------------|-------|--------------|-----------------|--|
| Version | Fee | Description | Units | Amount       | Total           |  |
|         |     |             |       | \$125.00     | \$125.00        |  |
|         |     |             |       | <b>Total</b> | <b>\$125.00</b> |  |

| Payments   |         |             |              |             |          |                     |
|------------|---------|-------------|--------------|-------------|----------|---------------------|
| Date       | Paid By | Description | Payment Type | Accepted By | Amount   | Outstanding Balance |
| 04/04/2024 |         |             |              | Bryan Moore | \$125.00 | \$0.00              |

| Uploaded Files |  | File Name                    |
|----------------|--|------------------------------|
| Date           |  |                              |
| 04/04/2024     |  | 19090466-BZA Application.pdf |

|   |  |   |
|---|--|---|
|  <p>City of New Carlisle<br/>Planning Department<br/>331 S. Church Street<br/>New Carlisle, Ohio 45344<br/>937.845.9492<br/><a href="http://www.ci.newcarlisle.oh.us">www.ci.newcarlisle.oh.us</a></p> | <p><b>APPLICATION<br/>BOARD OF ZONING APPEALS<br/>VARIANCE REQUEST</b></p> | <p>Received Stamp<br/><b>3/26/2024</b><br/><i>B Moore</i><br/>Office Use Only</p> |
|---|--|---|

Please read before completing this application.

**\$125**  
Application Fee

- Required-
  - 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: MARK HENSLEY Phone: 937-478-7814

Address: 1701 Addison-New Carlisle Rd New Carlisle, Ohio 45344

Email: mark@safeandsoundoutfitters.com

**Property Information**

Address for Variance Request: 1720 Addison - New Carlisle Rd

Zoning District: CB Lot Number: \_\_\_\_\_

Owner of Record according to the Clark County Auditor's Office: MARK HENSLEY

Owners Mailing Address: 5040 Studebaker Rd Tipp City Ohio 45371

Owners Phone: 937-478-7814 Email: mark@safeandsoundoutfitters.com

**Variance Requested**

Description of the nature of the Variance requested:  
Sign NOTON SOME parcel as business

**Application Requirements Checklist**

|   | Required Items  | Staff Use |
|---|---|-----------|
| ✓ | Narrative Statement demonstrating that the requested variance conforms to the following standards:  |           |
| ✓ | 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;            |           |
| ✓ | 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;  |           |
| ✓ | c) That special conditions and circumstances do not result from the actions of the applicant; and   |           |
| ✓ | 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.                  |           |
| ✓ | 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.   |           |
| ✓ | 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. |           |
| ✓ | Zoning Permit Application submitted along with this application for the proposed structure.   |           |
| ✓ | 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.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*(if different than Applicant)*

*Office Use Only*

Fee \$125 Paid Date: \_\_\_\_\_

This application has been reviewed and is found to be complete.

City Staff: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_

Decision of the Board of Zoning Appeals

Date Decision Ruled on: \_\_\_\_\_ Action Taken: Approved / Denied

Conditions for Approval: \_\_\_\_\_



**ZONING PERMIT**

City of New Carlisle  
 Planning Department  
 331 S. Church Street  
 New Carlisle, Ohio 45344  
 937-845-9492

**PERMIT DENIED**

Permit #: 20240009  
 Permit Date: 02/14/24  
 Permit Type:  
 Permit Type: Sign  
 Review Type: Zoning  
 Project Address: 1720 Addison-Carlisle Rd  
 Project Description: 32sf sign  
 Applicant Name: Mark Hensley  
 Applicant Phone #: 937-478-7814  
 Alt. Phone #: 0  
 Applicant Email: mark@safesoundoutfitters.com  
 Business Name: Safe and Sound Outfitters  
 Current Zoning District: CB  
 City, State, Zip: New Carlisle, Ohio 45344  
 Property Owner Phone #:  
 Property Owner Email:  
 Approved Permit #: 20240009  
 Approved / Denied Date: 02/14/2024  
 Tools Loaned to Applicant:  
 Tools Pickup Date:  
 Tools Return Date:  
 Status: Application Denied  
 Assigned To: Bryan Moore

| Parcel #        | Address   | Legal Description | Owner Name   | Owner Phone | Zoning |
|-----------------|---|-------------------|--------------|-------------|--------|
| 030050023102010 | 1720 ADDISON-NEW CARLISLE RD NEW CARLISLE 45344 | FTN W QP          | HENSLEY MARK |             |        |

| Date       | Note  | Created By  |
|------------|---|-------------|
| 02/14/2024 | Application was denied due to sign not being on the same parcel as the actual business. Applicant will proceed to BZA for a variance. | Bryan Moore |

Received:

(Office Use)

City of New Carlisle, Planning Department  
 331 South Church Street, New Carlisle, Ohio 45344  
 Phone: (937) 845-9492 •  
 planning@newcarlisleohio.gov

Permit No. \_\_\_\_\_

Authorized City Signature  
(Office Use)

**SIGN PERMIT APPLICATION**

APPLICANT INFORMATION

1) Name (Please Print): MARK HENSLEY      2) Phone: 937-478-7814  
 3) Email: mark@safesoundoutfitters.com  
 4) Address of Sign Location: 1720 Addison - New Carlisle Rd  
 5) Name of Landowner: MARK HENSLEY      6) Phone: 937-478-7814

SIGN INFORMATION

1) Zoning District: CB      2) Company Name: \_\_\_\_\_  
 3) Type of Sign: Digital  
 4) Width of Sign: 8'4"      5) Height of Sign: 4'4"      6) Total Sq. Ft. (Width x Height): 32 sq. ft  
 7) Projection of Sign (if applicable): \_\_\_\_\_      8) Elevation of Sign: 8'4"  
 9) Illumination  None  Internal  External      10) Electrical Service Required: Yes  No   
 11) Sign Erector: Fab Metals      12) Phone: 937-845-3000  
 13) Liability Insurance or Bond (Name of Company): Westlife Id      14) Phone: 937-698-4101  
 15) If Temporary, sign will be: Erected (Date) \_\_\_\_\_ Removed (Date) \_\_\_\_\_

REQUIRED ATTACHMENTS (ALL NEEDED AND NECESSARY)

A) A sketch, drawn to scale showing the following:  
 (a) The lot location, right-of-way, and lot dimensions.  
 (b) The building frontage and setback distance.  
 (c) A drawing to scale showing the design of the sign, including dimensions, sign size, method of attachment, source of illumination, and showing the relationship to any building or structure to which it relates. If the sign will be attached to an existing building, a current photograph of that building's face shall be submitted. The dimensions of the wall to which the sign is to be attached shall also be specified.  
 (d) A fully dimensioned plot plan, approximately to scale, indicating the location of the sign relative to property lines, rights-of-way, streets, sidewalks, and other buildings or structures on the premises.  
 (e) The maximum and minimum height of the sign.  
 (f) The traffic speed limit and width of adjacent public rights-of-way.  
 (g) The copy for the sign, including lettering, symbols, graphics, and anything else that will appear on the sign.  
 (h) The number, location, and size of any other signs on the premises.  
 (i) Name, address, and telephone numbers of the sign owner.  
 (j) Any other information (such as deed restrictions) requested by the Zoning Inspector to determine conformity with this sign code.  
 B) If using electric an electrical permit must be obtained from Clark County, Ohio.  
 C) LETTER OF PERMISSION FROM BUILDING OWNER GRANTING PERMISSION TO HANG SIGN  
 D) \$30 Application Fee, plus \$ .50 Per Square Foot of all Signage Included In this Application.

the sign authorized by this permit is not erected within (6) months of the date of issuance, this permit shall no longer be valid. approval of the Sign Permit requested by this application indicates acceptance of responsibility by the applicant to comply with ALL provisions of Chapter 1290 of the Codified Ordinances of New Carlisle.

Applicant Signature: [Signature]
Date: 2-12-2024

New Carlisle BZA,

We are applying for a variance to relocate the sign we previously have at the business address of 1701 Addison New Carlisle Rd. This business operates as Safe and Sound Outfitters, and the property is owned by Mark Hensley. The new sign location would be located on the triangular shaped parcel just across the street (we will refer to this as 1700 Addison New Carlisle Rd) also owned by Mark Hensley. Although both parcels are owned by Mark Hensley and in the Central Business District, Addison New Carlisle Rd separates them, making two different parcel numbers. Furthermore, in reviewing the GB Districts and CB Districts in the city limits, we believe this would be the only rare case where a road creates 2 separate parcel numbers belonging to the same business or individual without showing favoritism. We have included a list of the city ordinances for your review:

**1290.12 SIGNS PERMITTED IN CENTRAL BUSINESS (CB) DISTRICTS.**

In consideration of the special characteristics of the City's Central Business (CB) District, i.e. lack of building setback, pedestrian orientation, historic character, etc., signage within the CB District is subject to all pertinent provisions for signage within the General Business (GB) District, with the exception of the following provisions:

**(a) Permanent Ground Signs.**

(1) Permanent ground signs shall be permitted only upon sites which have sufficient setback to comply with the required ten-foot setback from the right-of-way without blocking or impeding pedestrian accessibility.

**1290.11 SIGNS PERMITTED IN GENERAL BUSINESS (GB) DISTRICTS.**

**(a) Permanent Ground Signs.**

(1) One ground or free-standing sign is permitted for each principal structure.

(2) **One free-standing sign is permitted for each zoning lot.** Such signs shall be permitted up to 30 square feet in area per side, for lots 150 feet or less in frontage width, which may be increased at a ratio of one square foot for each two and one-half feet of lot frontage in excess of the initial 150 feet, up to a lot 300 feet wide. A principal structure having in excess of 300 feet of frontage may have one additional sign based upon the same ratio of one square foot of signage for each five feet over the initial 300 feet of frontage. The maximum size for any one sign is 50 square feet per face.

(3) When multiple-use zoning lots are involved, for each use on the zoning lot in addition to the initial use, 15 square feet of signage is permitted. The total area of free-standing signs shall not exceed 50% over the sign size originally permitted for the lot.

(4) For a non-corner lot with frontages on more than one street, each frontage may be treated as a separate frontage for the purpose of establishing permitted free-standing sign area and number.

(5) For a corner lot, the percentage of free-standing sign area permitted may be increased by 50% to a maximum of 75 square feet in area per face, provided that such a sign is oriented equally to both street frontages.

(6) Signs may not exceed 15 feet in height.

(7) Signs must be at least ten feet from any property lines.

(8) See Section 1290.15(g) for additional regulatory provisions.

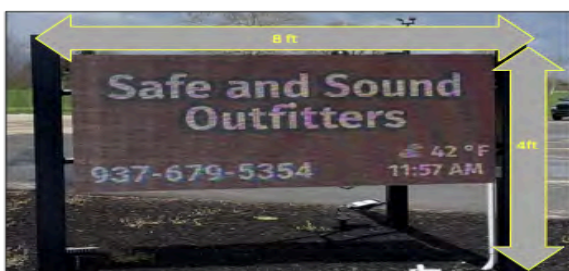
**1290.15 GENERAL PROVISIONS FOR SPECIFIC TYPES OF SIGNS.**

**(g) Permanent Ground Signs.**

(1) The Zoning Administrator may permit slight variation from the minimum street frontage spacing requirements for ground signs applicable in individual zoning districts if conflict with driveways, natural barriers, trees, and utility equipment is unavoidable.

(2) Permanent ground signs shall be prohibited on parcels with street frontage less than 50 feet in width at the right-of-way lines unless otherwise expressly permitted in this sign code.

Thank you,  
Mark Hensley



Mark Hensley Studebaker Rd Tipp City- notes they will never be able to make the property one due to the road (.17 acres). Asking to move the sign close to 50 ft. due to the way the road is set up. The property

cannot be deeded to the same property due to the road being in the middle—council discussions on ways to grant the variance or join the properties. Council asks Mr. Hensley to wait and see how the plans develop. Mr. Hensley would like more than six months, but Mr. Bridge notes the process will have to start over. Grimm thinks to wait and see where Addison gets shut off and agrees it needs to be discussed with residents near this area. Cook asks if we can table or vote it down. Can he put up a temporary sign-up? Bridge would need to look at the sign code. Mr. Hensley notes if Addison closes, the sign will need to be moved to get semis in the lot. Lindsey motions to table the variance, Bridge notes council cannot table it. Mr. Hensley notes he will withdraw the petition.

## 7. City Manager's Report:

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

#### Service Report:

To: Randy Bridge, City Manager  
 From: Howard Kitko, Service Director/Asst. City Manager  
 Date: April 15, 2024  
 Subject: Council Update

#### Public Works Departments:

- Installed new park and lease rules at all parks, except Carlisle Park. Carlisle Park sign will be erected at the completion of the upgrade project.
- Preparing to perform a city-wide dura-patch of potholes within the next couple of weeks and crack seal in the fall.
- Preparing for parks and streetscape improvements for 2024
- Working on Sweeping schedule, based on arrival of the new equipment. Once initial sweeping is completed, the city will be painting curbs throughout the city.

#### Water Department:

- Prepping the pool for the 2024 season.
- Well #5 to be cleaned late April.
- Working on OPWC Old High Service Pump Building Upgrade Project.
- Lead Service and Water Main replacement Project. Old Section of town. Working with the Ohio EPA for additional funding for private line replacement. Project survey phase nearing completion.

#### Sewer Department:

- Performing general maintenance.
- Plant Expansion Study: Study is complete. Plan reviewed by City Manager and Wastewater Superintendent. Approaching engineering with some additional information to update the plan further.

#### 2024 Road Reconstruction/Resurfacing Projects:

- 2024 Clark County Road Resurfacing Contract to resurface W. Washinton and Villa Dr. with associated ADA curb ramp replacements and 8 ADA ramp replacements in the Willowick area.
- 2024 Clark County Striping Contract to restripe yellow centerline on Lake St., Smith Blvd, and Jefferson St. This contract will also place the white edge line on 235, at the curve per study.
- 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 is to be added to the existing Swing-set. Estimated Cost of \$91,000 with the city's estimated share to be \$25,000. Clark county awarded the contract to Outdoor Enterprises, LLC out of Tipp City. Currently under construction.

1

#### NatureWorks Grant:

- The City of New Carlisle has been awarded the ODNR NatureWorks grant. Project to add gazebos with ADA access. Received pricing for 3ea. 12'x24'Gazebos. Meeting Concrete contractors for concrete estimates. Ordered 3 gazebos to be built onsite.

#### Additional Items:

- Pease sidewalk. There is available right-of-way to install sidewalk on the west side of Pease. Discussion on timeframe to complete.
- Metronet project discussion
- Applying for CDBG Critical Infrastructure Grant to reconstruct Rawson from Scott St. to Kennison Ave. in 2025. Full depth reconstruction, full curb replacement, all new storm, and all new drive approaches. Estimate construction cost of \$472,160, with City matching 10% (\$47,216) and paying for Engineering services of about \$25,000.
- Possible application for CDBG allocation funds for Carlisle Park Phase 2 upgrade. Additional ADA sidewalk replacement, install driveway, parking area and security.

Wright suggested a mural on the side of the Dollar Store to deter tagging. Bridge suggests a graffiti board. Eggleston asks what it would entail to make the city water softer. Kitko notes adding more salt. Cook asks how close Metro Net is to being completed. Kitko will meet with them, but he estimates it is around 15-20% complete.

**Fire/EMS Report: No comments or questions.**



City of New Carlisle  
 City Council Meeting  
 04-15-2024  
 Fire-EMS Report

- In the Month of March, the New Carlisle Fire Division responded to 94 EMS call in the city.
- The Division responded to 5 fire related calls, 6 good intent or service calls 1 False Alarms.
  
- 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 2 mutual aid EMS calls for Pike Township and 3 for Bethel Clark.
  
- Our total run count at time of this report is 411
  
- 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

**Planning and Zoning Report:**



Planning Department Report Stats  
 Date: Date: March 30, 2024-April 12, 2024

| Data Summary   | Mar 30-Apr 12 |
|--|---------------|
| 1280.05 Additional Yard Height Requirements                    |               |
| 1280.03 Private Swimming Pools                                 | 1             |
| 1244.10 Zoning Permit Required                                 |               |
| 1290.03 Sign Permit Required                                   |               |
| 1290.08 Prohibited Signs                                       |               |
| 1290.17 Location of Signs                                      |               |
| 1290.20 Sign Construction and Maintenance                      |               |
| 1290.22 Sign Permit Application                                |               |
| 1290.23 Sign Permit Fees                                       |               |
| 1460.15 Abatement of Nuisance by the City; Cost Recovery       | 10            |
| 1460.23 Structural Soundness and Maintenance of Dwellings      | 3             |
| 1460.25 Exterior Property and Structure Exteriors; Residential | 2             |
| 1460.25 (a) Exterior Space                                     |               |
| 1460.25 (b) Exterior Maintenance                               | 1             |
| 1460.25 (c) Fences and Walls                                   | 2             |
| 1460.25 (d) Yards, Tall Grass & Weeds                          | 11            |
| 1460.25 (e) Hazards  | 1             |
| 1460.25 (f) Temporary Occupancy                                |               |
| 1460.25 (g) Storage  | 2             |
| 1460.25 (h) Drainage   |               |
| 1460.25 (i) Drainage Swales                                    |               |
| 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | 1             |
| 1460.25 (k) Sanitation   | 1             |
| 1460.25 (l) Swimming Pools                                     |               |
| 1460.25 (m) Open Fires   |               |
| 1460.26 Vegetation; Residential                                | 1             |
| 1460.28 Accessory Structures                                   |               |
| 1460.32 -Exterior Property and Structure Exteriors; Commercial |               |
| 1460.33 Vegetation; Commercial                                 |               |
| 1460.45 Donation Bins  |               |
| 1460.43 (c) On-Street Parking Limitations                      |               |

|  | Mar 30-Apr 12 |
|--|---------------|
| Total Violations                           | 37            |
| Total Properties Violated                  | 15            |
| Average Violations Per Property            | 2.47          |
| Abatement Complete                         |               |
| Closed Violations                          | 16            |
| Sheriff's Dept.                            |               |
| Under Investigation                        |               |
| Vacant Property Violated                   |               |
| Work Order Issued                          |               |
| Nuisance Property List                     |               |
| # of Violations Submitted to Mayor's Court | 2             |
| 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.

|   |   |
|---|---|
| 1460.43 (d) Parking on Private Property                     | 1 |
| 1460.44 Accessory Uses; Residential, Commercial, Industrial |   |

| Permit Date | Permit Type             | Main Status | Parcel Address  | Total Payments |
|-------------|-------------------------|-------------|---|----------------|
| 4/9/2024    | Accessory Structure     | Approved    | 109 GALEWOOD DR<br>NEW CARLISLE<br>45344              | 45             |
| 4/4/2024    | Board of Zoning Appeals | Approved    | 1701 ADDISON-NEW<br>CARLISLE RD NEW<br>CARLISLE 45344 | 125            |



**Planning Department Report**  
Date: Date: Date: Date: March 30, 2024-April 12, 2024

| Case # | Main Status | Violation Date | Correction Deadline | Extension Date | Parcel Address                      | Violation Name   | Violation Status |
|--------|-------------|----------------|---------------------|----------------|-------------------------------------|--|------------------|
| 1705   | Open        | 4/9/2024       | 4/14/2024           | 0              | 302 VILLA DR NEW CARLISLE 45344     | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1705   | Open        | 4/9/2024       | 4/14/2024           | 0              | 302 VILLA DR NEW CARLISLE 45344     | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1706   | Open        | 4/9/2024       | 4/14/2024           | 0              | 1209 W LAKE AVE NEW CARLISLE 45344  | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1706   | Open        | 4/9/2024       | 4/14/2024           | 0              | 1209 W LAKE AVE NEW CARLISLE 45344  | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1707   | Open        | 4/9/2024       | 4/17/2024           | 0              | 1209 W LAKE AVE NEW CARLISLE 45344  | 1460.23 Structural Soundness and Maintenance of Dwellings      | Open             |
| 1707   | Open        | 4/9/2024       | 4/17/2024           | 0              | 1209 W LAKE AVE NEW CARLISLE 45344  | 1460.25 (b) Exterior Maintenance                               | Open             |
| 1707   | Open        | 4/9/2024       | 4/17/2024           | 0              | 1209 W LAKE AVE NEW CARLISLE 45344  | 1460.25 Exterior Property and Structure Exteriors; Residential | Open             |
| 1707   | Open        | 4/9/2024       | 4/17/2024           | 0              | 1209 W LAKE AVE NEW CARLISLE 45344  | 1460.26 Vegetation; Residential                                | Open             |
| 1708   | Open        | 4/9/2024       | 4/12/2024           | 0              | 909 FIRWOOD DR                      | 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | Open             |
| 1709   | Open        | 4/9/2024       | 4/15/2024           | 0              | 1105 CHESTNUT DR                    | 1460.25 (g) Storage  | Open             |
| 1710   | Open        | 4/9/2024       | 4/13/2024           | 0              | 919 LEATHERWOOD DR                  | 1460.43 (d) Parking on Private Property                        | Open             |
| 1711   | Open        | 4/9/2024       | 4/15/2024           | 0              | 518 N CHURCH ST                     | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1711   | Open        | 4/9/2024       | 4/15/2024           | 0              | 518 N CHURCH ST                     | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1712   | Open        | 4/9/2024       | 4/15/2024           | 0              | 518 N CHURCH ST                     | 1460.25 (g) Storage  | Open             |
| 1713   | Open        | 4/10/2024      | 4/15/2024           | 0              | 321 S SCOTT ST                      | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1714   | Open        | 4/10/2024      | 4/15/2024           | 0              | 312 W JEFFERSON ST                  | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1714   | Open        | 4/10/2024      | 4/15/2024           | 0              | 312 W JEFFERSON ST                  | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1715   | Open        | 4/10/2024      | 4/15/2024           | 0              | 400 VILLA DR                        | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1715   | Open        | 4/10/2024      | 4/15/2024           | 0              | 400 VILLA DR                        | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1716   | Open        | 4/10/2024      | 4/15/2024           | 0              | 302 FALCON DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1716   | Open        | 4/10/2024      | 4/15/2024           | 0              | 302 FALCON DR                       | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1717   | Open        | 4/10/2024      | 4/15/2024           | 0              | 502 ZIMMERMAN ST NEW CARLISLE 45344 | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1717   | Open        | 4/10/2024      | 4/15/2024           | 0              | 502 ZIMMERMAN ST NEW CARLISLE 45344 | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |
| 1718   | Open        | 4/10/2024      | 4/20/2024           | 0              | 500 ZIMMERMAN ST                    | 1460.25 (c) Fences and Walls                                   | Open             |
| 1719   | Open        | 4/10/2024      | 4/15/2024           | 0              | 500 ZIMMERMAN ST                    | 1460.25 (k) Sanitation   | Open             |
| 1720   | Open        | 4/10/2024      | 4/16/2024           | 0              | 1001 LANGDALE AVE                   | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open             |
| 1720   | Open        | 4/10/2024      | 4/16/2024           | 0              | 1001 LANGDALE AVE                   | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open             |

|      |      |           |           |   |                   |  |      |
|------|------|-----------|-----------|---|-------------------|--|------|
| 1721 | Open | 4/10/2024 | 5/11/2024 | 0 | 1001 LANGDALE AVE | 1460.23 Structural Soundness and Maintenance of Dwellings      | Open |
| 1721 | Open | 4/10/2024 | 5/11/2024 | 0 | 1001 LANGDALE AVE | 1460.25 (c) Fences and Walls                                   | Open |
| 1721 | Open | 4/10/2024 | 5/11/2024 | 0 | 1001 LANGDALE AVE | 1460.25 Exterior Property and Structure Exteriors; Residential | Open |
| 1722 | Open | 4/10/2024 | 4/16/2024 | 0 | 426 FALCON DR     | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open |
| 1722 | Open | 4/10/2024 | 4/16/2024 | 0 | 426 FALCON DR     | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open |
| 1723 | Open | 4/10/2024 | 4/20/2024 | 0 | 426 FALCON DR     | 1460.03 Private Swimming Pools                                 | Open |
| 1723 | Open | 4/10/2024 | 4/20/2024 | 0 | 426 FALCON DR     | 1460.25 (e) Hazards  | Open |
| 1724 | Open | 4/10/2024 | 5/11/2024 | 0 | 426 FALCON DR     | 1460.23 Structural Soundness and Maintenance of Dwellings      | Open |
| 1725 | Open | 4/10/2024 | 4/16/2024 | 0 | 208 DEERFIELD DR  | 1460.15 Abatement of Nuisance by the City; Cost Recovery       | Open |
| 1725 | Open | 4/10/2024 | 4/16/2024 | 0 | 208 DEERFIELD DR  | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open |

**Police Report:**

**CITY OF NEW CARLISLE MAYOR'S COURT**



**Court Report April 10, 2024**

**Adams (Wiggins), Jessica** of New Carlisle charged with Exterior Property & Structural, Fences & Falls, Exterior Maintenance and Struct Soundness/Maintenance of Dwelling. Disposition scheduled for May 8<sup>th</sup>.

