



CITY COUNCIL REGULAR MEETING PACKET

August 5, 2024 @ 6:00pm Heritage Hall in Smith Park

1. Call to Order: Mayor Bill Cook
2. Roll Call: Clerk of Council
3. Invocation:
4. Pledge of Allegiance:
5. Action on Minutes: 07/15/24 Regular Session
6. Communications: (a) Announcement of City Council Vacant Seat
(b) Matt Mills, Tecumseh Local School Board Member
(c) Gary Keener, Woodworker for the dais project
7. City Manager's Report: Attached
8. Committee Reports:
9. Comments from Members of the Public: *Comments limited to 5 minutes or less

10. RESOLUTIONS: (1 - Intro; 1 - Action*)

***A. Resolution 2024-08R (Introduction, Public Hearing and Action Tonight)**

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

11. ORDINANCES: (7-Intro; – 5-Action*)

***A. Ordinance 2024-34 (Introduced on 07/15/24. Public Hearing and Action Tonight)**

AN ORDINANCE AMENDING SECTION 1060.99 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING GARBAGE AND RUBBISH COLLECTION AND DISPOSAL

***B. Ordinance 2024-35 (Introduced on 07/15/24. Public Hearing and Action Tonight)**

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NEW CARLISLE PROPOSED AMENDMENTS TO THE PREAMBLE AND ARTICLES II AND III OF THE CITY CHARTER

***C. Ordinance 2024-36 (Introduced on 07/15/24. Public Hearing and Action Tonight)**

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NEW CARLISLE PROPOSED AMENDMENTS TO ARTICLE IV OF THE CITY CHARTER

***D. ORDINANCE 2024-37 (Introduced on 07/15/24. Public Hearing and Action Tonight)**

AN ORDINANCE AMENDING SECTION 660.13 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING WEEDS AND GRASSES

***E. ORDINANCE 2024-38E (Introduction, Public Hearing and Action Tonight)**

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE TERMS OF THE MARCH 22, 2024 KROGER MULTISTATE SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY

F. Ordinance 2024-39 (Introduction Tonight. Public Hearing and Action on 08/19/24)

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR THE DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER, TO ENTER INTO A CONTRACT FOR THE PURCHASE OF DE-ICING ROCK SALT

G. Ordinance 2024-40 (Introduction Tonight. Public Hearing and Action on 08/19/24)

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

H. Ordinance 2024-41 (Introduction Tonight. Public Hearing and Action on 08/19/24)

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

I. Ordinance 2024-42 (Introduction Tonight. Public Hearing and Action on 08/19/24)

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

CONTINUED ON THE NEXT PAGE

J. Ordinance 2024-43 (Introduction Tonight. Public Hearing and Action on 08/19/24)

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

K. Ordinance 2024-44 (Introduction Tonight. Public Hearing and Action on 08/19/24)

AN ORDINANCE ESTABLISHING A MORATORIUM ON ADULT USE CANNABIS OPERATORS WITHIN THE CITY OF NEW CARLISLE, OHIO

L. Ordinance 2024-45 (Introduction Tonight. Public Hearing and Action on 08/19/24)

AN ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS CONTAINED IN NEW CARLISLE CITY ORDINANCE 2023-61

12. OTHER BUSINESS:

○ Additional City Business:

- Movie Night – Cars August 24, 2024 @ Dusk in Smith Park
- Open for Discussion on City Related Business

13. Executive Session:

14. Return to Regular Session:

15. Adjournment

Next City Council **Work Session** is August 12, 2024 @ Heritage Hall in Smith Park, 6:00PM.

Next **Regular** City Council Meeting is Monday, August 19, 2024 @ Heritage Hall in Smith Park. 6:00PM.

RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO REGULAR SESSION MEETING @ Smith Park Shelter House held 7/15/24 @ 6:00 pm

1. Call to Order: Mayor Cook calls the meeting to order.

2. Roll Call: Berner calls the roll- Cook, Grimm, Bahun, Shamy, Wright, Lindsey, Eggleston. 7 members present

3. Invocation: Trusty

4. Pledge of Allegiance: All are Welcome to Participate

5. Action on Minutes:

Regular Minutes 7/1/24: 1st Shamy 2nd Eggleston YES 7: Cook, Grimm, Bahun, Shamy, Wright, Lindsey, Eggleston NAY: 0 Accepted 7-0

6. Communications: Full 1060 Code: No comments or questions from Council.

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: July 15, 2024
Subject: Council Update

Public Works Departments:

- City-wide dura-patch of potholes nearing completion. If you see any potholes, please contact the city.
- 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.
- Pickleball court conversion has begun. Net posts are set in concrete. Painting and nets were delayed to the intense heat then rain. Working on an updated schedule.
- Heritage Hall area has been hydroseeded.

Water Department:

- Well #5 to be cleaned mid July.
- Working on OPWC Old High Service Pump Building Upgrade Project. Working on Engineering agreement.
- Lead Service and Water Main replacement Project. Old Section of town. Working with the Ohio EPA for additional funding for private line replacement. Design phase is about 80% complete.
- **City-Wide Lead Service Line Inventory update.**

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 24 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.

Carlisle Park Phase 1 upgrade Project:

- City will be installing a fence at one end of the court to prevent the ball from rolling near the street. Awaiting contractor schedule.

NatureWorks Grant:

- The City of New Carlisle has been awarded the ODNR NatureWorks grant. Project to add gazebos with ADA access at the Municipal Pool. Working of reimbursement from the grant. Area has been seeded and strawed, with snow fence to be removed soon.

Disc Golf Course:

- Preliminary design is complete. Getting estimates from contractors to clear the land for the course. Cost estimates could delay start of the project. Estimated Ribbon cutting if project moves forward would be late spring 2025

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. Underground is complete. Working on finishing pulling the fiber through the conduit.
- Applied 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.
- Application has been submitted for CDBG allocation funds for Carlisle Park Phase 2 upgrade. Additional ADA sidewalk replacement, install driveway, parking area and security, and an additional inclusive park piece.
- New 5 section turn signal heads have been placed and traffic is being monitored for future changes.

Lindsey asks about the fence around the basketball court- Kitko notes it is a vinyl coated chain link.

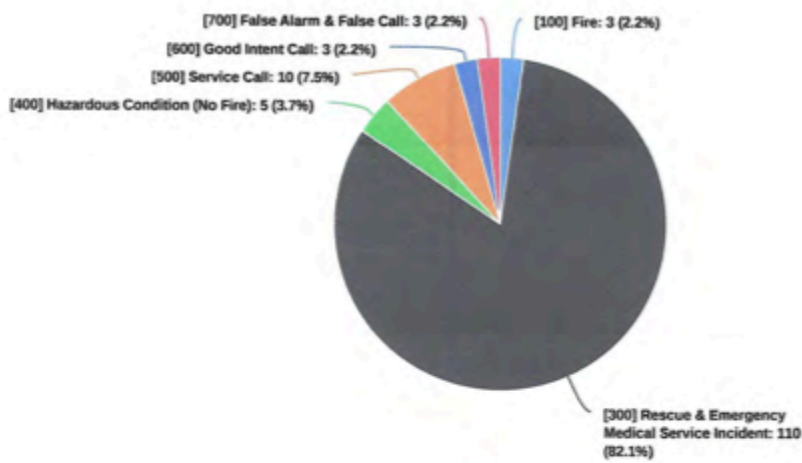
Fire/EMS Report:

City of New Carlisle
 City Council Meeting
 07-15-2024
 Fire-EMS Report

- In the Month of June, the New Carlisle Fire Division responded to 110 EMS call in the city.
- The Division responded to 3 fire related calls, 3 good intent or service calls 3 False Alarms, 5 hazardous condition (no Fire), and 10 service calls.
- We had 5 EMS calls answered by mutual aid, by Pike Township and 5 by Bethel Clark, due to medic 52 being on a response.
- We answered 2 mutual aid EMS calls for Pike Township and 8 for Bethel Clark and to 2 to Bethel Miami.
- Our total run count at time of this report is 832.
- 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

Runs by Incident Series



Incident Count

Incident Type	# Incidents
EMS	110
Fire	24
Total	134

Turn Out Time

District	EMS	Fire
Bethel-Clark	01:43	00:46
Bethel-Miami		00:00
New Carlisle	01:20	-01:21
Pike Twp.	00:00	
Average For All Calls	00:45	-00:08

Response Time

District	EMS	Fire
Bethel-Clark	04:30	00:45
Bethel-Miami		00:00
New Carlisle	03:13	02:18
Pike Twp.	00:00	
Average For All Calls	01:56	00:45

Overall Incident Statistics for 9 different categories



Lindsey asks Trusty to explain a good intent call. Trusty notes it can be a call to assist someone (animal rescue, lock out).

Planning and Zoning Report:



Planning Department Report Stats
Date: June 23, 2024-July 6, 2024

Data Summary	June 23-July 6		June 23-July 6		
660.13 Weeds & Grasses	2		Total Violations	52	
1280.05 Additional Yard Height Requirements			Total Properties Violated	23	
1280.03 Private Swimming Pools	1		Average Violations Per Property	2.26	
1244.10 Zoning Permit Required	1		Abatement Complete		
1244.11 Zoning Permit Application	1		Closed Violations	21	
1280.26 Accessory Buildings			Sheriff's Dept.		
1280.33 Accessory Uses			Under Investigation		
1290.03 Sign Permit Required			Vacant Property Violated		
1290.08 Prohibited Signs			Work Order Issued		
1290.17 Location of Signs			Nuisance Property List		
1290.20 Sign Construction and Maintenance			# of Violations Submitted to Mayor's Court	4	
1290.22 Sign Permit Application			Property Extensions Granted	3	
1290.23 Sign Permit Fees					
1290.26 Maintenance and Removal of Signs	1				
1292.10 Parking of Disabled Vehicles	1				
1460.15 Abatement of Nuisance by the City; Cost Recovery					
1460.23 Structural Soundness and Maintenance of Dwellings	2				
1460.25 Exterior Property and Structure Exteriors; Residential	15				
1460.25 (a) Exterior Space					
1460.25 (b) Exterior Maintenance	1				
1460.25 (c) Fences and Walls					
1460.25 (d) Yards, Tall Grass & Weeds	1				
1460.25 (e) Hazards	1				
1460.25 (f) Temporary Occupancy					
1460.25 (g) Storage	14				
1460.25 (h) Drainage					
1460.25 (i) Drainage Swales					
1460.25 (j) Junk, Inoperable, Unlicensed Vehicle	2				
1460.25 (k) Sanitation					
1460.25 (l) Swimming Pools					
1460.25 (m) Open Fires					

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 violations are exteme and more time is needed to remedy the situations.

1460.26 Vegetation; Residential	4	
1460.28 Accessory Structures		
1460.32 -Exterior Property and Structure Exteriors; Commercial	1	
1460.33 Vegetation; Commercial		
1460.45 Donation Bins		
1460.43 (c) On-Street Parking Limitations	1	
1460.43 (d) Parking on Private Property	4	
1460.44 Accessory Uses; Residential, Commercial, Industrial		

CITY OF NEW CARLISLE MAYOR'S COURT



Court Report July 3, 2024

Crowe, James of New Carlisle charged with Ext. Property and Storage. Continued until July 17. Defendant will be contacting the Code Enforcement Department.

