



CITY COUNCIL REGULAR MEETING PACKET

October 7, 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: 9/3/24 & 9/16/24 Regular Session
6. Communications:
7. City Manager Report: Attached
8. Committee Reports: Planning Board referral - Solar Panel Regulations (Zoning Code Amendment Procedure attached after minutes)
9. Comments from Members of the Public: *Comments limited to 5 minutes or less

10. RESOLUTIONS: (2-Intro; – 2-Action*)

***A. Resolution 2024-12R (Introduction, Public Hearing and Action Tonight)**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COMMISSIONERS OF CLARK COUNTY REGARDING OPIOID SETTLEMENT FUNDS

***B. Resolution 2024-13R (Introduction, Public Hearing and Action Tonight)**

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL, STREET AND AMERICAN RESCUE FUNDS TO THE WATER, BOND RETIREMENT AND CEMETERY FUNDS OF THE CITY OF NEW CARLISLE

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

A. Ordinance 2024-50 (Introduction Tonight. Public Hearing and Action 10/21/24)

AN ORDINANCE AMENDING CHAPTER 278 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE BY REMOVING IT IN ITS ENTIRETY, AND DISSOLVING THE PARKS AND RECREATION BOARD

B. Ordinance 2024-51 (Introduction Tonight. Public Hearing and Action 10/21/24)

AN ORDINANCE AMENDING CHAPTER 276 OF THE CODIFIED ORDINANCES OF NEW CARLISLE FOR THE PURPOSE OF ESTABLISHING PARKS AND RECREATION AND PUBLIC SERVICE COMMISSIONS

C. Ordinance 2024-52 (Introduced on 9/16/24 Public Hearing and Action 10/21/24)

CREATING THE MONROE MEADOWS TAX INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; REQUIRING THE DISTRIBUTION OF A PORTION OF THOSE SERVICE PAYMENTS TO THE TECUMSEH LOCAL SCHOOL DISTRICT AND THE SPRINGFIELD-CLARK CAREER TECHNOLOGY CENTER; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT

D. Ordinance 2024-53 (Introduction Tonight. Public Hearing and Action 10/21/24)

AN ORDINANCE ADOPTING THE BOARDS AND COMMISSION HANDBOOK FOR THE CITY OF NEW CARLISLE

E. Ordinance 2024-54 (Introduction Tonight. Public Hearing and Action 10/21/24)

AN ORDINANCE ADOPTING THE DISASTER RECOVERY AND RESPONSE PLAN FOR THE CITY OF NEW CARLISLE, OHIO

F. Ordinance 2024-55 (Introduction Tonight. Public Hearing and Action 10/21/24)

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

CONTINUED ON THE NEXT PAGE

12. **OTHER BUSINESS:**

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

13. Executive Session:

14. Return to Regular Session:

15. Adjournment

2024 City Council Schedule

Meetings begin at 6pm in Heritage Hall @ Smith Park on the 1st, 2nd, and 3rd Mondays monthly, unless noted otherwise.

10/15/2024 - Work Session *Tuesday

10/21/2024 - Regular Session

11/04/2024 - Regular Session

11/12/2024 - Work Session *Tuesday

11/18/2024 - Town Hall and Regular Session

12/02/2024 - Regular Session

12/09/2024 - Work Session

12/16/2024 - Regular Session

Bridge gives a brief overview of the above items.

Bridge brings up the change of Ordinances from a 2-read to a 3-read cycle but asks the council to discuss the change from 2 to 3, which would require the council to change its rules. The council discusses Eggleston's motion to move it to a 3-read cycle. After continued discussions, most council members agree that a 2-read cycle is sufficient. Lindsey and Bahun note a 2-read cycle; maybe do it later in the year. Cook said a 3-read would give citizens more time for input. The 2nd is by Cook YES: Eggleston, Cook NAY: Bahun, Shamy, Wright, Lindsey FAIL: 2-4

Bridge requested that the Town Hall meeting be moved to 12/4. Lindsey noted that the date was set a while ago and should be left at that date. Quick council discussions. Bahun notes he is fine with moving it. Krabacher from the audience suggests leaving it on the 18th for more resident participation—no motion was made to change the meeting date.

8. COMMITTEE REPORTS: none

9. COMMENTS FROM MEMBERS OF THE PUBLIC:

John Krabacher, 307 N Henry, asks about companies that use drones to inspect roofs and whether the ordinance would allow them. Both Wright and Bahun point out the sections in the ordinance that allow it with homeowners' permission.

Mike Lowrey, 816 Plumwood, asks about the purpose of the drone ordinance. He notes that the FAA already has these regulations and does not understand the redundancy. Notes: The last council meeting, executive session, meetings, and interviews have always been open. He notes that the executive session was not on the agenda, and the statement as to why the ES is held was not made. He wants the council to be aware of the missed steps.

Pat Krabacher, 307 N Henry, appreciates the city's garden support. Notes: It is going well. She is concerned about the future and would love for someone from the community to work with the school. She notes that the appointment of the new council spot needs new voices, younger people, and team players. Bahun asks if the garden talked to FFA at Tecumseh. Krabacher notes they turn them down every time, but Northwestern sends volunteers.

10. RESOLUTIONS: none

11. ORDINANCES:

Ordinance 2024-46 (Introduced on 08/19/24. 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 1st Shamy 2nd Wright notes a change in fee, to be understandable Lindsey, Eggleston, Bahun, Shamy, Wright NAY: Cook Accepted 5-1

Ordinance 2024-47 (Introduced on 08/19/24. Public Hearing and Action Tonight) AN ORDINANCE AMENDING CHAPTER 648 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE TO ADDRESS UNMANNED AIRCRAFT SYSTEMS 1st Shamy 2nd Lindsey *Wright notes the # of things people can do with drones and the FAA does have rules but they do not cover it all. It protects people's rights to privacy* YES: Eggleston, Bahun, Shamy, Wright, Lindsey NAY: 1 Cook Accepted 5-1

Ordinance 2024-48 (Introduced on 08/19/24. Public Hearing and Action Tonight)

AN ORDINANCE AMENDING CHAPTER 248 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING CITY POLICY 1st Shamy 2nd Bahun *ex: amends city policy on incentive pay* YES: Shamy, Wright, Lindsey, Eggleston, Cook, Bahun NAY: 0 Accepted 6-0

Ordinance 2024-49 (Introduction Tonight. Public Hearing and Action on 09/16/24) AN

ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN FOR THE CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT.

12. OTHER BUSINESS:

Intergovernmental Meeting 9/30/24 @ THS. 6:00 PM

Open for discussion on City Related Business:

Acting Clerk of Council Discussion- Brief discussion on the assistant clerk position, the need for an assistant, and the need that the pay is not enough to share. Bridge notes how tight council wages are and that supplemental pay will be needed. Mr. Rodewald suggests paying the clerk more to entice them to

want to stay. Continued discussions and input from the clerk. The council has decided to address this during the budget work session.

Continuation of City Council Vacant Seat Appointment-

13. Executive Session: Motion by Eggleston to move to executive session to discuss the employment of a public official and consider the purchase of real property 2nd by Wright @ 7:02 pm YES: Lindsey, Eggleston, Cook, Bahun, Shamy, Wright NAY: 0 Accepted 6-0

Motion by Lindsey 2nd by Shamy to move to regular session @ 7:29 pm YES: Wright, Lindsey, Eggleston, Cook, Bahun, Shamy NAY: 0 Accepted 6-0.

Motion to open nominations: 1st Lindsey 2nd Shamy YES: Wright, Lindsey, Eggleston, Cook, Bahun, Shamy NAY: 0 Accepted 6-0

Wright nominates Karriane Grow 2nd by Shamy

Eggleston nominates David Peters 2nd by Bahun

Cook nominates Rodewald 2nd by Lindsey

Lindsey motions to close with a 2nd by Shamy YES: Wright, Lindsey, Eggleston, Cook, Bahun, Shamy NAY: 0 Accepted 6-0

Vote for Grow: YES: Wright, Lindsey, Bahun, Shamy NAY: Eggleston, Cook Accepted 4-2

The clerk swears in the new member of the council.

Lindsey congratulates Karriane.

14. Adjournment: 1st Lindsey 2nd Shamy @ 7:48 pm YES: Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0

Mayor Bill Cook

Clerk of Council Emily Berner

RECORD OF PROCEEDING

MINUTES: CITY OF NEW CARLISLE, OHIO REGULAR SESSION MEETING @ Heritage Hall on 9/16/24 @ 6:00 pm

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

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

3. Invocation: Trusty

4. Pledge of Allegiance: All are Welcome to Participate

5. Action on Minutes: none

6. Communications:

Matt Mills presents the CTC levy bond presentation. Members of the council were able to ask questions. Mills noted the need for new buildings and the importance of passing the upcoming levy.

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: September 16, 2024
 Subject: Council Update

Public Works Departments:

- If you see any potholes, please contact the city for repair.
- New Street Sweeper is on the road. Once initial sweeping is completed, the city will be painting curbs throughout the city.

Water Department:

- Working on OPWC Old High Service Pump Building Upgrade Project. Working on design phase.
- Lead Service and Water Main replacement Project. Old Section of town. 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.

NatureWorks Grant:

- Submitted reimbursement paperwork on 8/15/2024. ODNR is reviewing the documents.

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. Clark County Road Project.
- Applied for CDBG/Critical Infrastructure Grant to reconstruct Rawson from Scott St. to Kemison 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.
- Momoe Meadows and Reserve at Honey Creek housing Development construction update.

Council discussions

Lindsey asks about a water bill glitch. Harris noted no issues, and her staff would have informed her of one.

Wright shares a pamphlet that helps residents look at how to check for leaks. She suggests some ideas she has on water billing,

Fire/EMS Report:

City of New Carlisle
 City Council Meeting
 09-16-2024
 Fire-EMS Report

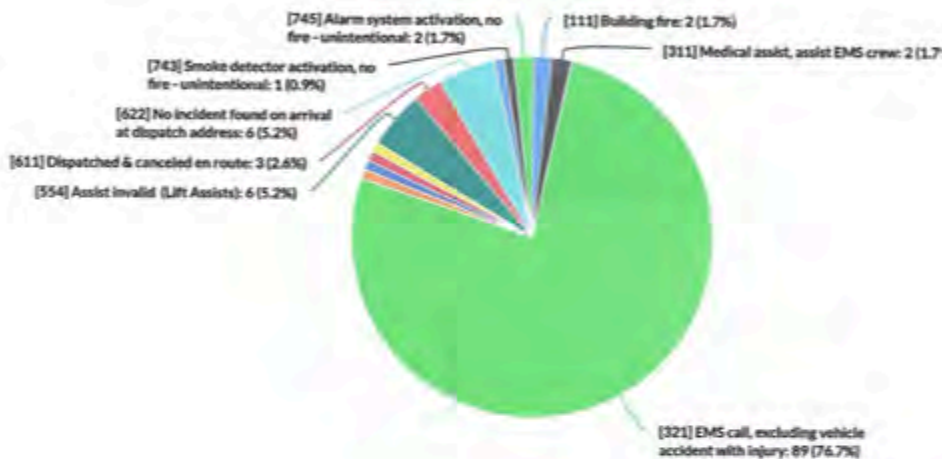
- In the Month of August, the New Carlisle Fire Division responded to 97 EMS call in the city.
- The Division responded to 9 fire related calls, 3 good intent or service calls 2 False Alarms.
- We had 6 EMS calls answered by mutual aid, by Pike Township and 3 by Bethel Clark, due to medic 52 being on a response.
- We answered 5 mutual aid EMS calls for Pike Township and 5 for Bethel Clark.
- Our total run count at time of this report is 1087.
- We are done with hydrant flushing for this year.
- We will be having our open house for fire prevention month on October 12th from 12:00 to 3:00 for the city, please come out we will be having food and games and handouts for kids and adults. come out and tour the fire station and meet your fire fighters.
- We still have FREE smoke alarms for our citizens, just call the station at (937)-854-8401 or stop by the station.

New Carlisle Fire Division
 New Carlisle, OH



Incident Count and Percentage per Incident Type (1390)

Start Date: 8/1/2024 0:00:00 | End Date: 8/31/2024 23:59:59




District	Incident Count	Percentage
Bethel-Clark		0.00%
[111] Building fire	1	0.86%
[321] EMS call, excluding vehicle accident with injury	4	3.45%
[611] Dispatched & canceled en route	1	0.86%
Total (Bethel-Clark)	6	5.17%
Bethel-Miami		0.00%
[321] EMS call, excluding vehicle accident with injury	1	0.86%
Total (Bethel-Miami)	1	0.86%
Elizabeth Township		0.00%
[321] EMS call, excluding vehicle accident with injury	1	0.86%
Total (Elizabeth Township)	1	0.86%
New Carlisle		0.00%

Incident Count and Percentage per Incident Type



District	Incident Count	Percentage
[111] Building fire	1	0.86%
[311] Medical assist, assist EMS crew	1	0.86%
[321] EMS call, excluding vehicle accident with injury	80	68.97%
[412] Gas leak (natural gas or LPG)	1	0.86%
[444] Power line down	1	0.86%
[445] Arcing, shorted electrical equipment	1	0.86%
[554] Assist invalid (Lift Assists)	6	5.17%
[611] Dispatched & canceled en route	2	1.72%
[622] No incident found on arrival at dispatch address	6	5.17%
[733] Smoke detector activation due to malfunction	1	0.86%
[743] Smoke detector activation, no fire - unintentional	1	0.86%
[745] Alarm system activation, no fire - unintentional	2	1.72%
Total (New Carlisle)	103	88.79%
Pike Twp.		0.00%
[311] Medical assist, assist EMS crew	1	0.86%
[321] EMS call, excluding vehicle accident with injury	3	2.59%
[551] Assist police or other governmental agency	1	0.86%
Total (Pike Twp.)	5	4.31%

Planning and Zoning Report:



Planning Department Report August 2024

Statistics		Permits			
Total Violations	142	Date	Permit Type	Parcel Address	Total Payments
Total Properties Violated	67	8/27/2024	Tool Lending Center	904 W LAKE AVE NEW CARLISLE 45344	\$0
Average Violations Per Property	2.03	8/27/2024	Tool Lending Center	207 N SCOTT ST NEW CARLISLE 45344	\$0
Abatement Complete	6	8/22/2024	Fence	307 N CHURCH ST NEW CARLISLE 45344	\$20.00
Closed Violations	55	8/13/2024	Demo	400 N MAIN ST NEW CARLISLE 45344	\$75.00
Sheriff's Dept.	-	8/13/2024	Commercial Addition	400 N MAIN ST NEW CARLISLE 45344	\$161.00
Under Investigation	-	8/9/2024	Accessory Structure	702 BAYBERRY DR NEW CARLISLE 45344	\$35.00
Vacant Property Violated	2	8/8/2024	Sidewalk/Curb/Gutter	316 PRENTICE DR NEW CARLISLE 45344	\$20.00
Work Order Issued	1	8/8/2024	Sidewalk/Curb/Gutter	311 PRENTICE DR NEW CARLISLE 45344	\$20.00
Nuisance Property List	2	8/6/2024	Fence	213 DRAKE AVE NEW CARLISLE 45344	\$20.00
# of Violations Submitted to Mayor's Court	4	8/1/2024	Sidewalk/Curb/Gutter	926 FIRWOOD DR	\$20.00
Property Extensions Granted	4	8/1/2024	Fence	222 SMITH BLVD NEW CARLISLE 45344	\$20.00

Data Summary			
660.13 Weeds & Grasses	32	1460.25 (b) Exterior Maintenance	1
1280.05 Additional Yard Height Requirements		1460.25 (c) Fences and Walls	2
1280.03 Private Swimming Pools		1460.25 (d) Yards, Tall Grass & Weeds	25
1244.10 Zoning Permit Required		1460.25 (e) Hazards	
1244.11 Zoning Permit Application		1460.25 (f) Temporary Occupancy	
1280.26 Accessory Buildings		1460.25 (g) Storage	21
1280.33 Accessory Uses		1460.25 (h) Drainage	
1290.03 Sign Permit Required		1460.25 (i) Damage Swales	
1290.08 Prohibited Signs		1460.25 (j) Junk, Inoperable, Unlicensed Vehicle	1
1290.17 Location of Signs		1460.25 (k) Sanitation	4
1290.20 Sign Construction and Maintenance		1460.25 (l) Swimming Pools	
1290.22 Sign Permit Application		1460.25 (m) Open Fires	
1290.23 Sign Permit Fees		1460.26 Vegetation; Residential	11
1290.26 Maintenance and Removal of Signs		1460.28 Accessory Structures	
1292.10 Parking of Disabled Vehicles		1460.32 - Exterior Property and Structure Exteriors; Commercial	
1460.15 Abatement of Nuisance by the City; Cost Recovery	1	1460.33 Vegetation; Commercial	
1460.23 Structural Soundness and Maintenance of Dwellings	2	1460.45 Donation Bins	
1460.25 Exterior Property and Structure Exteriors; Residential	25	1460.43 (c) On-Street Parking Limitations	2
1460.25 (a) Exterior Space	1	1460.43 (d) Parking on Private Property	14

No comments or questions.

Police Report:

CITY OF NEW CARLISLE MAYOR'S COURT



Court Report August 28, 2024

Crowe, James M of New Carlisle charged with Exterior Property & Structure and Storage. Case continued until September 25.