**Ballard, Kaitilyn F** of New Carlisle pled guilty to Speed 40/25 and was fined \$30 plus court cost.

**Howard, Michelle** of Greeley, CO pled guilty to Speed 16/20 Mph. Fined \$30 plus court cost. Payment arrangements.

**Phipps, James** of New Carlisle charged with driving under Suspension. Defendant requested pre-trial with the Prosecutor. Next court April 23<sup>rd</sup>.

**Sweat, Jessica** of New Carlisle previously pled to Non-Compliance. Defendant will start making payments on the 1<sup>st</sup> of May.

**PAID THROUGH VIOLATION BUREAU**

Keller, Daniel E of Dayton, Speed 47/25, \$255

Wardley, Michael of New Carlisle, Speed 50/35, \$235

**Patrol Division:**

The New Carlisle Deputies were dispatched to 237 calls for service during the month of March.

---

Calls Taken: 237

Reports: 43

Assists: 44

Criminal Arrest: 20

Felony Arrest: 4

Misdemeanor Arrest: 8

Warrants: 8

Traffic Stops: 42

Traffic Warnings: 23

Moving Citations: 18

Business checks: 1276

Code Enforcement Follow-ups: 5

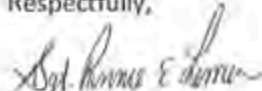
Traffic Crashes: 4

Parking Citations: 4

**Note:**

Deputy Derringer has started his position with New Carlisle.

Respectfully,

  
Sgt. Ronnie E. Lemen

| NEW CARLISLE   | CALLS      | ASSISTS   | REPORTS   | TRAFFIC STOP/CITATIONS | WARNINGS  | ARREST    | CODE ENFO | BUSINESS CHE | CRASH       | PARKING CIT |          |
|----------------|------------|-----------|-----------|------------------------|-----------|-----------|-----------|--------------|-------------|-------------|----------|
| March          |            |           |           |                        |           |           |           |              |             |             |          |
| Dep. Bowers    | 50         | 3         | 12        | 10                     | 4         | 6         | 0         | 5            | 706         | 0           | 4        |
| Dep. Arnold    | 54         | 8         | 11        | 1                      | 0         | 0         | 16        | 0            | 93          | 0           | 0        |
| Dep. O'Brien   | 100        | 20        | 17        | 10                     | 7         | 3         | 4         | 0            | 367         | 4           | 0        |
| Dep. Derringer | 33         | 10        | 2         | 14                     | 6         | 8         | 0         | 0            | 110         | 0           | 0        |
| Dep. Harris    | 24         | 3         | 1         | 7                      | 1         | 6         | 0         | 0            | 0           | 0           | 0        |
| <b>Total</b>   | <b>237</b> | <b>44</b> | <b>43</b> | <b>42</b>              | <b>18</b> | <b>23</b> | <b>20</b> | <b>5</b>     | <b>1276</b> | <b>4</b>    | <b>4</b> |

Finance Report:

COUNCIL FINANCIAL REPORT SUMMARY – MARCH 2024

|                                     |                        |
|-------------------------------------|------------------------|
| <b>Estimated Revenue</b>            | <b>\$ 7,436,904.00</b> |
| Amended Est. Resources              |                        |
| Amended Est. Resources              |                        |
| Amended Est. Resources              |                        |
| Amended Est. Resources              | \$ -                   |
| <b>2024 REVISED TOTAL EST. REV.</b> | <b>\$ 7,436,904.00</b> |

|                                  |                        |
|----------------------------------|------------------------|
| <b>2024 Original Budget</b>      | <b>\$ 8,468,028.00</b> |
| 1st Q. Supplemental              | \$ 237,000.00          |
| 2nd. Q. Supplemental             |                        |
| 3rd. Q. Supplemental             |                        |
| 4th Q. Supplemental              |                        |
| <b>2024 REVISED TOTAL BUDGET</b> | <b>\$ 8,705,028.00</b> |

| Month                   | Revenue Received       |
|-------------------------|------------------------|
| January                 | \$ 591,331.55          |
| February                | \$ 1,201,090.92        |
| March                   | \$ 1,259,930.89        |
| April                   |                        |
| May                     |                        |
| June                    |                        |
| July                    |                        |
| August                  |                        |
| September               |                        |
| October                 |                        |
| November                |                        |
| December                |                        |
| <b>Received To Date</b> | <b>\$ 3,052,353.36</b> |

| Month                   | Expenses Paid          |
|-------------------------|------------------------|
| January                 | \$ 568,745.82          |
| February                | \$ 1,113,519.47        |
| March                   | \$ 640,703.43          |
| April                   |                        |
| May                     |                        |
| June                    |                        |
| July                    |                        |
| August                  |                        |
| September               |                        |
| October                 |                        |
| November                |                        |
| December                |                        |
| <b>Expenses to Date</b> | <b>\$ 2,322,968.72</b> |

Statement of Cash from Revenue and Expense

| Fund         | Description | Beginning Balance | Net Revenue YTD | Net Expense YTD | Unexpended Balance | Encumbrance YTD | Ending Balance |
|--------------|-------------|-------------------|-----------------|-----------------|--------------------|-----------------|----------------|
| Grand Total: |             | \$8,114,991.22    | \$3,052,353.36  | \$2,322,968.72  | \$8,844,375.86     | \$1,242,416.33  | \$7,601,959.53 |

MARCH

| Bank Accounts       | Bank Balance           | Outstanding Vendor    | Outstanding Employee | Deposits in Transit | NSF Check (s) | Adjustments | Book Balance           | Difference  |
|---------------------|------------------------|-----------------------|----------------------|---------------------|---------------|-------------|------------------------|-------------|
| PNC - General       | \$ 2,189,154.03        | \$ (10.00)            | \$ -                 | \$ 3,838.13         | \$ -          | \$ -        | \$ 2,192,982.16        | \$ -        |
| PNC - Payroll       | \$ 212,323.26          | \$ (12,323.26)        | \$ -                 | \$ -                | \$ -          | \$ -        | \$ 200,000.00          | \$ -        |
| Star Ohio           | \$ 3,080,788.09        | \$ -                  | \$ -                 | \$ -                | \$ -          | \$ -        | \$ 3,080,788.09        | \$ -        |
| US BANK INVEST      | \$ 1,018,636.72        | \$ -                  | \$ -                 | \$ -                | \$ -          | \$ -        | \$ 1,018,636.72        | \$ -        |
| Park Nat. Secured   | \$ 1,283,657.47        | \$ (40,018.28)        | \$ -                 | \$ 1,236.25         | \$ -          | \$ -        | \$ 1,244,875.44        | \$ -        |
| Park Nat. - MMA     | \$ 1,029,034.63        | \$ -                  | \$ -                 | \$ -                | \$ -          | \$ -        | \$ 1,029,034.63        | \$ -        |
| Park Nat. - Mayor's | \$ 200.00              | \$ -                  | \$ -                 | \$ -                | \$ -          | \$ -        | \$ 200.00              | \$ -        |
| NCF - CD's          | \$ 77,358.82           | \$ -                  | \$ -                 | \$ -                | \$ -          | \$ -        | \$ 77,358.82           | \$ -        |
| Cash on Hand        | \$ 500.00              | \$ -                  | \$ -                 | \$ -                | \$ -          | \$ -        | \$ 500.00              | \$ -        |
| <b>Grand Totals</b> | <b>\$ 8,891,653.02</b> | <b>\$ (52,351.54)</b> | <b>\$ -</b>          | <b>\$ 5,074.38</b>  | <b>\$ -</b>   | <b>\$ -</b> | <b>\$ 8,844,375.86</b> | <b>\$ -</b> |

MONTHLY NET INCOME TAX COLLECTION COMPARISON 2023-2024

| MONTH PAYMENT RECEIVED | CCA               |                   |                  |              | STATE OF OHIO |                  |                  |   |
|------------------------|-------------------|-------------------|------------------|--------------|---------------|------------------|------------------|---|
|                        | 2023              | 2024              | DIFFERENCE       | % DIFFERENCE | 2023          | 2024             | DIFFERENCE       | % DIFFERENCE                                      |
| JANUARY                | 144,974.32        | 152,657.05        | 7,682.73         | 5.30%        | 0.00          | 0.00             | 0.00             |   |
| FEBRUARY               | 181,446.56        | 195,516.18        | 14,069.62        | 7.75%        | 0.00          | 12,117.33        | 12,117.33        |   |
| MARCH                  | 119,665.23        | 109,973.99        | (9,691.24)       | -8.10%       | 0.00          | 2,027.55         | 2,027.55         |   |
| APRIL                  |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| MAY                    |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| JUNE                   |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| JULY                   |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| AUGUST                 |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| SEPTEMBER              |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| OCTOBER                |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| NOVEMBER               |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| DECEMBER               |                   |                   | 0.00             |              |               |                  | 0.00             |   |
| <b>TOTALS</b>          | <b>446,086.11</b> | <b>458,147.22</b> | <b>12,061.11</b> | <b>2.70%</b> | <b>0.00</b>   | <b>14,144.88</b> | <b>14,144.88</b> | No percent difference no collections YTD for 2023 |

COMBINED TOTAL NET COLLECTIONS-2024

\$472,292.10



MAYOR'S COURT REPORT  
FOR MARCH 2024

Total Citations: 23 (19 Traffic + 4 Other)

| FUND RECEIVED                                    | CURRENT MONTH      | YEAR-TO-DATE        |
|--|--------------------|---------------------|
| Fines  | \$ 1,587.00        | \$ 4,450.00         |
| Court Cost                                       | \$ 2,321.00        | \$ 5,006.00         |
| Fines- Clark County Municipal (transfer Cases)   | \$ -               | \$ -                |
| Total Fees Paid (LF, Bounced Cks, BW)            | \$ 80.00           | \$ 200.00           |
| Other (Bond Forfeiture)                          | \$ -               | \$ -                |
| Misc Fees Paid (Jail Time)                       | \$ -               | \$ -                |
| Bond Collected                                   | \$ -               | \$ -                |
| Restitution                                      | \$ -               | \$ -                |
| SB 17 Indigent driver interlock & alcohol        | \$ -               | \$ -                |
| <b>TOTAL FUNDS RECEIVED</b>                      | <b>\$ 3,988.00</b> | <b>\$ 10,656.00</b> |
| <b>FUNDS DISBURSED</b>                           |                    |                     |
| Victims of Crime                                 | \$ 144.00          | \$ 360.00           |
| Child Safety/Seat Belts                          | \$ -               | \$ -                |
| Indigent Defense Support Fund                    | \$ 405.00          | \$ 1,045.00         |
| Drug Law Enforcement Fund                        | \$ 52.50           | \$ 122.50           |
| Expungement                                      | \$ -               | \$ -                |
| State Bond Surcharge (new as of 2010)            | \$ -               | \$ -                |
| <b>TOTAL REMITTED TO STATE</b>                   | <b>\$ 601.50</b>   | <b>\$ 1,527.50</b>  |
| Indigent Drivers Alcohol Treatment (Springfield) | \$ 22.50           | \$ 52.50            |
| Remitted to Computer Fund (Clerk)                | \$ 250.00          | \$ 620.00           |
| Remitted to Computer Fund (Court)                | \$ 75.00           | \$ 186.00           |
| Remitted to Court Security Fund                  | \$ 250.00          | \$ 620.00           |
| Remitted to Facility Fee                         | \$ 125.00          | \$ 310.00           |
| Remitted to City GF - Fines                      | \$ 1,587.00        | \$ 4,450.00         |
| Remitted to City GF - Court Court/Misc           | \$ 1,077.00        | \$ 2,890.00         |
| Remitted to City- Jail Expenses                  | \$ -               | \$ -                |
| Remitted to City- Enforcement & Education        | \$ -               | \$ -                |
| Remitted to City- Drug Analysis                  | \$ -               | \$ -                |
| SB 17 Indigent Driver Interlock & Alcohol        | \$ -               | \$ -                |
| <b>TOTAL REMITTED TO CITY</b>                    | <b>\$ 3,364.00</b> | <b>\$ 9,076.00</b>  |
| Capital Recovery                                 | \$ -               | \$ -                |
| Restitution                                      | \$ -               | \$ -                |
| Bonds forfeited                                  | \$ -               | \$ -                |
| <b>TOTAL DISBURSED</b>                           | <b>\$ 3,988.00</b> | <b>\$ 10,656.00</b> |

Prepared & Submitted By:  
Kristy Thome, Clerk of Court

Motion by Lindsey 2nd by Eggleston to accept the Finance Report YES: 6 Cook, Grimm, Bahun, Wright, Lindsey, Eggleston NAY: 0 Accepted 6-0

Motion by Lindsey 2nd by Eggleston to accept the Mayor's Court Report YES: 6 Cook, Grimm, Bahun, Wright, Lindsey, Eggleston NAY: 0 Accepted 6-0

**Informational Items from the City Manager:**

**B. INFORMATIONAL ITEMS**

- **Discussion Topics**
  - Executive Assistant to the City Manager - Mrs. April Lowrey
  - City Council Retreat and Strategy Dates for In-Person Session- *Motion Requested*
    - June 1st or June 22nd
    - 9a-1pm
    - Location?
  - Water Billing Procedures - Next Steps
  - Board of Zoning Appeals Applications - Interviews Needed - *Motion Requested*
    - Mr. Michael Green
    - Mr. Chad Sancraint
    - Mr. David Peters
  - TIF Legislation
    - Monroe Meadows
  - Rumpke
    - April 8th Early Start Time
  - Class "C" and "D" Liquor Permit Objections - *Information Attached & Motion Requested*
  - Additional Discussion Topics

Bridge introduces April Lowrey as the new Executive Assistant.

Discussions on the council retreat and when and where to have it. Bahun suggests inexpensive and local. Motion by Eggleston 2nd Wright to have the council retreat on 6/22/24 from 9 am-1 pm location TBD: somewhere inside city limits YES: 5 Eggleston, Cook, Grimm, Bahun, Wright NAY: Lindsey Accepted 5-1

Motion by Lindsey 2nd by Bahun to hold the BZA interviews on 5/6/23 at 5:00 pm YES: Wright, Lindsey, Eggleston, Cook, Grimm, Bahun NAY: 0 Accepted 6-0

Cook asks about some items for an additional work session, such as having EMA come and develop a disaster plan. Bridge informs Cook that the city has a disaster plan, which is a state requirement.

Motion by Eggleston 2nd by Lindsey to not object to the liquor permit YES: Eggleston, Cook, Grimm, Bahun, Wright, Lindsey, NAY: 0 Accepted 6-0

Grimm asks about the contingency plan for housing residents in case of a disaster. Bridge notes that the city does not have a formal policy.

Grimm motions to have Council work with the EMA to create a plan for a disaster such as a tornado and have the City Manager contact EMA. Lindsey asks if the fire chief would be in charge. Wright suggests meeting every Monday. Eggleston 2nds the motion. Bridge notes a motion isn't needed. Bridge agrees Monday work sessions would be helpful. Discussion on when to hold meetings and what to discuss.

Lindsey moves to have work sessions on 4/22 and 4/29, with a second by Eggleston, to discuss city business. Grimm asks if we need two nights. Lindsey withdrew his previous motion. Motion by Lindsey 2nd by Wright to make 4/29 and 5/13 work sessions with 6:00 pm start time. YES: Lindsey, Eggleston, Cook, Grimm, Bahun, Wright NAY: 0 Accepted 6-0

Cook thanked Grimm for being willing to sit at the shelter house if a tornado came through and residents needed a place to stay.

Cook noted that Donuts and Coffee went well with a decent crowd.

He thanks Wright for posting the trash changes on 4/8 on social media.

Cook has a proclamation request from Megan Adams asking the City to proclaim May 14- Apraxia Awareness Day. Motion by Eggleston 2nd by Wright to proclaim May 14, 2024, as Apraxia Awareness Day YES: Lindsey, Eggleston, Cook, Grimm, Bahun, Wright NAY: 0 Accepted

Motion by Lindsey 2nd by Eggleston to excuse Shamy YES: Cook, Grimm, Bahun, Wright, Lindsey, Eggleston NAY: 0 Accepted 6-0

Cook would like to change part of the charter and add that the city manager can call special meetings.

Grimm adds that the Council cannot change the charter. Cook would like this change added to the charter.

Lindsey reminded the council that they still have to approve the charter. Bridge notes he plans to bring it back for review, and then the charter will be on the ballot in November. Bridge will have copies for council at the first meeting in May.

#### **8. COMMITTEE REPORTS: none**

#### **9. COMMENTS FROM MEMBERS OF THE PUBLIC:**

Pat Krabacher 207 Henry notes she loved the dialog between the council and Mr. Hensley. The night the weather was suspected to be intense, she had church members who lived in trailers and came to the basement of the church when the weather was terrible. She gives some insight into how Lakeview looked after their tornado. Grimm added info on how the city needs places to house people if they need a place to stay. Krabacher agrees the city needs plans for that kind of situation. She provides a quick report on the community garden. She urges the council to ask about what regenerative foods they are selling. Lindsey asked Mrs. Krabacher if she had asked the same question. She plans to encourage residents to do the same.

**10. RESOLUTIONS: None****11. ORDINANCES:**

Ordinance 2024-07 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR IT AND COMPLIANCE SERVICES. 1st Lindsey 2nd Eggleston ex: yearly housekeeping, originally tabled due to wording YES: Cook, Grimm, Bahun, Wright, Lindsey, Eggleston NAY: Accepted 6-0

Ordinance 2024-15 AN ORDINANCE AMENDING CHAPTER 1244 OF THE CITY OF NEW CARLISLE'S PLANNING AND ZONING CODE 1st Eggleston 2nd Wright ex: allows zoning inspector to cite into Mayor's court and gives a penalty section YES: Lindsey, Eggleston, Cook, Grimm, Bahun, Wright NAY: 0 Accepted 6-0

Ordinance 2024-16 AN ORDINANCE AMENDING THE CITY OF NEW CARLISLE INCOME TAX RULES AND REGULATIONS REGARDING THE LOCAL BOARD OF TAX REVIEW 1st Eggleston 2nd Lindsey YES: Eggleston, Cook, Grimm, Bahun, Wright, Lindsey NAY: 0 Accepted 6-0

Ordinance 2024-17 AN ORDINANCE AMENDING ORDINANCE 2014-04 FOR THE PURPOSE OF CORRECTING A SCRIVENER'S ERROR REGARDING THE PERMIT FEE FOR FINAL PLAT ESTIMATED PROJECT COST 1st Lindsey 2nd Eggleston YES: Cook, Grimm, Bahun, Wright, Lindsey, Eggleston NAY: 0 Accepted 6-0

Ordinance 2024-18 (Public Hearing and Action on 05/06/24) AN ORDINANCE AMENDING SECTION 1460.26 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING RESIDENTIAL VEGETATION

Ordinance 2024-19 (Public Hearing and Action on 05/06/24) AN ORDINANCE AMENDING SECTION 1460.43 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING THE PARKING OF PASSENGER, COMMERCIAL AND HEAVY VEHICLES

Ordinance 2024-20 (Public Hearing and Action on 05/06/24) AN ORDINANCE AMENDING SECTION 1460.44 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING ACCESSORY USES FOR RECREATIONAL VEHICLES AND EQUIPMENT, AND OVERNIGHT PARKING

**12. OTHER BUSINESS:**

Bahun asks about giving residents a chance to have poultry in the city. He notes he has discussed this with residents who are interested. He would like to see the city allow it and listed many reasons, such as 4H and raising their own food. Wright also mentions the 618.5 code that she had made a few revisions to and read to council, which included poultry—hens only.

Mike Lowrey—He noted he is dead set against it. He thinks the city needs to control the dog and cat problem before allowing another animal. Bridge noted researching the size of yards for best practices for raising the actual animal. He said there are more people who do not want chickens than those who do. Wright shared information with the council. There were inaudible comments from the audience—continued discussions from council and audience members. Bridge suggests Bahun and Wright get with him and work with CM on this project. Lindsey reminds the council they can bring any ordinance to the council for a vote.

Cook suggests round-robin discussions. Bridge reminds the council that everything must be done in an open session.

Wright suggests changing the amount of cats residents can have. She suggests changing the wording to “feed” no more than 3 cats to help with the feral cat problem.

**13. Executive Session: none**

**14. Adjournment: 1st Lindsey 2nd Eggleston @ 8:12 pm** YES: Cook, Grimm, Bahun, Wright, Lindsey, Eggleston NAY: 0 Accepted 6-0

Mayor Bill Cook

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Clerk of Council Emily Berner

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**RECORD OF PROCEEDING**

MINUTES: CITY OF NEW CARLISLE, OHIO Special Meeting @ Smith Park Shelter House held 4/29/24 @ 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, Eggleston Absent: Lindsey
- 3. Invocation:** Cook
- 4. Pledge of Allegiance:** All are Welcome to Participate
- 5. Action on Minutes:** none
- 6. Communications:** none
- 7. City Manager's Report:** none
- 8. COMMITTEE REPORTS:** none
- 9. COMMENTS FROM MEMBERS OF THE PUBLIC:** none
- 10. RESOLUTIONS:** none
- 11. ORDINANCES:** none
- 12. OTHER BUSINESS:**

Council Discussions on the Boards and Commissions handbook. Bridge and Council would like to see the current boards streamlined. Bridge gives a brief recap of the current active boards in town. Bridge suggests looking at the major operating departments such as Planning and Zoning and Property Maintenance. Mr. Fields from the Planning and Zoning is present and indicates that the council consider some changes within the handbook. Council, Mr. Fields, and Mr. Bridge discussed the current positions and length of current terms and suggested aligning them to the council terms.

Suggestions included having the council swear in new board members, having a report for regular council meetings, reducing the terms to 2 years for the chair or president of the board, and aligning members' term length to 4 years like the council.

Bridge makes additional suggestions for background checks.

Grimm noted some additional areas where the term length needed to be changed in the handbook, specifically on page 7.

Council will continue to read through and make additional changes to streamline boards within the city better.

**13. Executive Session:** none

**14. Adjournment:** 1st Eggleston 2nd Shamy YES: Wright, Eggleston, Cook, Grimm, Bahun, Shamy  
NAY: 0 Accepted 6-0 @ 6:37

Mayor Bill Cook

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Clerk of Council Emily Berner

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# Office of the Mayor

# Proclamation

*Whereas, May 14, 2024, marks Childhood Apraxia of Speech Day during which awareness will be raised throughout the City of New Carlisle about childhood apraxia of speech, an extremely challenging speech disorder that affects 1-in-1,000 children.*

*Whereas, childhood apraxia of speech (CAS) causes children to have significant difficulty learning to speak and is among the most severe speech deficits in children.*

*Whereas, the act of learning to speak comes effortlessly to most children, those with apraxia require early, appropriate, and intensive speech therapy, often for many years to learn to speak.*

*Whereas, without appropriate speech therapy intervention, children with apraxia will have diminished communication skills, but are also placed at high risk for secondary impacts in reading, writing, spelling, and other school-related skills.*

*Whereas, that such primary and secondary impacts diminish future independence and employment opportunities and challenge the ability to become productive, contributing citizens if not resolved or improved.*

*Whereas, public awareness about childhood apraxia of speech is essential for families of children with this neurological disorder and the professionals who support them to achieve the needed services for those learning to use their own voice.*

*Whereas, our highest respect goes to these children, as well as their families, for their effort, determination, and resilience in the face of such obstacles.*

*Whereas, Apraxia Kids is the leading nonprofit that strengthens the support systems in the lives of children with apraxia of speech. Please visit [www.apraxia-kids.org](http://www.apraxia-kids.org) for more information.*

**NOW, THEREFORE, I, Bill Cook, Mayor of New Carlisle, Ohio, do hereby proclaim May 14th, 2024, as “Apraxia Awareness Day” and citizens of the City of New Carlisle and surrounds are encouraged to work within their communities to increase awareness and understanding of childhood apraxia of speech.**

*Signed this 6th day of May 2024.*

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Bill Cook, MAYOR  
City of New Carlisle, Ohio



# City Council Staff Report

**Case Name:** Taco Bell Commercial Site Plan Approval for Conditional Use  
**Hearing Date:** May 6, 2024  
**Hearing Location:** Smith Park Shelter House  
**Hearing Time:** 6:00PM

## I. General Information and Case Description

|                             |   |             |  |
|-----------------------------|---|-------------|--|
| <i>Case Type:</i>           | City Council to approve Taco Bell Site Plan for Conditional Use |             |  |
| <i>Applicant:</i>           | Art Harden, Calibre Engineering on behalf of Taco Bell          |             |  |
| <i>Property Location:</i>   | 408 N Main Street New Carlisle, Ohio 45344                      |             |  |
| <i>Owner:</i>               | Fiesta Holdings Inc   |             |  |
| <i>Parcel Numbers:</i>      | 0300500029306063  |             |  |
| <i>Adjacent Properties:</i> | <b>Zoning</b>   |             | <b>Use</b>                                   |
| <b>North:</b>               | CB-Central Business Districts                                   | 1270.03 (b) | Retail establishments and service businesses |
| <b>South:</b>               | CB-Central Business Districts                                   | 1270.03 (b) | Retail establishments and service businesses |
| <b>East:</b>                | CB-Central Business Districts                                   | 1268.03 (k) | Any other retail or service establishment    |
| <b>West:</b>                | CB-Central Business Districts                                   | 1270.03 (h) | Any public facility                          |
| <i>Parcel Size:</i>         | 32,053 Square Foot  |             |  |
| <i>Current Zoning:</i>      | CB-Central Business Districts                                   |             |  |

## II. Exhibits and Attachments

| Item  | Purpose   |
|---|---|
| Planning Board Site Plan Review Application | Application for Planning Board Review                   |
| Conditional Use Application                 | Please read this over the statements on the application |
| Aerial Photo                                | Denotes Property Lines (Teal) & Setback Measurements    |
| Parcel Data                                 | Legal Tract   |
| Site Plan Drawing                           | Full Site Plan  |
| City Ordinance 1290                         | Central Business District Ordinance                     |

## III. Staff Notes

### Staff Overview Report

Taco Bell wishes to build a 2,053SF restaurant located in the City’s Central Business District on the lot located at 408 N Main Street. Prior to building the Taco Bell, demolition of an existing 2010 SF brick building will occur. Taco Bell received approval from the Planning Board as a conditional use with recommendations to provide right turn (North) only exits from the parking lot onto Main Street. Traffic wishing to head south on Main Street can use the cut through and exit onto Lake Avenue and utilize the traffic lights at Lake and Main Street. This recommendation is to provide safety and reduce congestion to commuters in heavy traffic areas during peak hours.