Wiley, Charles of New Carlisle pled no contest to Non Compliance Suspension. Fined \$100 plus court cost. 40 hours of community services, 6 months to complete.

Wilson, Annette of New Carlisle pled no contest to Speeding 51/35. Fined court cost.

PAID THROUGH VIOLATION BUREAU

- Best, Lashawna of Dayton, Speed 40/25, \$235 (Payment arrangements)
- Dillon, Clint of New Carlisle, Speed 48/35, \$235
- Doolin, Dennis of New Carlisle, Speed 38/25, \$235
- Gordon, Jamaycia of Dayton, Speed 3/25, \$235 (Payment arrangements)
- Etherington, Miranda of New Carlisle, Speed 51/35, \$245
- Koef, Julie of Springfield, Traffic Control Device, \$150
- Sowers, Jazzmine of Fairborn, Assured Clear Distance, \$220
- Williams, Donald of Dayton, Speed 39/25, \$235

Police Report:

Patrol Division:

The New Carlisle Deputies were dispatched to 224 calls for service during the month of June.

Calls Taken: 224

Reports: 24

Assists: 30

Criminal Arrest: 5

Felony Arrest: 1

Misdemeanor Arrest: 1

Warrants: 3

Traffic Stops: 47

Traffic Warnings: 26

Moving Citations: 21

Business checks: 567

Code Enforcement Follow-ups: 12

Traffic Crashes: 0

Parking Citations: 1

Note:

Deputy Nicholas Dillon who is one of the Tecumseh Local School Districts School Resource Officers filled in out in New Carlisle while Deputy O'Brien was off with the birth of his child. I would like to thank Deputy Dillon for his willingness to assist.

Deputy Jacob O'Brien and his wife welcomed a baby girl on June 20th. Deputy O'Brien had taken some time off work to be with his family. Deputy O'Brien is scheduled to return to his regular shift on July 8th.

Respectfully,



Sgt. Ronnie E. Lemen

NEW CARLISLE	CALLS	ASSISTS	REPORTS	TRAFFIC STOP	CITATIONS	WARNINGS	ARREST	CODE ENFO	BUSINESS CHE	CRASH	PARKING CIT
June											
Dep. Bowers	59	6	6	15	6	9	0	12	214	0	1
Dep. Arnold	95	12	8	5	2	3	4	0	91	0	0
Dep. O'Brien 6/22	Medical Leave										
Dep. Derringer	70	12	10	27	13	14	1	0	262	0	0
Open Slot 4/25											
Total	224	30	24	47	21	26	5	12	567	0	1

Finance Report:

COUNCIL FINANCIAL REPORT SUMMARY – JUNE 2024

Estimated Revenue	\$ 7,436,904.00
Amended Est. Resources	
Amended Est. Resources	
Amended Est. Resources	
Amended Est. Resources	\$ -
2024 REVISED TOTAL EST. REV.	\$ 7,436,904.00

2024 Original Budget	\$ 8,468,028.00
1st Q. Supplemental	\$ 237,000.00
2nd. Q. Supplemental	\$ 179,051.00
3rd. Q. Supplemental	
4th Q. Supplemental	
2024 REVISED TOTAL BUDGET	\$ 8,884,079.00

Month	Revenue Received
January	\$ 591,331.55
February	\$ 1,201,090.92
March	\$ 1,259,930.89
April	\$ 725,767.91
May	\$ 831,035.54
June	\$ 761,505.14
July	
August	
September	
October	
November	
December	
Received To Date	\$ 5,370,661.95

Month	Expenses Paid
January	\$ 568,745.82
February	\$ 1,113,519.47
March	\$ 640,703.43
April	\$ 679,241.00
May	\$ 640,236.59
June	\$ 794,465.95
July	
August	
September	
October	
November	
December	
Expenses to Date	\$ 4,436,912.26

Statement of Cash from Revenue and Expense

From: 1/1/2024 to 6/30/2024

Fund	Description	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance
Grand Total:		\$8,114,991.22	\$5,370,661.95	\$4,436,912.26	\$9,048,740.91	\$1,355,407.57	\$7,693,333.34

JUNE

Bank Accounts	Bank Balance	Outstanding Vendor	Outstanding Employee	Deposits in Transit	NSF Check (s)	Adjustments	Book Balance	Difference
PNC - General	\$ 1,176,692.34		\$ -	\$ 6,882.83	\$ -	\$ (391.32)	\$ 1,183,183.85	\$ -
PNC - Payroll	\$ 202,636.54	\$ (2,636.54)	\$ -	\$ -	\$ -	\$ -	\$ 200,000.00	\$ -
Star Ohio	\$ 4,134,330.57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,134,330.57	\$ -
US BANK INVEST	\$ 1,039,365.29	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,039,365.29	\$ -
Park Nat. Secured	\$ 1,573,906.25	\$ (198,043.25)	\$ -	\$ 718.20	\$ -	\$ (658.75)	\$ 1,375,922.45	\$ -
Park Nat. - MMA	\$ 1,036,886.30	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,036,886.30	\$ -
Park Nat. - Mayor's	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -
NCF - CD's	\$ 78,352.45	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 78,352.45	\$ -
Cash on Hand	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500.00	\$ -
Grand Totals	\$ 9,242,869.74	\$ (200,679.79)	\$ -	\$ 7,601.03	\$ -	\$ (1,050.07)	\$ 9,048,740.91	\$ -



MAYOR'S COURT REPORT FOR JUNE 2024

Total Citations: 28 (24 Traffic + 4 Other)

FUND RECEIVED	CURRENT MONTH	YEAR-TO-DATE
Fines	\$ 3,700.00	\$ 11,499.80
Court Cost	\$ 2,842.00	\$ 12,820.00
Fines- Clark County Municipal (transfer Cases)	\$ -	\$ -
Total Fees Paid (LF, Bounced Cks, BW)	\$ 40.00	\$ 340.00
Other (Bond Forfeiture)	\$ -	\$ -
Misc Fees Paid (Jail Time)	\$ -	\$ -
Bond Collected	\$ -	\$ -
Restitution	\$ -	\$ -
SB 17 Indigent driver interlock & alcohol	\$ -	\$ -
TOTAL FUNDS RECEIVED	\$ 6,582.00	\$ 24,659.80
FUNDS DISBURSED	CURRENT MONTH	YEAR-TO-DATE
Victims of Crime	\$ 189.00	\$ 851.00
Child Safety/Seat Belts	\$ -	\$ -
Indigent Defense Support Fund	\$ 535.00	\$ 2,426.00
Drug Law Enforcement Fund	\$ 73.50	\$ 297.50
Expungement	\$ -	\$ -
State Bond Surcharge (new as of 2010)	\$ -	\$ -
TOTAL REMITTED TO STATE	\$ 797.50	\$ 3,574.50
Indigent Drivers Alcohol Treatment (Springfield)	\$ 31.50	\$ 127.50
Remitted to Computer Fund (Clerk)	\$ 268.00	\$ 1,238.00
Remitted to Computer Fund (Court)	\$ 78.00	\$ 369.00
Remitted to Court Security Fund	\$ 265.00	\$ 1,220.00
Remitted to Facility Fee	\$ 135.00	\$ 610.00
Remitted to City GF - Fines	\$ 3,700.00	\$ 11,409.80
Remitted to City GF - Court Court/Misc	\$ 1,307.00	\$ 6,111.00
Remitted to City- Jail Expenses	\$ -	\$ -
Remitted to City- Enforcement & Education	\$ -	\$ -
Remitted to City- Drug Analysis	\$ -	\$ -
SB 17 Indigent Driver Interlock & Alcohol	\$ -	\$ -
TOTAL REMITTED TO CITY	\$ 5,753.00	\$ 20,957.80
Capital Recovery	\$ -	\$ -
Restitution	\$ -	\$ -
Bonds forfeited	\$ -	\$ -
TOTAL DISBURSED	\$ 6,582.00	\$ 24,659.80

Prepared & Submitted By:
Kristy Thome, Clerk of Court

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

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

Informational Items from the City Manager:

B. INFORMATIONAL ITEMS

- **Discussion Topics**
 - Surveys to Citizens – Rough Draft is Attached
 - Kroger Opioid Settlement
 - Recreational and Medicinal Marijuana
 - Hazard Mitigation Plan - Update
 - Water Office Shadowing by Vice Mayor Eggleston and Councilwoman Wright
 - Meet with appropriate City staff on next steps
 - Policy or Other Items Council is Working On
 - Citizen of the Year
 - ◊ City Council needs to determine the next steps
 - Upcoming Legislation
 - Monroe Meadows TIF Legislation, round 1 - TBD
 - Amendment of Chapter 660 - add additional violation / abatement language – Intro 7/15/24
 - Amendment of Chapter 248 to include the Incentive Pay Policy – Intro 7/15/24
 - City Employee Bonding - TBD
 - Additional Discussion Topics
 - What a nice card! – Thank You card - Attached

Council discussion on the dispensary. Grimm notes, “go ahead and research it.” Bridge will do some research and come back to the council for a discussion later. Lindsey notes the city has had a drug problem. It would cause more of a headache for the administration. Lindsey suggests banning and motions to do so. Bridge asks if this would be both for recreational and medicinal purposes. Discussions on recreational vs medicinal. Lindsey notes the “recreational stuff... there are enough problems in town”. Bahun seconds the motion. Wright notes it is a topic she would like to look into and not make a rash decision. Lindsey explains the differences between recreational vs medicinal. Bahun notes a dispensary is looked at negatively by families looking to move here. Eggleston would like to see more research to make a better decision. The clerk asks for Lindsey to repeat the motion. Lindsey notes the motion is to ban recreational marijuana and allow a dispensary for medicinal purposes. VOTE: YES: 5 Shamy, Wright, Lindsey, Cook, Bahun NAY: 2 Eggleston, Grimm

Bridge notes that Wright and Eggleston visited the water department, and he is seeking council approval to share some info with them to seek further opinions. Motion by Eggleston 2nd by Shamy YES: 7 Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy NAY: 0 Accepted 7-0

8. COMMITTEE REPORTS: none

9. COMMENTS FROM MEMBERS OF THE PUBLIC:

Michael Green 304 W. Washington- Asks to find out when the last time an alley was paved or resurfaced: notes it has been dura-patched, but he has some runoff and debris in the alley located near his home. Cook asks about taking a look at the alleys. Bridge notes look and see and make an alley repair list but also complete road repairs. Bridge will get Mr. Green’s number and work with him. Green notes his alley gets more traffic due to apartments. Green notes there is a garbage truck that uses the alley as well.

Josie- general manager of the new McDonalds. August 22 opening date. She introduces herself, and invites everyone to be at the grand opening. Admin gives her their cards to stay in contact.

David Peters 1685 Addison New Carlisle Rd- suggest limiting or banning LED window lighting. Bridge will look into the local codes and share them with planning and zoning.