Davidson, Jesse of New Carlisle appeared to discuss nonpayment and to answer new charges of Non Compliance that was transferred to Clark County Municipal Court.

Kasdjono, Nicholas of New Carlisle charged with Zoning Permit Required and Exterior Property & Structure. Continued until September 11.

Melgar-Leiva, Wilmer of Dayton pled guilty to Wrongful Entrustment. Fined \$500 plus court cost. Payment arrangements made.

Nahur, Jonathan of Dayton pled guilty to Driving without license. Fined \$500 plus court cost. Payment arrangements made.

PAID THROUGH VIOLATION BUREAU

South, Caleb P of Springfield, Speed 11-15 over, \$235

Patrol Division:

The New Carlisle Deputies were dispatched to 238 calls for service during the month of August.

- Calls Taken: 238
- Reports: 36
- Assists: 87
- Criminal Arrest: 10
- Felony Arrest: 3
- Misdemeanor Arrest: 4
- Warrants: 3
- Traffic Stops: 42

- Traffic Warnings: 29
- Moving Citations: 13
- Business checks: 1019
- Code Enforcement Follow-ups: 13
- Traffic Crashes: 3
- Parking Citations: 11

Note:

Deputy Ryan Pennington is our newest deputy assigned to the City of New Carlisle. Deputy Pennington started in this position on August 26th and is off to a great start patrolling the city.

NEW CARLISLE	CALLS	ASSISTS	REPORTS	TRAFFIC STOP CITATIONS	WARNINGS	ARREST	CODE ENFO	BUSINESS CHE	CRASH	PARKING CIT
August										
Dep. Bowers	44	4	10	6	3	3	5	13	213	1
Dep. Arnold	71	19	6	7	2	5	0	0	83	1
Dep. O'Brien	75	29	10	3	0	3	4	0	314	1
Dep. Derringer	25	10	1	9	3	6	0	0	173	0
Dep. Pennington	23	11	6	16	5	11	1	0	83	0
Dep. Solenberger	24	14	3	1	0	1	0	0	153	0
Total	238	87	36	42	13	29	10	13	1019	3

No comments or questions.

Finance Report:

COUNCIL FINANCIAL REPORT SUMMARY – AUGUST 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	\$ 307,000.00
4th Q. Supplemental	
2024 REVISED TOTAL BUDGET	\$ 9,191,079.00

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	\$ 779,582.06
August	\$ 1,248,324.19
September	
October	
November	
December	
Received To Date	\$ 7,398,568.20

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	\$ 714,922.09
August	\$ 834,739.48
September	
October	
November	
December	
Expenses to Date	\$ 5,986,573.83

Statement of Cash from Revenue and Expense

From: 1/1/2024 to 8/31/2024

Fund	Descriptio	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance
Grand Total:		\$8,114,991.22	\$7,398,568.20	\$5,986,573.83	\$9,526,985.59	\$1,183,422.42	\$8,343,563.17

AUGUST

Bank Accounts	Bank Balance	Outstanding Vendor	Outstanding Employee	Deposits in Transit	NSF Check (s)	Adjustments	Book Balance	Difference
PNC - General	\$ 1,486,813.81	\$ -	\$ -	\$ 3,728.23	\$ -	\$ -	\$ 1,490,542.04	\$ -
PNC - Payroll	\$ 212,830.98	\$ (12,830.98)	\$ -	\$ -	\$ -	\$ -	\$ 200,000.00	\$ -
Star Ohio	\$ 4,172,521.27	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,172,521.27	\$ -
US BANK INVEST	\$ 1,046,104.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,046,104.16	\$ -
Park Nat. Secured	\$ 1,570,990.24	\$ (75,496.23)	\$ -	\$ 317.30	\$ -	\$ -	\$ 1,495,811.31	\$ -
Park Nat. - MIMA	\$ 1,042,270.11	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,042,270.11	\$ -
Park Nat. - Mayor's	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ -
NCF - CD's	\$ 79,036.70	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 79,036.70	\$ -
Cash on Hand	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500.00	\$ -
Grand Totals	\$ 9,611,267.27	\$ (88,327.21)	\$ -	\$ 4,045.53	\$ -	\$ -	\$ 9,526,985.59	\$ -

New Carlisle Bank Report

Banks: 0001 to 0100
As Of: 1/1/2024 to 8/31/2024

Include Inactive Bank Accounts: No

Bank	Beginning Bal.	MTD Revenue	YTD Revenue	MTD Expense	YTD Expense	YTD Other	Ending Bal.
PNC - GENERAL	\$1,735,730.79	\$967,859.62	\$2,591,898.75	\$270,022.98	\$1,638,472.60	(\$1,198,614.90)	\$1,490,542.04
PNC - PAYROLL	\$200,000.00	\$236,166.52	\$1,419,730.62	\$281,969.40	\$1,617,741.12	\$198,010.50	\$200,000.00
STAR OHIO	\$3,038,972.15	\$19,129.77	\$133,544.12	\$0.00	\$0.00	\$1,000,000.00	\$4,172,521.27
US BANK INVESTMENTS	\$1,005,629.19	\$5,650.64	\$40,474.97	\$0.00	\$0.00	\$0.00	\$1,046,104.16
PARK NAT. SECURED - GENERAL	\$1,036,338.92	\$310,940.39	\$3,154,489.64	\$277,308.10	\$2,695,601.65	\$604.40	\$1,495,811.31
PARK NAT. - MMA	\$1,021,242.38	\$2,695.38	\$21,027.73	\$0.00	\$0.00	\$0.00	\$1,042,270.11
PARK NAT. - MAYOR'S COURT	\$200.00	\$5,539.00	\$34,551.30	\$5,539.00	\$34,551.30	\$0.00	\$200.00
NCF - CD	\$76,377.79	\$342.87	\$2,658.91	\$0.00	\$0.00	\$0.00	\$79,036.70
CASH ON HAND	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500.00
Grand Total:	\$8,114,991.22	\$1,248,324.19	\$7,398,361.04	\$834,739.48	\$5,986,366.67	\$0.00	\$9,526,985.59

MONTHLY NET INCOME TAX COLLECTION COMPARISON 2023-2024

MONTH PAYMENT RECEIVED	CCA				STATE OF OHIO				ATTORNEY GENERAL
	2023	2024	DIFFERENCE	% DIFFERENCE	2023	2024	DIFFERENCE	% DIFFERENCE	
JANUARY	\$144,974.32	\$152,657.05	\$7,682.73	5.30%	\$0.00	\$0.00	\$0.00		\$0.00
FEBRUARY	\$181,446.56	\$195,516.18	\$14,069.62	7.75%	\$0.00	\$12,117.33	\$12,117.33		\$0.00
MARCH	\$119,665.23	\$109,973.99	-\$9,691.24	-8.10%	\$0.00	\$2,027.55	\$2,027.55		\$0.00
APRIL	\$158,553.70	\$149,841.59	-\$8,712.11	-5.49%	\$678.60	\$86.65	-\$591.95	-87.23%	\$4,334.38
MAY	269,682.42	\$282,088.21	\$12,405.79	4.60%	\$0.00	\$4,732.18	\$4,732.18		\$13,658.18
JUNE	222,937.99	\$196,860.85	-\$26,077.14	-11.70%	73,987.05	\$38,203.73	-\$35,783.32	-48.36%	\$3,682.77
JULY	199,114.62	\$235,548.23	\$36,433.61	18.30%	\$0.00	\$0.00	\$0.00		\$636.01
AUGUST	132,130.21	\$170,267.33	\$38,137.12	28.86%	17,795.95	\$15,415.26	-\$2,380.69	-13.38%	\$3,157.70
SEPTEMBER									
OCTOBER									
NOVEMBER									
DECEMBER									
TOTALS	1,428,505.05	1,492,753.43	64,248.38	4.50%	92,461.60	72,582.70	(19,878.90)	-21.50%	25,469.04

COMBINED TOTAL NET COLLECTIONS-2024 \$1,590,805.17



MAYOR'S COURT REPORT FOR AUGUST 2024

Total Citations: 19 (9 Traffic + 10 Other)

FUND RECEIVED	CURRENT MONTH	YEAR-TO-DATE
Fines	\$ 2,397.00	\$ 16,605.80
Court Cost	\$ 1,738.00	\$ 17,348.00
Fines- Clark County Municipal (transfer Cases)	\$ -	\$ -
Total Fees Paid (LF, Bounced Cks, BW)	\$ 160.00	\$ 540.00
Other (Bond Forfeiture)	\$ -	\$ -
Misc Fees Paid (Jail Time)	\$ -	\$ -
Bond Collected	\$ -	\$ -
Restitution	\$ -	\$ -
SB 17 Indigent driver interlock & alcohol	\$ -	\$ -
TOTAL FUNDS RECEIVED	\$ 4,295.00	\$ 34,493.80
FUNDS DISBURSED		
Victims of Crime	\$ 90.00	\$ 1,157.00
Child Safety/Seat Belts	\$ -	\$ -
Indigent Defense Support Fund	\$ 250.00	\$ 3,271.00
Drug Law Enforcement Fund	\$ 35.00	\$ 413.00
Expungement	\$ -	\$ -
State Bond Surcharge (new as of 2010)	\$ -	\$ -
TOTAL REMITTED TO STATE	\$ 375.00	\$ 4,841.00
Indigent Drivers Alcohol Treatment (Springfield)	\$ 15.00	\$ 177.00
Remitted to Computer Fund (Clerk)	\$ 220.00	\$ 1,886.00
Remitted to Computer Fund (Court)	\$ 66.00	\$ 501.00
Remitted to Court Security Fund	\$ 220.00	\$ 1,660.00
Remitted to Facility Fee	\$ 110.00	\$ 830.00
Remitted to City GF - Fines	\$ 2,397.00	\$ 16,515.80
Remitted to City GF - Court Court/Misc	\$ 892.00	\$ 8,283.00
Remitted to City- Jail Expenses	\$ -	\$ -
Remitted to City- Enforcement & Education	\$ -	\$ -
Remitted to City- Drug Analysis	\$ -	\$ -
SB 17 Indigent Driver Interlock & Alcohol	\$ -	\$ -
TOTAL REMITTED TO CITY	\$ 3,905.00	\$ 29,475.80
Capital Recovery	\$ -	\$ -
Restitution	\$ -	\$ -
Bonds forfeited	\$ -	\$ -
TOTAL DISBURSED	\$ 4,295.00	\$ 34,493.80

Prepared & Submitted By
Kristy Thome, Clerk of Court

2024 Pool Revenue and Expense Report

REVENUE	Jan to May	June	July	Aug	BAL EOY	Total to Date
Pool Memberships	\$ 12,720.00	\$ 6,745.00	\$ 780.00	\$ 300.00	\$ -	\$ 20,545.00
Daily Gate Fees	\$ 1,497.00	\$ 15,726.50	\$ 12,523.51	\$ 6,307.35	\$ -	\$ 36,054.36
Concessions	\$ 1,526.60	\$ 10,315.02	\$ 9,028.44	\$ 3,739.76	\$ -	\$ 24,609.82
Party & Rental	\$ 125.00	\$ 1,270.00	\$ 2,855.00	\$ 1,705.00	\$ -	\$ 5,955.00
Misc. Donations	\$ -	\$ -	\$ -	\$ 76.17	\$ -	\$ 76.17
Misc. Receipts	\$ 291.00	\$ 522.00	\$ 195.00	\$ 125.51	\$ -	\$ 1,133.51
ODNR Grant Funds Reimbursement Est. \$45,000			\$ -			\$ -
Transfer In from General Fund	\$ -	\$ -				\$ -
Total Revenue	\$ 16,159.60	\$ 34,578.52	\$ 25,381.95	\$ 12,253.79	\$ -	\$ 88,373.86

EXPENSES:	Jan to May	June	July	Aug	BAL EOY	Total to Date
Wages	\$ 355.01	\$ 13,393.19	\$ 22,577.52	\$ 28,149.89		\$ 64,475.61
Training/Travel/Transportation	\$ 288.26	\$ -	\$ 211.05	\$ -		\$ 499.31
Contractual	\$ 14,837.00	\$ 14,710.89	\$ 3,067.72	\$ 3,036.26		\$ 35,651.87
Material & Supplies	\$ 7,461.15	\$ 8,900.18	\$ 8,231.94	\$ 4,369.73		\$ 28,963.00
Capital	\$ 25,945.55	\$ 29,426.25	\$ -	\$ 72.73		\$ 55,444.53
Misc.	\$ 551.31	\$ 164.00	\$ 42.50	\$ 351.50		\$ 1,112.31
Total Expenses	\$ 49,438.28	\$ 66,594.51	\$ 34,130.73	\$ 35,983.11	\$ -	\$ 186,146.63

Profit or (-Loss)	\$ (33,278.68)	\$ (32,015.99)	\$ (8,748.78)	\$ (23,729.32)	\$ -	\$ (97,772.77)
Pending ODNR Reimbursement Est. \$45,000						Est. Loss of \$ (52,772.77)

Motion to accept Mayor's Court Report 1st Lindsey 2nd Wright YES: 7 Lindsey, Eggleston, Cook, Grow, Bahun, Shamy, Wright NAY: 0 Accepted 7-0
 Motion to accept Finance Report 1st Lindsey 2nd Shamy YES: 7 Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0

Informational Items from the City Manager:

B. INFORMATIONAL ITEMS

- Discussion Topics
 - City Council @ Farmers' Market
 - Saturday, September 21, 2024; 10AM – 2PM
 - ◇ Discussion
 - Work Session on 09/23 Due to Missed Session 09/02
 - Discussion and Motion, if Necessary
 - 2025 Ohio Municipal League Conference
 - "Municipalities Matter" – *Information Attached*
 - October 23rd – 25th, Columbus, Ohio
 - Councilmembers Going – Kathy Wright, Karriane Grow
 - ◇ Any other Council Members Wishing to Attend?
 - City Manager is attending
 - Comprehensive Land Use Plan
 - Early Discussions w/ City Council
 - 10/14/24 Work Session – *Motion Requested*
 - 2025 Capital Improvement Plan (CIP) & Operating Budget Timeline
 - Intro and First Read - 11/18/24; Action - 12/02/24
 - Work Session Dates with City Council between 10/07/24 – 11/11/24
 - ◇ Set Hard Dates Tonight – *Motion Requested*
 - Reserves at Honey Creek and Monroe Meadows
 - Bonds (Discussions Ongoing Between Parties)
 - ◇ Reserves at Honey Creek (Off St. Rt. 235) – Using West Central Ohio Port Authority
 - ◇ Monroe Meadows - TBD
 - Term Sheets - Non-Binding Document – Not Signed Yet
 - Monroe Meadows - \$1 Million for Addison – New Carlisle / 235 Improvements
 - Reserves at Honey Creek - \$750,000 for Haddix Park Improvements
 - New Community Authority
 - Policy or Other Items Council is Working On
 - Citizen of the Year
 - Upcoming Legislation
 - MOU with Clark County for Opioid Funds Transfer
 - The Reserves on Honey Creek TIF Legislation
 - Disaster Recovery and Response Plan
 - Miami Valley Lighting
 - Health Insurance Renewals
 - Upcoming Legislation - Continued
 - 2025 Capital Improvement Plan and Operating Budget
 - Business Continuation Plan
 - 2025 Sheriff's Contract and 2025 Dispatching Agreement
 - Collective Bargaining Unit Contract
 - Residential Developments
 - ◇ Warranty Bond, Performance Bond, Subdivider's Agreement
 - Additional Discussion Topics

Eggleston noted that the council and donuts are for residents to speak to the council. She notes that only three members attend. Cook recommends canceling. Lindsey noted that he works on Saturdays. He motions to cancel, with a second by Shamy. Wright suggests joining the fire open house on 10/12.

Vote to cancel 9/21 YES: Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0
 Motion for Council to attend the Fire House Open House 10/12/24 from 12-3. Discussions from Council on items needed. Lindsey motions to amend the motion to add \$150.00 donation for items needed with a 2nd by Wright YES: Lindsey, Eggleston, Cook, Grow, Bahun, Shamy, Wright NAY: 0 Accepted 7-0
 Vote to attend 10/12/24 fire/ems open house- YES: Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0

Wright motions to move forward with the work session on 9/23 to discuss general city business with 2nd by Shamy YES: 7 Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0
 Work Session Dates: Lindsey motions 10/28, 10/29, and 10/30 for a budget work session at 6 pm at the fire station with 2nd by Shamy YES: Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0

Harris noted there is a donation container to collect donations to purchase a tree in memory of Mr. Grimm.

8. COMMITTEE REPORTS: none

9. COMMENTS FROM MEMBERS OF THE PUBLIC:

Matt Mills 285 Zellar Dr- speaking on behalf of the levy committee. Ask the council to like and share the Facebook posts. Ask if any members of the council who want to be a volunteer in the dunk tank on 10/28 can. Mills also asks the council to involve the schools when they review the land use plan.