The Planning Board also recommended that Taco Bell place a 30sf monument ground sign at the Lake Avenue entrance in lieu of the proposed pole sign. Taco Bell also received approval from the Board of

Zoning Appeals to place a second ground mounted sign one on the Main Street entrance and the Lake Avenue entrance.

Taco Bell has successfully submitted their final plans with amendments to the recommendations from the Planning Board and the Board of Zoning Appeals. In addition to those amendments Taco Bell has shifted the building twelve feet south to allow for a twenty-foot ingress/egress utility easement on the North end of the property. This shift was to accommodate the Gastineau property located east of the proposed Taco Bell property.

There shall be a minimum depth of five feet for each rear yard in the CB Central Business District, but there are no such requirements for front and side yards in such District.

- Front Setback-36.95 ft
- Rear Setback-90.63 ft
- Left Side North Setback-30.57 ft
- Right Side South Setback-154.68 ft

Zoning lots not less than 1,000 square feet in land area are permitted in the CB Central Business District. In a CB Central Business District, the principal and accessory buildings on a lot may occupy up to a maximum of fifty percent thereof.

- Total Lot Size: 32,053 sf
- Total Building Size: 2,053 sf
- Maximum Coverage 50% (16,027 sf)
- Remaining Coverage 13,974 sf (44%)

An off-street parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Lights used to illuminate such a parking area shall be so arranged as to reflect the light away from the adjoining property. Illumination detailed in the site plan list the following five light sources that direct light only onto the Taco Bell site:

- Lot South- 2 Poles
  - Southwest 27.5 ft Height Pole Mounted Back-to-Back Lighting
  - Southeast 27.5 ft Height Pole Mounted Back-to-Back Lighting
- Lot North- 3 Building Wall Mounted
  - North-Building Wall Mounted 16 ft Height
  - Northwest-Building Wall Mounted 16 ft Height
  - Northeast-Building Wall Mounted 16 ft Height

Landscaping – The Planning Board may wish to discuss any exterior landscaping and/or other items deemed necessary for discussion. It is encouraged that all exterior landscaping trees match the current trees used in our streetscapes.

Proposed Landscaping:

- Trees
  - 1-Adiandock Crab, 3-Red Maple, 1-Paper Bark Maple, 3-Honey Locust
- Bushes & Shrubs
  - 5-6ft North American Arborvitae, 9-18" Burning Bush, 6-18" Blue Holly, 6-18" Wooden Globe Arborvitae, 3-18" Taxus Media, 6-18" Global Boxwood

- **Variations Needed**

The proposed Taco Bell seeks to have one ground sign located at the Main Street entrance and a second ground sign located at the East Lake Avenue entrance. Both ground signs meet the requirements for size, height, and setbacks. However, only one ground sign is permitted per principal structure.

- **Timeline**

- Tonight-City Council approves Taco Bell’s final site plan for conditional use. Taco Bell shifted the building twelve feet south to allow for an entrance/utility easement to the land locked adjacent east property owned by the Gastineau Family and to meet the recommendations proposed by Planning Board and City Staff.
- 3/05/2024-BZA approved Sign Variance-Second ground monument sign at the East Lake Avenue entrance.
- 2/20/24 2024 Planning Board approved conditional use with recommendations to allow one entrance/exit on Main Street with north bound turn exit only, and a variance to place a second 30sf ground monument sign on the Lake Avenue entrance.

- **Pertinent Code Sections:**

- 1244.02 Planning Board
- Section 8.03 Comprehensive Plan
- Section 8.04 Implementation of Comprehensive Plan
- 1290.11 & 1290.12 Signs Permitted in Central Business (CB) Districts
- 1270 CB-Central Business Districts
- 1280.18 Street Frontage Development and Access
- 1290.18 (b) Illumination
- 1290.18 (c) Landscaping

#### **IV. Staff Recommendation**

- City Council should make a motion tonight as follows:
  - Approve or deny the Site Plan recommended by Planning Board with or without amendments as an addition of a fast-food establishment eating option for citizens and expand the City’s tax base.

End of Staff Report

ORIGINAL



ZONING PERMIT

City of New Carlisle  
Planning Department  
331 S. Church Street  
New Carlisle, Ohio 45344  
937-845-9492

Permit #: 20240008

Permit Date: 02/14/24

Permit Type:

Permit Type: Planning Board Review

Review Type: Commercial Site Plan

Project Address: 408 N Main St

Project Description: Taco Bell Site Plan Review

Applicant Name: Art Harden

Applicant Phone #: 937-477-5544

Alt. Phone #: 0

Applicant Email: art.calibreeng@gmail.com

Business Name: Calibre Engineering

Current Zoning District: CB

City, State, Zip: New Carlisle, Ohio 45344

Property Owner Phone #: 847-644-5609

Property Owner Email:

Approved Permit #: 20240008

Approved / Denied Date: 02/14/2024

Tools Loaned to Applicant:

Tools Pickup Date:

Tools Return Date:

Status: Approved

Assigned To:

APPROVED

*Bu*

New Carlisle  
00000-001 00000-001

Paid: \$200.00  
Tendered: \$200.00 Check 6897  
Change: \$0.00

2/14/2024 9:36 AM #2400112

Thank you very much!  
Have a Nice Day!

Property

| Parcel #             | Address       | Legal Description   | Owner Name          | Owner Phone | Zoning                |
|----------------------|---------------|---------------------|---------------------|-------------|-----------------------|
| 030-05-00029-306-063 | 408 N MAIN ST | E SI MAIN N OF LAKE | Fiesta Holdings Inc |             | CB - Central Business |

Fees

| Fee                   | Description  | Notes | Amount          |
|-----------------------|--|-------|-----------------|
| Planning Board Review | Commercial Property New Construction / Addition Review |       | \$200.00        |
| <b>Total</b>          |  |       | <b>\$200.00</b> |

Payments

| Date                       | Paid By             | Description | Payment Type | Accepted By | Amount        |
|----------------------------|---------------------|-------------|--------------|-------------|---------------|
| 02/14/2024                 | Calibre Engineering |             | #6897        | Bryan Moore | \$200.00      |
| <b>Outstanding Balance</b> |                     |             |              |             | <b>\$0.00</b> |

loaded Files

| Date       | File Name  |
|------------|--|
| 02/14/2024 | <a href="#">18541856-Taco Bell-PB Review Application.pdf</a> |



City of New Carlisle  
 Planning Department  
 331 S. Church Street  
 New Carlisle, Ohio 45344  
 937.845.9492  
[bmoore@newcarlisleohio.gov](mailto:bmoore@newcarlisleohio.gov)

**PLANNING BOARD  
 REVIEW  
 APPLICATION**

**Application Fee \$200.00**

**Applicant Information**

Name of Applicant: Art Harden/Calibre Engineering Email: art.calibreeng@gmail.com  
 Mailing Address: 7700 Paragon Road, Suite C, Centerville, OH 45459  
 Phone Number: 937-885-9380 Additional Number: 937-477-5544

**Project Description**

Address of Property: 408 N. Main Street, New Carlisle, OH 45344  
 Property Owner: Fiesta Holdings, Inc. Property Owner Phone: 847-644-5609  
 Property Owner Mailing Address: 3019 S. Kettering Blvd., Moraine, OH 45439  
 Existing Use (i.e., residential, commercial, etc.): Commercial  
 Zoning District (If not known, leave blank): \_\_\_\_\_

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

Describe Selection Above: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Certification: I, ART HARDEN, hereby affirm that I am the property owner or am authorized by the property owner to file this application for review. I further certify that this application and the attached plans and specifications are not a first draft product and represent the actual proposal for which I seek approval. I have investigated the City of New Carlisle Codified Ordinances and hereby certify that to the best of my knowledge, these plans conform to the pertinent requirements.  
 Signature: [Handwritten Signature] Date: 2/13/24

**OFFICE USE ONLY**  
 Received By: \_\_\_\_\_ Date:   /  /   Fee Paid: \$ \_\_\_\_\_



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Planning Department  
331 S. Church Street  
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[bmoore@newcarlisleohio.gov](mailto:bmoore@newcarlisleohio.gov)

**PLANNING BOARD  
REVIEW  
APPLICATION**

**BUILDING INFORMATION**

Number of Employees: \_\_\_\_\_ Building Capacity: \_\_\_\_\_ Number of Seats: 44 interior  
10 exterior

Building Height: 23 Building Footprint: 80'x28'5" Building Floor Levels: 1

Total Floor Area: 2274 Located in a Floodplain: \_\_\_ Yes or X No

Boundary Clearances:

Front Setback: 36.95 Rear Yard: 90.63 Left Side Yard: 30.57 Right Side Yard: 154.68

Other Building Information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**DOMESTIC WATER**

Size of Service Requested: 1 1/2" service

Basis for Design: Owner Criteria

Water Service Details: 1 1/2" service with 1" meter

Fire Service Details: N/A

Landscape Irrigation: Yes

**SANITARY SEWER SERVICE**

Size of Service Requested: 6" ss@ 1% slop minimum

Basis for Design: Owner Criteria

Special Pre-Treatment: Grease Trap

Location, Connection: Existing ss in street

\_\_\_\_\_

Sanitary Service Details: SDR-35 PVC





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**PLANNING BOARD  
REVIEW  
APPLICATION**

**STORM WATER MANAGEMENT**

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Storm Water Detention Plan: \_\_\_\_\_

Storm Water Retention Plan: N/A \_\_\_\_\_

Outlet To: Existing Storm \_\_\_\_\_

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

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

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

Storm Piping Details: 12" minimum HDEP \_\_\_\_\_

FEMA Flood Zone: X Flood Zone Details: Minimal flood hazard \_\_\_\_\_

**PARKING LOT DESIGN**

---

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

LD - 6"-304 and 3 1/2" Asphalt HD 8"-304 and 4 1/2" Asphalt \_\_\_\_\_

Total Number of Spaces: 25 Number of Handicap Accessible Spaces: 2

Minimum Size Parking Space: 9' x 19" Minimum Width of Aisle: 24

Number and Type of Truck Loading Spaces: \_\_\_\_\_

Parking Lot Layout: Parallel Parking \_\_\_\_\_

Driveway Width: 24 ft. Driveway Details: Concrete \_\_\_\_\_



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**PLANNING BOARD  
REVIEW  
APPLICATION**

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**EXTERIOR AND PARKING LOT ILLUMINATION**

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Lumens: Parking Average 4.18 FC max 6.6 FC

Basis for Design: LED Lights

Number of Exterior Lights: 5 - 3 WP and 2 Pole

Types:  Floodlights  Pole Mounted  Shoebox  Building Mounted

Lighting Details and Fixture Information: Poles are 25' on a 2.5' Base

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**LANDSCAPING**

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See Landscape Plan on Sheet Number: C-5.0

Width and Types of Landscaping Along Streets: Existing trees

Width and Types of Perimeter Landscaping: 7' width trees and shrubs

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

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

Adjacent Uses: North: Commercial South: Commercial

West: Commercial East: Undeveloped

Type and Width of Landscape Buffer Along Property Lines: Minimum 5' along north,  
15' rear and 79' south

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Irrigation:  Yes  No

Size, Type, and Number of New Trees: 1 Adiandock Crab, 3 Red Maple, 1 Paper Bark  
Maple and 3 Honey Locust

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City of New Carlisle  
Planning Department  
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[bmoore@newcarlisleohio.gov](mailto:bmoore@newcarlisleohio.gov)

**PLANNING BOARD  
REVIEW  
APPLICATION**

Size, Type, and Number of Trees Saved: None

---

Size, Type, and Number of Trees Removed or Destroyed: 3 deciduous trees; 24", 30" and 48"

---

Size, Type, and Number of New Bushes, Shrubs: 5-6 ft. North American Arborvitae,  
9-18" Burning Bush, 6-18" Blue Holly, 6-18" Woodward Globe Arborvitae, 3-18" Taxus Media,  
and 6-18" Global Boxwood

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Percentage of Landscaped/Lawn Area Compared to Lot Area: 44%

**OTHER PERTINENT INFORMATION**

Attach Additional Sheets as Needed

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# ZONING PERMIT

# ORIGINAL

City of New Carlisle  
Planning Department  
331 S. Church Street  
New Carlisle, Ohio 45344  
937-845-9492

**Permit #:** 20240010

**Permit Date:** 02/15/24

**Permit Type:**

**Permit Type:** Conditional Use

**Review Type:** Zoning

**Project Address:** 408 N Main St

**Project Description:** Taco Bell Site Plan Review

**Applicant Name:** Art Harden

**Applicant Phone #:** 937-477-5544

**Alt. Phone #:** 0

**Applicant Email:** art.calibreeng@gmail.com

**Business Name:** Calibre Engineering

**Current Zoning District:** CB

**City, State, Zip:** New Carlisle, Ohio 45344

**Property Owner Phone #:** 847-644-5609

**Property Owner Email:**

**Approved Permit #:** 20240010

**Approved / Denied Date:** 02/21/2024

**Tools Loaned to Applicant:**

**Tools Pickup Date:**

**Tools Return Date:**

**Status:** Approved

**Assigned To:** Bryan Moore

# APPROVED

New Carlisle  
00000-001 00000-001

Paid: \$200.00  
Tendered: \$200.00 Check 6899  
Change: \$0.00

2/21/2024 8:01 AM #2400123

Thank you very much!  
Have a Nice Day!

## Property

| Parcel #             | Address       | Legal Description   | Owner Name          | Owner Phone | Zoning                |
|----------------------|---------------|---------------------|---------------------|-------------|-----------------------|
| 030-05-00029-306-063 | 408 N MAIN ST | E SI MAIN N OF LAKE | Fiesta Holdings Inc |             | CB - Central Business |

## Fees

| Fee              | Description | Notes | Amount          |
|------------------|-------------|-------|-----------------|
| Conditional Uses |             |       | \$200.00        |
| <b>Total</b>     |             |       | <b>\$200.00</b> |

## Payments

| Date                       | Paid By | Description | Payment Type | Accepted By | Amount        |
|----------------------------|---------|-------------|--------------|-------------|---------------|
| 02/21/2024                 |         |             | Check #6899  | Bryan Moore | \$200.00      |
| <b>Outstanding Balance</b> |         |             |              |             | <b>\$0.00</b> |

## Uploaded Files

| Date       | File Name  |
|------------|--|
| 02/15/2024 | <a href="#">18555451-Application Conditional Use 2-14-2024.pdf</a> |



City of New Carlisle  
Planning Department  
331 S. Church Street  
New Carlisle, Ohio 45344  
937.845.9492  
[bmoore@newcarlisleohio.gov](mailto:bmoore@newcarlisleohio.gov)

PLANNING BOARD  
APPLICATION  
CONDITIONAL USE

*The undersigned requests a Conditional Use Permit for the use specified below. Should this application be approved, it is understood that it shall only authorize that particular use described in this application and any conditions or safeguards required by the Planning Board and/or City Council*

Fee: \$200

**PLEASE READ THE REQUIREMENTS AND INSTRUCTIONS BEFORE STARTING THIS APPLICATION**

**1. Applicant Information**

Name of Applicant: ART HARDEN / Calibre Eats Email: art.calibre.eats@gmail.com  
Mailing Address: 7700 Paragon Rd, Ste. C, Centerville OH 45459  
Phone Number: 937-885-9380 Additional Number: 937-477-5544

**2. Location Description**

Address of Property: 408 N. main Street, New Carlisle, OH 45344  
Property Owner: Fiesta Holdings, Inc. Property Owner Phone: 847-644-5609  
Property Owner Mailing Address: 3019 Kettering Blvd, moreaine, OH 45439  
Existing Use (i.e., residential, commercial, etc.): office  
Zoning District (If not known, leave blank): \_\_\_\_\_

**3. A description of the existing and proposed use of the property:** The existing use of the property is a converted residential house to an office building. The new use will be a restaurant with a drive-through service.

**4. Conditional Use description (Nature of your business):** Restaurant with a drive-through service.



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 New Carlisle, Ohio 45344  
 937.845.9492  
[binmore@newcarlisleohio.gov](mailto:binmore@newcarlisleohio.gov)

PLANNING BOARD  
 APPLICATION  
 CONDITIONAL USE

5. A statement of the necessity or desirability of the proposed use to the neighborhood or community: \_\_\_\_\_

The new development will provide additional jobs for the area and a different restaurant opportunity.

6. A statement of compatibility of the proposed use to adjacent properties and land uses to include the effects of such elements as noise, light, glare, odor, fumes, and vibration on adjoining properties: \_\_\_\_\_

Adjacent properties are generally commercial use with a bank to the south, pizza shop to the north and various commercial to the west. The eastern property is undeveloped.

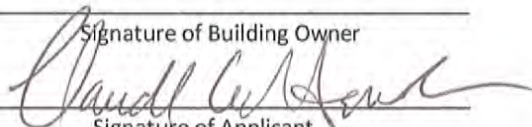
7. Such other information regarding the property, proposed use, or surrounding area that may be pertinent to the application or required for appropriate action by the Planning Board: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

**Application Checklist for Applicant**

\$200 Fee  Legal Description  Plot Plan (2) – See Instructions

I certify that the information and statements contained in this application and its supplements are true and correct. I also understand that this permit shall automatically expire at the end of six (6) months from the date on which the Planning Board of the City of New Carlisle grants the conditional use unless the use is begun and/or a building permit is obtained and the erection or alteration of a structure is started.

\_\_\_\_\_  
 Signature of Building Owner  
  
 Signature of Applicant

\_\_\_\_/\_\_\_\_/\_\_\_\_  
 Date  
 2/14/24  
 Date



City of New Carlisle  
Planning Department

331 S. Church Street  
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## PLANNING BOARD APPLICATION CONDITIONAL USE

### CONDITIONAL USE APPLICATION INSTRUCTIONS

The Conditional Use Application ***must*** include the following items:

1. A legal description of the property.
2. A description of the **EXISTING** and **PROPOSED** use of the property.
3. A description of the proposed Conditional Use.
4. A statement of the necessity or desirability of the proposed use to the neighborhood or community;
5. A statement of compatibility of the proposed use to adjacent property and land use to include; the effect of such elements as noise, light, glare, odor, fumes and vibration on adjoining property;
6. Such other information regarding the property, proposed use, or surrounding area may be pertinent to the application or required for appropriate action by the Planning Board.

The application shall be accompanied by ***two (2) copies of a plot plan***, drawn to appropriate scale, clearly showing the following:

1. The boundaries and dimensions of the lot;
2. The size, height, and location of existing and proposed structures;
3. The proposed use of all parts of the lot and structures, and all applicable information regarding parking and loading areas, traffic access and circulation, open space, landscaping, utilities, signs, lighting, yards, and any other information the Planning Board may require to determine if the proposed Conditional Use meets the intent and requirements of the Zoning Code of the City of New Carlisle.
4. The use of land and location of structures on adjacent property;
5. \$200 Application Fee
6. A list of all owners (including addresses) of land within (500) feet shall be submitted either as a part of the map or as a supplement thereto. The address of owners of land shall be that appearing on the current County Auditor's tax list or County Treasurer's mailing list (***Check with Planning Department as they may have the address list due to notification mailings***).

#### **PERIOD OF VALIDITY**

A Conditional Use granted by the Planning Board shall automatically expire at the end of six (6) months from the date on which the Planning Board grants the Conditional Use unless the use has begun/and or a building permit is obtained and the erection or alteration of a structure is started.





PARCEL 1  
LEGAL DESCRIPTION

BEGINNING AT A POINT IN THE CENTERLINE OF MAIN STREET, (A 66 FOOT WIDE STREET) AND THE NORTHWEST CORNER OF SAID 1.486 ACRE TRACT, AND THE SOUTHWEST CORNER OF A 0.707 ACRE TRACT CONVEYED TO JOHN L GOTWALD BY DEED IN RECORD DEED BOOK 617, PAGE 65 OF THE CLARK COUNTY DEED RECORDS;

THENCE, WITH THE NORTH LINE OF SAID 1.466 ACRE TRACT AND THE SOUTH LINE OF SAID 0.707 ACRE TRACT S 89° 16' 25" E FOR 181.75 FEET TO AN IRON PIN FOUND;

THENCE S 00° 23' 25" W 132.61 FEET TO A PK NAIL SET IN THE SOUTH LINE OF SAID 1.486 ACRE TRACT;

THENCE WITH THE SOUTH LINE OF SAID 1.486 ACRE TRACT N 89° 26' 05" W FOR 182.39 FEET TO THE CENTERLINE OF SAID MAIN STREET;

THENCE WITH SAID CENTERLINE AND MAIN ST., N 00° 59' 59" E FOR 133.15 FEET TO THE POINT OF BEGINNING CONTAINING 0.555 ACRES MORE OR LESS, OF WHICH 0.101 ACRES BEING WITHIN THE RIGHT WAY OF MAIN STREET, AND SUBJECT TO ALL LEGAL EASEMENTS AND RESTRICTIONS OF RECORD

THE ABOVE DESCRIBED TRACT SUBJECT TO AN INGRESS AND EGRESS EASEMENT DESCRIBED AS FOLLOWS.- BEING A 20 FOOT WIDE STRIP TAKEN BY PARALLEL LINES OFF THE SOUTH SIDE AND NORTH SIDE OF THE WITHIN DESCRIBED TRACT

PARCEL 1

LEGAL DESCRIPTIONS:

BEGINNING A POINT IN THE CENTERLINE OF MAIN STREET (A 66 FOOT WIDE STREET) AND THE NORTHWEST CORNER OF SAID 1.486 ACRE TRACT, AND THE SOUTHWEST CORNER OF A 0.707

ACRE TRACT CONVEYED TO JOHN L. GOTWALD BY DEED RECORDED IN DEED BOOK 617, PAGE 65 OF THE CLARK COUNTY DEED RECORDS;

THENCE WITH THE NORTH LINE OF SAID 1.486 ACRE TRACT AND THE SOUTH LINE OF SAID 0.707 ACRE TRACT S 89°16'25" E FOR 181.75 FEET TO AN IRON PIN FOUND;

THENCE S 00°43'35" W FOR 132.61 FEET TO A P.K. NAIL SET IN THE SOUTH LINE OF SAID 1.486 ACRE TRACT;

THENCE WITH THE SOUTH LINE OF SAID 1.486 ACRE TRACT N 89° 26'05" W FOR 182.39 FEET TO THE CENTERLINE OF SAID MAIN STREET;

THENCE WITH THE SAID CENTERLINE OF MAIN STREET N 00°59'59" E FOR 133.15 FEET TO THE POINT OF BEGINNING, CONTAINING 0.555 ACRES, MORE OR LESS, OF WHICH 0.101 ACRES BEING WITHIN THE RIGHT-OF-WAY OF MAIN STREET, AND SUBJECT TO ALL LEGAL EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIBED TRACT SUBJECT TO AN INGRESS AND EGRESS EASEMENT DESCRIBED AS FOLLOWS: BEING A 20 FOOT WIDE STRIP TAKEN BY PARALLEL LINES OFF THE SOUTH SIDE AND THE NORTH SIDE OF THE WITHIN DESCRIBED TRACT.