10. RESOLUTIONS: None

11. ORDINANCES:

Ordinance 2024-31 (Introduced 7/1/24. Public Hearing and Action Tonight)

AN ORDINANCE AUTHORIZING THE DISPOSAL OF AN UNNEEDED CITY VEHICLE 1st Eggleston 2nd Shamy *ex: donation of old cruiser to Clark State* YES: 7 Wright, Lindsey, Eggleston, Cook, Grimm, Bahun, Shamy NAY: 0 Accepted 7-0

Ordinance 2024-32 (Introduced 7/1/24. Public Hearing and Action Tonight)

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$210,000 GENERAL OBLIGATION BONDS, SERIES 2024 BY THE CITY OF NEW CARLISLE, OHIO, FOR THE PURPOSE OF PAYING THE COST OF PURCHASING A NEW STREET SWEEPER AND NECESSARY APPURTENANCES THERETO 1st Shamy 2nd Eggleston *ex: Bond ordinance to buy street sweeper. Lindsey asks about the terms 5yr; 5.65% can be refinanced. Wright asks why we would refinance and Bridge notes if rates drop.* YES: 4 Cook, Grimm, Wright, Eggleston NAY: 3 Bahun, Shamy, Lindsey Accepted 4-3

Ordinance 2024-33 (Introduced 7/1/24. Public Hearing and Action Tonight)

AN ORDINANCE AMENDING A SECTION OF CHAPTER 850 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING CITY POLICY. 1st Shamy 2nd Eggleston *ex: no knock registration* YES: Cook, Grimm, Bahun, Shamy, Wright, Lindsey, Eggleston NAY: 0 Accepted 7-0
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AN ORDINANCE AMENDING SECTION 660.13 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING WEEDS AND GRASSES

12. OTHER BUSINESS:

Additional City Business:

- Movie Night – Night at the Museum Saturday, July 27 @ dusk. Smith Park
- Open for Discussion on City Related Business

Lindsey asks if Metro Net needs permits. Bridge notes yes each individual will need one. Lindsey had someone knock to sell Metro Net without a permit.

Eggleston- asks about legislation for fireworks being let off. Asks if council should limit fireworks residents can let off to types and time of year/day. Cook notes some municipalities have limited them.

Eggleston and council continue with a brief discussion on how the fireworks are let off frequently.

Wright asks if any info about drones came about. Cook notes he did not find anything. Bridge notes Jake got info back this am.

Grimm- reads a statement below-

Mr. Mayor, Madam Clerk, Mr. City Manager,

I have been living by myself for nearly 14 years, and I have been able to fend for myself with no problems. Cooking, cleaning, yard work – I was able to get it done.

But no more.

My health has deteriorated to the point that I am very weak. I have serious problems with cooking and cleaning and I definitely can't do yard work.

Last week, I fell three times and was unable to get myself up. I had to rely on our incredible medics to get me on my feet.

Then my doctor told me that I am no longer able to care for myself. In the near future, I'll be moving in with two of my children. Both live out of town.

I have been on New Carlisle City Council for 4 1/2 years, and I have considered it a privilege and an honor to serve the community that I love.

Unfortunately, that must come to an end, too.

I hereby resign my seat on New Carlisle City Council effective July 31, 2024.

Thank you to everyone who voted for me.

God bless us, each and every one.



Dale Grimm

Cook notes he has been a great asset to the Council. Eggleston notes even though they have disagreed they remained friends. Council wished Mr. Grimm well and thanked him for his service and time with the council.

13. Executive Session: Motion to move to executive session at 7:10 by Shamy and 2nd by Lindsey YES: 7 Eggleston, Cook, Grimm, Bahun, Shamy, Wright, Lindsey NAY: 0 Accepted 7-0

Move to regular session with a motion by Lindsey and 2nd by Shamy YES: 6 Wright, Lindsey, Eggleston, Cook, Bahun, Shamy NAY: 0 Accepted 6-0

14. Adjournment: 1st Lindsey 2nd Shamy @ 7:36 pm YES: Wright, Lindsey, Eggleston, Cook, Bahun, Shamy NAY: 0 Accepted 6-0

Mayor Bill Cook

Clerk of Council Emily Berner

City Manager Report

August 5, 2024

A. DEPARTMENTAL REPORTS

- The Following Departmental Reports will be given at the next City Council meeting that will be held on Monday, August 19, 2024
 - Finance, Public Service, Fire/EMS, and Police
- Planning & Zoning, Mayor's Court Report - *Attached*

B. INFORMATIONAL ITEMS

- Discussion Topics
 - 2025-2029 Capital Improvement Plan - Submitted to City Council on 07/26/24 via Email
 - Hazard Mitigation Plan - Update
 - Water Office Shadowing by Vice Mayor Eggleston and Councilwoman Wright
 - Policy or Other Items Council is Working On
 - Citizen of the Year
 - ◇ City Council needs to determine the next steps
 - Upcoming Legislation
 - Monroe Meadows TIF Legislation, round 1 - TBD
 - The Reserves on Honey Creek TIF Legislation, round 2 - TBD
 - Additional Discussion Topics

Attachment Summary:

- Planning Department and Mayor's Court Report

Motion Summary:

- None



Planning Department Report Stats

Date: July 7, 2024-July 26, 2024

Data Summary	June 23-July 6	July 7-July 26
660.13 Weeds & Grasses	2	10
1280.05 Additional Yard Height Requirements		
1280.03 Private Swimming Pools	1	
1244.10 Zoning Permit Required	1	
1244.11 Zoning Permit Application	1	
1280.26 Accessory Buildings		
1280.33 Accessory Uses		
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		
1290.26 Maintenance and Removal of Signs	1	
1292.10 Parking of Disabled Vehicles	1	
1460.15 Abatement of Nuisance by the City; Cost Recovery		
1460.23 Structural Soundness and Maintenance of Dwellings	2	2
1460.25 Exterior Property and Structure Exteriors; Residential	15	13
1460.25 (a) Exterior Space		
1460.25 (b) Exterior Maintenance	1	1
1460.25 (c) Fences and Walls		
1460.25 (d) Yards, Tall Grass & Weeds	1	4
1460.25 (e) Hazards	1	
1460.25 (f) Temporary Occupancy		
1460.25 (g) Storage	14	13
1460.25 (h) Drainage		
1460.25 (i) Drainage Swales		
1460.25 (j) Junk, Inoperable, Unlicensed Vehicle	2	
1460.25 (k) Sanitation		2
1460.25 (l) Swimming Pools		
1460.25 (m) Open Fires		

	June 23-July 6	July 7-July 26	
Total Violations	52	71	123
Total Properties Violated	23	40	67
Average Violations Per Property	2.26	1.78	2.02
Abatement Complete			
Closed Violations	21	34	55
Sheriff's Dept.			
Under Investigation			
Vacant Property Violated			
Work Order Issued			
Nuisance Property List			
# of Violations Submitted to Mayor's Court	4	2	6
Property Extensions Granted	3	2	5

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.

1460.26 Vegetation; Residential	4	5
1460.28 Accessory Structures		
1460.32 -Exterior Property and Structure Exteriors; Commercial	1	1
1460.33 Vegetation; Commercial		
1460.45 Donation Bins		
1460.43 (c) On-Street Parking Limitations	1	2
1460.43 (d) Parking on Private Property	4	18
1460.44 Accessory Uses; Residential, Commercial, Industrial		

Permit Date	Permit Type	Main Status	Parcel Address	Total Payments
7/26/2024	Accessory Structure	Approved	822 PLUMWOOD DR	\$ 45.00
7/24/2024	Residential Addition	Approved	728 COLONY TRAIL	\$ 52.28
7/18/2024	Swimming Pool	Approved	304 DEERFIELD DR N	\$ 35.00
7/17/2024	Swimming Pool	Approved	509 COLONY TR	\$ 60.00
7/9/2024	Accessory Structure	Approved	504 W JEFFERSON ST	\$ 45.00



Planning Department Report

Date: Date: July 7, 2024-July 26, 2024

Case #	Main Status	Violation Date	Correction Deadline	Extension Date	Parcel Address	Violation Name	Violation Status
2088	Closed	7/8/2024	7/15/2024		101 N CLAY ST	1460.26 Vegetation; Residential	Closed
2088	Closed	7/8/2024	7/15/2024		101 N CLAY ST	660.13 Weeds & Grasses	Closed
2089	Closed	7/8/2024	7/11/2024		209 VILLA DR	1460.43 (c) On-Street Parking Limitations.	Closed
2090	Closed	7/8/2024	7/11/2024		248-258 ORTH DR	1460.43 (d) Parking on Private Property	Closed
2091	Closed	7/8/2024	7/15/2024		122 N CLAY ST	1460.25 (g) Storage	Closed
2091	Closed	7/8/2024	7/15/2024		122 N CLAY ST	1460.25 Exterior Property and Structure Exteriors; Residential	Closed
2092	Closed	7/9/2024	7/12/2024		315-315 1/2 S CHURCH ST	1460.25 (g) Storage	Closed
2092	Closed	7/9/2024	7/12/2024		315-315 1/2 S CHURCH ST	1460.25 Exterior Property and Structure Exteriors; Residential	Closed
2093	Closed	7/9/2024	7/12/2024		417 FALCON DR	1460.43 (d) Parking on Private Property	Closed
2094	Closed	7/9/2024	7/12/2024		324 FUNSTON AVE	1460.43 (d) Parking on Private Property	Closed
2095	Closed	7/9/2024	7/12/2024		617 SPINNING RD	1460.43 (d) Parking on Private Property	Closed
2096	Closed	7/9/2024	7/16/2024		1002 BROOKFIELD DR	1460.26 Vegetation; Residential	Closed
2096	Closed	7/9/2024	7/16/2024		1002 BROOKFIELD DR	660.13 Weeds & Grasses	Closed
2097	Closed	7/9/2024	7/16/2024		1002 BROOKFIELD DR	1460.25 (g) Storage	Closed
2097	Closed	7/9/2024	7/16/2024		1002 BROOKFIELD DR	1460.25 Exterior Property and Structure Exteriors; Residential	Closed
2098	Closed	7/11/2024	7/18/2024		1000 SCARFF RD	1460.25 (g) Storage	Closed
2098	Closed	7/11/2024	7/18/2024		1000 SCARFF RD	1460.25 Exterior Property and Structure Exteriors; Residential	Closed
2099	Closed	7/11/2024	7/18/2024		1300 EDGEBROOK AVE	1460.25 (g) Storage	Closed
2099	Closed	7/11/2024	7/18/2024		1300 EDGEBROOK AVE	1460.25 Exterior Property and Structure Exteriors; Residential	Closed
2100	Closed	7/12/2024	7/19/2024	7/22/2024	335 FENWICK DR	1460.25 (g) Storage	Closed
2100	Closed	7/12/2024	7/19/2024	7/22/2024	335 FENWICK DR	1460.25 Exterior Property and Structure Exteriors; Residential	Closed
2101	Open	7/12/2024	7/19/2024	8/2/2024	120-122 S MAIN ST	1460.25 (k) Sanitation	Open
2101	Open	7/12/2024	7/19/2024	8/2/2024	120-122 S MAIN ST	1460.33 Vegetation; Commercial	Open
2101	Open	7/12/2024	7/19/2024	8/2/2024	120-122 S MAIN ST	660.13 Weeds & Grasses	Open
2102	Closed	7/18/2024	7/21/2024		905 FIRWOOD DR	1460.43 (d) Parking on Private Property	Closed
2103	Closed	7/16/2024	7/23/2024		911 LEATHERWOOD DR	1460.25 (g) Storage	Closed
2103	Closed	7/16/2024	7/23/2024		911 LEATHERWOOD DR	1460.25 Exterior Property and Structure Exteriors; Residential	Closed