10. RESOLUTIONS:

Resolution 2024-11R (Introduction, Public Hearing and Action Tonight)

A RESOLUTION APPOINTING THE CITY MANAGER AS THE DESIGNEE FOR THE CITY OF NEW CARLISLE'S MANDATORY PUBLIC RECORDS TRAINING REQUIRED BY THE OHIO PUBLIC RECORDS ACT 1st Lindsey 2nd Shamy ex: assigns Bridge to attend the public records training. YES:7 Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0

11. ORDINANCES:

Ordinance 2024-49

AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN FOR THE CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT 1st Shamy 2nd Wright ex: approves plan, Cook suggests approving. YES: Lindsey, Eggleston, Cook, Grow, Bahun, Shamy, Wright NAY: 0 accepted 7-0

Ordinance 2024-52 (Introduction and Public Hearing Tonight. Action on 10/21/24)

CREATING THE MONROE MEADOWS TAX INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; REQUIRING THE DISTRIBUTION OF A PORTION OF THOSE SERVICE PAYMENTS TO THE TECUMSEH LOCAL SCHOOL DISTRICT AND THE SPRINGFIELD-CLARK CAREER TECHNOLOGY CENTER; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT.

Public Hearing read by Bridge: No comments or questions from the council or residents in attendance.

12. OTHER BUSINESS:

Intergovernmental Meeting 9/30/24 @ THS. 6:00 PM

Open for Discussion on City-Related Business- Eggleston suggests designing the review for Mr. Bridge and Mr. Bahun. Lindsey suggests setting an executive session meeting at some point. Eggleston noted it needs to take place by the end of November. Cook suggests doing it at the next meeting. Bridge noted he does not know what he would get reviewed on because no goals were set. Bridge said the contract stated goals need to be set. Wright and Bridge continue to discuss the review and the retreat session from July. Bridge noted CM Grow suggested a new council member packet. Bahun suggests two executive sessions since the process is not defined. Shamy asks if the council should do a review since they couldn't set goals. Continued discussions, Bridge suggests reading the contract and the comp land use plan. Grow asks if Bridge sets his own goals, and she asks if he can share them with the Council. Council discussions to

9/16/24

have the sessions back to back.... Dates are suggested. Motion by Lindsey 2nd by Shamy to hold two work sessions to review Bridge on 10/9 and 10/10 at 7 pm. Discussions on legal representation and Lindsey motions to amend to allow Mr. Bridge to have his legal representation present with a 2nd by Shamy. YES: Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY 0 Accepted 7-0 Vote for meeting date: YES: Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY 0 Accepted 7-0

Wright suggests that BOBO Park become a radio control park. Lindsey asks what Bridge thinks about this idea. Bridge notes it is in the floodplain watershed area. Bridge loved the idea and thought it could work—council discussions on the park and what it would require.

Bahun noted the contract wording and quick discussions on the review cycle for Mr. Bridge.

13. Executive Session: none

14. Adjournment: 1st Lindsey 2nd Shamy @ 8:35 pm YES: Wright, Lindsey, Eggleston, Cook, Grow, Bahun, Shamy NAY: 0 Accepted 7-0

Mayor Bill Cook

Clerk of Council Emily Berner

Bryan Moore

From: Planning Board #3
Sent: Wednesday, September 18, 2024 6:38 AM
To: Bryan Moore
Subject: Zoning Code Amendment , Solar Panels

Mr. Moore, Members Of City Council.

The New Carlisle City Planning Board held a public hearing on Zoning Code Amendment for Solar Panels in the City Of New Carlisle. The Board approved this zoning Regulation, and request City Council review and pass this important zoning regulation, with any changes Council would like to make.

Respectfully Submitted
Steve Fields, Board President.

October 17, 2024

Legal Ad
City of New Carlisle, OH

Notice is hereby given that the City of New Carlisle City Council will hold a public hearing during their regular meeting on Monday, November 4th, 2024, to review and hear comments on amending the zoning code to add a new Solar Panel section. City Council will **VOTE** on this amendment at the Monday, November 18, 2024, City Council meeting. Both meetings begin at 6pm and will be held at Heritage Hall in Smith Park. Please enter Heritage Hall off Washington Street where the parking lot is located.



ZONING AMENDMENT PROCEDURE

1. Submit completed Application
 - a. \$200 Application Fee
 - b. Include all required attachments
2. Public Hearing
 - a. Planning Board shall schedule a public hearing not less than thirty (30) days from the date of receipt of completed application.
 - b. Notice of Hearing shall be published in at least one publication of general circulation in the Municipality at least 7 days before such hearing and.
Any Rezoning of ten (10) or fewer parcels of land, any owner of property within 500 feet of, contiguous to and directly across the street from, the area proposed to be rezoned.
 - c. Planning Board shall review the application and discuss a recommendation to provide to City Council to Approve or Deny.
3. Recommendation to City Council (*We are starting the Solar Panel Amendment Process Here*)
 - a. Within thirty (30) days after the public hearing, the Planning Board shall recommend to Council that the requested amendment be granted as requested, or it may recommend that the amendment not be granted.
4. Public Hearing
 - a. Upon receipt of the recommendation from the Planning Board, Council shall schedule a public hearing held not more than forty (40) days after the date of receipt of the recommendation.
 - b. Notice of Hearing shall be published in at least one publication of general circulation in the Municipality at least twenty (30) days before such hearing and.
Any Rezoning of ten (10) or fewer parcels of land, any owner of property within 500 feet of, contiguous to and directly across the street from, the area proposed to be rezoned.
5. City Council Action
 - a. Within thirty (30) days after the public hearing, Council shall either adopt or deny the recommendation of the Planning Board or adopt some modification thereof.
6. Effective Date for Zoning Amendment
 - a. A Zoning Amendment adopted by Council shall become effective thirty (30) days after the date of such adoption.

City Manager Report

October 7, 2024

A. DEPARTMENTAL REPORTS

- The Following Departmental Reports will be given at the next City Council meeting that will be held on Monday, October 21, 2024.
 - Finance, Public Service, Planning & Zoning, Mayor's Court, Fire/EMS, and Police

B. INFORMATIONAL ITEMS

- Discussion Topics
 - 2025 Ohio Municipal League Conference
 - "Municipalities Matter"
 - October 23rd – 25th, Columbus, Ohio
 - City Manager is attending along with Councilmembers Wright, Grow, and Lindsey
 - Comprehensive Land Use Plan
 - Early Discussions w/ City Council
 - 10/14/24 Work Session
 - 2025 Capital Improvement Plan (CIP) & Operating Budget Timeline
 - Intro and First Read - 11/18/24; Action - 12/02/24
 - Work Session Dates with City Council @ the Fire Station, 6PM
 - ◇ October 28th, 29th, and 30th
 - Reserves at Honey Creek and Monroe Meadows
 - Bonds (Discussions Ongoing Between Parties)
 - ◇ Reserves at Honey Creek (Off St. Rt. 235) – Using West Central Ohio Port Authority or a New Community Authority
 - ◇ Monroe Meadows - TBD
 - Term Sheets - Non-Binding Document – Not Signed Yet
 - Monroe Meadows - \$1 Million for Addison – New Carlisle / 235 Improvements
 - Reserves at Honey Creek - \$750,000 for Haddix Park and Mill Road Improvements
 - New Community Authority
 - ◇ Greg Daniels, TIF Attorney at the 10/15 Work Session
 - New Council Member Packet
 - ◇ Documents sent to City Council
 - ◇ Next Steps?
 - Policy or Other Items Council is Working On
 - Citizen of the Year
 - Upcoming Legislation
 - The Reserves on Honey Creek TIF Legislation
 - Miami Valley Lighting
 - Health Insurance Renewals
 - 2025 Capital Improvement Plan and Operating Budget
 - Business Continuation Plan
 - 2025 Sheriff's Contract and 2025 Dispatching Agreement
 - Collective Bargaining Unit Contract
 - Residential Developments
 - ◇ Subdivider's Agreement with Warranty and Performance Bonds
 - Additional Discussion Topics
 - 9/23/24 Work Session
 - Solar Panel Hearing (11/4) and Action (11/18)
 - Clark County Land Bank / Habitat for Humanity Homes
 - Ordinance for LEAD Removal Project (Intro 10/28/24; Action 11/11/24)

Attachment Summary:

- None

Motion Summary:

- None

RESOLUTION 2024-12R

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COMISSIONERS OF CLARK COUNTY REGARDING OPIOID SETTLEMENT FUNDS

WHEREAS, pursuant to the OneOhio Memorandum of Understanding (“OneOhio MOU”) and its related settlement agreements, the City of New Carlisle is entitled to settlement funds stemming from litigation against opioid supply chain participants (“Opioid Funds”); and

WHEREAS, the OneOhio MOU sets forth the approved purposes for the use of the Opioid Funds, which include expanding treatment for substance abuse disorders, substance abuse prevention strategies, substance abuse education and decreasing the supply of opioids; and

WHEREAS, due to its already existing programs and resources, Clark County is currently more capable than the City of effectively utilizing the City’s share of the Opioid Funds for the approved purposes under the OneOhio MOU; and

WHEREAS, the City of New Carlisle and the Board of Commissioners of Clark County desire to enter into an agreement whereby the City will disburse its share of the Opioid Funds to the County and the County will use the Opioid Funds exclusively for the approved purposes defined in the OneOhio MOU; and

WHEREAS, the City of New Carlisle and its citizens will benefit from Clark County’s increased capabilities for the utilization of the Opioid Funds.

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

SECTION 1. The City Manager is hereby authorized and directed to enter into the attached agreement on behalf of the City of New Carlisle with the Board of Commissioners of Clark County for all Opioid Funds to which the City may be entitled.

Passed this _____ day of October, 2024.

Bill Cook, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

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

Introduction and Action: 10/07/2024
Effective Date of Legislation: 10/22/2024

CLARK COUNTY AND NEW CARLISLE ONEOHIO OPIOID AGREEMENT

This Agreement is made and entered into on this ____ day of _____, 2024 by and between the Board of Commissioners of Clark County, Ohio (“County”), and the City of New Carlisle, Ohio (“City”).

RECITALS

WHEREAS, the City is entitled to settlement funds pursuant to the OneOhio Memorandum of Understanding (“OneOhio MOU”) and its related settlement agreements stemming from litigation against opioid supply chain participants; and

WHEREAS, the City desires to disburse its share of the OneOhio MOU settlement funds (“Opioid Funds”) to the County, and the County desires to receive the City’s share of the Opioid Funds; and

WHEREAS, the County agrees that the Opioid Funds received from the City will be used exclusively for the Approved Purpose(s) defined in the OneOhio MOU.

NOW, THEREFORE, for good and valuable consideration, the County and City hereby agree as follows:

1. Disbursement and Acceptance of Settlement Funds. Upon its receipt of Opioid Funds, the City will disburse such Opioid Funds to the County and the County will accept any such Opioid Funds within a reasonable time.

2. Use of Settlement Funds. The County agrees that it will use Opioid Funds exclusively for the Approved Purpose(s) defined in the OneOhio MOU. “Approved Purpose(s)” shall mean evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance abuse disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the supply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers, as is further set forth in the attached Exhibit A.

Additionally, the County shall comply with all applicable Federal and State laws, regulations and orders applicable to its use of the Opioid Funds.

3. Records. The County will promptly provide to the City any and all information, documents and reports required by the OneOhio Recovery Foundation or the State of Ohio relating to the County’s use of the Opioid Funds.

4. Governing Law. This Agreement shall be governed by the laws of the State of Ohio.

5. Entire Agreement and Amendment. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement that is not contained herein shall be valid or binding. This Agreement may only be amended by the mutual agreement of the parties hereto in writing.

6. Assignment. Neither party may assign its interest in this Agreement without the prior written consent of the other party.

7. Legal Construction. In the event that any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision and this Agreement and shall be construed as if the invalid, illegal or unenforceable provision had never been contained herein.

8. Non-Discrimination. In compliance with ORC § 125.111:

- (a) That, in the hiring of employees for the performance of work under the contract or any subcontract, no contractor or subcontractor, by reason of race, color, religion, sex, age, disability or military status as defined in section 4112.01 of the Revised Code, national origin, or ancestry, shall discriminate against any citizen of this state in the employment of a person qualified and available to perform the work to which the contract relates; and
- (b) That no contractor, subcontractor, or person acting on behalf of any contractor or subcontractor, in any manner, shall discriminate against, intimidate, or retaliate against any employee hired for the performance of work under the contract on account of race, color, religion, sex, age, disability or military status as defined in section 4112.01 of the Revised Code, national origin, or ancestry.

Witness our hands, the day and year first above written.

BOARD OF COMMISSIONERS OF CLARK COUNTY, OHIO

Jennifer Hutchinson, County Administrator

RESOLUTION NO. _____

Date: ____ / ____ / ____

THE CITY OF NEW CARLISLE, OHIO

Randy Bridge, City Manager

Approved as to form:

Jake Jeffries, Law Director

CLARK COUNTY PROSECUTOR _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Date: ____ / ____ / ____

By: _____

OHIO ABATEMENT STRATEGIES

Opioid-Related Definition:

Funds from any settlement dollars should be used to prevent, treat and support recovery from addiction including opioids and/or any other co-occurring substance use and/or mental health conditions which are all long-lasting (chronic) diseases that can cause major health, social, and economic problems at the individual, family and/or community level.

Ohio Abatement Strategy Overview

Similar to and including many national settlement strategies, to abate addiction in Ohio, we have created an abatement plan that includes three main components that will work collaboratively to address Ohio's needs and also serve as a complement to and should be integrated with all other state and local government plans:

1. **Strategies for Community Recovery:** Included but not limited to prevention, treatment, recovery support and community recovery projects (examples include child welfare, law enforcement strategies and other infrastructure supports). These strategies have a hyper-local focus that allows communities to collaborate and expand necessary services to their community.
2. **Strategies for Statewide Innovation & Recovery:** Included but are not limited to strategies included in Community Recovery Component but also projects that promote statewide change and regional development for prevention, treatment, recovery supports and community recovery (examples include regional treatment hubs, drug task forces, data collection and dissemination). This component also includes research and development to understand how to better serve individuals and families in Ohio.
3. **Strategies for Sustainability:** Ohio's addiction and mental health epidemic was not created overnight, and it will not go away immediately. By collaborating to share resources and knowledge, Ohio's state and local communities can build a sustainable financing strategy and infrastructure to reverse the damage that has been done and prevent future epidemics and crises.

PART ONE: Community Recovery

Treatment

Expanding availability of treatment, including Medication-Assisted Treatment (MAT), for OUD and any co-occurring substance use or mental health condition.

Trauma-informed treatment services and support for individuals, their children and family members who have experienced trauma during their lives including trauma as a result of addiction in the family.

Expand access and support infrastructure developments for telemedicine / telehealth services to increase access to OUD treatment, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.

Improve oversight and quality assurance of Opioid Treatment Programs (OTPs) to assure evidence-informed practices such as adequate methadone dosing.

Engage non-profits and faith community to uncover and leverage current community faith-based prevention, treatment and recovery support in partnership with medical and social service sectors.

Expand culturally appropriate services and programs that address health disparities in treatment for persons with mental health and substance use disorders, including for programs for vulnerable populations (i.e. homeless, youth in foster care, etc.); citizens of racial, ethnic, geographic and socio-economic differences, and new Americans to ensure that all Ohioans have access and treatment and recovery support services that meet their needs.

Development of National Treatment Availability Clearinghouse – Fund development of a multistate/nationally accessible database whereby healthcare providers can list locations for currently available in-patient and out-patient OUD treatment services that are both timely and accessible to all persons who seek treatment.

Ensure that each patient's needs and treatment recommendations are determined by a qualified clinical professional. Offer training and practice support to clinicians on the American Society of Addiction Medicine (ASAM) levels of care (or other models) and the most effective methods of treatment continuation between levels of care for people with addiction including opioids and any other co-occurring substance use or mental health conditions and make all levels of care available to all Ohioans.

Early Intervention and Crisis Support

Fund the expansion, training and integration of Screening, Brief Intervention and Referral to Treatment (SBIRT) and Screening, Treatment Initiation and Referral (STIR) programs and ensure that healthcare providers are screening for addiction and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for mental health and substance use disorders.

Support work of Emergency Medical Systems, including peer support specialists, to effectively connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.

Create an intake and call center to facilitate education and access to treatment, prevention and recovery services for persons with addiction including opioids and any co-occurring substance use or mental health conditions.

Create a plan to meet the distinct needs of families of children and youths who experience severe emotional disorders and provide respite and support for these caregivers to reduce family crisis and promote treatment.

Create community-based intervention services for families, youth, and adolescents at-risk for addiction including opioids and any co-occurring substance use or mental health conditions.

Create school-based contacts who parents can engage with to seek immediate treatment services for their child.

Develop best practices on addressing individuals with addiction in the workplace, including opioids and any other co-occurring substance use or mental health conditions.

Implement and support assistance programs for healthcare providers with OUD and any co-occurring substance use disorders or mental health (SUD/MH) conditions.

Address the Needs of Criminal-Justice Involved Persons

Address the needs of persons involved in the criminal justice system who have opioid use disorder (OUD) and any co-occurring substance use disorders or mental health (SUD/MH) conditions.

Support pre-arrest diversion and deflection strategies for persons with addiction including opioids and any other co-occurring substance use or mental health conditions, including established strategies such as sequential intercept mapping and other active outreach strategies such as the Drug Abuse Response Team (DART) or Quick Response Team (QRT) models or other co-responder models that engage people not actively engaged in treatment.