**SECTION 02010 UNDERGROUND CONDITIONS AND SUBSURFACE DATA****QUALITY ASSURANCE**

- A. The Contractor hereby agrees to accept full responsibility for his conclusions relative to the nature and probable difficulties of the work due to underground structures and soil conditions.
- B. The results of subsurface soil investigations are for general information only. Neither the Owner nor the Engineer guarantees that information provided regarding proportions of the various materials will not vary from the information indicated on the drawing or given in the specifications, or otherwise provided by the Owner.

C. Additional test borings and other exploratory operations may be performed by Contractor, at the Contractor's option; however, no change in the Contract Sum will be authorized for such additional exploration

**PREPARATION**

- A. The Contractor shall be responsible for making his own interpretations from subsurface soil investigations as provided by the Owner and shall make his own determinations there from. The Contractor hereby waives all claims for damages, which he may suffer by reason of the inadequacies or discrepancies of the underground information shown on the plans or provided in the specifications. No compensation will be paid to the Contractor due to inadequacies or discrepancies in subsurface data furnished by the Owner or the Engineer.

**SECTION 02011 CONSTRUCTION LAYOUT****LAYOUT/RECORDING**

- A. Contractor shall be responsible to lay out work in accordance with data given on drawings or as directed by site consultant. The Owner will stake the 4 main corners of the building. Use permanent benchmarks established by the Owner to set all elevations. Utilize the dimensions and coordinates established on the site layout drawing for all construction layout. Confirm the coordinate datum with the site consultant before commencing this effort. Do not scale drawings as basis for construction layout. Contractor shall maintain a log of layout work. Record deviations (if any) from drawing information on existing conditions and review with site consultant at time of discovery. This recorded information to be made available to other contractors who may perform work on this project.

**SECTION 02110 SITE PREPARATION****REGULATORY REQUIREMENTS**

- A. Conform to applicable state and local codes for disposal of debris, burning debris on site, use of herbicides, and other regulations.
- B. Coordinate clearing work with utility companies.
- C. Contact state emergency dialing system 72 hours prior to the start of construction for location of recorded underground utilities in or near construction zone.

**PROTECTION**

- A. Locate, identify, and protect utilities that remain from damage.
- B. Protect trees, plant growth, and features designated to remain as final landscaping. Construction equipment shall not travel under drip lines of trees to be protected. Flag or fence construction limits on protected areas to assure isolation, and explain limits in field to all equipment operators.
- C. Protect benchmarks from damage or displacement.
- D. Temporary and permanent stockpiles shall stay within construction limits.

**CLEARING**

- A. Clear areas required for access to site and execution of work.
- B. Remove trees and shrubs, stumps, root system to a minimum depth of 42 inches, and surface stones greater than 6 inch diameter.
- C. The Contractor shall perform all clearing and brushing required for the proposed construction. Clearing and brushing shall be confined to the limits of property lines, right-of-way, and easements unless otherwise directed and shall be kept to a practicable minimum. The removal of trees shall be subject to the approval of the site consultant. Trees which will be left standing shall be adequately protected from damage from construction operations.
- D. Trees which are removed shall be felled in such a manner so as not to endanger traffic or inflict damage on structures, other trees, etc.

**REMOVAL AND DISPOSAL**

- A. The Contractor shall remove from the site all trees, brush, debris, and existing stockpiles within the limits of the construction area as shown on the plans, unless otherwise directed. All waste materials shall be disposed of by hauling from the site to an approved landfill. The Contractor shall obtain any necessary permits for the disposal and will be responsible for complete compliance to the permit requirements. Copies of all permits and releases shall be furnished to the site consultant prior to disposal.
- B. Tree removal shall be only by the Contractor unless other personnel are approved by the site consultant.
- C. All salvageable material obtained from removing trees shall become the property of the Contractor, unless otherwise directed by the site consultant or Owner, and shall be removed from the project area in a timely manner.

**SECTION 02200 EARTHWORK****DEFINITIONS**

- A. Excavation is unclassified and consists of removal of material encountered to subgrade elevations indicated and subsequent disposal of materials removed.
- B. Unauthorized excavation consists of removal of materials beyond indicated subgrade elevations or dimensions without specific direction of Engineer. Unauthorized excavation, as well as remedial work directed by Engineer, shall be at Contractor's expense.
- C. Subgrade: The undisturbed earth or the compacted soil layer 1 2" immediately below granular base, drainage fill, or topsoil materials shall be compacted or recompactd at the contractor's expenses.

**SUBMITTALS**

- A. Test Reports: The independent geotechnical testing and inspection laboratory shall submit the following reports directly to the Contractor with copies to Owner and the Engineer:
1. Test reports on borrow material and certifications of proposed granular backfill materials intended for utility trench backfill.
  2. Verification of suitability of each footing subgrade material, in accordance with specified requirements.
  3. Field reports; in-place soil density tests.
  4. One optimum moisture-maximum density curve for each type of soil encountered.
  5. Report of actual unconfined compressive strength and/or results of bearing tests of each strata tested.

**QUALITY ASSURANCE**

Testing and Inspection Service: Owner will employ and pay for a qualified independent geotechnical testing and inspection laboratory to perform soil testing and inspection service during earthwork operations.

**PROJECT CONDITIONS**

- A. Existing Utilities: Existing underground utilities are shown on the contract documents in their approximate locations according to the best available information. The Contractor shall be responsible for determining the exact location of the existing utilities and repairing any damage done to the utilities during probing or construction. The Contractor shall notify the local Utilities Protection Services and the respective utility companies as shown on the cover sheet of the contract documents at least two (2) working days prior to the start of work. If utilities are indicated to remain in place, the Contractor shall provide adequate means of support, protection, and maintenance of service during earthwork operations Do not interrupt existing utilities serving facilities occupied by Owner or others, during occupied hours, except when permitted in writing by Owner and then only after acceptable temporary utility services have been provided..
- B. Use of Explosives: Use of explosives is not permitted.
- C. Protection of Persons and Property: Barricade open excavations occurring as part of this work and post with warning lights and barricades as recommended by authorities having jurisdiction, the site engineer and in accordance with OSHA regulations.
- D. Dust Control: Conduct all operations and maintain the areas of activities, including sweeping and sprinkling water on roadways and haul roads, so as to prevent creation and dispersion of dust.

**SOIL MATERIALS**

- A. Satisfactory soil materials are defined as those complying with ASTM D2487 soil classification GW, GP, SC, GM, ML, SM, CL, SW, and SP. ML and CL soils may be used as permitted by the Geotechnical Engineer.
- B. Unsatisfactory soil materials are defined as ASTM D2487 soil classification GC, MH, CH, OL, OH, and PT.
- C. Base Material: Pavement Base shall be prepared in pavement areas per ODOT Specifications.
- D. Subgrade Material: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand. Other natural materials shall be as permitted by the Geotechnical Engineer.
- E. Drainage Fill: Washed, evenly graded mixture of crushed stone, or crushed or uncrushed gravel, with 100 percent passing a 1-1/2 inch sieve and not more than 5 percent passing a No. 4 sieve.
- F. Backfill and Fill Materials: Satisfactory soil materials free of clay, rock or gravel larger than 2 inches in any dimension, debris, waste, frozen materials, vegetation and other deleterious matter.

**GUIDELINES FOR APPROVAL OF FILL MATERIALS BROUGHT ONTO THE SITE**

- A. It is the intent of this division to verify the quality of fill materials used at or as a part of this project whose origin was other than the project site (trucked in fill). Test results must be submitted for acceptance before any fill is actually brought on-site. In all cases, owner reserves the right to reject fill material or borrow pits if deemed unacceptable..

**DEWATERING**

- A. Prevent surface water and subsurface or ground water from flowing into excavations and from flooding project site and surrounding area. Do not allow water to accumulate in excavations. Remove water to prevent softening of foundation bottoms, undercutting footings, and soil changes detrimental to stability of subgrades and foundations. Provide and maintain pumps, well points, sumps, suction and discharge lines, and other dewatering system components necessary to convey water away from excavations.

**STORAGE OF EXCAVATED MATERIALS**

- A. Stockpile excavated materials acceptable for backfill and fill where directed by the Engineer. Place, grade, and shape stockpiles for proper drainage.

**EXCAVATION FOR PAVEMENTS**

- A. Cut surface under pavements to comply with cross-sections, elevations and grades as indicated.

**TRENCH EXCAVATION FOR PIPES AND CONDUIT**

- A. Excavate trenches to uniform width, sufficiently wide to provide ample working room and a minimum of 6 to 9 inches of clearance on both sides of pipe or conduit.
- B. Excavate trenches and conduit to depth indicated or required to establish indicated slope and invert elevations and to support bottom of pipe or conduit on undisturbed soil.

**COLD WEATHER PROTECTION**

- A. Protect excavation bottoms against freezing when atmospheric temperature is less than 35 degrees Fahrenheit.

**FILL AND BACKFILL PLACEMENT AND COMPACTION**

- A. Ground Surface Preparation: Remove vegetation, debris, unsatisfactory soil materials, obstructions, and deleterious materials from ground surface prior to placement of fills. Plow, strip, or break up sloped surfaces steeper than 1 vertical to 4 horizontal so that fill material will bond with existing surface. Place backfill and fill materials in layers not more than 8 inches in loose depth for material compacted by heavy compaction equipment, and not more than 4 inches in loose depth for material compacted by hand-operated tampers.
- B. Percentage of Maximum Density Requirements: Compact soil to not less than the following percentages of maximum density, in accordance with ASTM D 698 "Standard Proctor".
1. Under structures, building slabs and steps, and pavements, compact all fill and/or the top 12" off cut areas to 98 percent maximum density (granular soils to 100 percent maximum density).
  2. Under lawn or unpaved areas, compact top 6 inches of subgrade and each layer of backfill or fill material at 95 percent maximum density.
  3. Under walkways, compact top 6 inches of subgrade to 98 percent maximum density. All fill below 6 inches compact to 98 percent maximum density.
  4. Trenches for underground utility lines shall be backfilled with suitable material to 98 percent standard proctor under pavement areas, and 95 percent standard proctor in all other areas.
- C. Moisture Control: Where subgrade or layer of soil material must be moisture conditioned before compaction, uniformly apply water to surface of subgrade or layer of soil material. Apply water in minimum quantity as necessary to prevent free water from appearing on surface during or subsequent to compaction operations. Compact all soils at a moisture content of 2 percent above to 3 percent below..

**GRADING**

- A. General: Uniformly grade areas within limits of grading under this section, including adjacent transition areas. Smooth finished surface within specified tolerances, compact with uniform levels or slopes between points where elevations are indicated or between such points and existing grades.

**SECTION 02200 EARTHWORK (Continued)**

- B. Grading Outside Building Lines: Grade areas adjacent to building lines to drain away from structures and to prevent ponding. Finish surfaces free from irregular surface changes and as follows:
1. Lawn or Unpaved Areas: Finish areas to receive 6 inches to 12 inches of topsoil. The finished top soil grades shall be within not more than 0.10 foot above or below required elevations.
  2. Pavements and Walks: Shape surface of areas under pavement to line, grade, and cross-section, with finish surface not more than 0.10 foot above or below required subgrade elevation.

C. Grading Surface of Fill under Building Slabs: Grade smooth and even, free of voids, compacted as specified, and to required elevation. Provide final grades within a tolerance of 1/2 inch when tested with a 10-foot straightedge.

**PAVEMENT BASE COURSE**

- A. General: Base course consists of placing base material, in layers of specified thickness, over subgrade surface to support a pavement base course.
- B. Placing: Place base course material on prepared subgrade in layers of uniform thickness, conforming to indicated cross-section and thickness not less than 6". Maintain optimum moisture content for compacting base material during placement operations.

**FIELD QUALITY CONTROL**

- A. Quality Control Testing During Construction: Allow testing service to inspect and approve each subgrade and fill layer before further backfill or construction work is performed.
1. Field density tests shall be performed by the nuclear method in accordance with ASTM D 2922, providing that calibration curves are periodically checked and adjusted to correlate to tests performed.
  2. Paved Areas and Building Slab Subgrade: Perform at least one field density test of subgrade for every 2,000 sq. ft. of paved area or building slab, but in no case fewer than three tests. In each compacted fill layer, perform one field density test for every 2,000 sq. ft. of overlying building slab or paved area, but in no case fewer than three tests.
  3. Proof rolling: Upon completion of the work and before final acceptance, the entire site shall be proof rolled and inspected by the testing lab. Any soft areas or areas of major deflection, as deemed by the testing laboratory, shall be removed and recompactd or replaced as directed by the testing laboratory. Failed areas shall be retested after completion of corrected work.

**MAINTENANCE**

- A. Repair and re-establish grades in settled, eroded, and rutted areas to specified tolerances.
- B. Reconditioning Compacted Areas: Where completed compacted areas are disturbed by subsequent construction operations or adverse weather, scarify surface, reshape, and compact to required density prior to further construction.

**DISPOSAL OF EXCESS AND WASTE MATERIALS**

- A. Removal from Owner's Property: Remove waste materials, including unacceptable excavated material, trash, and debris, and dispose of it off Owner's property in legal and approved disposal areas.

**SECTION 02511 - HOT-MIXED ASPHALT PAVING****SUBMITTALS**

- A. General: Submit the following in accordance with Conditions of Contract and Division 1 Specification Sections.
1. Submit an asphalt mix design for Owner review and approval for each type of pavement course specified to the Engineer for approval prior to paving. The mix design shall not be older than 2 years from date paving work is performed and shall bear some type of marking indicating acceptance by the state highway authority.
  2. Submit Material Certificates signed by material producer and Contractor, certifying that each material item complies with or exceeds specified requirements.

**SITE CONDITIONS**

- A. Weather Limitations: Apply tack coats when ambient temperature is above 50 deg F (1 0 deg C) and when temperature has not been below 35 deg F (1 deg C) for 1 2 hours immediately prior to application. Do not apply when base is wet or contains an excess of moisture.
- B. Construct hot-mixed asphalt surface course when atmospheric temperature is above 40 deg F (4 deg C) and when base is dry. Base course may be placed when air temperature is above 35 deg F (1 deg C) and rising.
- C. Grade Control: Establish and maintain required lines and elevations, including crown and cross - slope for each course of pavement during construction operations.

**MATERIALS**

- A. General: Use locally available materials and gradations that exhibit a satisfactory record of previous installations. A maximum of 10 percent recycled asphalt pavement (rap) can be used.
- B. Coarse Aggregate: Sound, angular crushed stone, crushed gravel, complying with ASTM D 692-88.
- C. Fine Aggregate: Sharp-edged natural sand or sand prepared from stone, gravel, or combinations thereof, complying with ASTM D 1073.
- D. Asphalt Cement: Conform to ODOT Specification Section 401, 402, and 404 for plant mix pavements.
- E. Tack Coat: Section 407
- F. Lane Marking Paint: Chlorinated rubber-alkyd complying with AASHTO M 248, Type III, (FS-TT-P-1 1 5).

**PLACING MIX**

- A. General: Place plant-mixed, hot-laid asphalt aggregate mixture in accordance with standard specifications prepared surface, spread, and strike off. Spread mixture at minimum temperature of 225 deg F (107 deg C). Place areas inaccessible to equipment by hand. Place each course to required grade, cross-section, and compacted thickness.
1. When mixes are transported at temperatures below 50 F or when haul length exceeds 20 miles, insulate truck beds and provide tarp to cover mix.
- B. Pavement Placing: Place in strips not less than 10 feet wide, unless otherwise acceptable to Engineer. After first strip has been placed and rolled, place succeeding strips and extend rolling to overlap previous strips. Complete base course for a section before placing surface course.
- C. Joints: Make joints between old and new pavements, or between successive days' work, to ensure continuous bond between adjoining work. Construct joints to have same texture, density, and smoothness as other sections of hot-mixed asphalt course. Clean contact surfaces and apply tack coat.

**ROLLING**

- A. General: Begin rolling when mixture will bear roller weight without excessive displacement.
- B. Breakdown and Second Rolling: Accomplish breakdown or initial rolling immediately following rolling of joints and outside edge. Follow breakdown rolling as soon as possible, while mixture is hot. Continue second rolling until mixture has been evenly compacted.
- C. Finish Rolling: Perform finish rolling while mixture is still warm enough for removal of roller marks. Continue rolling until roller marks are eliminated and the surface has a smooth, evenly compacted appearance.
- D. Patching: Remove and replace paving areas mixed with foreign materials and defective areas.

**TRAFFIC AND LANE MARKINGS**

- A. Do not apply traffic and lane marking paint until layout and placement have been verified with the Construction Documents. The Contractor is solely responsible for pavement marking and marking layout. Do not apply on damp surfaces or when relative humidity is above 85%, or when air or surface temperatures are below 40' F.
- B. Do not apply traffic marking paint on new asphalt until pavement has cured a minimum of 30 days.
- C. Apply paint with mechanical equipment to produce uniform straight edges. Apply at manufacturer's recommended rates to provide minimum 1 0-1 5 mils wet thickness. Paint shall not be thinned more than 1:10

**FIELD QUALITY CONTROL**

- A. The paving contractor is responsible to review and accept the subgrade before installation of base course. The contractor shall provide all surveying required for installation of the base course and pavement construction.
- B. Testing in-place hot-mixed asphalt courses for compliance with requirements for thickness and surface smoothness will be done by Owner's testing laboratory.
- C. Thickness: In-place compacted thickness tested in accordance with ASTM D 3549 will not be acceptable if exceeding following allowable variations: Base Course: +/-1/2 inch; Asphalt Surface Course: +/- 1/4 inch. D. The mixture shall have a density when thoroughly compressed, of not less than 93 percent of the calculated density of a voidless mixture composed of the same materials in like proportions.
- E. Surface Smoothness: Test finished surface of each hot-mixed asphalt course for smoothness, using 10-foot straightedge applied parallel with and at right angles to centerline of paved area. Surfaces will not be acceptable if exceeding the following tolerances: Base Course: 1/4 inch; Wearing Surface: 3/1 6 inch.
- F. Check surface areas at intervals as directed by Engineer. Areas of ponding or standing water in excess of 1/8" will not be acceptable.

**SECTION 02520 - SITE CONCRETE WORK****SUBMITTALS**

- A. General: Submit the Shop drawings for concrete mix design, cast-in-place structures, reinforcement material's certifications, joint fillers and sealers, curing compounds, and sealants
- B. Mix Designs: Contractor shall supply Site Consultant with concrete mix designs for concrete pavement and curbs. Mix design shall include quantities and sources of all aggregates, cement, fly ash, and admixtures to be used. Mix designs are to be certified by a licensed testing laboratory regularly engaged in designing and testing concrete. Test results for mix designs to be used shall be within the past 1 2 months.

**QUALITY ASSURANCE**

- A. Concrete Testing Service: The Owner will engage a testing laboratory to perform material evaluation tests. Concrete shall be supplied and placed in compliance with applicable requirements of authorities having jurisdiction.

**GUARANTEE**

- A. Furnish written guarantee, in form acceptable to Site Consultant and Owner to remedy defects or failures due to faulty materials or workmanship which may appear within 1 year from date of substantial completion or grand opening, whichever is later. A review of the concrete work will be made involving the Owner, Contractor, and Site Consultant prior to expiration of the 1 year warranty.

**FORM MATERIALS**

- A. Forms for Exposed Finish Concrete: Plywood, metal, metal-framed plywood faced, or other acceptable panel-type materials, to provide continuous, straight, smooth, exposed surfaces.
- B. Form Coatings: Provide commercial formulation form-coating compounds with a maximum VOC of 350 mg/l that will not bond with, stain, or adversely affect concrete surfaces and will not impair subsequent treatments of concrete surfaces.

**REINFORCING MATERIALS**

- A. Reinforcing Bars: Reinforcing steel shall be as shown on the plans or required shop drawings. Reinforcing steel for pavements shall be welded wire mesh sheets conforming to ASTM A1 85 or deformed bars as shown on drawings conforming to ASTM A 61 5, Grade 60. Steel shall be clean, free from scale and rust, flat and level. Reinforcing steel shall be located in the slabs at depths indicated on drawings. Provide dowels, accessories, etc., required to complete the work.

**CONCRETE MATERIALS**

- A. Concrete: Ready Mix Concrete conforming to ASTM C-94
- B. Portland Cement: ASTM C 150, Type 1. Use 1 brand of cement throughout project unless otherwise approved.
- C. Water: Potable.
- D. Admixtures.

1. Air-Entraining Admixture: ASTM C 260, certified by manufacturer to be compatible with other required admixtures.
2. Calcium Chloride: Do not use calcium chloride in concrete. Do not use admixtures containing calcium chloride in concrete mixes.

E. Expansion Joint Materials: Joint Filler: ASTM D-1751.

F. Anti-Spalling Compound: 50 percent (by volume) boiled linseed oil and 50 percent (by volume) mineral spirits, complying with AASHTO M-233.

G. Liquid-Membrane Forming Curing Compound: Complying with ASTM C 309, Type 1, Class A unless other type acceptable to Engineer. Moisture loss not more than 0.055 gr./sq. cm. when applied at 200 square feet per gallon. Color shall be Clear.

H. Bonding Compound: Acrylic base, rewettable type.

**CONCRETE MIX, DESIGN, AND TESTING**

- A. Design mix to project normal-weight concrete consisting of Portland cement, aggregate, air-entraining admixture and water to produce the following properties:
1. Compressive Strength: 4000 psi, minimum at 28 days, unless otherwise indicated.
  2. Air Content: 6 percent ± 1 percent.
  3. Slump 4 inch maximum.

## SECTION 02520 - SITE CONCRETE WORK (Continued)

B. Perform sampling and testing for field quality control during the placement of concrete as follows:

- Slump test: ASTM C 143.
- Air content: ASTM C 231.
- Compressive strength tests: ASTM C 39; 1 set of 4 compressive cylinders for each 1 00 cubic yards placed each day, of each mix design placed in any 1 day, or not less than 1 set of cylinders for each day of pour, 1 specimen tested at 7 days, 2 specimen at 28 days, and 1 on hold for testing as directed by Site Consultant.

### CONCRETE PLACEMENT

- A. Do not place concrete until base and forms have been checked for line and grade. Moisten base if required to provide a uniform dampened condition at time concrete is placed. Do not place concrete around manholes or other structures until they are at required finish elevation and alignment.
- B. Place concrete using methods which prevent segregation of mix. Consolidate concrete along face of forms and adjacent to transverse joints with internal vibrator. Keep vibrator away from joint assemblies, reinforcement, or side forms. Use only square-faced shovels for hand-spreading and consolidation. Consolidate with care to prevent dislocation of reinforcing, dowels, and joint devices.
- C. Transport and place concrete not more than 90 minutes after water has been added to the dry ingredients.
- D. Deposit and spread concrete in a continuous operation between transverse joints, as far as possible. If interrupted for more than 1/2 hour, place a construction joint.
- E. Curbs and Gutters: Automatic machine may be used for curb and gutter placement at Contractor's option. If machine placement is to be used, submit revised mix design and laboratory test results that meet or exceed minimums specified. Machine placement must produce curbs and gutters to required cross-section, lines, grades, finish, and jointing as specified for formed concrete.

### COLD WEATHER PLACING

- A. Protect all concrete work from physical damage or reduced strength which could be caused by frost, freezing actions, or low temperatures, in compliance with the requirements of ACI 306.
- B. Do not use frozen materials containing ice or snow. Do not place concrete on frozen subgrade or on subgrade containing frozen materials. Ascertain that forms, reinforcing steel, and adjacent concrete surfaces are entirely free of frost, snow and ice before placing concrete.
- C. Do not use salt and other materials containing antifreeze agents or chemical accelerators, or set-control admixtures, unless approved by the Site Consultant, in mix designs.

### HOT WEATHER PLACING

- A. When hot weather conditions exist that would seriously impair the quality and strength of concrete, place concrete in compliance with ACI 305 and as herein specif ied.
- B. Do not place concrete at a temperature so as to cause difficulty from loss of slump, flash set, or cold joints
- C. Do not use set-control admixtures unless approved by the Site Consultant in mix designs.

### JOINTS

- A. Construct expansion, weakened-plane (contraction), and construction joints true-to-line with face perpendicular to surface of concrete. Construct transverse joints at right angles to the centerline, unless otherwise indicated.
- B. Weakened-Plane (Contraction) Joints: Provide weakened-plane (contraction) joints, sectioning concrete into areas as shown on drawings. Contraction joints for curbs shall be provided at 10 foot intervals and expansion joints shall be provided at 50 foot intervals on straight sections and at all spring lines of radii.
- C. Construction Joints: Place construction joints at end of placements and at locations where placement operations are stopped for a period of more than 1/2 hour, except where such placements terminate at expansion joints.
- D. Expansion Joints: Provide premolded joint filler for expansion joints abutting concrete curbs, catch basins, manholes, inlets, structures, walks and other fixed objects, unless otherwise indicated.