2104	Closed	7/17/2024	7/20/2024		1003 WHITE PINE ST NEW CARLISLE 45344	1460.43 (c) On-Street Parking Limitations.	Closed
2105	Closed	7/17/2024	7/24/2024		1204 CHESTNUT DR NEW CARLISLE 45344	1460.25 (g) Storage	Closed
2105	Closed	7/17/2024	7/24/2024		1204 CHESTNUT DR NEW CARLISLE 45344	1460.25 Exterior Property and Structure Exteriors; Residential	Closed
2106	Closed	7/17/2024	7/20/2024		619 SPINNING RD	1460.43 (d) Parking on Private Property	Closed
2107	Closed	7/17/2024	7/20/2024		610 SPINNING RD	1460.43 (d) Parking on Private Property	Closed
2108	Closed	7/18/2024	7/21/2024		626 SPINNING RD NEW CARLISLE 45344	1460.43 (d) Parking on Private Property	Closed
2109	Closed	7/18/2024	7/25/2024		1101 BROOKFIELD DR	1460.26 Vegetation; Residential	Closed
2109	Closed	7/18/2024	7/25/2024		1101 BROOKFIELD DR	660.13 Weeds & Grasses	Closed
2110	Open	7/19/2024	9/17/2024		1101 BROOKFIELD DR	1460.23 Structural Soundness and Maintenance of Dwellings	Open
2111	Open	7/22/2024	7/25/2024		201 W LAKE AVE	1460.43 (d) Parking on Private Property	Open
2112	Open	7/22/2024	7/25/2024		320 FENWICK DR	1460.25 (g) Storage	Open
2112	Open	7/22/2024	7/25/2024		320 FENWICK DR	1460.25 Exterior Property and Structure Exteriors; Residential	Open
2113	Closed	7/22/2024	7/25/2024		1003 WHITE PINE ST NEW CARLISLE 45344	1460.43 (d) Parking on Private Property	Closed
2114	Open	7/23/2024	7/26/2024		710 BAYBERRY DR	1460.26 Vegetation; Residential	Open
2114	Open	7/23/2024	7/26/2024		710 BAYBERRY DR	660.13 Weeds & Grasses	Open
2115	Closed	7/23/2024	7/26/2024		337 FENWICK DR	1460.43 (d) Parking on Private Property	Closed
2116	Open	7/23/2024	7/23/2024	7/29/2024	333 FENWICK DR	1460.43 (d) Parking on Private Property	Open
2117	Open	7/23/2024	7/26/2024		204 GALEWOOD DR	1460.43 (d) Parking on Private Property	Open
2118	Open	7/23/2024	7/30/2024		218 PRENTICE DR NEW CARLISLE 45344	1460.25 (g) Storage	Open
2118	Open	7/23/2024	7/30/2024		218 PRENTICE DR NEW CARLISLE 45344	1460.25 Exterior Property and Structure Exteriors; Residential	Open
2119	Open	7/23/2024	7/30/2024		476 N SCOTT ST	1460.25 (k) Sanitation	Open
2119	Open	7/23/2024	7/30/2024		476 N SCOTT ST	1460.32 -Exterior Property and Structure Exteriors; Commercial	Open
2120	Open	7/23/2024	10/21/2024		221 DRAKE AVE	1460.23 Structural Soundness and Maintenance of Dwellings	Open
2121	Work Order Issued	7/23/2024	7/24/2024		221 DRAKE AVE	1460.25 (d) Yards, Tall Grass & Weeds	Open
2121	Work Order Issued	7/23/2024	7/24/2024		221 DRAKE AVE	660.13 Weeds & Grasses	Open
2122	Open	7/24/2024	7/31/2024		107 N PIKE ST NEW CARLISLE 45344	1460.25 (g) Storage	Open
2122	Open	7/24/2024	7/31/2024		107 N PIKE ST NEW CARLISLE 45344	1460.25 Exterior Property and Structure Exteriors; Residential	Open
2123	Open	7/24/2024	8/8/2024	9/13/2024	214 N ADAMS ST NEW CARLISLE 45344	1460.25 (c) Fences and Walls	Open
2124	Open	7/24/2024	7/31/2024		310 W JEFFERSON ST NEW CARLISLE 45344	1460.26 Vegetation; Residential	Open
2124	Open	7/24/2024	7/31/2024		310 W JEFFERSON ST NEW CARLISLE 45344	660.13 Weeds & Grasses	Open
2125	Open	7/25/2024	7/28/2024		407 KENNISON AVE	1460.43 (d) Parking on Private Property	Open
2126	Open	7/25/2024	7/28/2024		812 APPLEWOOD DR NEW CARLISLE 45344	1460.43 (d) Parking on Private Property	Open
2127	Open	7/25/2024	8/1/2024		231 FUNSTON AVE	1460.25 (g) Storage	Open
2127	Open	7/25/2024	8/1/2024		231 FUNSTON AVE	1460.25 Exterior Property and Structure Exteriors; Residential	Open
2128	Open	7/25/2024	8/1/2024		306 RAWSON DR	1460.25 (d) Yards, Tall Grass & Weeds	Open
2128	Open	7/25/2024	8/1/2024		306 RAWSON DR	660.13 Weeds & Grasses	Open
2129	Open	7/25/2024	8/1/2024		248 -258 ORTH DR NEW CARLISLE 45344	1460.25 (g) Storage	Open
2129	Open	7/25/2024	8/1/2024		248 -258 ORTH DR NEW CARLISLE 45344	1460.25 Exterior Property and Structure Exteriors; Residential	Open
2130	Open	7/25/2024	8/1/2024		115 W JEFFERSON ST	1460.25 (d) Yards, Tall Grass & Weeds	Open

2130	Open	7/25/2024	8/1/2024		115 W JEFFERSON ST	660.13 Weeds & Grasses	Open
2131	Open	7/24/2024	7/30/2024		231 DRAKE AVE NEW CARLISLE 45344	1460.25 (d) Yards, Tall Grass & Weeds	Open
2131	Open	7/24/2024	7/30/2024		231 DRAKE AVE NEW CARLISLE 45344	660.13 Weeds & Grasses	Open
2132	Open	7/26/2024	7/29/2024		227 FUNSTON AVE	1460.43 (d) Parking on Private Property	Open
2133	Open	7/26/2024	7/29/2024		325 FUNSTON AVE	1460.43 (d) Parking on Private Property	Open
2134	Open	7/26/2024	7/29/2024		407 FUNSTON AVE	1460.43 (d) Parking on Private Property	Open

CITY OF NEW CARLISLE MAYOR'S COURT



Court Report July 17, 2024

Fritz, Edward of New Carlisle pled guilty to Ext Property & Structural, Fences & Falls, Exterior Maintenance, Structure Sound and Zoning Permit Required. Fined \$300 plus court cost. If City approves of work, then \$300 will be suspended.

Hynes, Kameron E of New Carlisle pled not guilty to Non-Compliance Suspension and guilty to Speed 38/25. Pretrial requested.

Myrick, Tabitha M of Riverside pled guilty to Speed 38/25. Fined \$20 plus court. Payment arrangements made.

Smoot, Khalid S of Springfield pled guilty to Non-Compliance Suspension and Speed 39/25. Fined \$530 plus court cost. If defendant provides this court with valid license within 60 days then \$300 suspended.

Swearingen, Zachary of New Carlisle pled guilty to Speed 52/35. Fined \$30 plus court cost.

Tuller, Jennifer of New Carlisle pled guilty to Operating a Motor Vehicle without valid license and Speeding 43/25. Fined \$175 plus court cost. If defendant shows valid license within 14 days, then \$150 will be suspended.

PAID THROUGH VIOLATION BUREAU

Blake, Paige Nicole of New Carlisle, Speed 38/25, \$235

Helt, Randall of New Carlisle, Speed 52/35, \$245

Koogler, Larry of New Carlisle, Speed 54/35, \$245

Patrick, Shawn S of Medway, Speed 40/25, \$235

Phillips, Gleneice of Dayton, Speed 43/25, \$245 (Payment arrangements made)

RESOLUTION 2024-08R

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

THE CITY OF NEW CARLISLE HEREBY RESOLVES that:

SECTION 1. DETERMINATION TO IMPROVE

It is deemed necessary by the City of New Carlisle to make a public improvement, the lighting of its streets, to be paid for in part by special assessments to be levied. The plans, specifications and profiles of the proposed improvement and improvement after completion with reference to the property abutting thereon, and an estimate of the cost of the improvement has been prepared and filed in the office of the Clerk of the City of New Carlisle and shall be/is open to the inspection of all persons interested. Thus, the City of New Carlisle hereby declares the necessity for such improvement by the passage of this Resolution.

SECTION 2. THE NATURE AND LOCATION OF IMPROVEMENT

The nature of the street lighting improvement is conducive to the public health and welfare of this City and the inhabitants thereof, and the lots to be assessed are specifically benefited by the improvement. This Council further finds and determines that the public streets, roads, boulevards and places to be improved are so situated in relation to each other that, in order to complete the improvements thereof in the most practical and economical manner, they should be improved at the same time with the same kind of materials and in the same manner and, therefore, they should be treated as a single improvement included in the same legislation and contract.

SECTION 3. APPROVAL OF PLANS, SPECIFICATIONS, PROFILES AND ESTIMATE OF COST

The plans, specifications and profiles of the proposed improvement and improvement after completion with reference to the property abutting thereon, and an estimate of the cost of the improvement are hereby approved.

SECTION 4. COST AND METHOD OF LEVYING ASSESSMENT

The entire cost of said improvement, less two percent (2%) thereof and the cost of lighting the intersections, shall be assessed upon the following described lots and lands, to-wit: pro rata to all lots and lands bounding and abutting upon said improvement, which lots and lands are hereby determined to be benefited by said improvement. Said assessments shall be levied by the following method, to-wit: by the front footage of the properties bounding and abutting upon the improvement.

SECTION 5. MODE OF PAYMENT AND PAYMENT SCHEDULE

The mode of payment shall be cash, check or money order. The payment schedule for the special assessments to be levied will be payable in two annual installments or the owner of any property assessed may, at his/her option, pay such assessment in cash within ten days after notice of passage of the Ordinance levying such assessments.

SECTION 6. STATEMENT ON SECURITIES

The City of New Carlisle does not intend to issue securities in anticipation of the levy of the special assessment. The City of New Carlisle does not intend to issue securities in anticipation of the collection of the special assessment.