Support pre-trial services that connect individuals with addiction including opioids and any other co-occurring substance use or mental health conditions to evidence-informed treatment, including MAT, and related services.

Support treatment and recovery courts for persons with addiction including opioids and any other co-occurring substance use or mental health conditions, but only if these problem-solving courts provide referrals to evidence-informed treatment, including MAT.

Provide evidence-informed treatment, including MAT, evidence-based psychotherapies, recovery support, harm reduction, or other appropriate services to individuals with addiction

including opioids and any other co-occurring substance use or mental health conditions who are incarcerated, on probation, or on parole.

Provide evidence-informed treatment, including MAT, evidence-based psychotherapies, recovery support, harm reduction, or other appropriate re-entry services to individuals with addiction including opioids and any other co-occurring substance use or mental health conditions who are leaving jail or prison or who have recently left jail or prison.

Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis substance use disorder/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.

Mother-Centered Treatment and Support

Finance and promote evidence-informed treatment, including MAT, recovery, and prevention services for pregnant women, post-partum mothers, as well as those who could become pregnant and have addiction including opioids and any other co-occurring substance use or mental health conditions.

Training for obstetricians and other healthcare personnel who work with pregnant women or post-partum women and their families regarding treatment for addiction including opioids and any other co-occurring substance use or mental health conditions.

Invest in measures to address Neonatal Abstinence Syndrome, including prevention, care for addiction and education programs.

Fund child and family supports for parenting women with addiction including opioids and any co-occurring substance use or mental health conditions.

Enhanced family supports and childcare services for parents receiving treatment for addiction including opioids and any co-occurring substance use or mental health conditions.

Recovery Support

Identify and support successful recovery models including but not limited to: college recovery programs, peer support agencies, recovery high schools, sober events and community programs, etc.

Provide technical assistance to increase the quantity and capacity of high-quality programs that model and support successful recovery.

Training and development of procedures for government staff to appropriately interact and provide social and other services to current and recovering opioid users. To reduce stigma and to normalize a culture of recovery, government staff will be provided with onboarding and training that generates a cultural shift and provides all government employees with tool and resources to feel supported and to support colleagues who may be struggling with substance use disorder.

Convene community conversations and trainings that engage non-profits, civic clubs, the faith-based community, and other stakeholders in training and techniques for providing referrals and supports to those persons to family and friends struggling with substance use disorder.

Identify and address transportation barriers to permit consistent participation in treatment and recovery support.

Support the development of recovery-friendly environments in all sectors, schools, communities and workplaces to promote and sustain health and wellness goals. Put resources toward:

1. Supportive and recovery housing;
2. Supportive employment/jobs;
3. Certification of peer coaches, peer-run recovery organizations, recovery community organizations;
4. Crisis intervention and relapse prevention; and
5. Services and structures that support young people living a life in recovery including, recovery high schools and collegiate recovery communities.

Prevention

Invest in school-based programs that have demonstrated effectiveness in preventing drug misuse and that appear promising to prevent the uptake and use of opioids. Investment in school and community-based prevention efforts and curriculum that has demonstrated effectiveness in reducing Adverse Childhood Events (ACEs) and their impact by increasing resiliency, and preventing risk-taking, unhealthy or dangerous behaviors such as: drug use, misuse, early alcohol use, and suicide attempts.

Assist coalitions and community stakeholders in aligning state, federal, and local resources to maximize procurement of school and community education curricula, programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, aging and elderly community members and others in an effort to build a comprehensive prevention and education response that addresses prevention across the lifespan.

Invest in environmental scans and school surveys to identify effective prevention efforts and realign prevention and treatment responses with those emerging risk factors and changing patterns of substance misuse.

Fund community anti-drug coalitions that engage in drug prevention efforts and education.

Prevent Over-Prescribing of Opioids and Other Drugs of Potential Misuse

Training for healthcare providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.

Continuing Medical Education (CME) on prescribing of opioids and other drugs of concern.

Support for non-opioid pain treatment alternatives, including training providers to offer or refer patients to multi-modal, evidence-informed treatment of pain.

Development and implementation of a National Prescription Drug Monitoring Program (PDMP) – Fund development of a multistate/national PDMP that permits information sharing while providing appropriate safeguards on sharing of private health information, including but not limited to: a. Integration of PDMP data with electronic health records, overdose episodes, and decision support tools for healthcare providers relating to opioid use disorder (OUD) and other drugs of concern.

Prevent Overdose Deaths and Other Harms (Harm Reduction)

Increase availability and distribution of naloxone and other drugs that treat overdoses for use by first responders, persons who have experienced an overdose event, patients who are currently prescribed opioids, families, schools, community-based service providers, social workers, and other members of the general public.

Promote and expand naloxone strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then engaged and retained in evidence-based treatment programs.

Provide training and education regarding naloxone and other drugs that treat overdoses for first responders, persons who have experienced an overdose event, patients who are currently prescribed opioids, families, schools, and other members of the general public.

Develop data tracking software and applications for overdoses/naloxone revivals.

Invest in evidence-based and promising comprehensive harm reduction services and centers, including mobile units, to include; syringe services, supplies, naloxone, staffing, space, peer-support services, and access to medical and behavioral health referrals.

Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.

Services for Children

Review the continuum of services available to Ohio's youths, young adults, and families to identify gaps and to ensure timely access to appropriate care for Ohio's youngest citizens and their parents.

Fund additional positions and services, including supportive housing and other residential services to serve children living apart from custodial parents and/or placed in foster care due to custodial opioid use.

Expand collaboration among organizations meeting the prevention, treatment, and recovery needs of Ohio's young people and organizations serving youths, such as Boys & Girls Clubs, YMCAs and others. Support the growth of recovery high schools, collegiate recovery communities, and alternative peer groups for youths recovering from mental illness and substance use disorders.

First Responders (EMS, Firefighters, Law Enforcement and other criminal justice professionals)

Provide funds for first responders and criminal justice professionals and participating subdivisions for cross agency/department collaboration and other public safety expenditures relating to the opioid epidemic that address both community and statewide supply and demand reduction strategies including criminal interdiction efforts.

Training public safety officials and responders safe-handling practices and precautions when dealing with fentanyl or other drugs.

Provide trauma-informed resiliency training and support that address compassion fatigue and increased suicide risk of public safety responders.

Workforce

Fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.

Scholarships/loan forgiveness for persons to become certified addiction counselors, licensed alcohol and drug counselors, licensed clinical social workers, and licensed mental health counselors practicing in the SUD/MH field, and scholarships for certified addiction counselors, licensed alcohol and drug counselors, licensed clinical social workers, and licensed mental health counselors practicing in the SUD/MH field for continuing educations licensing fees.

Funding for clinicians to obtain training and a waiver under the federal Drug Addiction Treatment Act to prescribe MAT for opioid use disorders.

Training for healthcare providers, students, and other supporting professionals, such as peer recovery coaches/recovery outreach specialists to support treatment and harm reduction.

Dissemination of accredited web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.

PART TWO: Statewide Innovation & Recovery

Leadership, Planning and Coordination

Provide resources to fund the oversight, management, and evaluation of abatement programs and inform future approaches.

Community regional planning to identify goals for opioid reduction and support efforts or to identify areas and populations with the greatest needs for prevention, treatment, and/or services.

A government dashboard to track key opioid/and addiction-related indicators and supports as identified through collaborative community processes.

Provide funding for grant writing to assist already established community coalitions in securing state and federal grant dollars for capacity building and sustainability.

Stigma Reduction, Training and Education

Commission statewide campaigns to address stigma against people with mental illness and substance use disorders. Stigma and misinformation deeply embed the deadly consequences of Ohio's public health crisis. These prevent families from seeking help, fuel harmful misperceptions and stereotypes in Ohio communities, and can discourage medical professionals from providing evidence-informed consultation and care. Ohio's campaign to end stigma should include chronic disease education; evidence-based prevention, treatment, and harm reduction strategies; stories of recovery; and a constant reframing of mental illness and addiction from a personal moral failing to a treatable chronic illness.

Coordinate public and professional training opportunities that expand the understanding and awareness of adverse childhood experiences (ACEs) and psychological trauma, effective treatment models, and the use of medications that aid in the acute care and chronic disease management of both mental illness and addiction.

Strengthen the citizen workforce by providing community-based trainings, such as Mental Health First Aid, Crisis Intervention Training, naloxone administration, and suicide prevention. These best practice trainings should be allowable as Continuing Education Units for professional development and when offered in an educational setting, provide academic credit.

Development and dissemination of new accredited curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service Medication-Assisted Treatment.

Training for emergency room personnel treating opioid overdose patients on post-discharge planning. Such training includes community referrals for MAT, recovery case management and/or support services.

Public education relating to drug disposal.

Drug take-back disposal or destruction programs.

Public education relating to emergency responses to overdoses.

Public education relating to immunity and Good Samaritan laws.

Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.

Invest in public health education campaigns that inform audiences about the ease of contraction of hepatitis C, and that engage persons at-risk to receive testing and treatment.

Convene and host community conversations and events that engage local non-profits, civic clubs, and the faith-based community as a system to support prevention.

Fund programs and services regarding staff training, networking, and practice to improve staff capability to abate the opioid crisis.

Support infrastructure and staffing for collaborative cross-systems coordination to prevent opioid misuse, prevent overdoses, and treat those with addiction including opioids and/or any other co-occurring substance use and/or mental health conditions (e.g. behavioral health prevention, treatment, and recovery services providers, healthcare, primary care, pharmacies, PDMPs).

Support community-wide stigma reduction regarding accessing treatment and support for persons with substance use disorders.

RESEARCH

Ensuring that funding is flexible to invest in short and long-term research and innovation projects that embrace new advances, technology and other strategies that meet the needs of Ohioans today and in the future.

RESOLUTION 2024-13R

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL, STREET AND AMERICAN RESCUE FUNDS TO THE WATER, BOND RETIREMENT AND CEMETERY FUNDS OF THE CITY OF NEW CARLISLE

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

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

WHEREAS, the City Finance Director has determined that it is necessary to transfer funds from the City's General, Street and American Rescue Funds to the Water, Bond Retirement and Cemetery Funds in order to prevent and/or clear deficit fund balances.

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

SECTION 1. To permanently transfer funds from the City's General, Street and American Rescue Funds in the amounts indicated below:

<u>Fund #</u>	<u>Fund Name</u>	<u>DESCRIPTION</u>	<u>TRANSFER OUT</u>	<u>TRANSFER IN</u>
201	STREET FUND	ON ORIGINAL BUDGET	\$ 250,000.00	
303	BOND RETIREMENT FUND	NEW BOND FUND PER AUDITOR		\$ 250,000.00
201	STREET FUND	FROM SUPPLEMENTAL ORD# 2024-45	\$ 11,000.00	
510	CEMETERY FUND	SHARED RETIRED EMPLOYEE CASH OUT		\$ 11,000.00
101	GENERAL FUND	FROM SUPPLEMENTAL ORD# 2024-45	\$ 11,000.00	
510	CEMETERY FUND	SHARED RETIRED EMPLOYEE CASH OUT		\$ 11,000.00
235	AMERICAN RESCUE FUND	BALANCE AVAILABLE EXP'S 12-31-24	\$ 237.39	
501	WATER FUND	TO COVER APPROPRIATE EXPENSE		\$ 237.39
TOTAL INCREASE			\$ 272,237.39	\$ 272,237.39

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

Signature Page to Follow

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, Law Director

_____ Wright	Y	N
_____ Bahun	Y	N
_____ Lindsey	Y	N
_____ Mayor Cook	Y	N
_____ V. Mayor Eggleston	Y	N
_____ Shamy	Y	N
_____ Grow	Y	N
	<hr/>	
Totals:		
	Pass	Fail

Introduction and Action: 10/07/2024
Effective Date of Legislation: 10/22/2024

ORDINANCE 2024-50

AN ORDINANCE AMENDING CHAPTER 278 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE BY REMOVING IT IN ITS ENTIRETY, AND DISSOLVING THE PARKS AND RECREATION BOARD

WHEREAS, Chapter 278 of the Codified Ordinances established the City’s Parks and Recreation Board, and set forth that board’s powers and duties; and

WHEREAS, the City has reviewed the structure and effectiveness of various City boards, including the Parks and Recreation Board; and

WHEREAS, City Council has determined that the Parks and Recreation Board is no longer necessary for the fulfillment of the City’s objectives and services, and that the City would be better served by a Parks and Recreation Commission instead.

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

SECTION 1. Chapter 278 of the Codified Ordinances, attached, be amended by removing it in its entirety.

SECTION 2. The Parks and Recreation Board is hereby dissolved, and will be replaced with a Parks and Recreation Commission at a later date.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Chris Stapleton, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

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

Introduction and First Reading: 10/07/2024
Second Reading and Action: 10/21/24
Effective Date of Legislation: 11/05/2024

CHAPTER 278

Parks and Recreation Board

~~278.01 Board mission.~~

~~278.02 Vision statement.~~

~~278.03 Diversity and inclusion statement.~~

~~278.04 Name and authorization.~~

~~278.05 Purpose.~~

~~278.06 Responsibilities.~~

~~278.07 Eligibility.~~

~~278.08 Membership.~~

~~278.09 Terms of office.~~

~~278.10 Vacancies.~~

~~278.11 Officers.~~

~~278.12 Officer duties.~~

~~278.13 Removal.~~

~~278.14 Meetings.~~

~~278.15 Reports at City Council meetings.~~

~~278.16 Parliamentary authority.~~

~~278.17 Bylaw creation and amendments.~~

~~278.01 BOARD MISSION.~~

~~—The City of New Carlisle Parks and Recreation Board shall permanently preserve, protect, maintain, improve, and enhance its natural resources, parklands, and recreational opportunities for all current and future generations. The City of New Carlisle Parks and Recreation Board exists to provide places and recreational opportunities for all people to gather, celebrate, contemplate, and engage in activities that promote health, well being, community, and the environment.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.02 VISION STATEMENT.~~

~~—By providing high quality parks and recreation facilities, programs, services, and natural areas that meet the diverse needs of the community, we will enhance healthy and active lifestyles while connecting more people to parks, programs, and events.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.03 DIVERSITY AND INCLUSION STATEMENT.~~

~~—The New Carlisle Parks and Recreation Board will provide all individuals the opportunity to play, learn, grow, and explore by removing all barriers to participation, fostering an inclusive culture, and offering programs that celebrate our community's diverse population.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.04 NAME AND AUTHORIZATION.~~

~~—(a) The name of this board shall be the New Carlisle Parks and Recreation Board, herein after referred to as the "Board."~~

~~—(b) The Board exists through official action taken by the City of New Carlisle City Council and shall only be modified or abolished by action of the City Council.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.05 PURPOSE.~~

~~—The purpose of the Board is to advise the City Council and the City Manager regarding:~~

~~—(a) The acquisition, development, improvement, equipment, and maintenance of City parks and public playgrounds;~~

~~—(b) The future development of City parks, playgrounds, and recreational facilities, and the purchase of additional land for those purposes;~~

~~—(c) Improvements in the maintenance, operation, and general welfare of the City's parks, playgrounds, and recreational facilities and their use by the public;~~

~~—(d) Planning and development of programs, activities, and events for the public.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.06 RESPONSIBILITIES.~~

~~—It is essential that Board member shall represent and advocate for what is best for the City of New Carlisle as a whole, putting aside personal or special interests, complying at all times with Ohio Ethics Law, the City of New Carlisle Charter, and all federal, state and local laws in carrying out the Board member's duties. The responsibilities of the Board:~~

~~—(a) To assess at all times the safety and security of site locations and physical facility standards;~~

~~—(b) To advise the initiation, planning, design and to recommend a system of parks, facilities, etc., that will accommodate the public's need for parks and recreation activities;~~

~~—(c) To assist with the preparation and development of rules and regulations by which parks and recreation programs may operate;~~

~~—(d) To monitor and evaluate the effectiveness of parks and recreation programs;~~

~~—(e) To advise and recommend ways and means by which parks and recreation programs may be improved or strengthened;~~

- ~~—(f) To support new parks, programs, and activities as public need may dictate;~~
- ~~—(g) To identify alternate sources of funding to parks and recreation such as grants, gifts, endowments, etc;~~
- ~~—(h) To adopt bylaws and other rules of procedure to achieve its purposes and functions;~~
- ~~—(i) To serve as a forum in which the public can communicate or air feedback, ideas, and concerns to grow and maintain community involvement with parks and recreation programs;~~
- ~~—(j) To evaluate programs and activities which are offered from year to year;~~
- ~~—(k) To perform other duties and responsibilities as may be conferred by the City of New Carlisle City Manager from time to time;~~
- ~~—(l) Discuss all projects and events with the City Manager to determine, if any, potential collective bargaining agreement infractions, which must be avoided;~~
- ~~—(m) To review and recommend rules and regulations for public parks and recreation facilities in the community;~~
- ~~—(n) To promote a wide range of programs that will contribute to the meaningful use of leisure time;~~
- ~~—(o) To review and recommend a comprehensive plan for recreation and programs;~~
- ~~—(p) To review annual budget, goals and objectives for the City and provide oversight with regard to parks and recreation;~~
- ~~—(q) To review and update the bylaws annually or as needed.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.07 ELIGIBILITY.~~