### CONCRETE FINISHING

- A. After striking-off and consolidating concrete, smooth surface by screeding and floating. Use hand method only where mechanical floating is not possible. Adjust floating to compact surface and produce uniform texture.
- Exterior slabs, sidewalks, flow channels, flumes, curbs, and other similar concrete pavement types shall have a non-slip finish by scoring the surface with a fine-hair broom, perpendicular to the line of traffic. Repeat operation if required to provide a fine line texture acceptable to the Site Consultant.
  - Retaining walls, wing walls, light pole bases, and other surfaces exposed to view upon completion of work shall be given a rubbed finish
- B. Do not remove forms for@ 24 hours after concrete has been placed. After form removal, clean ends of joints and point-up any minor honeycombed areas. Remove and replace areas or sections with major defects, as directed by Site Consultant.

### CURING

- A. Protect and cure finished concrete work. Use membrane-forming curing and sealing compound or approved moist-curing methods.

## SECTION 02660 - POTABLE WATER PIPING

### SUBMITTALS

- A. General: Submit Shop drawings for piping materials and size, valves, water meter, fire hydrants, precast concrete valve pits and meter pit, including frames and covers and certifications from manufacturers for all materials prior to installation in accordance with Conditions of Contract and Division 1 Specification Sections.

### WATER MAIN/FIRE HYDRANTS

- A. All water mains shall be constructed using ductile iron cement mortar lined pipe.
- B. Pipe shall conform to specifications ANSI a21.51, AWWA C 151 class 52, push on type.
- C. Cement mortar lining shall conform to AWWA C 104, ANSI 21.4 specifications.
- D. All fittings shall conform to the latest AWWA or ASA specifications as may be applicable. All pipe & fittings to be American made.
- E. All joints shall be Clow "Bell- Tite" joints or equal.
- F. Minimum depth of cover over the type of pipe shall be 4'-6" as measured to the finish grade of the street over the pipe.
- G. All fire hydrants shall be a break flange" model hydrant and shall "be furnished with one (1) four and half inch (open left) steamer nozzle and two 2-1/2 inch hose nozzles with male national standard threads to fit couplings used by municipal fire department.
- H. All valves shall be manufactured by the Mueller co. (or equal) valves shall be iron body, resilient wedge; bronze mounted and shall conform to latest AWWA specifications. All valves shall be designed for a working pressure of 150 psi and shall open by turning counter-clockwise. Valves shall be provided with either bell or mechanical joint. All valves at dead ends of mains are to be securely strapped to the main.
- I. All valve boxes shall be heavy duty buffalo type "two piece 5-1/4" shaft with cover marked "water." the box shall be of such length so as to extend upward to the finish grade of the ground or street. All materials shall be domestically manufactured and as approved by the local utility.
- J. All fire hydrants shall be painted a color consistent with the utility standards and Fire Marshall's requirements
- K. Hydrant branches - anchor pipe when possible or use restraining glands (joints).
- L. All water service materials shall be k-copper 2" in size, and terminate in meter set in the meter pits provided by the contractor at his expense.

### HYDROSTATIC TEST

- A. After the pipe has been laid and back filled, all newly laid pipe or valved section shall be subjected to hydrostatic pressure and leakage test. All water mains must be hydrostatically tested (AWWA C-600). The tests must be performed in the presence of a representative of the local utility company. The leakage test pressure shall be not less than 150 psi. The duration of the leakage test shall not be less than 2 hours. Hydrostatic pressure shall be applied by means of a pump taking water from an auxiliary supply. All piping must be properly filled and flushed to dispel all air before the test is made using potable water.
- A. Leakage is defined as the quantity of water to be supplied into the newly laid pipe, or any valved section thereof, necessary to maintain the specified leakage test pressure after the pipe has been filled with water and the air expelled.
- B. During the hydrostatic test, a thorough examination of all piping, fittings, valves, hydrants, etc. shall be performed. Leaking joints shall be tightened. Cracked or otherwise defective material shall be removed and replaced and the test shall be repeated until satisfactory results are obtained.
- DISINFECTION**
- A. After satisfactory hydrostatic testing, the completed water work shall be disinfected in accordance with AWWA C-651.
- B. Maintain pipes free of dirt and foreign matter during construction by dewatering trench and sealing open pipe barrels. Swab each length of pipe as it is installed. Upon completion of main, isolate main segments and flush pipe at 2 fps velocity.
- C. Sterilize main in accordance with AWWA C-651. Inject 3% to 5% hypo chlorite solution to provide 50 to 60 mg per liter concentration in main. Chlorine may be placed in each section of pipe at the time of installation. Sample water at each hydrant, or if no hydrant is available, at a tap in the proposed line. Analyze sample using orthotolidine reagent to verify free chlorine concentration. Maintain concentration in main for 24 hours. Sample hydrants at completion of sterilization to verify minimum chlorine residual.
- D. Flush chlorine solution to waste into sanitary sewer at a controlled rate, not to exceed 25 GPM. If chlorine residual drops in 10 mg per liter, flush main at 2 FPS and repeat sterilization procedure.
- E. Water samples - perform bacteriological test per AWWA C-651. Sample main at hydrant or, if hydrant is not available, at a tap in the proposed line. In the event of detection of coliform organism, repeat flushings, sterilization, and sampling of mains until acceptable test results are achieved. This is to be performed prior to transfer of service at contractor's expense.

## SECTION 02720 - STORM SEWERAGE

### SUBMITTALS

- A. Shop drawings for storm drainage piping, precast concrete storm drainage manholes and catch basins, including frames, covers, and grates.
- B. Shop drawings for cast-in-place concrete storm drainage manholes and catch basins, including frames and covers.

### PIPE AND FITTINGS

- A. General: Provide pipe and pipe fitting materials indicated on the plans which shall be compatible with each other. Where more than one type of materials or products is indicated, install as indicated on construction drawings.
- B. Reinforced Concrete Sewer Pipe and Fittings: ASTM C 76, Class IV, III, and II, Wall B, unless otherwise indicated.
- C. PVC (Polyvinyl Chloride) Sewer Pipe and Fittings: ASTM D 3034, SDR 35, for solvent cement or elastomeric gasket joints.
- D. HDPE pipe (per ASTM F2648) shall have a smooth interior, and annular exterior corrugations. Installation shall be in accordance with ASTM D2321 and manufacture recommended installation guidelines. Material for pipe production shall be an engineered compound of virgin and recycled high density polyethylene conforming with the minimum requirements of cell classification described in the latest version of ASTM D3350, except that carbon black content should not exceed 4%

### MANHOLES

- A. Precast Concrete Manholes: ASTM C 478, precast reinforced concrete, of depth indicated.

### CLEANOUTS

- A. General: Provide cast-iron ferrule and countersunk brass cleanout plug, with round cast-iron access frame and heavy-duty, secured, scoriated cast-iron cover.

### CATCH BASINS

- A. Precast Concrete Catch Basins: ASTM C 478 or ASTM C 858, precast reinforced concrete, of depth indicated. Base section slab shall have minimum thickness of 6 inches, riser sections shall have minimum thickness of 4 inches, and top section and grade rings shall be as indicated on the drawings.
- B. Catch Basin Frames and Grates: ASTM A48-83, Class 35, heavy-duty, gray iron, 7- to 9-inch riser with 4-inch minimum width flange, and as indicated on the drawings.
- C. Curb Inlets: Precast concrete, brick, or other materials, of dimensions conforming to local utility standards.
- D. Construct catch basins to sizes and shapes indicated.
- E. Set frames and grates to alignments and elevations indicated.

### OUTFALLS

- A. Construct outfalls of reinforced concrete which will attain 28-day compressive strength of not less than 4000 psi with 6 percent air entrainment.

### TAP CONNECTIONS

- A. Make connections to existing piping and underground structures so that finished work will conform to the requirements specified work.
- B. Protect existing piping and structures to prevent concrete or debris from entering while making tap connections. Remove debris, concrete, or other extraneous material that may accumulate.

### FIELD QUALITY CONTROL

- A. Testing: Perform testing of completed piping in accordance with local authorities having jurisdiction.
- B. Cleaning: Clear interior of piping and structures of dirt and other superfluous material as work progresses. Maintain swab or drag in piping and pull past each joint as it is completed.

## SECTION 02720 - STORM SEWERAGE (CONTINUED)

C. Interior Inspection: Inspect piping to determine whether line displacement or other damages has occurred.

- Make inspections after pipe between manholes and manhole locations has been installed and approximately 2 feet of backfill is in place, and again at completion of project.
- Contractor will video inspect all newly installed storm and sanitary systems and repair any shown irregularities prior to acceptance by owner or city. Systems will be taped within 2 weeks of completion of installation and testing, and prior to any paving operations. Video documentation will be available to city and owner.
- If inspection indicates poor alignment, debris, displaced pipe, infiltration, or other defects, correct such defects and reinspect.

## SECTION 02730 - SANITARY SEWERAGE

### SUBMITTALS

- A. Shop drawings for sanitary sewer piping, precast concrete sanitary manholes, including frames and covers.
- B. Shop drawings for cast-in-place concrete or field-erected masonry sanitary manholes, including frames and covers.
- C. As built drawings showing pipe sizes, lateral size, manhole size, pipe lengths, and invert elevations.

### QUALITY ASSURANCE

- A. Environmental Compliance: Comply with applicable portions of local environmental agency regulations pertaining to sanitary sewerage systems.
- B. Utility Compliance: Comply with local utility regulations and standards pertaining to sanitary sewerage systems.

### PROJECT CONDITIONS

- A. Site Information: Perform site survey, research public utility records, and verify existing utility locations. Verify that sanitary sewerage system piping may be installed in compliance with original design and referenced standards.
- Locate existing sanitary sewerage system piping and structures that are to be connected to, abandoned and/ or closed.

### SEQUENCING AND SCHEDULING

- A. Coordinate connection to public sewer with utility company.
- B. Coordinate with interior building sanitary drainage piping.
- C. Coordinate with other utility work.

### PIPE AND FITTINGS

- A. Provide pipe and pipe fitting materials compatible with each other. Where more than one type of materials or products is indicated, install as indicated on construction drawings.
- B. Sewer pipe and fittings: ASTM D3034, Polyvinyl Chloride (PVC), Type PSM, SDR 35, for solvent cement or elastomeric joints: Fittings shall conform to ASTM D 2466. Pipe diameter shall be as indicated on the drawings.

### MANHOLES

- A. Precast Concrete Manholes: ASTM C 478, precast reinforced concrete, of depth indicated with provision for rubber gasket joints.
- Base Section: 6-inch minimum thickness for floor slab and 4-inch minimum thickness for walls and base riser section, and having a separate base slab or base section with integral floor.
  - Riser Sections: 4-inch minimum thickness; 48-inch diameter, and lengths to provide depth indicated.
  - Top Section: Eccentric cone type, unless concentric cone or flat-slab-top type is indicated. Top of cone to match grade rings.
  - Grade Rings: Provide 2 or 3 reinforced concrete rings, of 6 to 9 inches total thickness and match 24-inch diameter frame and cover.
  - Gaskets: ASTM C 443, rubber.
  - Steps: Cast into base, riser, and top sections sidewall at 1 2-to-1 6-inch intervals.
  - Pipe Connectors: ASTM C 923, resilient, of size required, for each pipe connecting to base section.
  - Channel and Bench: Concrete.

- B. Manhole Frames and Covers: ASTM A48-83, Class 35, heavy-duty, gray iron, 24-inch inside diameter by 7- to 9-inch riser with 4-inch minimum width flange in compliance with local utility regulations or as indicated on the drawings.

### INSTALLATION

- A. General Locations and Arrangements: Drawings (plans and details) indicate the general location and arrangement of the underground sanitary sewerage system piping. Location and arrangement of piping layout take into account many design considerations. Install the piping as indicated.
- B. Install piping beginning at low point of systems, true to grades and alignment indicated with unbroken continuity of invert. Place bell ends of piping facing upstream. Install gaskets, seals, sleeve(s, and couplings in accordance with manufacturer's recommendations for use of lubricants, cements, and other installation requirements. Maintain swab or drag in line and pull past each joint as it is completed.
- C. Use manholes for changes in direction, except where a fitting is indicated. Use fittings for branch connections, except where direct tap into existing sewer is indicated.
- D. Use proper size increasers, reducers, and couplings, where different size or material of pipes and fittings are connected. Reduction of the size of piping in the direction of flow is prohibited.
- E. Extend sanitary sewerage system piping to connect to building sanitary drains, of sizes and in locations indicated. Coordinate building connections with building documents.

### PIPE JOINT CONSTRUCTION AND INSTALLATION

- A. Pipe joints with elastomeric seals (integral bell) shall conform to ASTM D321 2. Gaskets shall conform to ASTM F477, Elastomeric Seal.
- B. Pipe joints with solvent cement shall conform to the requirements of ASTM D2855 and ASTM 2564, or flexible elastomeric seals per ASTM D3212.

### CLEANOUTS

- A. Install cleanouts and extension from sewer pipe to cleanout at grade as indicated. Set cleanout frame and cover in concrete block 18 by 18 by 12 inches deep, except where location is in concrete paving. Set top of cleanout 1 inch above surrounding earth grade or flush with grade when installed in paving.

### TAP CONNECTIONS

- A. Make connections to existing piping and underground structures so that finished work will conform to the requirements specified for new work.
- B. Use commercially manufactured wye fittings for piping branch connections.

### FIELD QUALITY CONTROL

- A. Testing: Perform testing of completed piping in accordance with local authorities having jurisdiction.
- B. Cleaning: Clear interior of piping and structures of dirt and other superfluous material as work progresses. Maintain swab or drag in piping and pull past each joint as it is completed.
- In large, accessible piping, brushes and brooms may be used for cleaning.
  - Place plugs in ends of uncompleted pipe at end of day or whenever work stops.
  - Flush piping between manholes, if required by local authority, to remove collected debris.

C. Interior Inspection: Inspect piping to determine whether line displacement or other damage has occurred.

- Make inspections after pipe between manholes and manhole locations has been installed and approximately 2 feet of backfill is in place, and again at completion of project.
- If inspection indicates poor alignment, debris, displaced pipe, infiltration or other defects correct such defects, and reinspect.

## SECTION 02900 LANDSCAPING

### SUBMITTALS

- A. General: Submit each item in this Article according to the Conditions of the Contract and Division 1 Specification Sections.
- B. Product certificates signed by manufacturers certifying that their products comply with specified requirements.
- Manufacturer's certified analysis for standard products.
  - Analysis for other materials by a recognized laboratory made according to methods established by the Association of Official Analytical Chemists, where applicable.
  - Label data substantiating that plants, trees, shrubs, and planting materials comply with specified requirements.
- C. Certification of grass seed from seed vendor for each grass-seed mixture stating the botanical and common name and percentage by weight of each species and variety, and percentage of purity, germination, and weed seed. Include the year of production and date of packaging.
- D. Certification of each seed mixture for sod, identifying sod source, including name and telephone number of supplier.
- E. Planting schedule indicating anticipated dates and locations for each type of planting.
- F. Maintenance instructions recommending procedures to be established by Owner for maintenance of landscaping during an entire year. Submit before expiration of required maintenance periods.

### QUALITY ASSURANCE

- A. Installer Qualifications: Engage an experienced installer who has completed landscaping work similar in material, design, and extent to that indicated for this Project and with a record of successful landscape establishment.
- B. Provide quality, size, genus, species, and variety of trees and shrubs indicated, complying with applicable requirements of ANSI Z60.1 "American Standard for Nursery Stock."
- C. Measurements: Measure trees and shrubs according to ANSI Z60.1 with branches and trunks or canes in their normal position. Do not prune to obtain required sizes. Take caliper measurements 6 inches (1 50 mm) above ground for trees up to 4-inch (1 00-mm) caliper size, and 1 2 inches (300 mm) above ground for larger sizes. Measure main body of tree or shrub for height and spread; do not measure branches or roots tip-to-tip.
- D. General: Furnish nursery-grown trees and shrubs conforming to ANSI Z60.1, with healthy root systems developed by transplanting or root pruning. Provide well-shaped, fully-branched, healthy, vigorous stock free of disease, insects, eggs, larvae, and defects such as knots, sun scald, injuries, abrasions, and disfigurement.

### WARRANTY/MAINTENANCE

- A. General Warranty: The special warranty specified in this Article shall not deprive the Owner of other rights the Owner may have under other provisions of the Contract Documents and shall be in addition to, and run concurrent with, other warranties made by the Contractor under requirements of the Contract Documents.
- B. Special Warranty: Warrant the living planting materials for a period of one year after date of Final Acceptance against defects including death and unsatisfactory growth, except for defects resulting from lack of adequate maintenance, neglect, or abuse by Owner, abnormal weather conditions unusual for warranty period, or incidents that are beyond Contractor's control.
- C. Mow lawns as soon as there is enough top growth to cut with mower set at specified height for principal species planted. Repeat mowing as required to maintain specified height without cutting more than 40 percent of the grass height. Remove no more than 40 percent of grass-leaf growth in initial or subsequent mowings. Do not delay mowing until grass blades bend over and become matted. Do not mow when grass is wet.

### SEEDING

- A. Sow seed with a spreader or a seeding machine. Do not broadcast or drop seed when wind velocity exceeds 5 mph (8 km/h). Evenly distribute seed by sowing equal quantities in 2 directions at right angles to each other.
- B. Do not use wet seed or seed that is moldy or otherwise damaged in transit or storage.
- C. Sow seed at the following rates: Fescue: 8-1 0 lb per 1 000 sq. ft. (4 to 5 kg per 1 00 sq. m.).
- D. Rake seed lightly into top 1/8 inch (3 mm) of topsoil, roll lightly, and water with fine spray.
- E. Protect seeded slopes exceeding 1:3 against erosion with erosion-control blankets installed and stapled according to manufacturer's recommendations.
- F. Protect seeded areas with slopes less than 1:6 against erosion by spreading straw mulch after completion of seeding operations. Spread uniformly at a minimum rate of 2 tons per acre (45 kg per 1 00 sq. m) to form a continuous blanket 1-1 /2 inches (38 mm) loose depth over seeded areas. Spread by hand, blower, or other suitable equipment.
- Anchor straw mulch by spraying with asphalt-emulsion take if er at the rate of 1 0 to 13 gal. per 1000 sq. ft. (41 to 53 L per 100 sq. m). Take precautions to prevent damage or staining of structures or other plantings adjacent to mulched areas. Immediately clean damaged or stained areas.

### HYDROSEEDING NEW LAWNS

- A. Hydroseeding: Mix specified seed, fertilizer, and fiber mulch in water, using equipment specifically designed for hydroseed application. Continue mixing until uniformly blended into homogenous slurry suitable for hydraulic application.

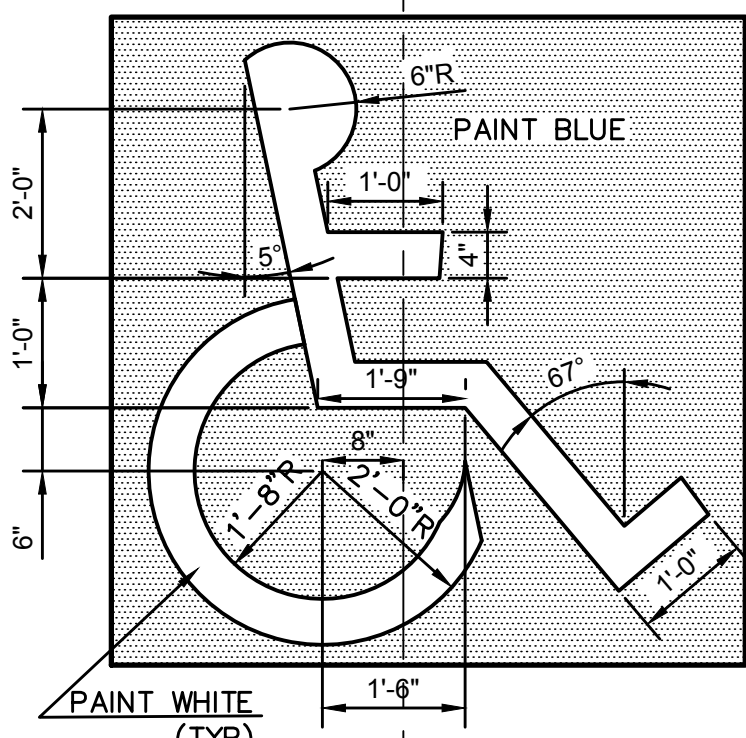
### CLEANUP AND PROTECTION

- A. During landscaping, keep pavements clean and work area in an orderly condition.
- B. Protect landscaping from damage due to landscape operations, operations by other contractors and trades, and trespassers. Maintain protection during installation and maintenance periods. Treat, repair, or replace damaged landscape work as directed.
- C. Disposal: Remove surplus soil and waste material, including excess subsoil, unsuitable soil, trash, and debris, and legally dispose of it off the Owner's property.



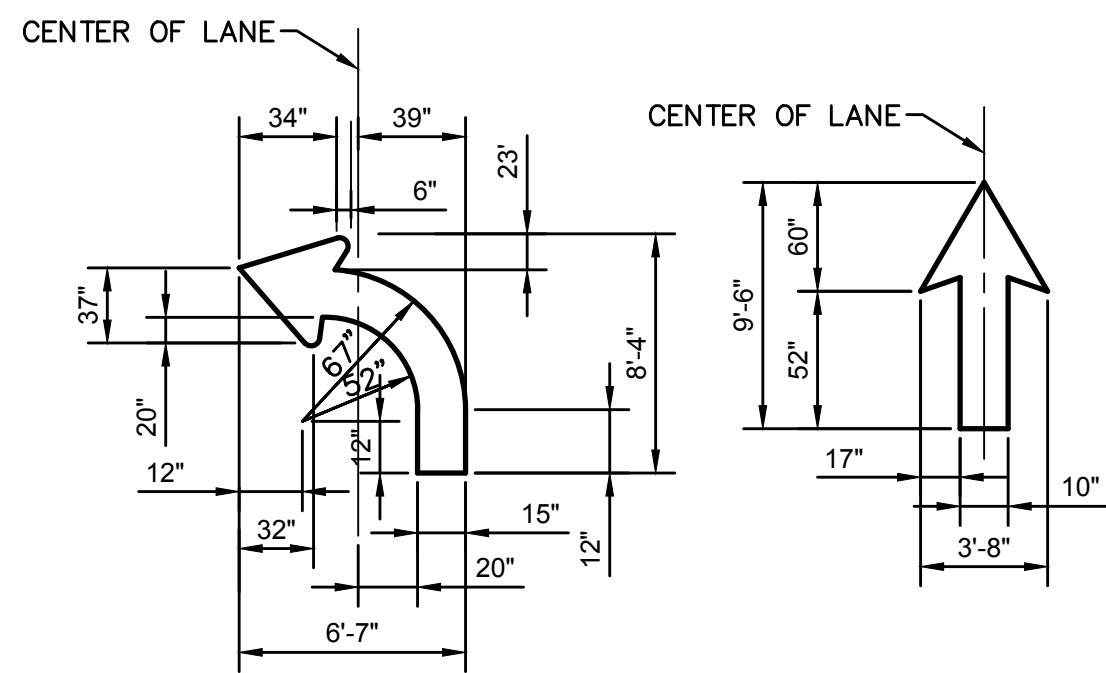






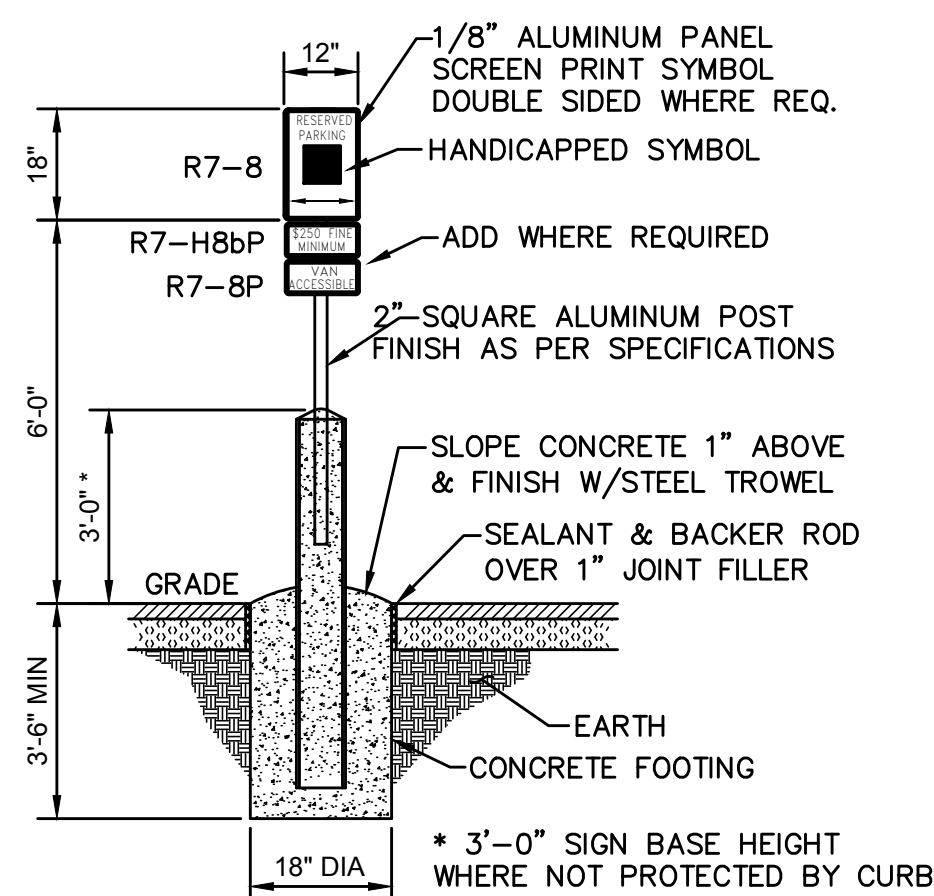
NOTE:  
SYMBOL TO BE PAINTED IN ALL HANDICAPPED SPACES DENOTED ON PLANS.