SECTION 7. ESTIMATED ASSESSMENTS AGAINST EACH LOT OR PARCEL TO BE ASSESSED

An estimated assessment in accordance with the method of assessment set forth above, showing the amount of the assessment against each lot or parcel of land to be assessed, shall be immediately prepared by the Finance Director and filed with the Office of the Clerk of the City of New Carlisle, and shall be open to the inspection of all persons interested.

SECTION 8. LEVIED AND COLLECTED

This special assessment is to be levied and collected before the improvement for which the assessment is levied is commenced.

SECTION 9. NOTICE TO PROPERTY OWNERS

Upon the filing of said estimated assessments as hereinbefore provided, the Finance Director is hereby ordered to cause notice of the passage of this Resolution and of the filing of said estimated assessments in accordance with Section 727.14 of the Ohio Revised Code as follows: by publication once a week for two consecutive weeks in a newspaper of general circulation in the municipal corporation or publication of such notice on the web site of the municipal corporation. Where the assessment against the owner of any lot or parcel of land will exceed five hundred dollars, such owner shall be notified of the assessment in accordance with Section 727.13 of the Revised Code, which provides:

Notice of the passage of a resolution of necessity and the filing of the estimated assessment under section 727.12 of the Revised Code shall, after the estimated assessment has been made and filed as provided by section 727.12 of the Revised Code, be served by the clerk of the legislative authority, or a person designated by such clerk, upon the owners of the lots or parcels of land to be assessed for the proposed improvement, in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his/her last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. If it appears by the return of service or the return of the certified mail notice that one or more of the owners cannot be found, such owners shall be served by either or both of the following methods: publication of the notice once in a newspaper of general circulation within the municipal corporation or publication of the notice on the web site of the municipal corporation. The notice

shall also set forth the place where such estimated assessments are on file and are open for public inspection. The return of the person serving the notice or a certified copy thereof, or a returned receipt for notice forwarded by certified mail accepted by the addressee or anyone purporting to act for the addressee shall be prima facie evidence of the service of notice under this section.

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
Vacant	Y	N

Totals:

Pass

Fail

Intro: 08/05/2024

Action: 08/05/2024

Effective: 08/20/2024

ORDINANCE 2024-34

AN ORDINANCE AMENDING SECTION 1060.99 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING GARBAGE AND RUBBISH COLLECTION AND DISPOSAL

WHEREAS, Chapter 1060 of the Codified Ordinances of the City of New Carlisle establishes rules and regulations for the collection of garbage and rubbish within City limits; and

WHEREAS, Chapter 1060 makes no provision regarding who is responsible for enforcing the chapter; and

WHEREAS, Section 1060.99 sets forth the penalty for violations of Chapter 1060 but the stated maximum penalty is the outdated fine for a minor misdemeanor; and

WHEREAS, compliance with the City's garbage and rubbish collection rules and regulations would be strengthened by amending Section 1060.99 to add who is responsible for enforcement and to modify the penalty.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS that Section 1060.99 of the Codified Ordinances of the City of New Carlisle be amended as follows:

1060.99 ENFORCEMENT AND PENALTY.

(a) Any law enforcement officer, the Planning Director or his or her designee, or the Code Enforcement Officer or his or her designee, may file any misdemeanor complaints and issue any misdemeanor citations, and take all such other actions as are necessary, to enforce this chapter.

*(b) Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred *fifty* dollars (~~\$100.00~~-\$150.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.*

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

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

Totals:

Pass

Fail

Intro: 07/15/24
Action: 08/05/24
Effective: 08/20/24

ORDINANCE 2024-35

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NEW CARLISLE PROPOSED AMENDMENTS TO THE PREAMBLE AND ARTICLES II AND III OF THE CITY CHARTER

WHEREAS, Article XI, Section 11.04 of the City Charter requires that a Charter Review Commission (“Commission”) meet every eight (8) years for the purpose of reviewing the Charter and recommending to Council such alterations, revisions and amendments, if any, to the Charter that the Commission deems desirable; and

WHEREAS, said Commission was appointed in accordance with Section 11.04 and has made recommendations to Council for amendments to the Charter; and

WHEREAS, Council has also reviewed the Charter and decided that certain other amendments to the Charter may be necessary or desirable; and

WHEREAS, Council has determined that amendments to the Preamble and Articles II and III of the Charter should be submitted to the electors of the City at the election to be held on November 5, 2024.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS, at least five (5) of the members of Council elected thereto concurring, that:

Section 1. The question of the amendments to the Preamble and Articles II and III of the City of New Carlisle Charter shall be submitted as a single ballot item, to a vote of the qualified electors of the City at the November 5, 2024 general election, at the regular hours and regular places of voting in the City. If approved by a majority vote at said election, the Preamble and Articles II and III of the City Charter shall be amended as shown on Exhibit A and shall become effective thirty (30) days after its adoption by the voters.

Section 2. The ballot for the question shall be titled: “New Carlisle City Charter Preamble and Articles II and III Amendments Ballot,” and the question to be submitted on the ballot shall be in substantially the same form as shown on the attached Exhibit B.

Section 3. The Director of Law is authorized to amend the ballot language as may be necessary or as may be required by the Board of Elections, for ballot purposes.

Section 4. RC § 3505.56 requires that when condensed text is used on a ballot question, issue or amendment, the full text of the proposed question, issue or amendment, together with the percentage of affirmative votes necessary for passage, shall be posted in each polling place. The attached Exhibit A shall be used as the full text of the proposed ballot item at each polling place.

Section 5. The Clark County Board of Elections shall give public notice of the time and place of holding the election on the proposed Charter amendments at least ten (10) days prior to the day of the election in accordance with RC § 3501.03.

Section 6. The Clerk of Council is directed to publish the full text of the proposed Charter amendments once a week for not less than two (2) consecutive weeks in a newspaper of general circulation in the City or as provided in RC § 7.16, with the first publication being at least fifteen (15) days prior to the election in accordance with Ohio Constitution, Article XVIII, Section 9 and RC § 731.211.

Section 7. The Clerk of Council is directed to certify a copy of this Ordinance to the Board of Elections of Clark County.

Section 8. If the amendments to the Preamble and Articles II and III of the Charter of the City of New Carlisle are approved by a majority vote, the Clerk of Council shall certify a copy of the amendments to the Ohio Secretary of State within thirty (30) days of the election.

Section 9. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including RC § 121.22 and the Rules of Council.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

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

Totals: _____
Pass Fail

Intro: 07/15/24
Action: 08/05/24
Effective: 08/20/24

CITY OF NEW CARLISLE BALLOT ITEM ____

PROPOSED AMENDMENTS TO THE PREAMBLE AND ARTICLES II AND III OF THE
CITY'S CHARTER

A majority affirmative vote is needed for passage.

New text is shown in italicized print. Deleted text is shown in stricken print.

PREAMBLE

Being grateful to Almighty God for the blessings of liberty, we the people of the ~~Municipality~~ *City of New Carlisle, Clark County, Ohio, under the constitution and laws of the state of Ohio,* in order to secure ~~and exercise all powers and~~ *the benefits of local self-government conferred by the Constitution and laws of the State of Ohio, and to provide for an honest and accountable council-manager government do hereby adopt and enact this Charter for the Government of the Municipality of New Carlisle, Ohio, in the year of our Lord One Thousand Nine Hundred Eighty,* and confer upon the city the following powers, subject to the following restrictions, and prescribed by the following procedures and governmental structure. By this action, we secure the benefits of home rule and affirm the values of representative democracy, professional management, strong political leadership, public engagement, diversity and inclusiveness and regional cooperation.

ARTICLE II – FORM OF GOVERNMENT

Section 2.01. Form of Government.

The government provided for by this Charter shall be known as "The Council-Manager Form." *More information can be found on the City of New Carlisle website.*

ARTICLE III – POWERS

Section 3.01. Powers of the City.

The City shall have all power ~~vested in it~~ *possible under the Constitution and laws of the State of Ohio as fully and completely as though they were specifically detailed in this Charter, except as restricted by the provisions of this Charter. The powers so granted and adopted shall be exercised through the Municipal Council and the people as directed by this Charter.* The City shall have any and all such additional powers not specifically denied it by the Constitution and laws of the State of Ohio, or the Constitution and laws of the United States not specifically denied it by this Charter.

Section 3.03. Intergovernmental Relations.

The City may exercise any of its powers or perform any of its functions and may participate in the financing thereof jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions, ~~or agencies thereof, or the United States or any agency thereof~~ *agencies or any governmental entity of this state or any other state or states or the United States in the performance of any activity which one or more of such entities has the authority to undertake.*

PROPOSED CHARTER AMENDMENTS

City of New Carlisle

A majority affirmative vote is necessary for passage.

Shall the Preamble, Article II, Section 2.01, and Article III, Sections 3.01 and 3.03 of the Charter of the City of New Carlisle be amended as follows:

Preamble (Summary)

Add language recognizing the council-manager form of government. Clarify the City's powers, restrictions, procedures and governmental structure. Add language securing the benefits of home rule and affirming representative democracy, professional management, strong political leadership, public engagement, diversity and inclusiveness and regional cooperation.

Article II – Form of Government (Summary)

Add language stating that more information can be found on the City's website.

Article III – Powers (Summary)

Clarify the City's powers. Add language regarding the exercise of powers by Council and the people. Clarify that the City may exercise any of its powers or perform any of its functions jointly or in cooperation with states, civil divisions, agencies or any governmental entity of this state or any other state or states or the United States.

YES

NO

ORDINANCE 2024-36

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NEW CARLISLE PROPOSED AMENDMENTS TO ARTICLE IV OF THE CITY CHARTER

WHEREAS, Article XI, Section 11.04 of the City Charter requires that a Charter Review Commission (“Commission”) meet every eight (8) years for the purpose of reviewing the Charter and recommending to Council such alterations, revisions and amendments, if any, to the Charter that the Commission deems desirable; and

WHEREAS, said Commission was appointed in accordance with Section 11.04 and has made recommendations to Council for amendments to the Charter; and

WHEREAS, Council has also reviewed the Charter and decided that certain other amendments to the Charter may be necessary or desirable; and

WHEREAS, Council has determined that amendments to Article IV of the Charter should be submitted to the electors of the City at the election to be held on November 5, 2024.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS, at least five (5) of the members of Council elected thereto concurring, that:

Section 1. The question of the amendments to Article IV of the City of New Carlisle Charter shall be submitted as a single ballot item, to a vote of the qualified electors of the City at the November 5, 2024 general election, at the regular hours and regular places of voting in the City. If approved by a majority vote at said election, Article IV of the City Charter shall be amended as shown on Exhibit A and shall become effective thirty (30) days after its adoption by the voters.

Section 2. The ballot for the question shall be titled: “New Carlisle City Charter Article IV Amendments Ballot,” and the question to be submitted on the ballot shall be in substantially the same form as shown on the attached Exhibit B.

Section 3. The Director of Law is authorized to amend the ballot language as may be necessary or as may be required by the Board of Elections, for ballot purposes.