- ~~—Members of the Board shall be City of New Carlisle residents.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.08 MEMBERSHIP.~~

- ~~—(a) The Board shall be comprised of five members appointed by the City Council. Board members will be selected based on the following factors:~~

- ~~—(1) Residency: must be a legal resident of the City of New Carlisle;~~
- ~~—(2) Age: must be at least 18 years of age;~~
- ~~—(3) Qualifications: must demonstrate qualifications through a resume and interview;~~
- ~~—(4) Willingness to serve: must have adequate time to donate to Board service.~~

- ~~—(b) Members will be selected without regard to race, creed, national origin, age, sex, sexual orientation, gender identity or expression, the presence of a disability or any other class protected by state or federal law.~~

~~(Ord. 19-13. Passed 7-1-19; Ord. 2022-08. Passed 2-22-22.)~~

~~278.09 TERMS OF OFFICE.~~

~~—Board members shall serve four year terms. At the completion of a member's four year term, they may submit a request to the City Manager to continue serving on the Board or may vacate their position, at which time applications will be accepted and a new member will be appointed by Council among the applications submitted.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.10 VACANCIES.~~

~~—(a) A member's position shall become vacant when:~~

~~—(1) A member accumulates three unexcused absences from regular Board meetings within any twelve month period. All absences will be duly recorded in the meeting minutes. Absences from emergency or special called meetings will not be recorded against a member in calculating the percent of absences;~~

~~—(2) When a member no longer meets the membership requirements; or~~

~~—(3) When a member resigns.~~

~~—(b) A member who seeks to resign from the Board shall submit a written resignation to the chair of the Board or the City Manager. If possible, the resignation should allow for a thirty day notice to allow City Council reasonable time to appoint a replacement.~~

~~—(c) The Chair shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the City Manager.~~

~~(Ord. 19-13. Passed 7-1-19; Ord. 2022-08. Passed 2-22-22.)~~

~~278.11 OFFICERS.~~

~~—(a) The Board shall elect from its members a Chair and Vice Chair.~~

~~—(b) Officers shall be elected annually by a majority vote of the Board at the first regular meeting after January 1st.~~

~~—(c) In the case of death, resignation or removal of the Chair or Vice Chair, an election of a successor by majority vote shall be held no later than the second next regular Board meeting.~~

~~—(d) The term of office shall be one year, beginning February 1st and ending January 31st. An officer may continue to serve until a successor is elected or at the Board's discretion.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~278.12 OFFICER DUTIES.~~

~~—(a) The Chair shall preside at Board meetings and shall generally manage business of the Board. The Chair will also appoint all committees, represent the Board, and approve of each final meeting agenda. The Chair shall also record and maintain the minutes of each meeting, as well as any other Board records.~~

~~—(b) The Vice Chair shall perform these duties in the absence of the Chair.~~

~~—(c) In the event of the absence of both the Chair and Vice Chair at a scheduled Board meeting, the Board shall, by motion, elect one of its members in attendance to serve as presiding officer for that meeting only.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~**278.13 REMOVAL.**~~

~~—When an officer or member has failed or refused to perform the duties of that position, the Chair of the Board shall initiate the procedure to remove that officer or member by City Council at a regular City Council meeting. The Chair shall present relevant evidence for the basis of removal as described in Section 278.10. Following the request for removal, City Council shall vote whether to declare the officer's or member's position forfeited and vacant, with five affirmative votes necessary for such declaration.~~

~~(Ord. 19-13. Passed 7-1-19; Ord. 2022-08. Passed 2-22-22.)~~

~~**278.14 MEETINGS.**~~

~~—(a) Regular meetings of the Board shall occur monthly. In January of each year, the Board shall adopt a schedule of the meetings for the year.~~

~~—(b) The location of the meetings will be Smith Park Shelter House unless otherwise posted.~~

~~—(c) Regular, scheduled meetings will begin at a time determined in January when the Board adopts a schedule of meetings for the year.~~

~~—(d) The meeting schedule will be posted at the City Building and on the City's Web Page.~~

~~—(e) All meetings are open to the public.~~

~~—(f) A quorum shall consist of the majority of the members.~~

~~—(g) Where a regular meeting is going to be cancelled for lack of quorum, notice shall be posted of the cancellation as soon as it is known in the City Building and on the City website.~~

~~—(h) Agenda packets for regular meetings will be provided to Board members seventy-two hours in advance of the scheduled meeting. Agenda packets will contain the posted agenda and written minutes of the last meeting. The agenda packet will also be posted at the City Building and available for download on the City website.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~**278.15 REPORTS AT CITY COUNCIL MEETINGS.**~~

~~—(a) Upon request by the City Council or City Manager, the Board Chair shall provide a Parks and Recreation Board report at a regularly scheduled Council meeting.~~

~~—(b) The City Council and the City Manager shall address only the Board Chair during City Council meetings.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~**278.16 PARLIAMENTARY AUTHORITY.**~~

~~—The rules contained in the current edition of Robert's Rules of Order shall govern the Board in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which the Board may adopt.~~

~~(Ord. 19-13. Passed 7-1-19.)~~

~~**278.17 BYLAW CREATION AND AMENDMENTS.**~~

~~—(a) These bylaws shall become effective upon adoption by City Council.~~

~~—(b) Any proposed changes to the bylaws by the Board must be reviewed and approved by majority vote of the Board members at any regular meeting of the Board before being submitted to City Council. The Board's proposed amendments to the bylaws must be approved by City Council after the Board's approval to be effective.~~

~~(Ord. 19-13. Passed 7-1-19; Ord. 2022-08. Passed 2-22-22.)~~

ORDINANCE 2024-51

AN ORDINANCE AMENDING CHAPTER 276 OF THE CODIFIED ORDINANCES OF NEW CARLISLE FOR THE PURPOSE OF ESTABLISHING PARKS AND RECREATION AND PUBLIC SERVICE COMMISSIONS

WHEREAS, Chapter 276 of the Codified Ordinances of the City of New Carlisle addresses boards and commissions; and

WHEREAS, the City of New Carlisle recognizes that parks and recreation, and public service enhance the quality of life of its residents; and

WHEREAS, the establishment of dedicated parks and recreation, and public service commissions will facilitate community engagement, oversight and the development of effective programs; and

WHEREAS, the attached amendments to Chapter 276 of the Codified Ordinances will establish and provide guidelines for parks and recreation, and public service commissions.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS that Chapter 276 of the Codified Ordinances of the City of New Carlisle be amended by adding Sections 276.03, 276.04 and 276.05 as set forth on Exhibit A attached to this ordinance.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Chris Stapleton, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

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

Introduction and First Reading: 10/07/2024
Second Reading and Action: 10/21/24
Effective Date of Legislation: 11/05/2024

CHAPTER 276 Boards and Commissions

276.01 Removal of Council-appointed Board or Commission member.

276.02 Eligibility for boards and commissions.

276.03 *Establishment of Commissions.*

276.04 *Parks and Recreation Commission.*

276.05 *Public Service Commission.*

276.01 REMOVAL OF COUNCIL-APPOINTED BOARD OR COMMISSION MEMBER.

Members of any Board or Commission appointed by City Council shall be subject to removal from office for nonperformance of duty, misconduct in office, or other cause determined sufficient by Council upon written charges having been filed with Council by any interested party and after a public hearing has been held by Council regarding such charges. A copy of the charges shall be served upon the Board or Commission member so charged at least ten days prior to the hearing, either personally or by registered mail, or by leaving the same at their last know place of residence. The Board or Commission member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by Council and shall be for the unexpired term of the removed Board or Commission member.

(Ord. 12-51. Passed 9-17-12.)

276.02 ELIGIBILITY FOR BOARDS AND COMMISSIONS.

Each Title Eight board or commission member at the time of his or her appointment and throughout the term of his or her appointment shall be a registered voter in and a resident of the City of New Carlisle. The Council shall be sole judge of the eligibility required by this section.

(Ord. 2020-09. Passed 2-18-20.)

276.03 ESTABLISHMENT OF COMMISSIONS

(a) City Council shall have the authority to create or establish commissions by ordinance, and may restructure or discontinue any such commission created or established under this Chapter by ordinance.

(b) Any commission established pursuant to this Chapter shall report directly to City Council regarding the commission activities, recommendations and initiatives, and shall provide any such documents and information requested by City Council.

(c) Any commission established under this Chapter shall be responsible for drafting and following its own bylaws and submitting such bylaws to City Council for prior approval. In cases of conflict between the commission's bylaws and the City's Charter or Codified Ordinances, the City's Charter or Codified Ordinances shall prevail.

276.04 PARKS AND RECREATION COMMISSION

- (a) Purpose. To assist with the oversight of and recommend policies and programs related to parks and recreation, and community events within the City.*
- (b) Membership. The commission shall consist of five members appointed by City Council.*
- (c) Compensation. Each member shall receive compensation of \$50 per month for service as a member.*

276.05 PUBLIC SERVICE COMMISSION

- (a) Purpose. To assist with the oversight of and recommend policies and programs related to public service, including sanitation, utilities and infrastructure.*
- (b) Membership. The commission shall consist of five members appointed by City Council.*
- (c) Compensation. Each member shall receive compensation of \$50 per month for service as a member.*

ORDINANCE 2024-52

CREATING THE MONROE MEADOWS TAX INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; REQUIRING THE DISTRIBUTION OF A PORTION OF THOSE SERVICE PAYMENTS TO THE TECUMSEH LOCAL SCHOOL DISTRICT AND THE SPRINGFIELD-CLARK CAREER TECHNOLOGY CENTER; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT.

WHEREAS, this Council desires to facilitate the development of a residential subdivision with approximately 294 single-family residential units within the City in order to increase available housing options within the City (the “*Project*”); and

WHEREAS, in order to develop the Project, it is necessary to construct certain public infrastructure improvements; and

WHEREAS, this Council, pursuant to ORC Sections 5709.40, 5709.42 and 5709.43 (collectively, the “*TIF Act*”), is authorized to declare improvements to real property to be a public purpose, exempt those improvements from real property taxation, and require owners of the real property to make service payments in lieu of taxes in an amount equal to such exempted taxes and require the distribution of a portion of the service payments to the Tecumseh Local School District and the Springfield-Clark Career Technology Center; and

WHEREAS, to facilitate the development of the Project and pay the associated costs of the necessary public infrastructure improvements from service payments in lieu of taxes, this Council has determined to create the Monroe Meadows Incentive District #1, Monroe Meadows Incentive District #2, Monroe Meadows Incentive District #3, Monroe Meadows Incentive District #4, Monroe Meadows Incentive District #5, Monroe Meadows Incentive District #6, (each an “*Incentive District*”, and collectively the “*Incentive Districts*”) pursuant to the TIF Act, the boundaries of which shall be coextensive with the boundaries of, and will include, the parcels of real property within each Incentive District specifically identified and depicted in Exhibit A attached hereto (as currently or subsequently configured, the “*Parcels*”, with each of those parcels referred to herein individually as a “*Parcel*”).

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

Section 1. Incentive District Findings and Determinations; Creation of Incentive District. This Council hereby: (i) adopts the Economic Development Plan for the Incentive Districts now on file with the Clerk of the City Council, (ii) accepts and adopts the City Engineer’s certification to this Council and

the City Engineer's findings set forth therein (a) that the public infrastructure serving the Incentive Districts is inadequate to meet the development needs of the Incentive District as evidenced by the Economic Development Plan and (b) that each Incentive District is less than 300 acres in size and enclosed by a contiguous boundary, (iii) finds and determines that the Project will place additional demand on the Public Infrastructure Improvements within each Incentive District, (iv) finds and determines that the City sent written notice of the public hearing regarding this ordinance by first class mail to each owner of real property within each of the proposed Incentive Districts at least 30 days prior to such hearing, which notice included a map of the proposed Incentive District as well as the overlay area required by ORC Section 5709.40(C)(2), (v) finds and determines that this Council has not received a request from the owner of any real property within any of the proposed Incentive Districts to exclude that owner's property from the Incentive District, (vi) finds and determines that notice of this ordinance has been delivered to the Board of Education of Tecumseh Local School District and the Board of Education of Springfield-Clark Career Technology Center in accordance with and within the time periods prescribed in ORC Sections 5709.40 and 5709.83, and (vii) finds and determines that notice of this ordinance was delivered to the Clark County Board of County Commissioners in accordance with and within the time periods prescribed in ORC Sections 5709.40, and that the City did not receive an objection from the Board of County Commissioners with respect to this ordinance. This Council hereby ratifies the giving of all such notices. Pursuant to the TIF Act, this Council creates the Incentive District, the boundaries of which are coextensive with the boundaries of, and include, the Parcels specifically identified and depicted in Exhibit A attached hereto.

Section 2. Public Infrastructure Improvements. This Council designates the following public infrastructure improvements, together with any public infrastructure improvements hereafter designated by ordinance, as public infrastructure improvements made, to be made or in the process of being made by the City that benefit or serve, or that once made will benefit or serve, the Parcels within each Incentive District (the "*Public Infrastructure Improvements*"): roadway improvements including, without limitation, construction of roadway improvements, acquisition of related rights of way and easements, water system improvements, sanitary sewer improvements, storm drainage improvements, pedestrian sidewalks and bike paths, street lights, gas facilities, electrical facilities and all appurtenances thereto, and the maintenance of roadway improvements within and adjacent to the Incentive Districts. The costs of the improvements include but are not limited to, those costs listed in ORC Section 133.15(B).

Section 3. Life of the Incentive District; Authorization of Tax Exemption. The life of each Incentive District commences with the first tax year in which at least \$2,000,000 (aggregate market value for all Parcels within the Incentive

District) of building Improvements would first appear on the tax list and duplicate of real and public utility property for Parcels within the applicable Incentive District were it not for the exemption granted in this ordinance and ends for each Incentive District on the earlier of (a) 30 years after such commencement for such Incentive District or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act (the “*Incentive District Life*”).

Pursuant to and in accordance with the provisions of ORC Section 5709.40(C), this Council hereby declares that the increase in assessed value of each Parcel subsequent to the effective date of this ordinance (which increase in assessed value is hereinafter referred to as the “*Improvement*,” as defined in ORC Section 5709.40(A)) is a public purpose, with 100% of such Improvement to each Parcel exempt from taxation for the Incentive District Life for the applicable Incentive District.

Section 4. Service Payments and Property Tax Rollback Payments. Pursuant to ORC Section 5709.42, the owner of each Parcel is hereby required to make annual service payments in lieu of taxes with respect to the Improvement to that Parcel to the applicable county treasurer (the “*County Treasurer*”) on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established for real property taxes (collectively, the “*Service Payments*”), will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 3 of this ordinance. The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by ORC Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the “*Property Tax Rollback Payments*”), will be deposited and distributed in accordance with Section 6 of this ordinance.

Section 5. TIF Fund. This Council hereby establishes the New Carlisle Municipal Public Improvement Tax Increment Equivalent Fund (the “*TIF Fund*”) and, within such fund, an account for each Incentive District (the “*Monroe Meadows TIF Accounts*”). The TIF Fund shall be maintained in the custody of the City and the Monroe Meadows TIF Accounts shall receive all distributions to be made to the City pursuant to Section 6 of this ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to the TIF Act shall be used solely for the purposes authorized in the TIF Act and this ordinance (as it may be amended or supplemented). The Monroe Meadows TIF Accounts shall remain in existence so long as

such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the Monroe Meadows TIF Accounts shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with the TIF Act.

Section 6. Distribution of Funds. Pursuant to the TIF Act, during the Incentive District Life for each Incentive District, the County Treasurer is requested to distribute to the Tecumseh Local School District and the Springfield-Clark Career Technology Center an amount equal to the amount that the school district and joint vocational school district would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvements from each Parcel if the improvement had not been exempted from taxation by this ordinance, and all remaining Service Payments to the City, for further deposit into the TIF Fund. The City shall use all such amounts deposited into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements. Such distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions.

Section 7. Further Authorizations. This Council hereby authorizes and directs the City Manager, the Assistant City Manager, the Director of Law and the Finance Director, or other appropriate officers of the City to deliver a copy of this ordinance to the Ohio Department of Development and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the City Manager, the Assistant City Manager, the Director of Law and the Finance Director, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance.

Section 8. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC Section 121.22.