**INTERNATIONAL HANDICAP SYMBOL**  
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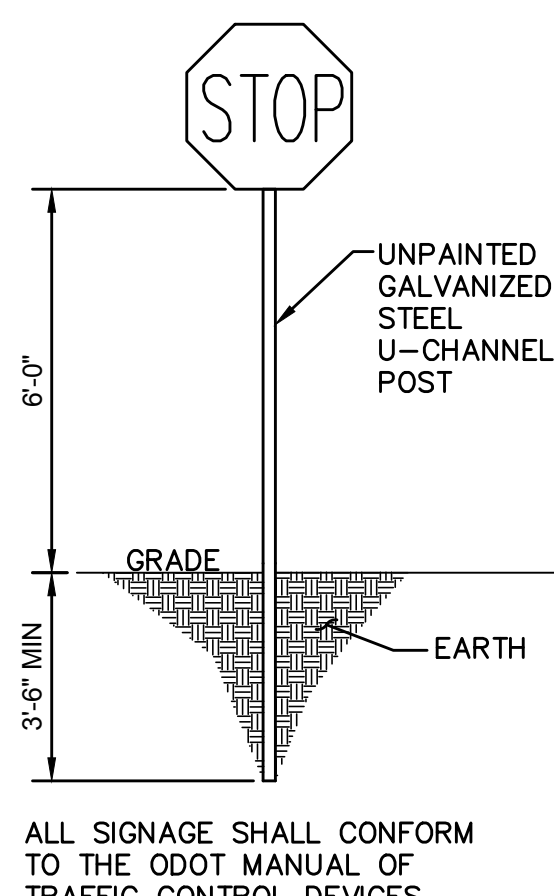


ARROW NOTES:  
1. ARROWS SHALL BE WHITE WITH REFLECTIVE SURFACES.  
2. USE PAINT OR THERMO PLASTIC AS REQUIRED BY LOCAL JURISDICTIONS.

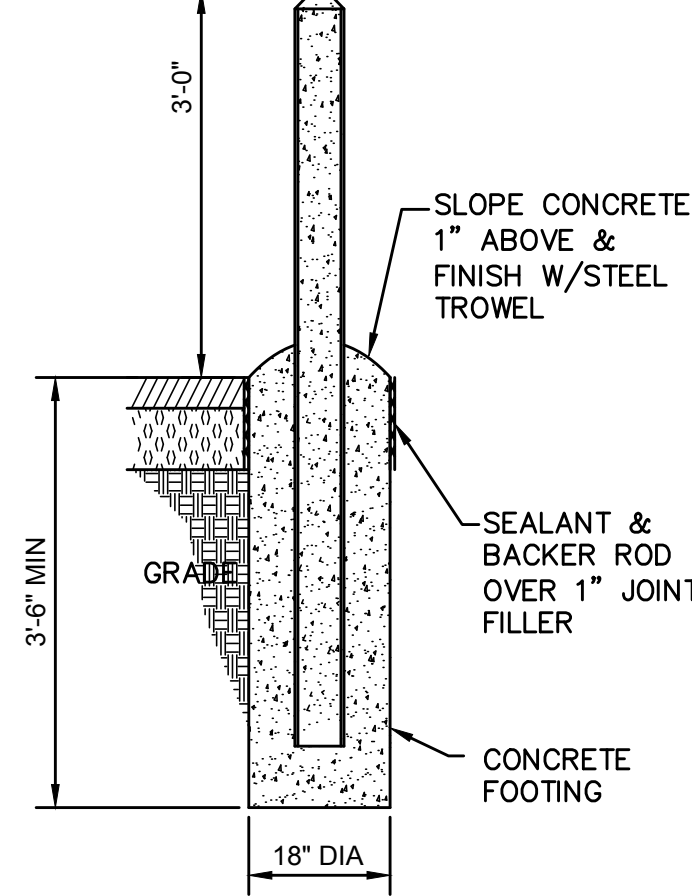
**ARROW DETAILS**  
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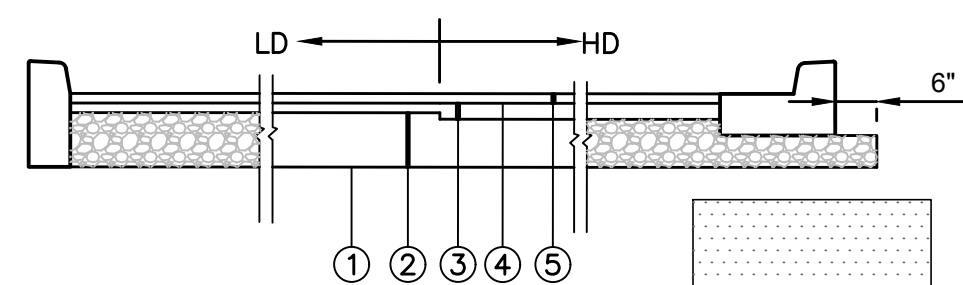
**HANDICAPPED PARKING SIGN**  
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**TRAFFIC CONTROL SIGNS**  
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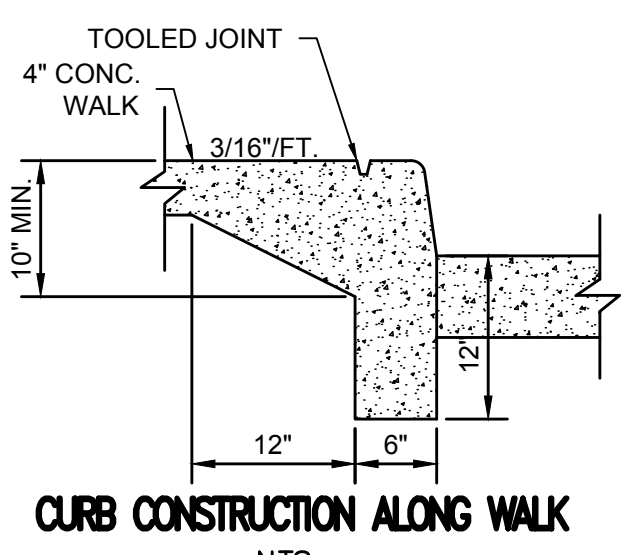
**BUILDING PROTECTION BOLLARDS**  
NTS



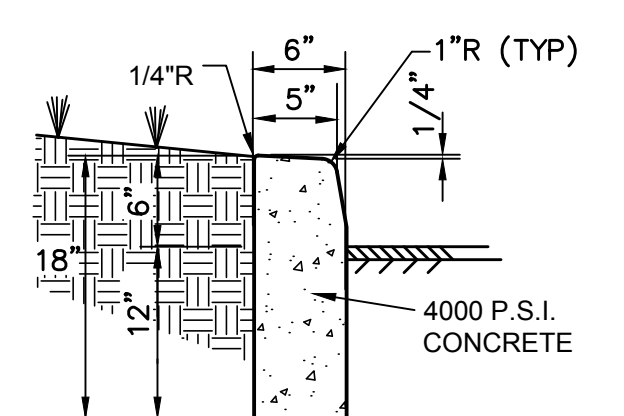
- SUBGRADE COMPACTION
- ITEM 304 ~ AGGREGATE BASE (6" LD/8" HD)
- ITEM 448 ~ ASPHALTIC CONCRETE (2.0" COURSE LD, 3" HD)
- ITEM 407 ~ TACK COAT @ 0.10 GAL/SY
- ITEM 448 ~ ASPHALTIC CONCRETE, 1.5" COURSE

NOTES:  
1. ALL ITEM NUMBERS REFER TO STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIALS SPECIFICATIONS, 2013 EDITION OR LATEST REVISION THEREOF.  
2. CONTRACTOR SHALL SUBMIT A MIX DESIGN FOR ENGINEERING REVIEW AND RECEIVE APPROVAL PRIOR TO PAVING.  
3. THE SURFACE FOR ALL TYPES CAN BE COMPLETED AT THE SAME TIME. ALL PAVEMENT JOINTS SHALL BE SQUARE WITHOUT FEATHERING.

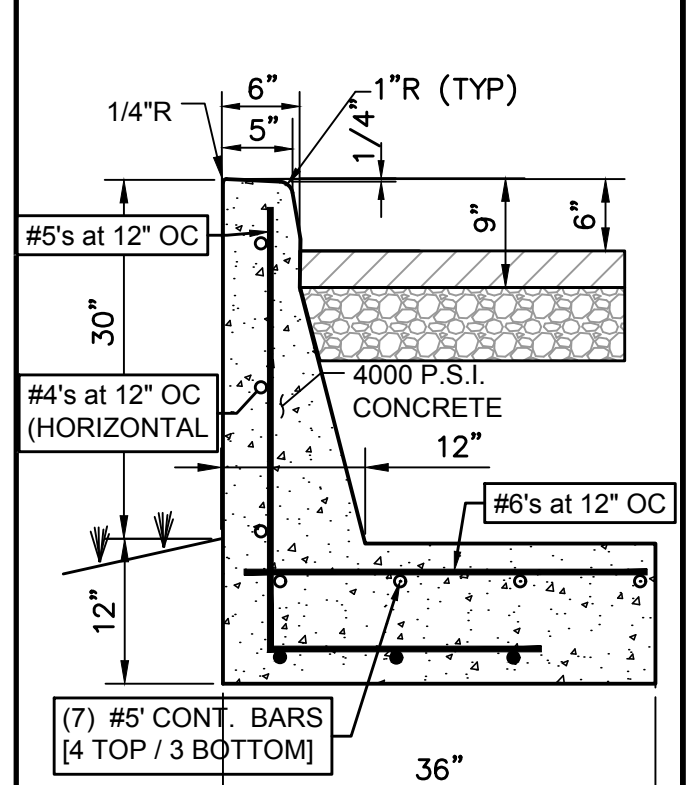
**LIGHT DUTY/HEAVY DUTY PAVEMENT MATCH-UP**  
NTS



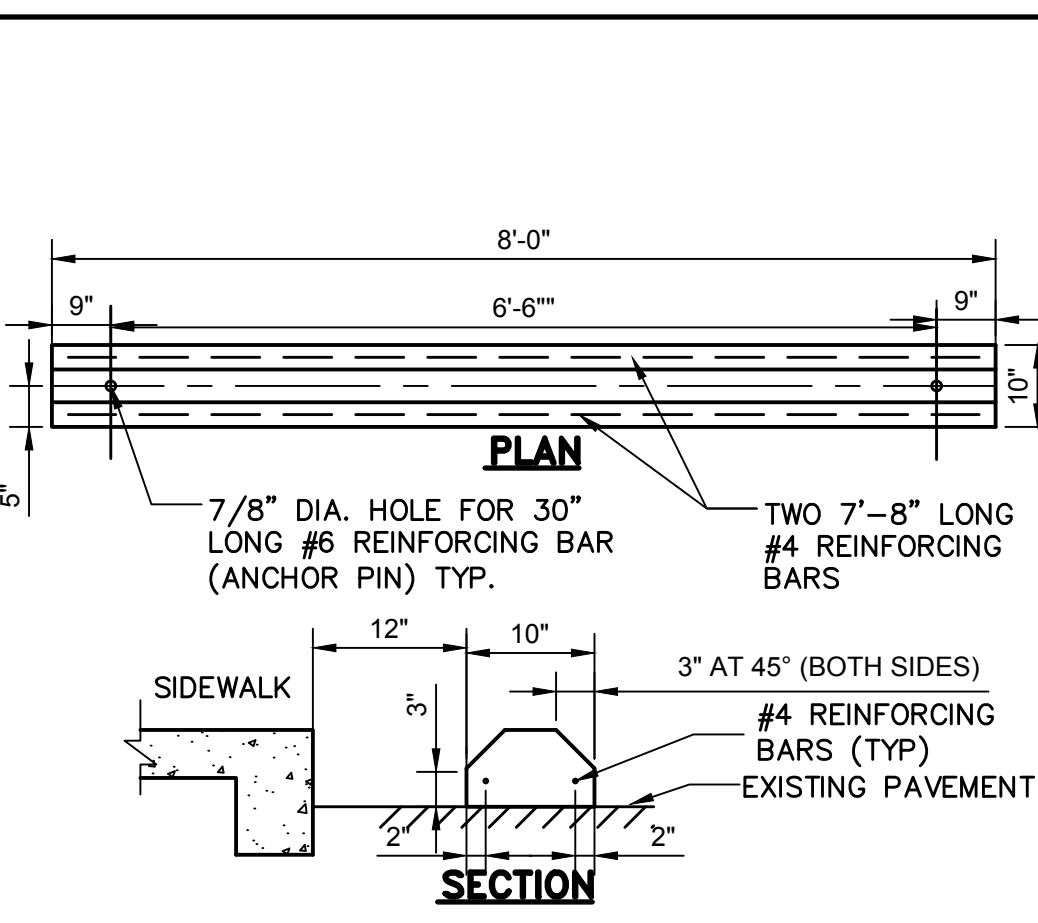
**CURB CONSTRUCTION ALONG WALK**  
NTS



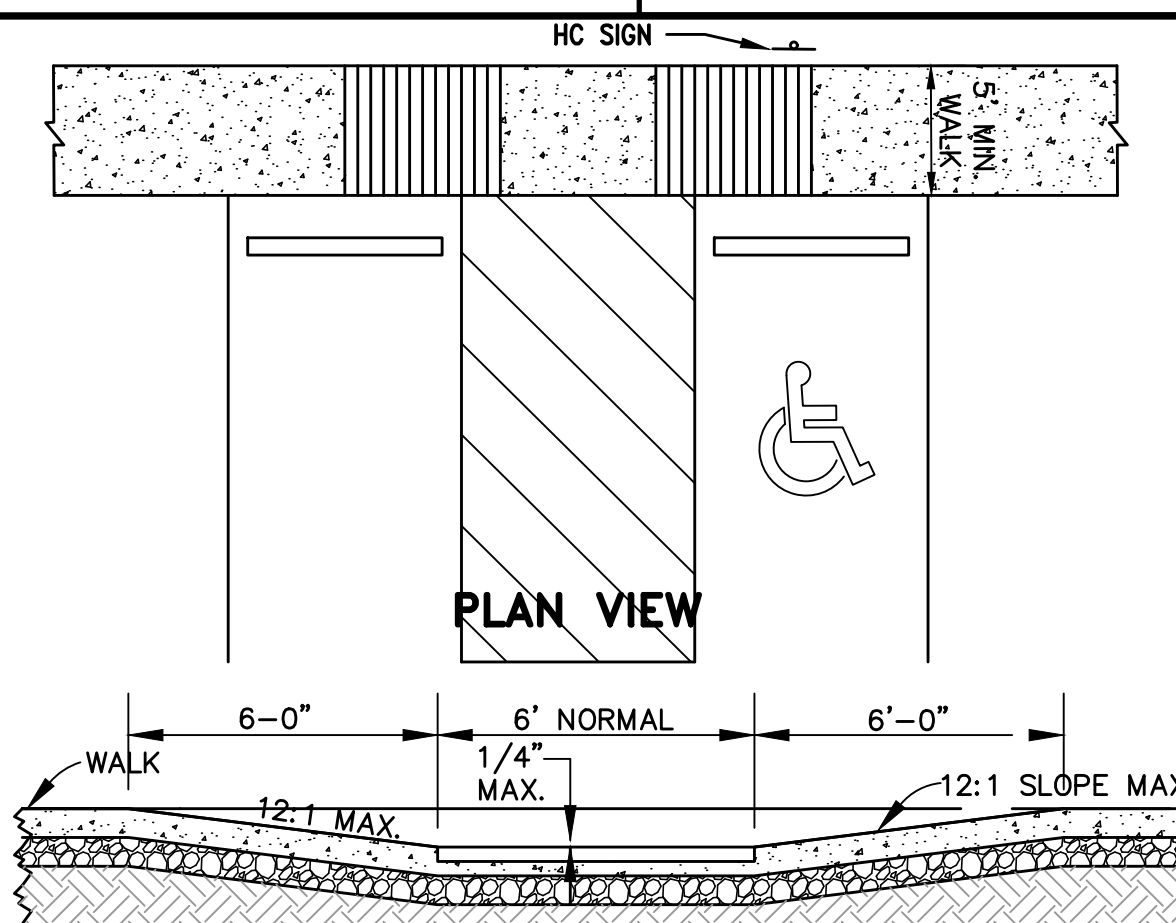
**STRAIGHT CURB**  
NTS



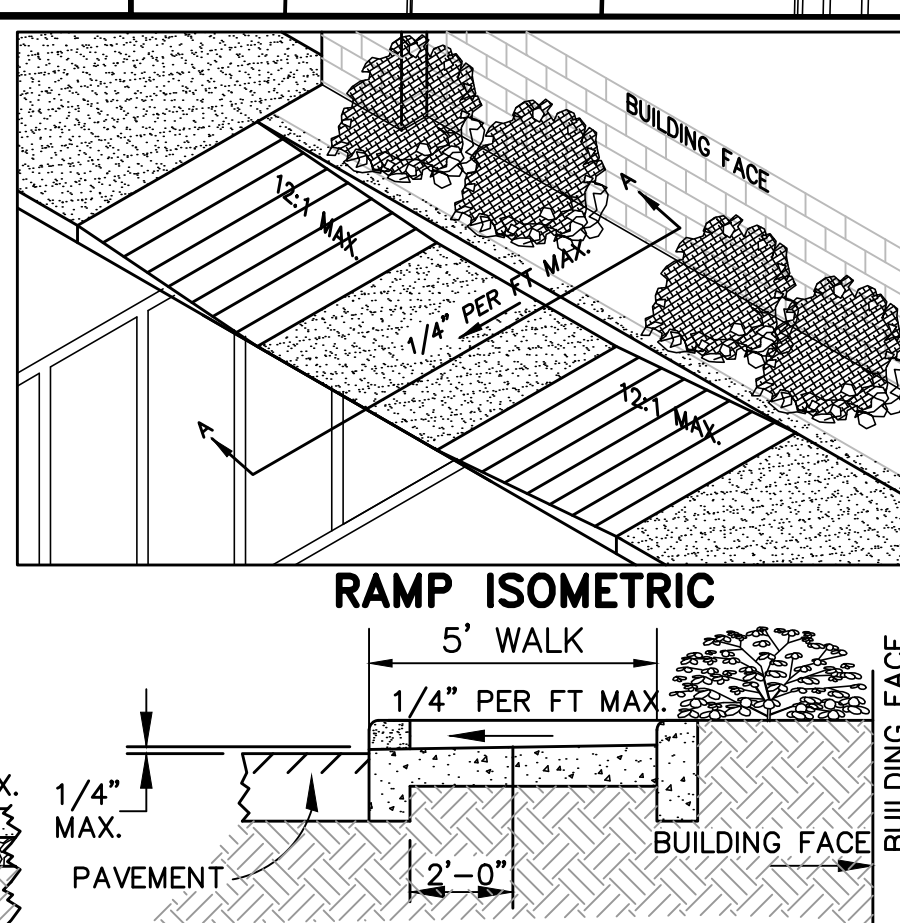
**JERSEY BARRIER CURB**  
NTS



**PRECAST CONC. PARKING BLOCK**  
NTS

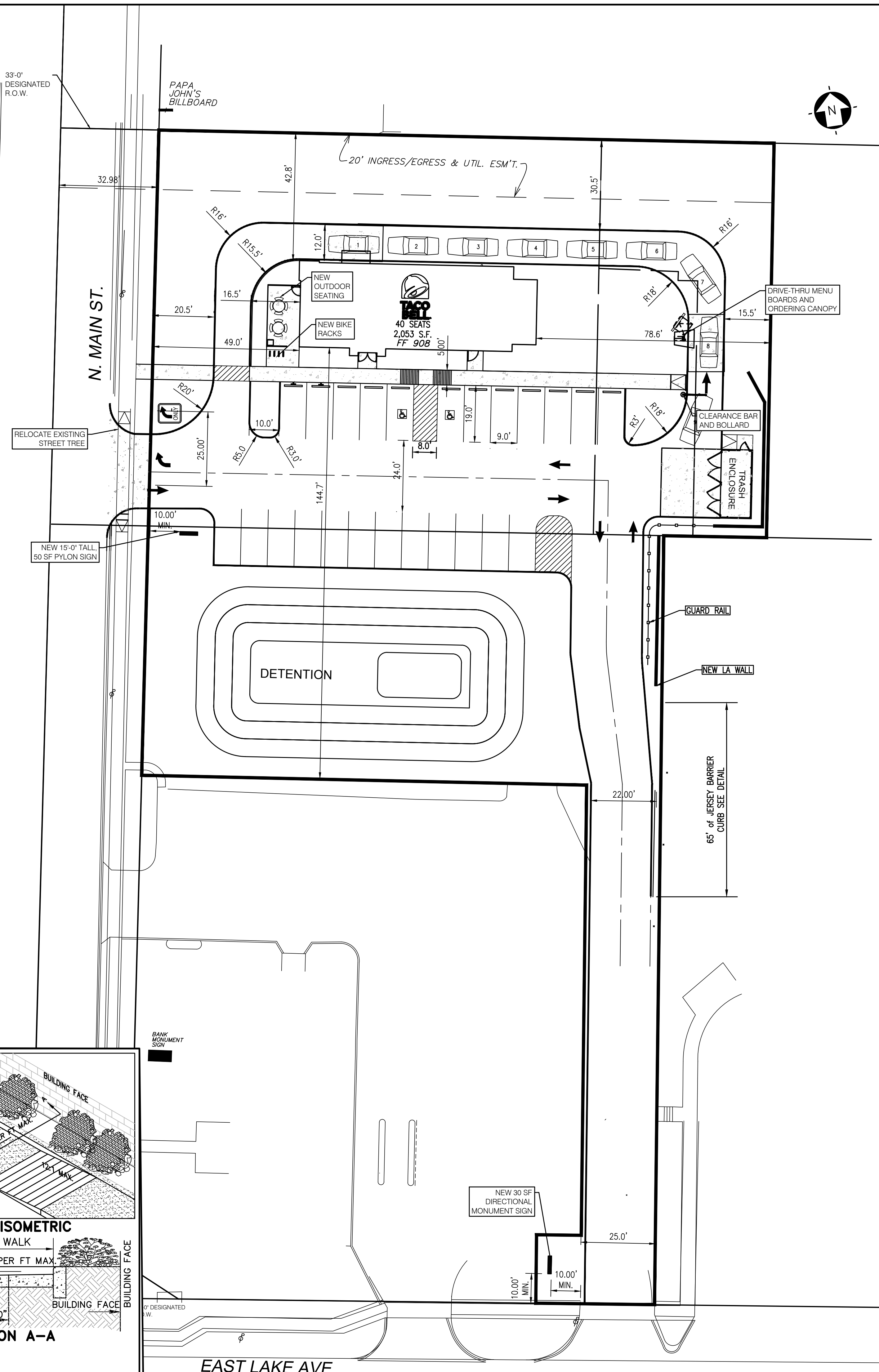


**HANDICAP BUILDING RAMP DETAIL**  
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**SECTION A-A**

MAIN STREET (S.R. 235) (66')



**GENERAL NOTES:**

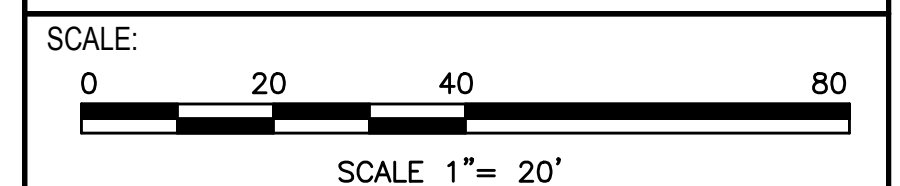
- ALL DRIVE WIDTHS, RADII AND PARKING ISLE DIMENSIONS ARE TO FACE OF CURB. COORDINATES ARE TO BACK OF CURB.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL BENCHMARKS AND CONTROL POINTS DURING CONSTRUCTION. ANY BENCHMARKS, CONTROL POINTS, OR PROPERTY CORNERS WHICH ARE DISTURBED DURING CONSTRUCTION WILL BE REPLACED AT THE COST OF THE CONTRACTOR.
- PRIOR TO PLACEMENT OF CURB, THE CONTRACTOR WILL MAKE APPROPRIATE FIELD ADJUSTMENTS TO PROVIDE PROPER ELEVATION AND ALIGNMENT WITH EXISTING CURBS AND CATCH BASINS.
- SHOULD EXISTING MANHOLES CONFLICT WITH THE PROPOSED CURB ALIGNMENT, THE CONTRACTOR SHALL MODIFY THE MANHOLE WITH AN ECCENTRIC CONE OR CONCENTRIC CONE AS PERMITTED TO ELIMINATE THE CURB CONFLICTS. IN NO CASE SHALL A MANHOLE BE CAST INTO THE CURB UNLESS SPECIFICALLY DIRECTED IN WRITING BY THE ENGINEER.
- THE ASPHALT PAVING SPECIFICATION SHALL BE AS DETAILED ON SHEET C-2.0
- CONCRETE WALKS/PADS SHALL BE A MINIMUM OF 5.0" OF 4,000 PSI CONCRETE (WITH 6% AIR ENTRAINMENT) PLACED ON 4" OF COMPACTED 30# BASE. REFER TO ARCHITECTURAL FOR DUMPSTER PAVING.
- CONTRACTOR TO COORDINATE AND VERIFY ALL FINAL BUILDING DIMENSIONS WITH ARCHITECTURAL DRAWINGS PRIOR TO CONSTRUCTION.
- NEW UTILITY AND STORM EASEMENTS ARE TO BE ALONG THE ALIGNMENTS AS CONSTRUCTED.
- FRONT ENTRY LITTER RECEPTACLES MUST BE BOLTED TO THE SIDEWALK AND SET WITH THE CENTER A 3' OFF OF STORE FRONT.