Section 4. RC § 3505.56 requires that when condensed text is used on a ballot question, issue or amendment, the full text of the proposed question, issue or amendment, together with the percentage of affirmative votes necessary for passage, shall be posted in each polling place. The attached Exhibit A shall be used as the full text of the proposed ballot item at each polling place.

Section 5. The Clark County Board of Elections shall give public notice of the time and place of holding the election on the proposed Charter amendments at least ten (10) days prior to the day of the election in accordance with RC § 3501.03.

Section 6. The Clerk of Council is directed to publish the full text of the proposed Charter amendments once a week for not less than two (2) consecutive weeks in a newspaper of general circulation in the City or as provided in RC § 7.16, with the first publication being at least fifteen (15) days prior to the election in accordance with Ohio Constitution, Article XVIII, Section 9 and RC § 731.211.

Section 7. The Clerk of Council is directed to certify a copy of this Ordinance to the Board of Elections of Clark County.

Section 8. If the amendments to Article IV of the Charter of the City of New Carlisle are approved by a majority vote, the Clerk of Council shall certify a copy of the amendments to the Ohio Secretary of State within thirty (30) days of the election.

Section 9. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including RC § 121.22 and the Rules of Council.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

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

Totals: _____
Pass Fail

Intro: 07/15/24
Action: 08/05/24
Effective: 08/20/24

CITY OF NEW CARLISLE BALLOT ITEM ____

PROPOSED AMENDMENTS TO ARTICLE IV OF THE CITY'S CHARTER

A majority affirmative vote is needed for passage.

New text is shown in italicized print. Deleted text is shown in stricken print.

ARTICLE IV – THE COUNCIL

Section 4.01. ~~Composition, Selection, Terms and General Powers and Duties.~~

~~The Council shall consist of seven (7) members elected at large on a nonpartisan ballot.~~

~~The first Council following the adoption of this Charter shall consist of the following:~~

~~(a) The persons who are currently members of Council who would be qualified to be members of Council under the terms of this Charter, and who shall fulfill their terms of office as elected in November, 1979; and~~

~~—(b) Two (2) additional persons elected at the primary election held in June, 1981. The candidate receiving the greatest number of votes at said election shall serve a term of office for four and one half (4 1/2) years; the candidate receiving the next greatest number of votes shall serve a term of two and one half (2 1/2) years.~~

~~(a) *General Powers.* All powers of the city shall be vested in the city Council, except as otherwise provided by law or this Charter.~~

~~(e) (b) Council Member Duties.~~

~~(1) The duties of Council members consist in their collective participation in scheduled Council meetings and work sessions, stating his or her opinions, and voting his or her conscience in making decisions which impact the citizenry.~~

~~(2) Council members may propose, draft, review and pass ordinances for the health, safety and welfare of the citizenry. *Council may collectively determine that additional Council duties should be required as prescribed by ordinances which are not inconsistent with the provisions of this Charter.*~~

~~(3) Council members ~~may~~ collectively oversee the performance of the City Manager. Council members may collectively review the reports of the Director of Finance, the Director of Planning, *and* other City departments.~~

~~(4) Council members ~~may~~ shall be available to receive citizen input face-to-face, telephone/voice mail, e-mail, and by other appropriate manners. Council members ~~may~~ are encouraged to participate in other County and civic groups.~~

~~(c) *Council Member Trainings.*~~

(1) Council members shall attend the Sunshine Laws Training provided by the Ohio Attorney General's Office within the first calendar year of every elected term.

(2) Council members may attend Municipal Officials Training Seminars provided by the Ohio Municipal League and are encouraged to participate in additional training as needed.

(3) Council members may, and are encouraged to, attend Ethics Law training provided by the State of Ohio Ethics Commission.

~~The persons elected in June, 1981, shall commence their terms of office on July 6, 1981. Thereafter, each member of Council shall be elected for a four (4) year term of office. The terms of office of such subsequent Councilpersons shall begin on the first day of January following their elections. A person so elected shall serve until his/her successor has been elected and qualified to succeed him/her.~~

Section 4.02. Eligibility of Members, Terms, and Composition.

(a) Eligibility. Each member of the Council at the time of nomination, election and throughout the term of office shall be a registered voter in and a resident of the City. ~~The Council shall be the sole judge of the eligibility of its members as required by this section.~~ *The Council shall validate the eligibility of all candidates and members through a signed self-disclosure of residency and voter registration as required by this section.*

(b) Terms. *Each Council Member shall be elected to a four (4) year term of office in accordance with Article IX.*

(c) Composition. *The Council shall consist of seven (7) members elected at large on a nonpartisan ballot.*

Section 4.07. Prohibitions.

(a) Holding Other Office. Members of Council shall not hold any other City office or employment in the government of New Carlisle during the term for which they were elected or appointed *except where authorized by law*. No former members of Council shall hold any compensated appointive City office or employment until one (1) year after the expiration of the term for which they were elected or appointed to Council, *unless granted a waiver by the Ohio Ethics Commission*. No employee shall serve on City Council until six (6) months after expiration of employment with the City.

(b) Interference with Administration by Council. Neither the Council nor any of its members shall in any manner dictate the appointment or removal of any City employee who falls under the jurisdiction of the City Manager. Council and its members shall not give orders, directly or indirectly, to any City employee except the City Manager, as provided by Article V, Section 5.03. However, nothing in this section shall preclude Council from initiating and conducting investigations pursuant to Section 4.10 and Section 5.03.

Council members declared in violation of this prohibition of the Charter ~~shall forfeit~~ *may be subject to forfeiture* of their seats on Council in accordance with Section 4.08(b), and said seats shall be declared vacant. Such persons shall not be eligible to hold further office or employment in the City government for a period of five (5) years.

Section 4.12. Procedure.

(a) Meetings. The first regular Council meeting in January following the Municipal election shall be the organizational meeting. At said meeting any newly elected Council members shall take the oath of office. The Council shall meet regularly, at least once a month, at such times and places as determined by the Rules of Council. Special meetings may be held on the call of the Mayor, *the City Manager*, or of four (4) or more members, and, whenever practicable, with no less than twelve (12) hours written notice by the Clerk of Council to each Council member. All meetings shall be public; however, Council shall have the right to meet in executive session and thereby exclude the public and media pursuant to Section 121.22(G) of the Ohio Revised Code for any purpose enumerated therein.

(b) Rules and Journal. The Council shall determine and abide by its own rules of procedure and order of business and shall provide for keeping a journal of its proceedings. This journal shall be a public record.

(c) Council Action. Action by Council shall be by ordinance or resolution except on procedural matters. A roll call vote by yes or no shall be recorded in the journal. Four (4) members of the Council shall constitute a quorum. A smaller number may adjourn and compel the attendance of absent members, subject to the penalties prescribed by the rules of the Council. No action of the Council, except as otherwise provided in the preceding sentence and in Section 4.08(d) shall be valid or binding unless adopted by the affirmative vote of four (4) or more members of the Council

Section 4.17. Authentication and Recording; Codification; Printing.

(a) Authentication and Recording. The Clerk of Council and the Mayor shall authenticate by their signatures and record in full, in a properly indexed book kept for that purpose, all ordinances and resolutions adopted by the Council.

(b) Codification. Within four (4) years after adoption of this Charter, and at least every ~~ten~~ *(10) two (2)* years thereafter, the Council shall provide for the preparation of a general codification of all ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the Council by ordinance and shall be published ~~promptly in bound or loose leaf form~~ *together with this Charter and any amendments thereto, pertinent provisions of the constitution and other laws of the State of Ohio*, together with such codes of technical regulations and other rules and regulations as the Council may specify. This compilation shall be known and cited officially as the New Carlisle Municipal Code. Copies of the Code shall be furnished to City officers, placed in libraries and public offices for public reference, and made available for purchase by the public at a reasonable price fixed by Council.

(c) Printing of Ordinances of General and Permanent Nature. The Council shall cause each ordinance of general and permanent nature having the force and effect of law and each amendment to this Charter to be printed promptly following its adoption, and the printed ordinances and Charter amendments may be distributed or sold to the public at reasonable prices fixed by the Council. Following publication of the first New Carlisle Municipal Code and at all times thereafter, the ordinances, and Charter amendments shall be printed in substantially the same style as the Code in effect at that time, and shall be suitable for integration, in proper form, therein. The Council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in, or additions to the codes of technical regulations and other rules and regulations included in the Code.

PROPOSED CHARTER AMENDMENTS

City of New Carlisle

A majority affirmative vote is necessary for passage.

Shall the Article IV, Sections 4.01, 4.02, 4.07, 4.12 and 4.17 of the Charter of the City of New Carlisle be amended as follows:

Article IV – The Council (Summary)

Add language stating that all powers of the city are vested in Council except as otherwise provided by law or the Charter. Clarify Council member duties. Add language requiring and recommending Council member trainings. Add language requiring Council to verify the eligibility of members and candidates. Clarify Council eligibility, terms and composition. Clarify Council member prohibitions. Add language permitting former members of Council to hold compensated appointive office or employment with the City within one year if granted a waiver by the Ohio Ethics Commission. Add language changing shall to may for forfeiture of office due to interference with administration. Add language permitting the City Manager to call special meetings of Council. Add language changing codification of ordinances and resolutions from four (4) years to two (2) years, and requiring codification of the Charter, its amendments and pertinent provisions of the constitution and other laws of the State of Ohio.

YES

NO

ORDINANCE 2024-37

AN ORDINANCE AMENDING SECTION 660.13 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING WEEDS AND GRASSES

WHEREAS, Chapter 660 of the Codified Ordinances of the City of New Carlisle sets forth rules and regulations for safety, sanitation and health; and

WHEREAS, Section 660.13 addresses weeds and grasses within City limits; and

WHEREAS, Section 660.13 should be changed to increase the maximum allowable height of weeds and grasses from six (6) inches to eight (8) inches in order to make that section consistent with the amendment to the City’s Exterior Property Maintenance Code passed on May 6, 2024; and

WHEREAS, the costs of remedying noncompliance under Section 660.13 should be revised to reflect the actual fees incurred by the City and/or to make the costs more similar to the costs of nuisance abatement under Section 1460.15; and

WHEREAS, for repeat violations, Section 660.13 should be modified to allow the City to remedy noncompliant properties in a more expedited manner.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS that Chapter 660.13 of the Codified Ordinances of the City of New Carlisle be amended as set forth on the attached Exhibit A.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

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

Totals:

Pass

Fail

Intro: 07/15/24
Action: 08/05/24
Effective: 08/20/24

EXHIBIT A

660.13 WEEDS AND GRASSES.

(a) Definition. "Weeds" shall be defined as any noxious weed as referenced in Ohio R.C. 731.51 and any grasses or weeds more than ~~six~~ *eight* inches in height. This section shall not apply to real property that meets any one of the following requirements:

- (1) Real property lawfully and substantially used for agricultural purposes for profit;
- (2) Real property of more than two acres where a maintained buffer strip equal to or greater than the minimum rear yard setback requirement of the zoning district directly adjacent to the boundaries of such real property complies with this section. However, compliance is not required for the portions of any boundaries of such real property that are adjacent to an undeveloped lot and which are more than ten feet from the closest point of contact with a developed lot. Real property will be deemed developed if a permanent structure, including but not limited to paving, has been erected on the parcel; or
- (3) An educational or research activity approved by the Planning Board. If an educational or research activity is not approved the Planning Board, the applicant may appeal to Council within 30 days.