Section 9. Effective Date. This ordinance is effective on the earliest date permitted by law.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

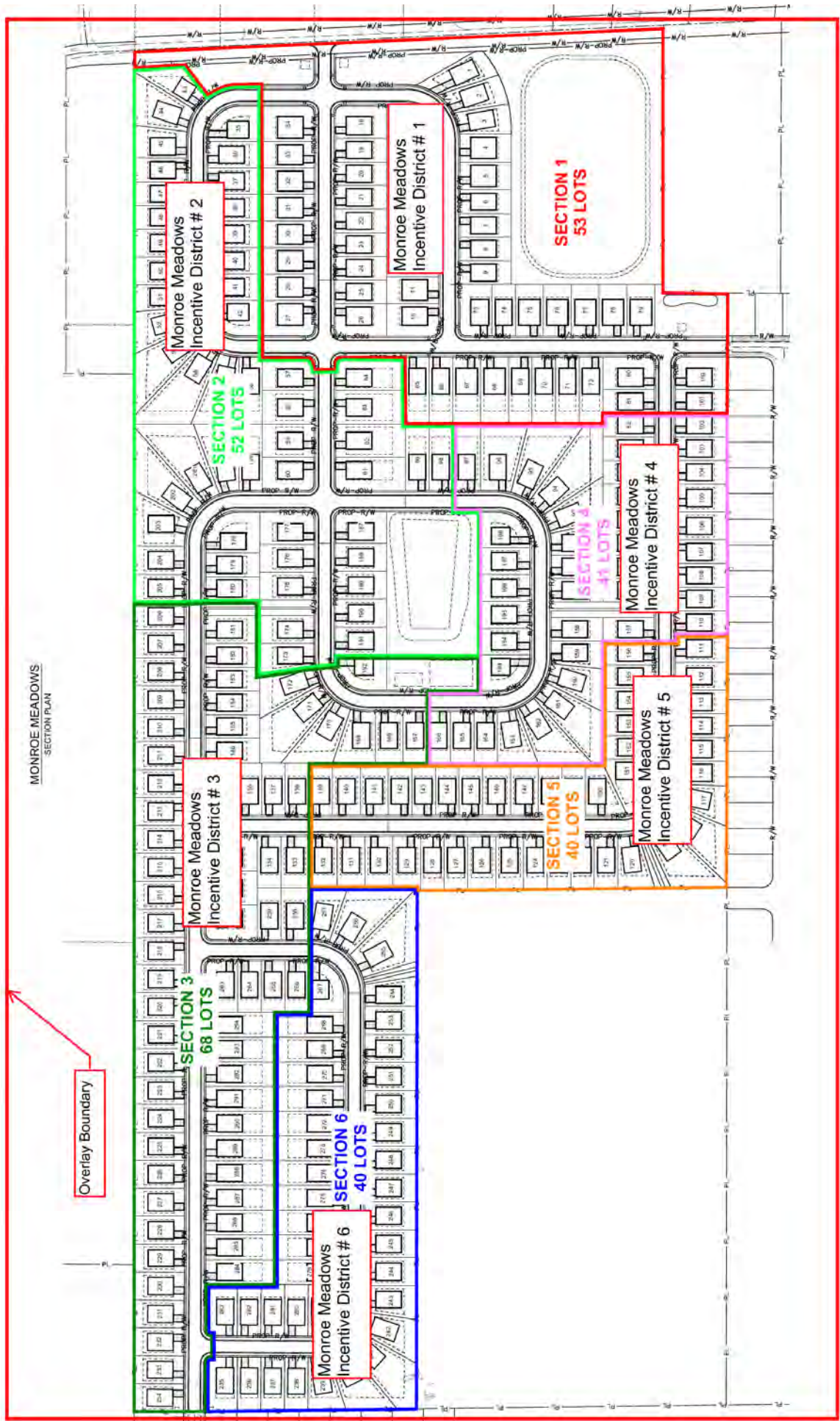
Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

Introduction and First Reading: 09/16/2024
Second Reading: 10/07/2024
Third Reading and Action: 10/21/2024
Effective Date of Legislation: 11/20/2024

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



ORDINANCE 2024-53

AN ORDINANCE ADOPTING THE BOARDS AND COMMISSION HANDBOOK FOR THE CITY OF NEW CARLISLE

WHEREAS, the City of New Carlisle recognizes the importance of providing clear guidelines and operational procedures for its boards and commissions; and

WHEREAS, the establishment of a comprehensive Boards and Commission Handbook will enhance effectiveness, transparency and accountability; and

WHEREAS, City Council has determined that the adoption and implementation of the attached Boards and Commission Handbook would be in the best interest of the City and its residents.

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

Section 1. Adoption of the Handbook.

City Council hereby adopts the Boards and Commission Handbook, attached hereto as Exhibit A, as the official operational guide for all boards and commissions of the City of New Carlisle.

Section 2. Implementation.

City staff shall ensure that all current and newly appointed members of the boards and commissions receive a copy of the Boards and Commission Handbook and are adequately trained on its contents.

Section 3. Amendments.

City Council reserves the right to amend the Boards and Commission Handbook as necessary to reflect changes in law, policy or operational needs.

Section 4. Severability.

If any section, clause or provision of this ordinance or the attached handbook is declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining portions of this ordinance or the attached handbook.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Chris Stapleton, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

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

Introduction and First Reading: 10/07/2024
Second Reading and Action: 10/21/24
Effective Date of Legislation: 11/05/2024

Totals:	Pass	Fail
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BOARDS AND COMMITTEE HANDBOOK



I. INTRODUCTION

Purpose

Welcome to the City of New Carlisle Board and Committee Handbook. This publication is designed to inform and educate city board and committee members about their roles and responsibilities, the Ohio Sunshine Laws, and how to properly conduct meetings.

The information, procedures, and requirements outlined in the pages that follow will enable members of city boards and committees to conduct themselves in accordance with the laws of the State of Ohio and the laws and policies and procedures established by the City of New Carlisle.

If you have any questions about the information included in this handbook, please contact the City of New Carlisle at 937-845-9492.

This handbook includes summaries and refers to statutes, ordinances, and policies in order to give you general direction with regard to city board and committee membership. The purpose of organizing this information in this handbook is to give you sufficient information to alert you to issues that may arise as a city board or committee member or how a particular regulation applies to a specific situation is unique to each situation. If an issue arises or if you have any questions, please inform your board or committee Staff Liaison. The Staff Liaison will notify the City Manager, who will subsequently reach out to either the Clerk of Council or the Law Director for precise advice and guidance.

II. CITY OF NEW CARLISLE STRUCTURE

City and City Charter

A city is an organization created to have governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services. It may exercise any power for municipal purposes except as otherwise provided by law. In essence, it is a group of people who wish to live in a particular geographic area, be provided with governmental services that are financed in a certain manner, live pursuant to regulations adopted by elected officials that are in the best interests of the public as a whole and be governed under a certain form of government. The City of New Carlisle was founded in 1810. A City Charter is a document that establishes a foundation and basic rules under which a city will operate. A City Charter is approved by the voters in the

area that is to become a city. The New Carlisle City Charter was adopted on November 4, 1980, which established home rule powers.

City Council/City Manager Form of Government

The City of New Carlisle operates under a Council-Manager form of government. It provides for a City Manager appointed by, and continuously responsible to, a popularly elected City Council. The City Council is comprised of seven council members elected at large per city charter. Mayor and Vice Mayor are elected from sitting council members per the city charter.

Role of Mayor, City Council, and City Manager

The legislative powers of the City of New Carlisle are vested in and exercised by the City Council. The City Council has the power to pass ordinances, adopt resolutions and appoint officers, and board and committee members. All powers of the city, except as otherwise provided by the City Charter or by the Constitution of the State of Ohio, are vested in the City Council.

The City Manager is appointed by and reports directly to the City Council. As chief executive officer, the City Manager is responsible for directing the city's day-to-day operations and carrying out the policies set forth by the City Council.

III. CITY BOARDS AND COMMITTEES

Structure

Purpose of City Boards and Committees

City boards and committees are established and appointed by the City Council under the City Charter or through the passing of an ordinance or resolution. The specific duties of the board or committee are defined in the City Charter or the establishing ordinance or resolution. Members of the city's boards or committees are appointed by the City Council. The role of the city's boards and committees is to provide advice and recommendations to the City Council with respect to the conduct and management of any property or facility or in connection with any public function of the city. The City Charter or the ordinance or resolution creating the board or committee specifies its powers and duties.

Creation of City Boards and Committees

The City Council may at any time, by ordinance or resolution, create a board or committee. The ordinance or resolution creating such a board or committee shall specify the powers and duties, the number and qualifications of its members, and the terms of its members. The City Council may at any time, by ordinance or resolution, abolish any existing board or committee (except those established by City Charter).

Established City Boards and Committees

The following City boards and/or committees have been established by the City of New Carlisle:

- Board of Zoning Appeals
- Planning Board
- Civil Service Committee
- Tax Review Board – Charter Mandated
- Human Rights Board
- Parks and Recreation Board
- Charter Review Committee – Charter Mandated

Serving On City Boards and Committees

Eligibility for City Boards and Committees

Members of city boards and committees are required to be legal residents of the City of New Carlisle and must be a registered voter per the City Charter. All members of city boards and committees serve without compensation in a volunteer capacity.

Screening and Appointments to City Boards and Committees

When a vacancy or vacancies exist on a city board or committee, the respected board president will inform the City Council at the next regularly scheduled City Council meeting. After such notice to City Council, the City Manager, or his or her designee, will post a notice of the vacancy or vacancies on the city's website, at the City Hall Building, and all social media accounts. These vacancy notices will include a deadline for submission of an Application for City Boards and Committees (located in the Appendix of this handbook) by interested individuals. The City Manager, or his or her designee, will organize all the applications received by the deadline and provide these applications to the City Council for review. The Clerk of Council shall set-up interview dates and times with applicants after consultation and direction from City Council. The City Council shall interview each qualified candidate before appointment.

Once an applicant has been appointed to a city board or committee, the City Manager, or his or her designee, will contact the appointee and request that the appointee sign and submit a Grant of Authority to Release Personal Information (located in the Appendix of this handbook). The City Manager will submit the signed Grant of Authority to Release Personal Information from the applicant to the Human Resources Department for processing to obtain a criminal background and driving check. The results of the criminal background and driving check will be shared with City Council and, if are satisfactory, the appointee can officially be seated on the board or committee so appointed to. In no event should any appointee begin any official work on behalf of the city until the results of the criminal background check are acceptable, and a personnel file is created for the new board or committee member.

Length of Service and Terms of Office on a City Board or Committee

The terms of office for city boards and committees shall be 4 years, unless otherwise noted in the City Charter or the Ohio Revised Code. The City Charter or originating ordinance or resolution specifies the term of office and the process for appointments. All appointments to city boards and committees are made by a motion of City Council with a majority affirmative vote at a scheduled New Carlisle City Council Meeting for a specified term of office. If the appointment to a city board or committee is to fill a vacancy for an unexpired term, the appointment will be made only for the remainder of the unexpired term rather than the full term.

Reappointment to membership on a city board or committee will be considered by the City Council at the request of a city board or committee member near the expiration of the current term of office; but the City Council is not obligated to automatically make a reappointment. The City Council may opt to post a notice of a vacancy on a city board or committee near the expiration of an existing board or committee member's term of office to consider other applicants for an upcoming vacancy on a city board or committee. If the City Council decides to reappoint an existing board or committee member to a new term, the reappointment would require that the board or committee member again sign and submit an updated application. If the criminal background check is approved by the City Council recommends reappointment of a board or committee member after consideration at a Council Work Session, the Clerk of Council will make the necessary arrangements to place a motion for the reappointment of the applicant to the appropriate city board or committee for a new term at the next regularly scheduled City Council Meeting. The Clerk of Council will send a reappointment letter, signed by the mayor, to the reappointed member, the president of the committee or board to which the member has been reappointed, and to the City Manager. The City Manager will then inform the committee or board Staff Liaison and the Human Resources Department in writing.

Any board or committee member appointed or reappointed to a city board or committee will be required to be sworn in by the City Council using the City's oath of office and documented in writing on the Acceptance and Oath of Office Form (located in the Appendix of this handbook). The signed Acceptance and Oath of Office Form will be given to the Human Resources Department for placement in the member's personnel file.

City Council Liaisons

Roles and Duties of the City Council Liaisons

City Council Liaisons are members of the City Council assigned by the City Council to a city board or committee who act as a link between the board or committee and the City Council. The City Council Liaisons are not directed by the board or committee but work closely with the President and the members of the board or committee. City Council Liaisons are assigned to the boards and committees where the City Council and/or the board or committee has identified a benefit to an identified City Council Liaison. The City Council Liaisons are not members of the assigned board or committee and do not have voting rights on business before the board or committee but may participate in discussions before the board or committee.

Some of the responsibilities of the City Council Liaisons include:

1. Attend all meetings of the assigned board or committee.
2. Advise the board or committee of any City Council activities related to the board or committee that are conducted by the City Council.
3. Advise the City Council of any activities conducted by the board or committee through regular reports at Council Work Sessions, Special Meetings, or Regular Sessions.
4. Coordinate semi-annual presentations on the activities of the board or committee at Council Work Sessions, Special Meetings, or Regular Sessions.

IV. MEETINGS

Structure

Defining Meetings

A meeting is a pre-arranged gathering of a majority of members of a public body for the purpose of discussing public business. A meeting is conducted based on an agenda prepared prior to the meeting.

Quorums

A quorum is the minimum number of voting members of a city board or committee that must be present in order for the board or committee to act on a matter. If a member must abstain from voting due to a conflict of interest, and that member is required in order to have a quorum, that matter must not be heard or acted upon until a sufficient number of members allowed to vote are present. The quorum remains the same even if vacancies exist.

If there is not a quorum, action by a city board or committee may not take place. In “quasi-judicial” boards or committees considering matters related to the property rights of an applicant, there should not be a discussion of matters listed on an agenda when a quorum is not present (since procedural due process requirements must be followed). In “non-quasi-judicial” boards or committees, members may discuss matters on an agenda, but they may not act. In the case of an emergency or if there is business that cannot be delayed, those members present can, at their own risk, act with the hope that their action will be ratified at a later meeting when a quorum is present.

If a city board or committee member momentarily leaves the room (i.e., get a drink of water, restroom break, or phone call) and less than a quorum remains, no business may be conducted. The meeting must be stopped until the city board or committee member returns to restore the meeting quorum.

If a city board or committee member must be excused because of a conflict of interest, leaving less than a quorum to vote on a matter, the remaining members are not permitted to vote on the matter. The vote will not be considered a legal vote. A meeting quorum must be maintained for business to be conducted.

Frequency of Meetings

Frequency of the meetings will be determined by the board or committee members.

Absences

City board and committee members are expected to attend all scheduled meetings. If a city board or committee member is going to be absent from a meeting, the member should provide advance notice of the intended absence to the President for that board or committee as soon as possible. Excessive absences may result in the member being removed from the board or committee per the process defined in the City Charter.

A board or committee member may be excused for a valid absence or extenuating circumstances by a vote of the board or committee and the excused absence will be recorded in the minutes of the meeting. All absences will be considered before a recommendation would be made for removal or reappointment to a board or committee. Each board or committee may have rules and operating procedures specific to its function that would be reviewed in considering the removal of any member of a city board or committee. The board president keeps a record of all absences. A board or committee member may also be removed by an affirmative vote of the City Council under conditions spelled out in the City Charter or originating ordinance or resolution.

Role, Election, and Terms of President and Vice President

The President elected by the board or committee shall preside at all board or committee meetings. In the absence of a President, the Vice President (also elected by the board or committee) or other person elected by the board or committee shall preside. Boards and committees should refer to the City Charter or the originating ordinance or resolution for specific provisions for the President or Vice President. Generally, the President has no special powers over and beyond the power of any other board or committee member, unless otherwise provided in the City Charter or originating ordinance or committee to call special meetings subject to certain conditions.

Unless provided in the City Charter or the originating ordinance or resolution, the President and Vice President are elected from among the membership of the board or committee by a majority vote. The elections of the President and Vice President are scheduled on the agenda bi-annually, generally at the first meeting of the year of the board or committee. There are no term limits for being designated as a President or Vice President. The City Charter or the originating ordinance or resolution may provide a specific month for the election of the President and the Vice

President. The President and Vice President positions are held for a two-year term.

Laws, Regulations, and Policies

Ohio Sunshine Laws

The Ohio Sunshine Laws are a set of rules and regulations that provides the public with a right of access to government proceedings. The Ohio Sunshine Laws were designed to afford the public entrance into the process of governmental decision-making. Section 121.22 of the Ohio Revised Code provides the regulations that governments must follow when conducting a meeting and what happens to the documents and files used during a meeting.

Communication Among City Board

Meetings of a majority of a city board to discuss board matters must be open to the public, noticed to the public, and have written minutes taken of the meeting's proceedings. Any time a majority of a city board or committee communicates about any matter that may come before the board; it is considered a meeting under the Ohio Sunshine Laws. Communication may include the following:

- Face-to-face
- Written correspondence
- Telephone
- Email
- Hand signals
- Through an intermediary, a person who separately speaks to board members and tells one what the other says regarding a matter that may come up before the board.

A board member may send an email to other members of the board with their thoughts about a matter of business that has or will come before their board. However, it is recommended that the subject of the email should only be discussed at a future board or meeting.

No board member should speak on behalf of the board unless that board has voted to authorize that member to speak on its behalf.

A board or committee member may report what the board/committee did at its meeting without authorization but should be advised to rely on a copy of the meeting minutes in order to be accurate about the board or committee proceedings. If not, the member is at risk of accidentally misrepresenting what that board or committee did at the meeting.

Members of different boards or committees can talk about a matter to come before their individual boards or committees. Since the members are not on the same board or committee, the two individuals may discuss business that may come before their board or committee provided the members are not acting as a delegate. This holds true even if the subject matter is a proposal that will be presented to various boards and/or committees.

Open to the Public

A public meeting is a meeting of a board or committee where the public is allowed to attend but does not necessarily have permission to speak. A public hearing is a meeting where the public is invited and encouraged to speak.