**PROJECT INFORMATION:**

**SITE ZONING:**  
CB - CENTRAL BUSINESS

**BUILDING AREA:**  
TOTAL BUILDING AREA 2,053 SF

**PARKING:**  
TOTAL PARKING PROVIDED = 24 SPACES  
TOTAL PARKING REQUIRED = 24 SPACES



| No. | DATE     | ISSUED                       | REV. |
|-----|----------|------------------------------|------|
| 1   | 02-28-24 | Planning Commission Comments | R    |
| 2   | 03-27-24 | Owner Revisions              | R    |
| .   | .        | .                            | .    |
| .   | .        | .                            | .    |
| .   | .        | .                            | .    |
| .   | .        | .                            | .    |
| .   | .        | .                            | .    |
| .   | .        | .                            | .    |
| .   | .        | .                            | .    |
| .   | .        | .                            | .    |

SEAL: DATE: \_\_\_\_\_

**Calibre Engineering**  
7700 Paragon Road, Suite C  
Centerville, OH 45459  
937.885.9380  
CalibreEng@aol.com

**TACO BELL**  
408 North Main Street  
New Carlisle, Ohio  
Fiesta Holdings, Inc  
3019 South Kettering Blvd  
Moraine, OH 45439

**C-2.0**  
LAYOUT PLAN











**1290.11 SIGNS PERMITTED IN GENERAL BUSINESS (GB) DISTRICTS.**

Sign requirements for General Business (GB) Districts are as follows:

(a) Permanent Ground Signs.

(1) One ground or free-standing sign is permitted for each principal structure.

(2) One free-standing sign is permitted for each zoning lot. Such signs shall be permitted up to 30 square feet in area per side, for lots 150 feet or less in frontage width, which may be increased at a ratio of one square foot for each two and one-half feet of lot frontage in excess of the initial 150 feet, up to a lot 300 feet wide. A principal structure having in excess of 300 feet of frontage may have one additional sign based upon the same ratio of one square foot of signage for each five feet over the initial 300 feet of frontage. The maximum size for any one sign is 50 square feet per face.

(3) When multiple-use zoning lots are involved, for each use on the zoning lot in addition to the initial use, 15 square feet of signage is permitted. The total area of free-standing signs shall not exceed 50% over the sign size originally permitted for the lot.

(4) For a non-corner lot with frontages on more than one street, each frontage may be treated as a separate frontage for the purpose of establishing permitted free-standing sign area and number.

(5) For a corner lot, the percentage of free-standing sign area permitted may be increased by 50% to a maximum of 75 square feet in area per face, provided that such a sign is oriented equally to both street frontages.

(6) Signs may not exceed 15 feet in height.

(7) Signs must be at least ten feet from any property lines.

(8) See Section [1290.15\(g\)](#) for additional regulatory provisions.

(Ord. 06-29. Passed 5-1-06; Ord. 10-47. Passed 12-6-10.)

**1290.12 SIGNS PERMITTED IN CENTRAL BUSINESS (CB) DISTRICTS.**

In consideration of the special characteristics of the City's Central Business (CB) District, i.e. lack of building setback, pedestrian orientation, historic character, etc., signage within the CB District is subject to all pertinent provisions for signage within the General Business (GB) District, with the exception of the following provisions:

(a) Permanent Ground Signs.

(1) Permanent ground signs shall be permitted only upon sites which have sufficient setback to comply with the required ten-foot setback from the right-of-way without blocking or impeding pedestrian accessibility.

(2) Only establishments which have an on-site off-street parking facility shall be permitted to have permanent ground signs.

(b) Projecting Signs.

- (1) Projecting signs shall not exceed 24 square feet per face.
- (2) Projection shall not exceed four feet beyond the building to which the sign is attached.
- (3) Such signs shall be set back a minimum of five feet from the pavement of the adjacent thoroughfare.
- (4) Projecting signs shall be positioned a minimum of eight feet and a maximum of 14 feet above the sidewalk.
- (5) Such signs shall be positioned so as not to block the view of adjacent projecting signs.
- (6) Such signs shall be proportional and in scale with the subject building, as well as compatible with the design, color, and material of the building they represent, as well as adjacent structures.
- (7) If illuminated, such projecting signs shall be illuminated from an external source only.

(c) Permanent Wall Signs. Permanent wall signs, if internally illuminated, shall be permitted 75% of the overall sign face standard for such signs as provided within the General Business (GB) District provisions.

(Ord. 06-29. Passed 5-1-06.)

**1290.15 GENERAL PROVISIONS FOR SPECIFIC TYPES OF SIGNS.**

(g) Permanent Ground Signs.

- (1) The Zoning Administrator may permit slight variation from the minimum street frontage spacing requirements for ground signs applicable in individual zoning districts if conflict with driveways, natural barriers, trees, and utility equipment is unavoidable.
- (2) Permanent ground signs shall be prohibited on parcels with street frontage less than 50 feet in width at the right-of-way lines unless otherwise expressly permitted in this sign code.



# City Manager Report

May 06, 2024

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## **A. DEPARTMENTAL REPORTS**

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

## **B. INFORMATIONAL ITEMS**

- Discussion Topics
  - Updated Study for the Addison-New Carlisle / 235 Split
  - Habitat for Humanity House Dedication #2
  - Charter Review Document
  - Boards and Commission Handbook
  - 05/20/24
    - Information submitted to Council regarding potential upcoming city programs such as Movie Nights, Seniors Registry, No-Knock Registry and more.
  - Upcoming Legislation
    - Chickens in city limits: First Read 05/20/24, Second Read and voting 06/03/24.
    - Bonding of certain city employees
    - Monroe Meadows TIF Legislation, round 1
    - Tax Budget – First Read June 17<sup>th</sup>, Second Read and voting July 1, 2024. Tax Budget must be adopted by July 15<sup>th</sup>.
  - Additional Discussion Topics

### Attachment Summary:

- Planning Department / Mayor's Court Report

### Motion Summary:

- None



# Planning Department Report Stats

Date: April 12, 2024-May 2, 2024

| Data Summary   | Mar 30-Apr 12 | Apr 13-May 2 |
|--|---------------|--------------|
| 1280.05 Additional Yard Height Requirements                    |               |              |
| 1280.03 Private Swimming Pools                                 | 1             |              |
| 1244.10 Zoning Permit Required                                 |               |              |
| 1290.03 Sign Permit Required                                   |               |              |
| 1290.08 Prohibited Signs                                       |               |              |
| 1290.17 Location of Signs                                      |               |              |
| 1290.20 Sign Construction and Maintenance                      |               |              |
| 1290.22 Sign Permit Application                                |               |              |
| 1290.23 Sign Permit Fees                                       |               |              |
| 1460.15 Abatement of Nuisance by the City; Cost Recovery       | 10            | 52           |
| 1460.23 Structural Soundness and Maintenance of Dwellings      | 3             | 3            |
| 1460.25 Exterior Property and Structure Exteriors; Residential | 2             | 15           |
| 1460.25 (a) Exterior Space                                     |               |              |
| 1460.25 (b) Exterior Maintenance                               | 1             | 4            |
| 1460.25 (c) Fences and Walls                                   | 2             |              |
| 1460.25 (d) Yards, Tall Grass & Weeds                          | 11            | 52           |
| 1460.25 (e) Hazards  | 1             | 4            |
| 1460.25 (f) Temporary Occupancy                                |               |              |
| 1460.25 (g) Storage  | 2             | 13           |
| 1460.25 (h) Drainage   |               |              |
| 1460.25 (i) Drainage Swales                                    |               |              |
| 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | 1             | 5            |
| 1460.25 (k) Sanitation   | 1             | 6            |
| 1460.25 (l) Swimming Pools                                     |               |              |
| 1460.25 (m) Open Fires   |               |              |
| 1460.26 Vegetation; Residential                                | 1             | 6            |
| 1460.28 Accessory Structures                                   |               |              |
| 1460.32 -Exterior Property and Structure Exteriors; Commercial |               |              |
| 1460.33 Vegetation; Commercial                                 |               |              |
| 1460.45 Donation Bins  |               |              |
| 1460.43 (c) On-Street Parking Limitations                      |               | 2            |

|  | Mar 30-Apr 12 | Apr 13-May 2 |       |
|--|---------------|--------------|-------|
| Total Violations                           | 37            | 171          | 208   |
| Total Properties Violated                  | 15            | 66           | 81    |
| Average Violations Per Property            | 2.47          | 3.86         | 3.89  |
| Abatement Complete                         |               | 2            | 1%    |
| Closed Violations                          | 16            | 48           | 3.08% |
| Sheriff's Dept.                            |               |              |       |
| Under Investigation                        |               |              |       |
| Vacant Property Violated                   |               |              |       |
| Work Order Issued                          |               |              |       |
| Nuisance Property List                     |               | 2            | 1.00% |
| # of Violations Submitted to Mayor's Court | 2             | 2            | 2.00% |
| Property Extensions Granted                |               | 7.00         | 3.00% |

### 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.

|   |   |   |
|---|---|---|
| 1460.43 (d) Parking on Private Property                     | 1 | 7 |
| 1460.44 Accessory Uses; Residential, Commercial, Industrial |   | 2 |

| Permit Date | Permit Type               | Main Status           | Parcel Address                              | Total Payments |
|-------------|---------------------------|-----------------------|---|----------------|
| 4/26/2024   | Dumpster                  | Approved              | 1003 WHITE PINE ST<br>NEW CARLISLE<br>45344 | \$ -           |
| 4/26/2024   | Swimming Pool             | Application<br>Denied | 1304 BUTTERNUT<br>DR                        | \$ -           |
| 4/26/2024   | Fence                     | Approved              | 1304 BUTTERNUT<br>DR                        | \$ 20.00       |
| 4/25/2024   | Sign                      | Approved              | 524 N MAIN ST                               | \$ 42.70       |
| 4/22/2024   | Change of Use / Occupancy | Approved              | 524 N MAIN ST                               | \$ 25.00       |
| 4/22/2024   | Sign                      | Approved              | 200 E. Lake Avenue                          | \$ 54.00       |
| 4/22/2024   | Change of Use / Occupancy | Approved              | 200 E. Lake Avenue                          | \$ 25.00       |
| 4/19/2024   | Sign                      | Approved              | 524 N MAIN ST                               | \$ 54.25       |
| 4/19/2024   | Sidewalk/Curb/Gutter      | Approved              | 105 VILLA DR                                | \$ 20.00       |
| 4/15/2024   | Food Truck/Trailer/Stand  | Approved              | 101 N MAIN ST                               | \$ 50.00       |



## Planning Department Report

Date: April 12, 2024-May 2, 2024

| Case # | Main Status       | Violation Date | Correction Deadline | Extension Date | Parcel Address                        | Violation Name   | Violation Status |
|--------|-------------------|----------------|---------------------|----------------|---------------------------------------|--|------------------|
| 1726   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 1029 BITTERSWEET DR                   | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1728   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 208 W WASHINGTON ST                   | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1730   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 105 S CLAY ST                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1731   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 217 W JEFFERSON ST NEW CARLISLE 45344 | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1733   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 322 S ADAMS ST                        | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1735   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 1003 EDGEBROOK AVE                    | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1737   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 611 W MADISON ST                      | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1739   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 310 W JEFFERSON ST NEW CARLISLE 45344 | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1740   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 110-116 ORTH DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1743   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 207 DEERFIELD DR NEW CARLISLE 45344   | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1744   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 209 DEERFIELD DR                      | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1745   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 216 ZIMMERMAN ST NEW CARLISLE 45344   | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1746   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 421 FALCON DR                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1748   | Closed            | 4/15/2024      | 4/22/2024           | 0              | 425 FALCON DR NEW CARLISLE 45344      | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1751   | Closed            | 4/23/2024      | 4/29/2024           | 0              | 240-246 ORTH DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1754   | Closed            | 4/23/2024      | 4/29/2024           | 5/1/2024       | 1101 KENNISON AVE                     | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1765   | Closed            | 4/25/2024      | 4/30/2024           | 0              | 300 DRAKE AVE                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Closed           |
| 1749   | Open              | 4/23/2024      | 4/29/2024           | 5/6/2024       | 801 W WASHINGTON ST                   | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1750   | Open              | 4/23/2024      | 4/28/2024           | 5/1/2024       | 307 GALEWOOD DR NEW CARLISLE 45344    | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1752   | Closed            | 4/24/2024      | 4/29/2024           | 0              | 415 S MAIN ST                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1755   | Open              | 4/23/2024      | 4/29/2024           | 0              | 1301 BUTTERNUT DR                     | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1756   | Open              | 4/23/2024      | 4/29/2024           | 5/3/2024       | 102 HILLCREST AVE                     | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1760   | City Abatement Co | 4/19/2024      | 4/24/2024           | 0              | 221 DRAKE AVE                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1761   | Open              | 4/23/2024      | 4/29/2024           | 5/6/2024       | 231 DRAKE AVE NEW CARLISLE 45344      | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1764   | Closed            | 4/25/2024      | 4/30/2024           | 0              | 217 DRAKE AVE                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1769   | Open              | 4/25/2024      | 4/30/2024           | 0              | 822 BAYBERRY DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |
| 1770   | Closed            | 4/25/2024      | 4/30/2024           | 0              | 826 PLUMWOOD DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery | Open             |

|      |        |           |           |   |                                       |   |        |
|------|--------|-----------|-----------|---|---------------------------------------|---|--------|
| 1772 | Closed | 4/25/2024 | 4/30/2024 | 0 | 625 SPINNING RD                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1776 | Closed | 4/25/2024 | 4/30/2024 | 0 | 306 RAWSON DR                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1779 | Closed | 4/25/2024 | 4/30/2024 | 0 | 233 RAWSON DR                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1785 | Open   | 4/25/2024 | 4/30/2024 | 0 | 343 PRENTICE DR NEW CARLISLE 45344    | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1786 | Open   | 4/29/2024 | 5/6/2024  | 0 | 722 SPINNING RD                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1787 | Open   | 4/29/2024 | 5/6/2024  | 0 | 723 SPINNING RD                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1788 | Open   | 4/29/2024 | 5/6/2024  | 0 | 314 GALEWOOD DR NEW CARLISLE 45344    | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1789 | Open   | 4/29/2024 | 5/7/2024  | 0 | 237 GALEWOOD DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1790 | Open   | 4/29/2024 | 5/6/2024  | 0 | 1003 BROOKFIELD DR                    | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1791 | Open   | 4/29/2024 | 5/6/2024  | 0 | 337 FENWICK DR                        | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1792 | Open   | 4/29/2024 | 5/6/2024  | 0 | 209 DRAKE AVE                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1793 | Closed | 4/29/2024 | 5/6/2024  | 0 | 233 DRAKE AVE                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1794 | Open   | 4/30/2024 | 5/7/2024  | 0 | 312 RAWSON DR                         | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1797 | Open   | 4/30/2024 | 5/7/2024  | 0 | 310 GALEWOOD DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1798 | Open   | 4/30/2024 | 5/6/2024  | 0 | 907 APPLEWOOD DR                      | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1803 | Open   | 4/30/2024 | 5/5/2024  | 0 | 319 N CHURCH ST                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1806 | Open   | 4/30/2024 | 5/5/2024  | 0 | 319 N CHURCH ST                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1807 | Open   | 5/1/2024  | 5/7/2024  | 0 | 312 S ADAMS ST                        | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1808 | Open   | 5/1/2024  | 5/6/2024  | 0 | 606 W JEFFERSON ST                    | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1810 | Open   | 5/1/2024  | 5/6/2024  | 0 | 513 N CHURCH ST NEW CARLISLE 45344    | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1812 | Open   | 5/1/2024  | 5/6/2024  | 0 | 501 N CHURCH ST                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1813 | Open   | 5/1/2024  | 5/7/2024  | 0 | 110 E LINCOLN ST                      | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1815 | Open   | 5/2/2024  | 5/7/2024  | 0 | 819 BAYBERRY DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1817 | Open   | 5/2/2024  | 5/7/2024  | 0 | 814 BAYBERRY DR                       | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1818 | Open   | 5/2/2024  | 5/7/2024  | 0 | 900 PEPPERWOOD DR                     | 1460.15 Abatement of Nuisance by the City; Cost Recovery  | Open   |
| 1759 | Open   | 4/23/2024 | 5/23/2024 | 0 | 102 HILLCREST AVE                     | 1460.23 Structural Soundness and Maintenance of Dwellings | Open   |
| 1800 | Open   | 4/30/2024 | 6/29/2024 | 0 | 319 N CHURCH ST                       | 1460.23 Structural Soundness and Maintenance of Dwellings | Open   |
| 1801 | Open   | 4/30/2024 | 5/15/2024 | 0 | 319 N CHURCH ST                       | 1460.23 Structural Soundness and Maintenance of Dwellings | Open   |
| 1729 | Open   | 4/15/2024 | 5/15/2024 | 0 | 208 W WASHINGTON ST                   | 1460.25 (b) Exterior Maintenance                          | Open   |
| 1736 | Open   | 4/15/2024 | 5/17/2024 | 0 | 1003 EDGEBROOK AVE                    | 1460.25 (b) Exterior Maintenance                          | Open   |
| 1800 | Open   | 4/30/2024 | 6/29/2024 | 0 | 319 N CHURCH ST                       | 1460.25 (b) Exterior Maintenance                          | Open   |
| 1801 | Open   | 4/30/2024 | 5/15/2024 | 0 | 319 N CHURCH ST                       | 1460.25 (b) Exterior Maintenance                          | Open   |
| 1726 | Closed | 4/15/2024 | 4/22/2024 | 0 | 1029 BITTERSWEET DR                   | 1460.25 (d) Yards, Tall Grass & Weeds                     | Closed |
| 1728 | Closed | 4/15/2024 | 4/22/2024 | 0 | 208 W WASHINGTON ST                   | 1460.25 (d) Yards, Tall Grass & Weeds                     | Closed |
| 1730 | Closed | 4/15/2024 | 4/22/2024 | 0 | 105 S CLAY ST                         | 1460.25 (d) Yards, Tall Grass & Weeds                     | Closed |
| 1731 | Closed | 4/15/2024 | 4/22/2024 | 0 | 217 W JEFFERSON ST NEW CARLISLE 45344 | 1460.25 (d) Yards, Tall Grass & Weeds                     | Closed |
| 1733 | Closed | 4/15/2024 | 4/22/2024 | 0 | 322 S ADAMS ST                        | 1460.25 (d) Yards, Tall Grass & Weeds                     | Closed |
| 1735 | Closed | 4/15/2024 | 4/22/2024 | 0 | 1003 EDGEBROOK AVE                    | 1460.25 (d) Yards, Tall Grass & Weeds                     | Closed |
| 1737 | Closed | 4/15/2024 | 4/22/2024 | 0 | 611 W MADISON ST                      | 1460.25 (d) Yards, Tall Grass & Weeds                     | Closed |

|      |        |           |           |          |                                       |                                       |        |
|------|--------|-----------|-----------|----------|---------------------------------------|---------------------------------------|--------|
| 1739 | Closed | 4/15/2024 | 4/22/2024 | 0        | 310 W JEFFERSON ST NEW CARLISLE 45344 | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1740 | Closed | 4/15/2024 | 4/22/2024 | 0        | 110-116 ORTH DR                       | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1743 | Closed | 4/15/2024 | 4/22/2024 | 0        | 207 DEERFIELD DR NEW CARLISLE 45344   | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1744 | Closed | 4/15/2024 | 4/22/2024 | 0        | 209 DEERFIELD DR                      | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1745 | Closed | 4/15/2024 | 4/22/2024 | 0        | 216 ZIMMERMAN ST NEW CARLISLE 45344   | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1746 | Closed | 4/15/2024 | 4/22/2024 | 0        | 421 FALCON DR                         | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1748 | Closed | 4/15/2024 | 4/22/2024 | 0        | 425 FALCON DR NEW CARLISLE 45344      | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1751 | Closed | 4/23/2024 | 4/29/2024 | 0        | 240-246 ORTH DR                       | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1754 | Closed | 4/23/2024 | 4/29/2024 | 5/1/2024 | 1101 KENNISON AVE                     | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1765 | Closed | 4/25/2024 | 4/30/2024 | 0        | 300 DRAKE AVE                         | 1460.25 (d) Yards, Tall Grass & Weeds | Closed |
| 1749 | Open   | 4/23/2024 | 4/29/2024 | 5/6/2024 | 801 W WASHINGTON ST                   | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1750 | Open   | 4/23/2024 | 4/28/2024 | 5/1/2024 | 307 GALEWOOD DR NEW CARLISLE 45344    | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1752 | Closed | 4/24/2024 | 4/29/2024 | 0        | 415 S MAIN ST                         | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1755 | Open   | 4/23/2024 | 4/29/2024 | 0        | 1301 BUTTERNUT DR                     | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1756 | Open   | 4/23/2024 | 4/29/2024 | 5/3/2024 | 102 HILLCREST AVE                     | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1761 | Open   | 4/23/2024 | 4/29/2024 | 5/6/2024 | 231 DRAKE AVE NEW CARLISLE 45344      | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1764 | Closed | 4/25/2024 | 4/30/2024 | 0        | 217 DRAKE AVE                         | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1769 | Open   | 4/25/2024 | 4/30/2024 | 0        | 822 BAYBERRY DR                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1770 | Closed | 4/25/2024 | 4/30/2024 | 0        | 826 PLUMWOOD DR                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1772 | Closed | 4/25/2024 | 4/30/2024 | 0        | 625 SPINNING RD                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1776 | Closed | 4/25/2024 | 4/30/2024 | 0        | 306 RAWSON DR                         | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1779 | Closed | 4/25/2024 | 4/30/2024 | 0        | 233 RAWSON DR                         | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1785 | Open   | 4/25/2024 | 4/30/2024 | 0        | 343 PRENTICE DR NEW CARLISLE 45344    | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1786 | Open   | 4/29/2024 | 5/6/2024  | 0        | 722 SPINNING RD                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1787 | Open   | 4/29/2024 | 5/6/2024  | 0        | 723 SPINNING RD                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1788 | Open   | 4/29/2024 | 5/6/2024  | 0        | 314 GALEWOOD DR NEW CARLISLE 45344    | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1789 | Open   | 4/29/2024 | 5/7/2024  | 0        | 237 GALEWOOD DR                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1790 | Open   | 4/29/2024 | 5/6/2024  | 0        | 1003 BROOKFIELD DR                    | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1791 | Open   | 4/29/2024 | 5/6/2024  | 0        | 337 FENWICK DR                        | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1792 | Open   | 4/29/2024 | 5/6/2024  | 0        | 209 DRAKE AVE                         | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1793 | Closed | 4/29/2024 | 5/6/2024  | 0        | 233 DRAKE AVE                         | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1794 | Open   | 4/30/2024 | 5/7/2024  | 0        | 312 RAWSON DR                         | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1797 | Open   | 4/30/2024 | 5/7/2024  | 0        | 310 GALEWOOD DR                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1798 | Open   | 4/30/2024 | 5/6/2024  | 0        | 907 APPLEWOOD DR                      | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1803 | Open   | 4/30/2024 | 5/5/2024  | 0        | 319 N CHURCH ST                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1806 | Open   | 4/30/2024 | 5/5/2024  | 0        | 319 N CHURCH ST                       | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1807 | Open   | 5/1/2024  | 5/7/2024  | 0        | 312 S ADAMS ST                        | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1808 | Open   | 5/1/2024  | 5/6/2024  | 0        | 606 W JEFFERSON ST                    | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |
| 1810 | Open   | 5/1/2024  | 5/6/2024  | 0        | 513 N CHURCH ST NEW CARLISLE 45344    | 1460.25 (d) Yards, Tall Grass & Weeds | Open   |