(b) Cutting Required.

- (1) The owner, occupant or any other person or entity having charge of any land, including any areas of easement within the City shall cut down all weeds more than ~~six~~ *eight* inches in height and shall remove those cuttings from that land; and/or
- (2) The owner, occupant or any other person or entity having charge of land abutting a public right-of-way shall cut down all weeds more than ~~six~~ *eight* inches in height from any unpaved portions of the right-of-way abutting the land and shall remove those cuttings from the right-of-way and that abutting land. For the purposes of this section, the owner, occupant or any other person or entity having charge of land abutting a public right-of-way shall be deemed to have charge of that half of the right-of-way on the side of his or her land.

(c) Notice to Cut. Upon written notice presented to the Director of Public Service or his or her designee or the Planning Director or his or her designee, that weeds are growing on land in the City, the Director or his or her designee, in the name of Council, shall cause written notice to be served upon the owner, occupant or any other person having charge of such land, directing that such weeds are growing on such land and that they must be cut and removed within five days after service of such notice. No owner, occupant, or other person or entity having charge of land shall fail to comply with such notice within those five days.

(d) Service of Notice.

- (1) The written notice provided for in division (c) of this section shall be served upon the owner, occupant or other person or entity having charge of the land either in person, or by being mailed to or left at the usual place of residence of any such person or the principal office of any such entity;
- (2) If such owner, occupant or other person or entity having charge of such land is a nonresident of this City whose address is known, such notice shall be sent to his or her address by registered or certified mail;
- (3) If no owner, occupant or other person or entity having charge of the land is present on such land at the time that City attempts to serve the written notice, or if the address of such owner is unknown, or if notice by registered or certified mail is not delivered and accepted, the City shall have the option to make such service by publishing the written notice once in a newspaper of general circulation in the City;
- (4) Any police officer, the Planning Director or his or her designee or the Director of Public Service or his or her designee may make such personal or residential service and return of the written notice provided for in division (c) of this section.

(e) Noncompliance; Remedy of City. If the owner, occupant or other person or entity under division (c) of this section fails to comply with such notice, the City shall cause such weeds to be cut and removed at the expense of the owner of that land. ~~and may employ the necessary labor at seventy five dollars (\$75.00) an hour to carry out the provisions of this section.~~ *The cost to the owner of remedying noncompliance will be seventy-five dollars (\$75.00) per hour per City*

employee and two hundred dollars (\$200.00) per load of weeds taken from the property, or the total cost the City is charged if a private contractor causes such weeds to be cut and removed. All expenses incurred, together with an administrative fee of two hundred fifty dollars (\$250.00) plus an additional administrative fee of fifty dollars (\$50.00) if a contractor is used, shall be assessed against the land.

(f) Repeat Violators. For the second ~~or continued violations~~ violation of the same general character occurring not sooner than 14 days and not later than six months in the same calendar year after the previous violation, the written notice contained in division (c) of this section may be omitted and a violation notice, specifying that the violation shall be corrected within 72 hours of receipt of said violation notice, shall be personally served upon the owner, occupant or other person or entity as specified in division (c) of this section, or posted on the premises if the owner, occupant or other person or entity as specified in division (c) of this section cannot be located. If the violation is not corrected by the specified compliance date by the owner, occupant or other person or entity under division (c) of this section, the City shall cause such weeds to be cut and removed at the expense of the owner of that land. ~~and may employ the necessary labor at seventy-five dollars (\$75.00) an hour to carry out the provisions of this section.~~ *For the third violation, or any violation after the third, of the same general character occurring not sooner than 14 days and not later than six months in the same calendar year after the first violation, no written or oral notice will be necessary and the City shall cause such weeds to be cut and removed at the expense of the owner of that land. The cost to the owner of remedying noncompliance will be the same as set forth in division (e) of this section.*

(g) Collection of Costs.

(1) Written notice of such an assessment shall be given to the owner of the land in the same manner as is provided above in division (c) for service of the written notice to cut weeds. The amount of the assessment shall be paid and delivered to the City within ten days after notice of the assessment was so served;

(2) If the City has not received payment of the assessment within those ten days, the City shall make a written return or certification to the County Auditor of the amount of the unpaid assessment, plus an additional administrative charge of 10%, including with that certification a proper description of the premises. The assessed amount shall be entered upon the tax duplicate and shall be a lien upon such land from and after the date of the entry and shall be collected as other taxes and returned to the City with the General Fund.

(h) Whoever violates this section shall be guilty of a minor misdemeanor. Any person convicted of a second offense of this section within two years of the first offense shall be guilty of a misdemeanor of the fourth degree.

ORDINANCE NO. 2024-38E

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE TERMS OF THE MARCH 22, 2024 KROGER MULTISTATE SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY

WHEREAS, the City of New Carlisle, Ohio (hereinafter referred to as “the City”) is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the parties’ agreements, have drafted and the City has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“OneOhio MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, a settlement proposal identified as the Kroger Multistate Settlement Agreement (“Proposed Settlement”) is being presented to the State of Ohio and Local Governments by Kroger Co. (“Kroger”) to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU; and

WHEREAS, the City wishes to agree to the material terms of the Proposed Settlement with Kroger; and

WHEREAS, City Council understands that proceeds from the Proposed Settlement will be allocated and distributed using the structure set forth in the OneOhio MOU; and

WHEREAS, the deadline for Ohio subdivisions to agree to and participate in the Proposed Settlement with Kroger is August 12, 2024.

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

SECTION 1. The City Manager is hereby authorized to accept the Proposed Settlement with Kroger on behalf of the City by executing any and all necessary documents for the City to agree to and participate in the Proposed Settlement.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including the City’s Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

SECTION 3. This ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the life, health, property and public peace of the residents of the City and for the further reason that it is needed to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio, and this ordinance shall be deemed effective immediately upon the affirmative vote of at least six (6) City Council members.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK

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
Vacant	Y	N

Totals:

Pass

Fail

Intro: 08/05/2024

Action: 08/05/2024

Effective: 08/05/2024

ORDINANCE 2024-39

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR THE
DIRECTOR OF PUBLIC SERVICE/ASSISTANT CITY MANAGER, TO
ENTER INTO A CONTRACT FOR THE PURCHASE OF DE-ICING
ROCK SALT

WHEREAS, it is necessary to provide rock salt to the Public Works Department of New Carlisle, Ohio for the purpose of de-icing for the 2024/2025 winter season; and

WHEREAS, the City of New Carlisle participated in the Southwest Ohio Purchasers for Government Cooperative Purchasing Program competitive bidding process for the purchase of de-icing rock salt; and

WHEREAS, bids for the furnishing of de-icing rock salt have been received, reviewed and evaluated.

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

SECTION 1. It is determined that the lowest and best bid received by the City was submitted by Cargill, Inc. – Salt, Road Safety in the amount of \$61.56 per ton for the 2024/2025 winter season (i.e., Bid # 24-034SWOP4G).

SECTION 2. The City Manager, or the Director of Public Service/Assistant City Manager as the City Manager’s designee, be and he hereby is, authorized and empowered to enter into a purchase contract on behalf of the City of New Carlisle with the successful bidder, as stated in Section 1 hereof, in accordance with all documents contained in the bid packet upon which the bid was received.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

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

Totals: _____

Pass Fail

Intro: 08/05/2024
Action: 08/19/2024
Effective: 09/03/2024

ORDINANCE 2024-40

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

WHEREAS, this Council did adopt Resolution No. 2024-08R on the 5th day of August, 2024, declaring therein the proposed improvement hereinafter described; and

WHEREAS, pursuant to said Resolution, estimated assessments with respect to said improvement were duly prepared and placed on file with the Office of the Clerk of Council; and

WHEREAS, no objections to said estimated assessments have been filed.

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

SECTION 1. It is hereby determined that the City is to proceed with the improvement of certain public streets within the corporate limits of the City of New Carlisle, Ohio by lighting them in accordance with the plans, profiles, specifications, and cost estimate for said improvement heretofore approved and filed with the Office of the Clerk.

SECTION 2. The estimated assessments of the cost of said improvement heretofore prepared and filed with the Office of said Clerk be adopted.

SECTION 3. It is further determined that the portion of the cost of said improvement to be assessed against the benefited property shall be assessed in the amount, manner and number of installments as provided for in said Resolution declaring the necessity of improvements.

SECTION 4. That all claims for damages resulting from said improvement that have been filed in accordance with law, if any, shall be inquired into after the completion of said improvement.

SECTION 5. The City Manager of the City of New Carlisle is hereby authorized and directed to cause said lighting improvement to be made by Miami Valley Lighting in accordance with the agreement between Miami Valley Lighting and the City of New Carlisle, Ohio, which is currently in effect.

SIGNATURE PAGE TO FOLLOW

Passed this _____ day of _____, 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
Vacant	Y	N

Totals:

Pass

Fail

Intro: 08/05/2024

Action: 08/19/2024

Effective: 09/03/2024

ORDINANCE 2024-41

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

WHEREAS, this Council did on the 5th day of August, 2024, duly adopt Resolution 2024-08R, declaring the necessity of the improvement therein and hereinafter described; and

WHEREAS, this Council did on the 19th day of August, 2024, duly adopt Ordinance 2024-40, determining to proceed with said improvement and adopting the estimated assessments theretofore filed with respect to said improvement; and

WHEREAS, the actual cost of the improvement has now been ascertained and placed on file with the Office of the Clerk and has been reported to this Council; and

WHEREAS, estimated assessments for said improvement heretofore adopted by Ordinance 2024-40 have been adjusted so that said assessments, as adjusted, are in the same proportion to said estimated assessments as the actual cost of said improvement is to the estimated cost of said improvement; and

WHEREAS, the adjusted estimates are now on file with the Office of the Clerk.

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

SECTION 1. The adjusted assessments for improving certain public streets within the corporate limits of the City of New Carlisle by lighting them, as heretofore reported to this Council and now on file with the Office of the Clerk, and in the estimated aggregate amount of \$94,138.20, be and the same hereby are adopted and confirmed.

SECTION 2. There be, and hereby are, levied and assessed upon the lots and lands bounding and abutting upon said improvement, amounts reported in said adjusted assessments as aforesaid, which assessments are at the rate of (\$0.60) per front foot. Said assessments do not exceed any statutory limitation and are for calendar year 2025. The assessed lots and lands are set forth in the schedule on file with the Office of the Clerk and are made a part hereof by reference.

SECTION 3. It is hereby determined that the adjusted assessments hereinbefore referred to are in the same proportion to the estimated assessments as the actual cost of said improvement bears to the estimated cost of said improvement upon which such estimated assessments were made.