If a meeting is advertised as a meeting that does not require or request public input, the public does not have to be permitted to speak. Otherwise, the public should be encouraged to speak, and everyone should be able to hear what is being said and see what is being presented. While the public has a right to attend and observe a public meeting, the law does not provide a requirement to allow the public to speak about the items being addressed at a meeting unless there is a legal requirement. The notice of a meeting should state if the meeting is one that will or will not have public input. Otherwise, the better practice is to permit public comment. The President should make the manner of public participation clear at the beginning of the meeting. The President and/or the bylaws of the meeting body establish and enforce reasonable time limits that govern how long members of the public may speak.

Guidelines for Public Participation in a Meeting

A City board or committee may find it advantageous to adopt standing rules or bylaws for public participation in its meetings. However, any rules or bylaws that a board or committee might wish to adopt must be approved by the City Council. Some guidelines for suggested standing rules are:

1. Anyone wishing to make a comment or ask a question shall wait for recognition from the President before beginning to speak.
2. The board or committee may limit the length of time for public comments on any one subject (i.e., twenty minutes on any one subject).
3. The board or committee may limit the number of speeches and the length of time for individual members of the public to speak (i.e., a member of the public may speak two times for five minutes).
4. No individual may speak a second time if someone who has not spoken wishes to speak.
5. Individuals from the public shall address the board or committee from the podium or designated area for public address so that the comments are properly recorded and amplified.
6. Speakers must use the microphone or speak in a clear, strong voice so that all may hear.
7. Comments made by the public shall be relevant to the subject under consideration.
8. The public in attendance not recognized to speak shall refrain from talking among themselves while others are speaking.
9. The rules of decorum and order required under the Ohio Sunshine Laws apply to public participation in a meeting and shall be observed at all times.

No one can be asked to leave a meeting unless they are disrupting the proceedings with unruly behavior.

Physical Needs of a Meeting Place

For a meeting to be “open to the public,” it must take place in a place large enough to accommodate public attendees. If a larger group than expected arrives, sound and/or visual projections of the meeting should be made available. If this is not possible, another room should be used, or the meeting should be postponed to another time and place when a larger room is available.

The meeting room door should be left open at all times during the meeting unless there is loud noise or activity outside of the door that is disrupting the meeting, and the noise or disruption cannot be stopped. In that instance, a sign should be posted on the door letting the public know that the meeting is going on inside the room.

Off-Site Meetings

The location of board or committee meetings should not be changed unless circumstances beyond the control of the board or committee require it to be moved. However, if the board or

committee needs to visit a particular site or location; a tour should be scheduled. Board or committee members should refrain from discussion until the tour is concluded and the board or committee convenes at its customary meeting place. The Staff Liaison should consult with the Clerk of Council's Office concerning changes to meeting locations and dates. It is encouraged that changes be kept to a minimum. The Staff Liaison should notify and plan with the person taking minutes in advance for any schedule changes.

Public Notice

The President is responsible for ensuring that proper notice of a meeting is provided. City board members should review the statutes, rules or procedures governing the type of meeting being held and follow the appropriate public notice requirements as outlined earlier in this handbook.

Meeting Minutes

Minutes are a written record of the activities that take place during a meeting. The law requires that minutes of official meetings be maintained as a permanent record of the city. All board meeting minutes are to be kept as permanent public records.

At a minimum, minutes should include:

1. A written record of the time the meeting starts and ends;
2. Meeting location;
3. Names of board members in attendance;
4. The full name for any acronyms;
5. Official actions taken by the board; and
6. Brief summary of meeting activities, including an attachment of any presentation slides used, materials, handouts, meeting packet, etc.

Minutes may also include:

1. Requests made that may not necessarily be made in the form of a motion (these may require follow-up after the meeting or may be in the form of questions that are answered at the same meeting where they are posed);
2. Comments made by the public;
3. Clarifying comments by the public or City Staff concerning requests or petitions before the city;

4. Policies or procedures announced by City Staff;
5. Opinions about the subject matter before the board within the scope of the board that warrant recording for historical purposes and to convey to the City Council.

A digital or tape recording does not replace the requirement for minutes. Written minutes must be taken.

Any official action results when a main motion, the basic device by which a matter is presented for possible action, is made. The minutes should reflect the following:

1. The name of the maker of the motion;
2. The name of the member who seconded the motion;
3. The wording of each motion as adopted or otherwise disposed of;
4. The disposition of the motion (adopted, defeated, deferred, or laid on the table);
5. Final disposition (adopted or defeated) and the record of each member's vote, for or against.

Rules for Conducting a Meeting

Meeting Agenda

The physical structure of a meeting will be determined by the agenda which is created by the President. The agenda is a list of items to be considered at the board meeting based on matters the board or committee is authorized to consider as deemed by the City Charter or the originating ordinance or resolution. The agenda should also include the approval of the minutes of the prior meeting. In addition, a board or committee may have given direction at a prior meeting for an item to be placed on a future agenda. The New Carlisle City Council or Clerk of Council may also propose matters for consideration by a board or committee. Items of business not completed or postponed from a prior meeting would also be included on the agenda and would be labeled as "Pending Business." The proper place on the agenda to bring up new topics or recommendations is under the heading of "New Business." New topics, other than those of a purely general nature, would require public notice, and should not be discussed at the present meeting, but scheduled for a future agenda. Following finalization of the agenda by the President, and at least two business days before the meeting, the Staff Liaison will distribute copies of the agenda to board or committee members and the Clerk of Council. Additionally, the Staff Liaison will post the agenda and meeting packet on the City of New Carlisle's webpage.

Failure to follow the published agenda may raise legal issues about public notice (i.e. the public is not made aware or not prepared to listen to the discussion and respond to a certain matter).

City boards and committees consider matters as ordered on the meeting agenda. Reordering an agenda should only be done for a public purpose based on a majority vote of the members of the board or committee after a member has made a motion to reorder the agenda. An item on the agenda can be moved by making a motion. For example: "I move to take up agenda Item 6 after Item 2." or "I move to consider item number 7 first." When adopted, the items are then taken up as reordered. Sometimes, agendas are reordered due to anticipated public participation for a specific item.

Conducting Business

The primary method by which city board or committee business is generally conducted is by motion. Business may also be conducted by discussions, reports submitted, and requests by members, City Staff, City Council, or citizens.

Parliamentary procedure is generally regarded and accepted as a set of rules for the orderly conduct of business at meetings. These written rules of order allow everyone to be heard and to make decisions without confusion. Examples of parliamentary rules are:

1. A quorum must be present for business to be conducted legally.
2. Every member has the right to make motions, speak in debate, and vote.
3. A member must be recognized by the President before speaking or making a motion.
4. Before a motion is brought before the board or committee, it must be seconded.
5. Only one question or motion can be considered at a time.
6. The basic principle of decision is that a proposition must be adopted by a majority vote.
7. Once a motion is seconded and before the board or committee, it must be adopted or rejected by a vote or be disposed of in some other way before any other subject can be introduced.

Although the New Carlisle City Council has officially adopted Robert's Rules of Order Newly Revised as a parliamentary authority, many of the basic principles of common parliamentary law are so widely accepted, that Robert's Rules of Order are followed.

Duties of President and Vice President

The duties of the President and Vice President, but are not necessarily limited to, those listed below:

1. Open the meeting at the appointed time by taking the President's seat and calling the meeting to order, having determined that a quorum is present.
2. Announce that all speakers, including City Staff, should speak from the podium and provide their names and the spelling of last names.
3. Swear in all individuals intending to speak on a specific matter at any quasi-judicial proceeding of a city board or committee.
4. Ask the person taking the minutes to call the roll.
5. Announce in proper sequence the business that is to come before the board or committee.
6. Recognize members who are entitled to the floor.
7. State and put to vote all questions that legitimately come before the board or committee.
8. Restate all motions and amendments to the motions.
9. Announce the name of the member who made the motion and the person making the second.
10. Ask the person taking the minutes to call the roll to vote.
11. Protect the board or committee from obvious frivolous or dilatory motions by refusing to recognize them.
12. Enforce the rules relating to debate and those relating to order and decorum within the board or committee, and with the public in attendance.
13. Open the floor to public comment.
14. Expedite business in every way compatible with the rights of the members.
15. Decide all questions of order, subject to appeal, unless submitted to the board or committee for a decision.
16. Respond to inquiries of members relating to parliamentary procedure or factual information.
17. Declare the meeting adjourned when the board or committee so votes.

The organization of the meeting is determined by the agenda and the President must keep the meeting on track by adhering to one subject or main motion at a time. If a board or committee member (or member of the public) who has been recognized deviates to an unrelated topic, the President should interrupt and tactfully restate the topic or motion under discussion. The President should also recognize only one member at a time.

Handling an Item of Business on the Agenda

Members also have responsibilities (not the least of which is to understand and follow all of the laws, rules or policies that apply to the board or committee of which each is a member). Additionally, every member has the responsibility to:

1. Learn the correct way to make motions to carry on the business of the board or committee.
2. Amend motions if they do not express the need of the majority.
3. Know and observe the rules of debate and decorum in debate.
4. Call a point of order when a rule has been broken (must be called attention to immediately).
5. Appeal the decision of the President on a point of order if not in agreement with the decision of the President.
6. Know the difference between the use of the motions "Postpone to a time certain." and "Table."
7. Understand when one should consider abstaining from voting.
8. Know that motions that limit or take away a privilege require a two-thirds vote.
9. To participate by contributing ideas, voicing meaningful concerns and opinions in debate, and voting for principle.

STEPS IN HANDLING AN AGENDA ITEM IN AN ADVISORY BOARD OR COMMISSION

Step	Action
The Chair announces the item of business.	"The next item of business is item number 5 on the agenda which is related to... Is there any discussion?"
Item introduced is open for informal discussion.	Reports may be given related to the matter, members may bring up several proposals, ideas or recommendations.
Developments or conclusions reached from open discussion.	<p>The discussion and debate may develop in two possible ways:</p> <ol style="list-style-type: none"> 1. An unspoken general consensus is reached that a specific conclusion or action is the proper course or recommendation for the board/ commission to pursue. 2. Two or more conflicting proposals may result, and passions are hard and fast on all sides.
A member or the Chair makes a main motion putting the conclusion (or one of the conclusions) into a formal motion.	<p>"I move that the board/commission recommend to the City Council..."</p> <p>OR</p> <p>"I move that the board/commission request approval for an additional study to determine..."</p>
The motion is seconded.	"I second the motion." OR "Second."
The Chair states the motion.	<p>"It is moved and seconded that the board/commission recommend to the City Council..."</p> <p>OR</p> <p>"It is moved and seconded that the board/commission request approval for an additional study to determine..."</p>
The motion made is open to debate.	<p>"I speak in favor of the motion..."</p> <p>"I speak in opposition to the motion..."</p>
The motion is also open to amendments or other disposition.	"I move to amend the motion by striking out the word ____ and inserting the word ____." "I move to defer the motion to the next meeting." "I move to refer this motion to..."
The Chair puts the question to a vote (the wording of the motion should be repeated).	<p><u>Voice Vote</u>: "The question is on the adoption of the motion to... [e.g., recommend to the City Council..., request approval for an additional study to determine...] Those in favor, say aye... Those opposed, say no..."</p> <p><u>Roll Call Vote</u>: "This vote will be taken by roll call. Those in favor of adopting the motion to... will answer yes; those opposed will answer no. The Staff Liaison will call the roll."</p>
The Chair announces the result of the vote.	"The ayes have it and the motion is adopted." OR "The noes have it and the motion is lost."
The Chair makes an announcement of the next item of business.	<p>"The next business in order is..." OR</p> <p>"The next item on the agenda is..."</p>

Order and decorum can be maintained while debating or discussing a controversial issue. Order and decorum may be assured if the rules of debate and decorum are observed. Debate “is an essential element in the making of rational decisions of consequence by intelligent people.” The basic rules of debate and decorum in debate are:

1. A board or committee member (or a member of the public) must be recognized by the President before speaking in debate.
2. Remarks must be confined to the merits of the pending question or topic under consideration.
3. When speaking in debate, a member must refrain from attacking motives and must avoid name calling. Honest disagreement is often a good sign of progress.
4. All remarks should be addressed through the President. Members do not address one another directly.
5. Makers of a motion are not permitted to speak against their own motion, although they may vote against it.
6. Do not interrupt anyone who is speaking except in special situations where the urgency justifies the interruption.
7. Obtain permission of the board or committee to read from any paper or book.

If a board or committee member or member of the public interrupts another board or committee member or a member of the public causing a smooth meeting to be interrupted, the President should ask that member of the public or board or committee member to hold his or her questions and comments until he or she is recognized by the President.

If a board or committee member is speaking on a topic that is not within the authority of the board or committee to discuss, another board or committee member may ask the President for a point of order to bring the meeting back to a topic within the authority of the board or committee.

Motions

Generally, a motion is made prior to discussion. In small boards or committees, informal discussion of a topic is permitted without a motion. The board or committee may need to fully explore an issue or proposed action before deciding on the course of action to be taken.

A main motion is a formal proposal by a member in a meeting that the board or committee take certain action on an item. A motion may bring its subject to the attention of the board or committee, or the motion may follow upon the presentation of a report or other communication.

There are many other parliamentary motions which involve procedural steps related to the main motion already under consideration. These are called secondary motions. However, they do not bring business to the meeting as a main motion does. A main motion can be made only when no other motion is pending. Board and committee members should refer to Robert's Rules of Order when making motions.

In parliamentary terms, the President does not make motions in order to remain impartial and run an orderly meeting. It is good practice for the President to hand over the gavel when he or she wishes to make a motion, so that the President would not have two jobs at that time - advocating the motion and running the meeting.

Knowing what motion to make, as well as how and when to make it, will result in better meetings. Motions should be made in the positive and the vote then would reflect the decision of the board or committee.

WHAT IS IT YOU WANT TO DO?

The workhorse of introducing and handling business in a meeting is a motion. This summary of motions will not tell you everything you need to know but, for more effective meetings, you need to know what motion to make to accomplish what you want.

Your Objective	Motion to Use
Bring up business; propose an idea for action.	MAIN MOTION. A main motion can only be made when no business is pending. "I move that..."
Kill a main motion.	POSTPONE OR DEFER INDEFINITELY. A motion to postpone or defer action indefinitely. Avoids a direct vote on the main motion and "kills" it.
Make a main motion better, perfect the wording.	AMEND. Amend the main motion. You may add, delete, change, or even substitute one motion for another.
Get more information.	REFER. Refer the motion to a committee pre-approved by the City Council or back to the City Council for further instructions or for research by City Staff.
Put off the vote on a main motion.	POSTPONE. Postpone the main motion to a later time or to another meeting. The time must be definitely specified.
Put aside temporarily.	TABLE. A motion to lay the pending motion aside or on the table. Can only be used if there is an urgent reason to do so. Consideration of the motion continues after adoption of the motion to table.
Close debate and stop amendments.	PREVIOUS QUESTION. The motion requires a two-thirds vote and, if adopted, the vote is taken immediately on the pending motion.
Take a break.	RECESS. A motion to recess. A recess is a short intermission; the interrupted business is resumed after the recess.
Close the meeting.	ADJOURN. A motion to adjourn. Adjournment is in order when business is pending and, if adopted, closes the meeting immediately.
Need to know something.	POINT OF INFORMATION. A motion to ask a question of the Chair.
Point out a violation of the rules.	POINT OF ORDER. A motion to call the attention of the Chair to a problem. The point of order must be made immediately at the time the infraction occurs. The Chair must rule at once if the point of order is well taken or not well taken.

Voting, Abstaining from Voting, and Conflict of Interest

A vote is a formal expression of the will or opinion or preference of the members of a board or committee in regard to a matter submitted to it.

A majority vote is the vote required for approval of an action or choice by a board or committee. Majority means more than half of the votes cast by persons legally entitled to vote at a properly called meeting at which a quorum is present.

When a decision is to be based on more than a majority, the requirement most commonly specified is a two-thirds vote.

A board or committee member vote may not vote “absentee” or by proxy when the member cannot attend a meeting. The right to vote is limited to board or committee members who are actually present at the time a vote is taken.

The taking of any vote should begin with repeating the question or motion which is to be decided. Refer to the Appendix for the proper wording for taking a vote. Time can often be saved by the procedure of unanimous consent (also known as general consent). It can be used to adopt a motion without the steps of stating the question and putting the motion to a formal vote. To obtain unanimous consent, for example, the President states:

“If there is no objection, the minutes are approved as submitted/corrected.”

“Without objection, public participation in this meeting is extended for ten more minutes.”

If any member objects, the President must state the question on the motion and take a formal vote.

The vote of each member must be recorded on every main motion or recommendation decided by the board or committee. There should be a roll call vote on all matters specifically listed on the agenda if there is any member dissenting. The President may call for the vote and if there are no dissenting members, a voice vote is sufficient. There can be no secret votes.

If a city board or committee member has a conflict, the member should announce the conflict, and remove himself or herself physically from the board or committee seating area during that portion of the meeting. If the member wishes to address the board or committee, he or she must do so as a member of the general public. A board or committee member may not represent an

application or topic for a client in front of his or her own board or committee. If a board or committee member is not sure whether he or she has a voting conflict, the member should inform the Staff Liaison and/or contact the Law Director.

Order and Decorum

Decorum directly relates to the Ohio Sunshine Laws. The purpose of the Ohio Sunshine Laws in part is to provide the public with a right to attend a meeting and hear the proceedings, and that a record of what happened at the meeting is documented and available for those who could not attend the meeting.