|      |        |           |           |           |                                    |  |        |
|------|--------|-----------|-----------|-----------|------------------------------------|--|--------|
| 1812 | Open   | 5/1/2024  | 5/6/2024  | 0         | 501 N CHURCH ST                    | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open   |
| 1813 | Open   | 5/1/2024  | 5/7/2024  | 0         | 110 E LINCOLN ST                   | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open   |
| 1815 | Open   | 5/2/2024  | 5/7/2024  | 0         | 819 BAYBERRY DR                    | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open   |
| 1817 | Open   | 5/2/2024  | 5/7/2024  | 0         | 814 BAYBERRY DR                    | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open   |
| 1818 | Open   | 5/2/2024  | 5/7/2024  | 0         | 900 PEPPERWOOD DR                  | 1460.25 (d) Yards, Tall Grass & Weeds                          | Open   |
| 1732 | Closed | 4/15/2024 | 4/22/2024 | 0         | 403-405 W JACKSON ST               | 1460.25 (e) Hazards  | Closed |
| 1762 | Closed | 4/25/2024 | 4/27/2024 | 0         | 620 COLONY TRAIL                   | 1460.25 (e) Hazards  | Open   |
| 1763 | Open   | 4/25/2024 | 4/27/2024 | 0         | 501 COLONY TR                      | 1460.25 (e) Hazards  | Open   |
| 1782 | Closed | 4/25/2024 | 4/30/2024 | 0         | 311 FENWICK DR NEW CARLISLE 45344  | 1460.25 (e) Hazards  | Open   |
| 1727 | Closed | 4/15/2024 | 4/26/2024 | 0         | 1029 BITTERSWEET DR                | 1460.25 (g) Storage  | Closed |
| 1738 | Closed | 4/15/2024 | 4/22/2024 | 0         | 216-222 ORTH DR                    | 1460.25 (g) Storage  | Closed |
| 1747 | Closed | 4/15/2024 | 4/26/2024 | 0         | 421 FALCON DR                      | 1460.25 (g) Storage  | Closed |
| 1753 | Open   | 4/24/2024 | 4/29/2024 | 5/2/2024  | 415 S MAIN ST                      | 1460.25 (g) Storage  | Open   |
| 1766 | Open   | 4/25/2024 | 4/30/2024 | 5/31/2024 | 800 BAYBERRY DR                    | 1460.25 (g) Storage  | Open   |
| 1773 | Closed | 4/25/2024 | 4/30/2024 | 0         | 625 SPINNING RD                    | 1460.25 (g) Storage  | Open   |
| 1777 | Open   | 4/25/2024 | 4/30/2024 | 0         | 306 RAWSON DR                      | 1460.25 (g) Storage  | Open   |
| 1778 | Closed | 4/25/2024 | 4/30/2024 | 0         | 612 WILLOWICK DR                   | 1460.25 (g) Storage  | Open   |
| 1782 | Closed | 4/25/2024 | 4/30/2024 | 0         | 311 FENWICK DR NEW CARLISLE 45344  | 1460.25 (g) Storage  | Open   |
| 1783 | Open   | 4/25/2024 | 5/6/2024  | 0         | 224 GALEWOOD DR NEW CARLISLE 45344 | 1460.25 (g) Storage  | Open   |
| 1799 | Open   | 4/30/2024 | 5/6/2024  | 0         | 907 APPLEWOOD DR                   | 1460.25 (g) Storage  | Open   |
| 1805 | Open   | 4/30/2024 | 5/8/2024  | 0         | 319 N CHURCH ST                    | 1460.25 (g) Storage  | Open   |
| 1816 | Open   | 5/2/2024  | 5/7/2024  | 0         | 819 BAYBERRY DR                    | 1460.25 (g) Storage  | Open   |
| 1757 | Open   | 4/23/2024 | 4/25/2024 | 0         | 102 HILLCREST AVE                  | 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | Open   |
| 1758 | Open   | 4/23/2024 | 4/26/2024 | 0         | 102 HILLCREST AVE                  | 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | Open   |
| 1774 | Closed | 4/25/2024 | 4/27/2024 | 0         | 1015 W LAKE AVE NEW CARLISLE 45344 | 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | Open   |
| 1775 | Open   | 4/25/2024 | 4/27/2024 | 0         | 721 SPINNING RD                    | 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | Open   |
| 1796 | Open   | 4/30/2024 | 5/7/2024  | 0         | 312 RAWSON DR                      | 1460.25 (j) Junk, Inoperable, Unlicensed Vehicle               | Open   |
| 1734 | Closed | 4/15/2024 | 4/22/2024 | 0         | 322 S ADAMS ST                     | 1460.25 (k) Sanitation   | Closed |
| 1747 | Closed | 4/15/2024 | 4/26/2024 | 0         | 421 FALCON DR                      | 1460.25 (k) Sanitation   | Closed |
| 1753 | Open   | 4/24/2024 | 4/29/2024 | 5/2/2024  | 415 S MAIN ST                      | 1460.25 (k) Sanitation   | Open   |
| 1766 | Open   | 4/25/2024 | 4/30/2024 | 5/31/2024 | 800 BAYBERRY DR                    | 1460.25 (k) Sanitation   | Open   |
| 1777 | Open   | 4/25/2024 | 4/30/2024 | 0         | 306 RAWSON DR                      | 1460.25 (k) Sanitation   | Open   |
| 1782 | Closed | 4/25/2024 | 4/30/2024 | 0         | 311 FENWICK DR NEW CARLISLE 45344  | 1460.25 (k) Sanitation   | Open   |
| 1727 | Closed | 4/15/2024 | 4/26/2024 | 0         | 1029 BITTERSWEET DR                | 1460.25 Exterior Property and Structure Exteriors; Residential | Closed |
| 1734 | Closed | 4/15/2024 | 4/22/2024 | 0         | 322 S ADAMS ST                     | 1460.25 Exterior Property and Structure Exteriors; Residential | Closed |
| 1738 | Closed | 4/15/2024 | 4/22/2024 | 0         | 216-222 ORTH DR                    | 1460.25 Exterior Property and Structure Exteriors; Residential | Closed |
| 1741 | Closed | 4/15/2024 | 4/26/2024 | 0         | 110-116 ORTH DR                    | 1460.25 Exterior Property and Structure Exteriors; Residential | Closed |
| 1747 | Closed | 4/15/2024 | 4/26/2024 | 0         | 421 FALCON DR                      | 1460.25 Exterior Property and Structure Exteriors; Residential | Closed |
| 1729 | Open   | 4/15/2024 | 5/15/2024 | 0         | 208 W WASHINGTON ST                | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |

|      |        |           |           |           |                                    |  |        |
|------|--------|-----------|-----------|-----------|------------------------------------|--|--------|
| 1736 | Open   | 4/15/2024 | 5/17/2024 | 0         | 1003 EDGEBROOK AVE                 | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1753 | Open   | 4/24/2024 | 4/29/2024 | 5/2/2024  | 415 S MAIN ST                      | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1766 | Open   | 4/25/2024 | 4/30/2024 | 5/31/2024 | 800 BAYBERRY DR                    | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1773 | Closed | 4/25/2024 | 4/30/2024 | 0         | 625 SPINNING RD                    | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1777 | Open   | 4/25/2024 | 4/30/2024 | 0         | 306 RAWSON DR                      | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1782 | Closed | 4/25/2024 | 4/30/2024 | 0         | 311 FENWICK DR NEW CARLISLE 45344  | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1799 | Open   | 4/30/2024 | 5/6/2024  | 0         | 907 APPLEWOOD DR                   | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1805 | Open   | 4/30/2024 | 5/8/2024  | 0         | 319 N CHURCH ST                    | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1816 | Open   | 5/2/2024  | 5/7/2024  | 0         | 819 BAYBERRY DR                    | 1460.25 Exterior Property and Structure Exteriors; Residential | Open   |
| 1727 | Closed | 4/15/2024 | 4/26/2024 | 0         | 1029 BITTERSWEET DR                | 1460.26 Vegetation; Residential                                | Closed |
| 1741 | Closed | 4/15/2024 | 4/26/2024 | 0         | 110-116 ORTH DR                    | 1460.26 Vegetation; Residential                                | Closed |
| 1767 | Open   | 4/25/2024 | 4/30/2024 | 5/31/2024 | 800 BAYBERRY DR                    | 1460.26 Vegetation; Residential                                | Open   |
| 1768 | Closed | 4/25/2024 | 4/30/2024 | 0         | 710 BAYBERRY DR                    | 1460.26 Vegetation; Residential                                | Open   |
| 1795 | Open   | 4/30/2024 | 5/7/2024  | 0         | 312 RAWSON DR                      | 1460.26 Vegetation; Residential                                | Open   |
| 1804 | Open   | 4/30/2024 | 5/6/2024  | 0         | 319 N CHURCH ST                    | 1460.26 Vegetation; Residential                                | Open   |
| 1809 | Open   | 5/1/2024  | 5/3/2024  | 0         | 194 N HENRY ST                     | 1460.43 (c) On-Street Parking Limitations.                     | Open   |
| 1811 | Closed | 5/1/2024  | 5/3/2024  | 0         | 312 PRENTICE DR NEW CARLISLE 45344 | 1460.43 (c) On-Street Parking Limitations.                     | Open   |
| 1742 | Closed | 4/15/2024 | 4/19/2024 | 0         | 110-116 ORTH DR                    | 1460.43 (d) Parking on Private Property                        | Closed |
| 1771 | Closed | 4/25/2024 | 4/27/2024 | 0         | 603 WILLOWICK DR                   | 1460.43 (d) Parking on Private Property                        | Open   |
| 1780 | Closed | 4/25/2024 | 4/27/2024 | 0         | 311 RAWSON DR                      | 1460.43 (d) Parking on Private Property                        | Open   |
| 1781 | Closed | 4/25/2024 | 4/27/2024 | 0         | 333 FENWICK DR                     | 1460.43 (d) Parking on Private Property                        | Open   |
| 1784 | Open   | 4/25/2024 | 5/5/2024  | 0         | 224 GALEWOOD DR NEW CARLISLE 45344 | 1460.43 (d) Parking on Private Property                        | Open   |
| 1802 | Open   | 4/30/2024 | 5/5/2024  | 0         | 319 N CHURCH ST                    | 1460.43 (d) Parking on Private Property                        | Open   |
| 1814 | Open   | 5/1/2024  | 5/3/2024  | 0         | 205 N Pike                         | 1460.43 (d) Parking on Private Property                        | Open   |
| 1809 | Open   | 5/1/2024  | 5/3/2024  | 0         | 194 N HENRY ST                     | 1460.44 Accessory Uses; Residential, Commercial, Industrial    | Open   |
| 1814 | Open   | 5/1/2024  | 5/3/2024  | 0         | 205 N Pike                         | 1460.44 Accessory Uses; Residential, Commercial, Industrial    | Open   |



**CITY OF NEW CARLISLE MAYOR'S COURT**



**Court Report April 23, 2024**

Phipps, James of New Carlisle pled to amended charge of Operating a Motor Vehicle without a license. Fined \$200 plus court cost.

**PAID THROUGH VIOLATION BUREAU**

Baughman, Sherri of Tipp City, Parking within 30 feet of approach, flashing light, stop sign & parking at any place where signs prohibit stopping, standing or parking or where curb is painted yellow, \$80

Brown, Terry of Medway, Improper Backing, \$150

Fuentes, Maria of New Carlisle, Speed 51/35, \$245

Francis, Shirley of New Carlisle, Speed 40/25, \$235

Franks, Lori A of New Carlisle, Parking of vehicles with expired tags on roadway, \$40

Rothery, Alex of Springfield, Operating a Motor Vehicle without a License (Expired) \$220

Wright, Matthew of New Carlisle, Speed 47/35, \$235

Wedding, Ellyette M of Saint Mary's, Parking on Sidewalk, curb or street lawn area, \$40 (plus fee)

# ORDINANCE 2024-18

## AN ORDINANCE AMENDING SECTION 1460.26 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING RESIDENTIAL VEGETATION

**WHEREAS**, Chapter 1460 of the Codified Ordinances of the City of New Carlisle sets forth the City's Exterior Property Maintenance Code; and

**WHEREAS**, Section 1460.26 specifically addresses residential vegetation; and

**WHEREAS**, the members of City Council frequently communicate with their constituents about matters affecting their constituents' daily lives; and

**WHEREAS**, based on citizen feedback, City Council recognizes the need to amend the Exterior Property Maintenance Code to provide citizens with more flexibility concerning property rights while still ensuring the aesthetics and safety of the community.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS** that Section 1460.26 of the Codified Ordinances of the City of New Carlisle be amended as follows:

### **1460.26 VEGETATION; RESIDENTIAL.**

(a) Vegetation Cutting Required. All grass, weeds or rank vegetation shall be periodically cut and in no case shall exceed a height of ~~six~~ *eight* inches.

(b) Maintenance of Plantings. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation or otherwise considered dangerous to other plant material, shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Bill Cook, MAYOR

\_\_\_\_\_  
Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

\_\_\_\_\_  
Jacob M. Jeffries, DIRECTOR OF LAW

Ordinance Requested by  
Councilman William Lindsey

\_\_\_\_\_  
William Lindsey, Councilman

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: 04/15/24  
Action: 05/06/24  
Effective: 05/21/24

# **ORDINANCE 2024-19**

## **AN ORDINANCE AMENDING SECTION 1460.43 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING THE PARKING OF PASSENGER, COMMERCIAL AND HEAVY VEHICLES**

**WHEREAS**, Chapter 1460 of the Codified Ordinances of the City of New Carlisle sets forth the City's Exterior Property Maintenance Code; and

**WHEREAS**, Section 1460.43 specifically addresses the parking of passenger, commercial and heavy vehicles; and

**WHEREAS**, the members of City Council frequently communicate with their constituents about matters affecting their constituents' daily lives; and

**WHEREAS**, based on citizen feedback, City Council recognizes the need to amend the Exterior Property Maintenance Code to provide citizens with more flexibility concerning property rights while still ensuring the aesthetics and safety of the community.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS** that Section 1460.43 of the Codified Ordinances of the City of New Carlisle be amended as follows:

### **1460.43 PARKING OF PASSENGER, COMMERCIAL AND HEAVY VEHICLES; RESIDENTIAL, COMMERCIAL OR INDUSTRIAL.**

(a) Definitions. As used in this section:

- (1) "Bus" means a motor vehicle designed for carrying more than nine passengers.
- (2) "Large vehicle" means a vehicle fitting the definition set forth in R.C. § 4506.01(D).
- (3) "Motor home" means a self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, the cooking and consuming of food, and sleeping, and which is greater than 92 inches in height, 72 inches in width or 227 inches in length.
- (4) "School bus" means every bus designed for carrying more than nine passengers which is owned by a public, private or governmental agency or institution of learning and which is operated for the transportation of children to or from a school session or a school function, or which is owned by a private person and operated for compensation for the transportation of children to or from a school session or a school function.
- (5) "Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure and for being drawn by a motor vehicle, including any such vehicle when formed by or operated as a combination of a semitrailer and a vehicle of the dolly type.
- (6) "Passenger car" means any motor vehicle that is designed and used for carrying not more than nine persons and includes any motor vehicle that is designed and used for carrying not more than fifteen persons in a ridesharing arrangement per R.C. § 4501.01.

(b) Truck Routes. No person may operate a vehicle, the operation of which requires a commercial driver's license pursuant to R.C. § 4506.03, such as a commercial tractor, agricultural tractor, truck, bus (other than a school bus being operated for the transportation of children to or from a school session or a school function), trailer, or semitrailer on any street within the residential districts of the City, other than truck routes as designated by ordinance.

(c) On-Street Parking Limitations.

(1) While parked on a City street, all trailers must remain attached to the prime motor vehicle. No trailer may be set on a landing gear, "dully" or similar device.

(2) No person may park on any street within a residential district of the City a vehicle, the operation of which requires a commercial driver's license pursuant to R.C. § 4506.03, such as a school bus, commercial tractor, agricultural tractor, truck, bus, trailer, semitrailer, motor home, vehicle storage or transport van, or any vehicle with more than one and one-half ton carrying capacity.

(d) Parking on Private Property.

(1) Parking on private property is only permitted on a stable surface such as asphalt, concrete, or crushed limestone gravel, #2 gravel or pavers. ~~Loose gravel~~, Grass or dirt surfaces may not be used. The parking area may not drain surface water onto an abutting property. *No visible grass or weeds may be permitted to grow underneath any vehicle parked on private property.*

(2) No large vehicle, motor home, boat, vehicle storage or transport van, trailer, bus, or similar vehicle may materially impede vision across a required minimum front yard or side yard setback as set forth in Chapters 1248 through 1280 of the Municipal Code.

(e) Exceptions. The restrictions set forth in this section do not apply to the following:

(1) Loading and unloading of motor homes and recreational vehicles that exceed the size standards stated above for a reasonable length of time, not to exceed ~~48~~ 72 hours.

(2) ~~The above mentioned time limits may be extended by the City Manager. A written request explaining special circumstances is required.~~ *Not more than twice per calendar year, up to an additional 72 hours, consecutive to the first 72-hour period, shall be permitted as long as the City is notified in writing and in advance of such extended time.*

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Bill Cook, MAYOR

\_\_\_\_\_  
Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

\_\_\_\_\_  
Jacob M. Jeffries, DIRECTOR OF LAW

Ordinance Requested by  
Councilman William Lindsey  
  
\_\_\_\_\_  
William Lindsey, Councilman

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: 04/15/24  
Action: 05/06/24  
Effective: 05/21/24

# **ORDINANCE 2024-20**

## **AN ORDINANCE AMENDING SECTION 1460.44 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING ACCESSORY USES FOR RECREATIONAL VEHICLES AND EQUIPMENT, AND OVERNIGHT PARKING**

**WHEREAS**, Chapter 1460 of the Codified Ordinances of the City of New Carlisle sets forth the City's Exterior Property Maintenance Code; and

**WHEREAS**, Section 1460.44 specifically addresses accessory uses for recreational vehicles and equipment, and overnight parking; and

**WHEREAS**, the members of City Council frequently communicate with their constituents about matters affecting their constituents' daily lives; and

**WHEREAS**, based on citizen feedback, City Council recognizes the need to amend the Exterior Property Maintenance Code to provide citizens with more flexibility concerning property rights while still ensuring the aesthetics and safety of the community.

**NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS** that Section 1460.44 of the Codified Ordinances of the City of New Carlisle be amended as follows:

### **1460.44 ACCESSORY USES; RESIDENTIAL, COMMERCIAL OR INDUSTRIAL.**

(a) Recreational vehicles and equipment are subject to the following conditions:

(1) Recreational vehicles and equipment as defined in Paragraph (105) of Section 1240.05 must be parked or stored entirely within an enclosed building, or parked or stored in a side or rear yard but not closer than ~~ten~~ five feet to a *side or rear yard lot line*. All recreational vehicles and equipment must be parked on an approved, stable surface such as concrete, asphalt, ~~or~~ crushed limestone gravel, #2 gravel or pavers. *No visible grass or weeds may be permitted to grow underneath any recreational vehicle or equipment parked or stored on private property.*

(2) In the case of a corner lot, the street side yard shall be considered a front yard and no recreational vehicles or equipment may be parked or stored thereupon.

(3) No recreational vehicles or equipment may be parked or stored on any public roadway.

(4) No camping or recreational vehicles or equipment may have fixed connections to ~~electricity, gas, water~~ or sanitary sewer facilities, nor may such vehicles or equipment be used as a dwelling. *Connections for electricity via a shoreline or water shall be permitted for cleaning or loading and unloading only.*

(b) Overnight (i.e., 10:00 p.m. to 7:00 a.m.) parking or storage of semi-tractors, semi-trailers, buses, school buses, commercial vehicles, trucks over 1.5-ton rated capacity or mobile homes is strictly prohibited on any public roadway or private property in any zoning district within the corporate limits of the City except an Industrial (I) District. Parking in an I District is permitted only on an approved surface.

(c) The following exceptions apply to this section:

(1) Camping and other recreational equipment may be parked in a required front yard or corner lot side yard for loading and unloading purposes for a period not to exceed ~~48~~ 72 hours and only on an approved surface.

~~(2) Time limits may be extended by the City Manager due to special circumstances upon written request. Not more than twice per calendar year, up to an additional 72 hours, consecutive to the first 72-hour period, shall be permitted as long as the City is notified in writing and in advance of such extended time.~~

~~(3) A conditional use permit may be granted by the Planning Board.~~

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Bill Cook, MAYOR

\_\_\_\_\_  
Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

\_\_\_\_\_  
Jacob M. Jeffries, DIRECTOR OF LAW

Ordinance Requested by  
Councilman William Lindsey  
  
\_\_\_\_\_  
William Lindsey, Councilman

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: 04/15/24  
Action: 05/06/24  
Effective: 05/21/24

**ORDINANCE 2024-21**

AN ORDINANCE AMENDING CHAPTER 1066 OF THE CODIFIED ORDINANCES  
OF THE CITY OF NEW CARLISLE, OHIO TO REVISE CEMETERY FEES

**WHEREAS**, Chapter 1066 of the Codified Ordinances establishes the cemetery fees and general operating procedures for the New Carlisle Cemetery; and

**WHEREAS**, Section 1066.08 sets forth the fees for lot purchases, opening and closing of graves, and cremations, while Section 1066.13 does the same for markers and headstones; and

**WHEREAS**, the cemetery fees have not changed since 2020; and

**WHEREAS**, after a review of the cemetery fees, it has been determined that the fees should be increased in order to avoid shortfalls.

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

**SECTION 1.** Chapter 1066 is amended in accordance with the attached exhibits as follows:

- Section 1066.08 – See Exhibit A
- Section 1066.13 – See Exhibit B

**SECTION 2.** All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

**SECTION 3.** The revised cemetery fees will go into effect on June 4, 2024.

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: 05/06/2024  
Action: 05/20/2024  
Effective: 06/04/2024

**EXHIBIT A**

**1066.08 CHARGES FOR LOT PURCHASE, OPENING AND CLOSING OF GRAVES, AND CREMATIONS.**

(a) Charges for lot purchase, opening and closing of graves and cremation shall be reviewed annually by the City Manager.

(b) The charges for interments, disinterments and cremations are as follows:

|   |                                    |                       |                   |
|---|------------------------------------|-----------------------|-------------------|
| Interment   | Monday through Friday              | <del>\$800.00</del>   | <i>\$1,300.00</i> |
|   | Saturday (see division (d))        | <del>\$1,100.00</del> | <i>\$1,600.00</i> |
|   | Sunday/Holiday (see division (d))* | <del>\$1,300.00</del> | <i>\$1,800.00</i> |
| Cremation/Infant Interment:                             | Monday through Friday              | <del>\$300.00</del>   | <i>\$350.00</i>   |
|   | Saturday (see division (d))        | <del>\$400.00</del>   | <i>\$450.00</i>   |
|   | Sunday/Holiday (see division (d))* | <del>\$500.00</del>   | <i>\$550.00</i>   |
| Disinterment:   | Regular                            | <del>\$2,000.00</del> | <i>\$3,500.00</i> |
|   | Infant/cremation                   | <del>\$800.00</del>   | <i>\$1,000.00</i> |
| *Holiday fees prevail on all legally observed holidays. |                                    |                       |                   |

(c) Funerals entering the cemetery before 10:00 a.m. or after 4:00 p.m. shall be charged an additional fee of two hundred dollars (\$200.00).

(d) Funerals entering the cemetery on Saturday or Sunday/Holiday after 2:00 p.m. add two hundred dollars (\$200.00).

(e) The prices of lots are as follows:

|                                | <i>Resident</i>     |                 | <i>Nonresident</i>  |                   |
|--------------------------------|---------------------|-----------------|---------------------|-------------------|
| Grave                          | <del>\$600.00</del> | <i>\$900.00</i> | <del>\$650.00</del> | <i>\$1,200.00</i> |
| Infant grave (Infant Section)  | \$150.00            |                 | <del>\$150.00</del> | <i>\$200.00</i>   |
| Infant grave (Regular Section) | \$600.00            |                 | <del>\$650.00</del> | <i>\$700.00</i>   |



**EXHIBIT B**

**1066.13 MARKERS AND HEADSTONES.**

- (a) Headstones are permitted in the cemetery according to plat plans in use as of the effective date of this chapter.
- (b) Charges for markers and foundations are as follows:

|                             |   |
|-----------------------------|---|
| Foundations                 | <del>\$0.70</del> <i>\$0.80 per square inch</i> |
| Lawn markers without cement | <del>\$175.00</del> <i>\$200.00</i>             |
| Government markers          | \$150.00  |

- (c) Section M graves and after will have an added price of \$150.00 for each grave, to cover the cost of the foundations.