SECTION 4. The acceptable methods of payment are cash, check or money order. The payment schedule for the special assessments to be levied, payable to the Clark County Auditor in cash, check or money order and which such payment shall include the Auditor’s collection fee of 4%, will be two annual installments, or the owner of any property assessed may, at his/her option, pay such assessment in cash to the City of New Carlisle within ten days after notice of passage of the Ordinance levying such assessments. Assessments not paid in full within the ten-day period will be certified by the Clerk of Council to said Auditor for placement on the tax duplicate and collection as provided by law.

SECTION 5. The Finance Director is authorized and directed to keep said adjusted assessments on file for as long as any of them remain unpaid.

SECTION 6. The Finance Director be, and hereby is, authorized and directed to cause notice of the levying of the assessments herein provided for to be filed with the Clark County Auditor within thirty (30) days after the passage of the Ordinance.

Passed this _____ day of _____, 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
Vacant	Y	N

Totals:

Pass Fail

Intro: 08/05/2024

Action: 08/19/2024

Effective: 09/03/2024

ORDINANCE 2024-42

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

WHEREAS, certain City residents have delinquent water and sewer accounts; and

WHEREAS, Section 1040.16(d) of the Municipal Code provides that all charges for water are a lien assessed against the property served and collectable in the same manner as other tax assessments thereon; and

WHEREAS, Section 1042.32 of the Municipal Code provides that unpaid billings for sewer, together with accrued penalties, shall be certified pursuant to the Ohio Revised Code to the County Auditor, who shall place such delinquencies upon the real property tax duplicate for the property being served, and such delinquencies shall be a lien assessed against the property and collected in the same manner as other tax assessments thereon; and

WHEREAS, Section 743.04 of the Ohio Revised Code provides that the City may certify such delinquent accounts to the County Auditor for placement thereof upon the real property tax list and duplicate against the property served for collection in the same manner as other taxes.

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

SECTION 1. The following delinquent water and sewer utility accounts are hereby certified to the Auditor of Clark County for placement upon the tax list and duplicate for collection in the same manner as other taxes as provided by law:

Name: Jeremy & Jessica Saylor
Property Address: 2741 Country Squire Dr., New Carlisle, OH 45344
Parcel Number: 2600100025800001
Amount due: \$1,027.16

SIGNATURE PAGE TO FOLLOW

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

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

Totals:

Pass Fail

Intro: 08/05/2024

Action: 08/19/2024

Effective: 09/03/2024

ORDINANCE 2024-43

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

WHEREAS, pursuant to Municipal Code Section 1460.26(a), no owner of land in the City may allow his or her grass, weeds or rank vegetation to grow in excess of six inches; and

WHEREAS, the City Planning Director, or his or her designee, or Code Enforcement Officer is required to serve written notice upon any owner, lessee, agent or tenant, having charge of the land in the City in violation of said code, notifying him or her of the Municipal Code violation and that they must cut their grass, weeds or rank vegetation within five days of receipt of the notice; and

WHEREAS, the owners, lessees, agents or tenants listed below, having charge of such land in violation of said code, were advised to cut their grass, weeds or rank vegetation; and

WHEREAS, there has been no acknowledgement from the owners, lessees, agents or tenants having charge of such land; and

WHEREAS, under Municipal Code Section 660.13, if the owner, lessee, agent or tenant having charge of such land fails to comply with the notice, the Director of Public Service is required to schedule the cutting of such land's grass, weeds or rank vegetation, and may submit a bill to the owner, lessee, agent or tenant having charge of such land for the sum of money due to the City for performing such service plus an administrative fee; and

WHEREAS, the City cut the grass, weeds or rank vegetation of such properties in violation of said code and billed the owners, lessees, agents or tenants for such services; and

WHEREAS, the owners, lessees, agents or tenants having charge of such land did not pay their bills from the City; and

WHEREAS, Section 660.13(g) of the Municipal Code provides that such charges for service, if not received by the City within ten days after receipt of such notice by the owner, lessee, agent or tenant having charge of such land, plus an additional administrative charge of ten percent, are a lien against the property served and collectible in the same manner as other tax assessments thereon; and

WHEREAS, Section 731.54 of the Ohio Revised Code provides that the Municipality may certify such delinquent charges for services to the County Auditor for placement thereof upon the real property tax list and duplicate against the property served for collection in the same manner as other taxes.

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

SECTION 1. The following delinquent charges for grass cutting services are hereby certified to the Auditor of Clark County for placement upon the tax list and duplicate against the property served for collection in the same manner as other taxes as provided by law:

Property Address: 1001 Langdale Avenue,
New Carlisle, OH 45344
Parcel Number: 0300500035302049
Amount Due: **\$398.75**

Property Address: 112 Hillcrest Avenue,
New Carlisle, OH 45344
Parcel Number: 0300500034222036
Amount Due: **\$1,265.00**

Property Address: 120-122 S Main Street,
New Carlisle, OH 45344
Parcel Number: 0300500028101019
Amount Due: **\$852.50**

Property Address: 212 Rawson Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035206011
Amount Due: **\$715.00**

Property Address: 410 N Church Street,
New Carlisle, OH 45344
Parcel Number: 0300500035409022
Amount Due: **\$1113.75**

Property Address: 122 N Clay Street,
New Carlisle, OH 45344
Parcel Number: 0300500035430001
Amount Due: **\$398.75**

Property Address: 219 Rawson Drive
New Carlisle, OH 45344
Parcel Number: 0300500035204027
Amount Due: **\$715.00**

Parcel Address: 221 Drake Avenue,
New Carlisle, OH 45344
Parcel Number: 0300500035202010
Amount Due: **\$2,153.75**

Parcel Address: 231 Drake Avenue,
New Carlisle, OH 45344
Parcel Number: 0300500035202005
Amount Due: **\$357.50**

Parcel Address: 312 S Adams,
New Carlisle, OH 45344
Parcel Number: 0300500034219006
Amount Due: **\$398.75**

Parcel Address: 815 Bayberry Drive,
New Carlisle, OH 45344
Parcel Number: 0300500035109020
Amount Due: **\$357.50**

SIGNATURE PAGE TO FOLLOW

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
Vacant	Y	N

Totals:

Pass

Fail

Intro: 08/05/2024

Action: 08/19//2024

Effective: 09/03/2024

ORDINANCE 2024-44

AN ORDINANCE ESTABLISHING A MORATORIUM ON ADULT USE CANNABIS OPERATORS WITHIN THE CITY OF NEW CARLISLE, OHIO

WHEREAS, with the passage of State Issue 2: An Act to Control and Regulate Adult Use Cannabis, the voters of Ohio authorized the cultivation, sale and use of marijuana for non-medical purposes; and

WHEREAS, pursuant to Article II, Section 1b of the Ohio Constitution, the legislation approved by the Ohio voters was automatically incorporated into ORC Sections 3780.01 through 3780.99 and went into effect on December 7, 2023 (the “Act”); and

WHEREAS, ORC Section 3780.03 provides that a newly created “Division of Cannabis” shall adopt rules establishing standards and procedures for the implementation of the adult use marijuana program and licensing requirements for adult use cannabis operators, including adult use cultivators, processors and dispensaries; and

WHEREAS, the Act provides the Division of Cannabis a period of nine months after December 7, 2023 to implement rules and regulations regarding the adult use marijuana program; and

WHEREAS, ORC Section 3780.25 authorizes the City to prohibit adult use cannabis operators within the corporate limits of the City; and

WHEREAS, City Council desires to obtain a better understanding of applicable federal law, newly implemented state law and current and future Division of Cannabis rules and regulations regarding adult use cannabis operators that could impact the health, safety and welfare of the citizens of New Carlisle; and

WHEREAS, a moratorium on adult use cannabis operators will allow City Council additional time to more fully consider the necessary issues prior to the possible enactment of future legislation.

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

SECTION 1. Except as required by the Act, a moratorium is imposed within the City of New Carlisle on the issuance and processing of any permits for adult use cannabis operators, including adult use cultivators, processors and dispensaries, as defined in ORC Section 3780.01.

SECTION 2. Beginning on the effective date of this Ordinance, the moratorium shall be in effect for a period of one (1) year unless the moratorium is ended earlier by action of Council. The moratorium may also be reasonably extended by Council, as necessary, by ordinance.

SECTION 3. No permit, including any zoning certificate, for adult use cannabis operators, including adult use cultivators, processors and dispensaries, as defined in ORC Section 3780.01 may be issued or processed by the City during the moratorium except as may be required by the Act.

SECTION 4. The purpose of the moratorium is to allow City Council additional time to determine whether to allow, limit or prohibit adult use cannabis operators within the City.

SECTION 5. In accordance with division (G) of ORC Section 3780.25, this Ordinance does not: (a) limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity; or (b) prohibit or limit “home grow,” as the same is set forth in ORC Section 3780.29.

Passed this _____ day of _____, 2024.

Bill Cook, MAYOR

Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2nd: _____

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

Totals: _____

Pass Fail

Intro: 08/05/24
Action: 08/19/24
Effective: 09/03/24

ORDINANCE 2024-45

AN ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS CONTAINED IN NEW CARLISLE CITY ORDINANCE 2023-61

WHEREAS, Ordinance 2023-61 is the Annual Appropriations Ordinance for the City of New Carlisle for the fiscal year ending December 31, 2024; and

WHEREAS, it is necessary to amend certain appropriations contained therein pursuant to divisions (a) and (c) of Section 7.09 of the Municipal Charter.

NOW, THEREFORE THE CITY OF NEW CARLISLE HEREBY ORDAINS that the annual appropriations shall be supplemented as follows:

SECTION 1. To bring the City's appropriations in line with the required expenses of the City of New Carlisle for the fiscal period ending December 31, 2024, the 2024 appropriations are hereby increased for the following fund/fund types by the amounts shown:

Fund #	Fund Name	Increase Appropriations	Reason
101	GENERAL FUND		
	Parks	\$ 20,000.00	Additional for Maint. Of Facilities
	Parks	\$ 11,000.00	Shared Retired Employee Cash Out
	Special Events	\$ 4,000.00	Outside Movie Screen, Projectors, etc
101	TOTAL GENERAL FUND	\$ 35,000.00	
201	STREET FUND	\$ 15,000.00	Security Upgrades, and Maintenance
		\$ 11,000.00	Shared Retired Employee Cash Out
201	TOTAL STREET FUND	\$ 26,000.00	
213	AMBULANCE OPERATING	\$ 140,000.00	Personnel Services - Budgeted Low
215	FIRE OPERATING	\$ 30,000.00	Personnel Services - Budgeted Low
505	POOL FUND	\$ 36,000.00	Maintenance, Chemicals, Comm. Frig
510	CEMETERY FUND	\$ 40,000.00	Shared Retired Employee Cash Out - Budgeted Low
	TOTAL INCREASE	\$ 307,000.00	

SECTION 2. The Finance Director is hereby authorized and directed to enter the foregoing supplemental appropriations upon the books and accounts of the City of New Carlisle, and issue warrants pursuant to such authorization.

SIGNATURE PAGE TO FOLLOW

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, Law Director

1st _____

2nd: _____

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

Totals:

Pass Fail

Intro: 08/05/24
Action: 08/19/24
Effective: 9/03/24