The Ohio Sunshine Laws also state that all meetings shall be subject to order and decorum. "Order" is defined as customary or prescribed methods used in the conduct of deliberative, legislative, or public meetings. "Decorum" is defined as customs of formality that are followed by a presiding officer and members of a board or committee; propriety and good taste in conduct or appearance.

If a member of the public is shouting or talking off the topic or talking repeatedly about a point, thereby impeding "public" access to the meeting, there is disorder. The person exhibiting the unruly behavior may be asked to leave.

Rules of Conduct/Bylaws

For general conduct of business, boards and committees should first refer to the following laws and regulations to determine if a rule of conduct is already in place: (1) the Ohio Constitution or Ohio Statutes; (2) New Carlisle codified ordinances; or (3) a resolution or ordinance adopted by the New Carlisle City Council.

If rules are not in place and the board or committee believes a standard rule should be in place, it should be presented to the New Carlisle City Council for approval.

To be effective, all rules and regulations or bylaws of city boards and committees appointed by the City Council must be approved by resolution of the City Council. A copy of such rules and regulations or bylaws must be attached to the resolution approving them and must be available for public inspection at any time. If a city board or committee would like to establish rules or regulations or bylaws, the Staff Liaison would submit a request to the Clerk of Council to schedule the matter on City Council's agenda.

A board or committee can set a special rule that is appropriate for the moment. Such special rules could be appropriate if the electricity goes out - should the meeting continue or be adjourned after a reasonable period of time? A representative might not be present at the time their item is called off the agenda. Or the President inadvertently strays from the agenda. These are just some examples. When necessary, the President may act without a formal motion, provided no member of the board/committee objects. If there is an objection, the President must take a vote to obtain approval of the action proposed.

Testimony

Any individual wishing to speak or give testimony at a public hearing at a public meeting of a city board or committee regarding an item on the agenda needs to be sworn in. The President should explain at that time that only such individuals need to stand and be sworn in. Individuals in the audience not wishing to give testimony on any item need not stand and be sworn in.

Executive Session

Section 121.22 (G) of the Ohio Revised Code outlines the circumstances under which it is permissible for a city board or committee to go into Executive Session during a public meeting. A request for an Executive Session may only be made during a regular or special meeting of a public body.

The motion to convene into Executive Session must include one of the allowable reasons an Executive Session is permitted, which are as follows (this is the entire list):

- a) Appointment;
- b) Employment;
- c) Dismissal;
- d) Discipline;
- e) Promotion;
- f) Demotion;
- g) Compensation;
- h) Investigate charges or complaints against public (employee, official, licensee or regular individual) unless said persons request a public hearing;
- i) Consider purchase of property;
- j) Sale of property;
- k) Pending or imminent litigation (requires presence of Law Director;)

- l) Bargaining sessions regarding public employees (preparing for, conducting, or reviewing);
- m) Confidential matters (required to be kept as such by law, rules, or state statutes;
- n) Security arrangements (specialized details where disclosure might reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of the law;
- o) Confidential matters related to economic development issues (requires a unanimous vote of the board or committee).

In order to recess into Executive Session, a roll call vote is required and the motion to go into Executive Session must be passed by a majority vote of the quorum of the city board or committee. The motion must state the subject of the discussion using one or more of the allowable reasons listed above.

The minutes of the city board or committee must reflect the Executive Session by documenting the member who made the motion; the member who seconded the motion; the vote count; the subject of the discussion; and the times the Executive Session was opened and was closed. No other minutes of the Executive Session are recorded, and no digital recordings are made of an Executive Session. Visitors may be allowed in Executive Session at the invitation of the board or committee. All other persons should be asked to leave the meeting area, and the doors should be shut.

As a practical matter, the need for an Executive Session by a City board or committee is an infrequent occurrence. Most of the allowable reasons for going into an Executive Session normally do not pertain to a city board or committee. An Executive Session to discuss pending or imminent court action requires the presence of the Law Director.

V. RESPONSIBILITIES OUTSIDE OF A MEETING

Code of Ethics

The citizens and businesses of the City of New Carlisle are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of New Carlisle's commitment to excellence, the effective functioning of democratic government therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial, and fair in their judgement and actions;
- public offices be used for public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the New Carlisle City Council has adopted a Code of Ethics for members of the City Council and of the city's boards and committees to assure public confidence in the integrity of local government and its effective and fair operation. The Code of Ethics can be found in the appendix H of this handbook.

Principles

1. **Act in the Public Interest** – Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of New Carlisle and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the New Carlisle City Council, boards, and committees.
2. **Comply with the Law** – Members shall comply with the laws of the nation, the State of Ohio, and the City of New Carlisle in the performance of their public duties. These laws include but are not limited to the United States and Ohio constitutions; the New Carlisle City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and city ordinances and policies.
3. **Conduct of Members** – The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of City Council, boards, committees, City Staff, or the public.
4. **Respect for the Process** – Members shall perform their duties in accordance with the processes and rules or order established by the City Council, boards, and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by city staff.

5. **Conduct of Public Meetings** – Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
6. **Decisions Based on Merit** – Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
7. **Communication** – Members shall publicly share substantive information that is relevant to a matter under consideration by the City Council or boards and committees, which they may have received from sources outside of the public decision-making process.
8. **Conflict of Interest** – In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts may exist.
9. **Gifts and Favors** – Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgement or action or give the appearance of being compromised.
10. **Confidential Information** – Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.
11. **Use of Public Resources** – Members shall not use public resources not available to the public in general, such as city staff time, equipment, supplies, or facilities, for private gain or personal purposes.
12. **Representation of Private Interests** – In keeping with their role as stewards of the public interest, members of City Council shall not appear on behalf of the private interests of third parties before the City Council or any board, committee, or proceeding of the City, nor shall members of boards and committees appear before

their own bodies or before the City Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. **Advocacy** – Members shall represent the official policies or positions of the City Council, board or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of New Carlisle, nor shall they allow the inference that they do.
14. **Policy Role of Members** – Members shall respect and adhere to the structure of New Carlisle City government. In this structure, the City Council determines the policies of the city with the advice, information and analysis provided by the public, boards and committees, and city staff. Members therefore shall not interfere with the administrative functions of the city or the professional duties of city staff; nor shall they impair the ability of city staff to implement City Council policy decisions.
15. **Independence of Boards and Committees** – Because of the value of the independent advice of boards and committees to the public decision-making process, members of City Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and committee proceedings.
16. **Positive Workplace Environment** – Members shall support the maintenance of a positive and constructive workplace environment for city employees and for citizens and businesses dealing with the city. Members shall recognize their special role in dealings with city employees to in no way create the perception of inappropriate direction to city staff.
17. **Implementation** – As an expression of the standards of conduct for members expected by the city, the New Carlisle Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards and committees, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understand the City of New Carlisle Code of Ethics. In addition, the Code of Ethics shall be annually reviewed by the City Council and the City Council shall consider recommendations from boards and committees and update it as necessary.

18. **Compliance and Enforcement** – The New Carlisle Code of Ethics expresses standards of ethical conduct expected for members of the New Carlisle City Council, boards, and committees. Members themselves have the primary responsibility to assure that the ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The Chairs of boards and committees and the mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a City Council, board, or committee decision.

City Board or Committee Member as a Public Official

Board and committee members are considered public officers. A public officer “includes any person elected or appointed to hold office in any agency including any person serving on an advisory body.” This includes all advisory board and committee members.

Certain laws apply to board and committee members when they are not participating strictly in the role as board or committee members. Most of these laws deal with conflict of interest in business relationships and can be found in Section 102.01 et. seq. of the Ohio Revised Code.

Conflict of Interest

A conflict of interest can be related to your interests or those of a relative or friend or those of a company where you are an employee or officer. Board or committee members can avoid conflict of interest problems by being aware of statutory restrictions, adhering to such restrictions, using good judgment, and being fair in decision-making.

Board or committee members shall not rent or sell the city services or goods or property that they or their employer are providing without first checking to see if there is an exception. Members may not be able to be a board or committee member and do business with the City of New Carlisle at the same time. A board or committee member may request a waiver from the New Carlisle City Council. The City Council will review the request and decide if a waiver is warranted.

Public Records

Public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics or means of transmission, made, or received pursuant to law or ordinance or in connection with the transaction of official business of the City. The City of New Carlisle Public Records policy is located in the Appendix of this handbook.

Email on official business sent from a personal computer is also subject to public records laws.

Gifts

A board or committee member is prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor or service that is based on an understanding that their vote, official action, or judgment would be influenced by such a gift.

It may be permissible for someone to buy lunch for a board or committee member. It depends on who is buying the lunch and how much it costs. However, the board or committee member needs to be sure the person buying lunch is not someone trying to influence a vote on a particular matter.

VI. INDEMNIFICATION AND INSURANCE

City officials, including board and committee members, are indemnified, and covered by the city insurance policies in the performance of their official duties on behalf of the city in a dispute, proceeding, or litigation.

VII. PENALTIES

Possible consequences for violation of the Ohio Sunshine Law, conflict of interest, gift, and public records laws include:

1. Criminal penalties for a “knowing” violation;
2. Fines;
3. Removal from office;
4. Action taken outside of the Ohio Sunshine Laws is void (may take corrective action by rehearsing the item); or
5. Payment of attorney’s fees of person seeking redress for the violation.

VIII. REMOVAL OF BOARD OR COMMITTEE MEMBER

Removal of board or committee member by a majority of the City Council at a regular City Council Meeting, City Council may remove any member of a board or committee for lack of qualifications, incompetency, misconduct, or neglect of duty. The reasons for the removal shall be stated in writing and said member of a board or committee shall be given an opportunity to be heard at a regular City Council Meeting. Action of the City Council shall be final.



BOARDS AND COMMITTEE HANDBOOK APPENDIX

HOW TO CONDUCT A MEETING

Order Of Business	Script For Presiding Officer
Call To Order.	"The meeting will come to order." OR "The meeting will be in order."
Opening Ceremonies (e.g. Pledge of Allegiance)	"The Chair recognizes...for..."
Roll Call.	"The Staff Liaison will call the roll."
Reading and approval of minutes (If the minutes were distributed in advance of the meeting).	"The minutes were previously distributed to all board/commission members. Are there any corrections to the minutes? (pause) "If there are no corrections, the minutes are approved as distributed." OR "Are there any additional corrections to the minutes?" (pause) "If there are no further corrections, the minutes are approved as corrected."
Announce rules for public participation (if applicable).	"Several items on the agenda for this evening are of greater than normal concern for members of the public here this evening. The Chair has received several requests to permit public participation. If there is no objection, each individual from the public who wishes to speak will be permitted three minutes to speak and may not speak a second time until all who wish to speak once have spoken."
Announce an item of business on the agenda.	"The first (or next) item on the agenda is the request from the City Council for a recommendation to..."
Pending Business.	"Is there any pending business?" "Is there any further pending business?"
New Business.	"Is there any new business?" "Is there any further new business?"
General Good and Welfare.	"Does any member have any item of a general nature relative to the work of this board/commission that needs to be discussed?"
Announcements.	"The Chair would like to make the following announcements... Are there any other announcements?"
Adjournment.	"Is there any further business?" (pause) "Since there is no further business, the meeting is adjourned."

MOTIONS

<p>1. MEMBER ADDRESSES THE CHAIR Member seeks recognition from the Chair by raising hand when no one else has the floor, and says...</p>	<p>“Mr. Chair...Madam Chair...etc.”</p>
<p>2. CHAIR RECOGNIZES MEMBER If the member is entitled to the floor at the time, the Chair recognizes member by saying...</p>	<p>“The Chair recognizes...” (person’s title, place or area member represents, or name)</p>
<p>3. MEMBER MAKES MOTION After the Chair recognizes the member, the member makes the motion... (Note: The maker of the motion has the right to speak first in debate, after the Chair has stated the question.)</p>	<p>“I move that...” (Note: Not “I make a motion that...” and not “I so move...”)</p>
<p>4. ANOTHER MEMBER SECONDS THE MOTION Another member without obtaining the floor or waiting for recognition says... (Note: A second merely implies that the seconder agrees that the motion should come before the meeting; not that the seconder is in favor of the motion.)</p>	<p>“I second the motion.” OR “I second it.” OR “Second.”</p>
<p>5. CHAIR STATES QUESTION The Chair formally places the motion before the board/commission by stating the question; that is, the Chair repeats or states the exact motion.</p>	<p>“It is moved and seconded that...”</p>
<p>6. DEBATE THE QUESTION If debatable, after stating the question, the Chair should turn toward the maker of the motion to see if the member wishes to be assigned the floor first in debate. Debate must be confined to the merits of the pending question.</p>	<p>Chair: “Are you ready for the question?”</p> <p>Member: “Mr. Chair/Madame Chair, (waits for recognition) I speak in favor of (or against) the motion...”</p>
<p>8. CHAIR ANNOUNCES RESULT The Chair announces the result of the vote, declares that the motion is adopted or defeated, states the effect of the vote or orders its execution, and announces the next item of business.</p> <p style="text-align: center;">Voice or Roll Call Vote</p> <p style="text-align: center;">Two-Thirds Vote (Counted)</p>	<p>“The ayes have it and the motion is adopted.” OR “The noes have it and the motion is defeated.”</p> <p>“There are ____ in the affirmative and ____ in the negative. The affirmative has it and the motion is adopted.” OR “The negative has it and the motion is defeated.”</p> <p>“There are ____ in the affirmative and ____ in the negative. There are two-thirds in the affirmative and the motion is adopted.” OR “There are less than two-thirds in the affirmative and the motion is defeated.”</p>

GLOSSARY OF PARLIAMENTARY AND MEETING TERMS

Introduction

Accountants have a jargon; airline pilots speak a language that is different; football, soccer, basketball, and baseball all have rules and terms that are unique to each sport. Academic, religious, legal, and scientific organizations also speak about rules and protocols unknown to most people. Why should parliamentary procedure, which applies to them all, be any different?

Some terms are not “parliamentary”, but the terms are important to understand because of common usage in clubs, boards, committees, and various other organizations. Some words are new to the scene and tend to confuse the terminology generally accepted in parliamentary circles (e.g., a new meaning for “President” or a “super majority”).

The source for most of the definitions is Robert’s Rules of Order Newly Revised, 11th edition. Some definitions have been expanded with material from the Merriam-Webster online dictionary. Others have been extracted from a library of books on parliamentary procedures. Where Robert’s Rules of Order was the source, generally, no attempt was made to rewrite or edit or condense the definitions. Some definitions have been modified for use or application to municipal advisory boards or committees and some definitions have been omitted because the definitions do not apply.

abstain. To refrain deliberately from voting.

adopt. Formal acceptance of what a motion proposes usually established by a vote.

adjourned meeting. A meeting in continuation of the session of an immediately preceding meeting which was incomplete, and which takes up where the incomplete meeting was interrupted.

agenda. A list or outline of things to be done at a meeting; the most important of which is the items of business.

ballot. A sheet of paper used to cast a secret vote.

call (or notice) of a meeting. A written notice of the time and place for a meeting; to invite or command to meet.

call (meeting) to order. The opening action of a presiding officer that officially starts a meeting.

call or put the question to vote. Place a motion before the board/committee/organization for a vote; putting a motion to a vote. Merriam-Webster: a: to set before one for judgment or decision (put the question) b: to call for a formal vote on (put the motion).

carried. The same as “adopted.”

president. The person presiding; the station in the meeting room from which the president presides.

president pro tem (pro tempore). The individual appointed or elected to preside on a temporary basis.

con. On the negative side; against; in opposition to (as in pro and con).

consensus. General agreement; unanimity; a group decision-making process where substantial agreement is reached by all concerned parties.

custom. A long-established practice considered as unwritten law.

debate. Discussion on the merits of a motion; the formal discussion on the reasons for or against a proposed action.

decorum. Customs of formality that are followed by the presiding officer and members of a board/committee/organization; propriety and good taste in conduct or appearance.

dilatory. Tending or intended to cause delay.

elect. Choose by vote for an office, position, or membership.

executive session. Any meeting of a deliberative organization, or a portion of a meeting, at which the proceedings are secret.

ex officio. By virtue of an office or position held in the society or in the state or national society. An ex-officio member is an individual who is a member of boards/committees by virtue of an office or position held.

floor. The exclusive right to speak in a meeting.

gavel. A mallet used by a presiding officer for commanding attention or confirming an action.

general consent. A time-saving procedure whereby routine business or questions of little importance are decided/approved without putting a formal vote; a form of voting in which no objection is voiced (considered unanimous consent).

germane. Closely related to (used in relation to amendments and debate which must be germane to the motion being amended or debated).

good of the order (general good and welfare). An agenda item under which open and informal discussion is permitted on a varying range of topics related to the organization as a whole.

hearing. An open meeting of a board or committee in which members of the society have the opportunity to appear before the board or committee and present their view on a subject.

incidental main motion. A main motion that is incidental to or related to the business of the board/committee, or its past or future action.

incidental motion. A motion that arises out of another motion that is or has just been pending and must be disposed of before the original pending motion is acted upon.

indecorum. Lack of decorum; a breach of order; a violation of the rules or customs of formality in a meeting.

in order. Appropriate in the current environment according to parliamentary or other rules of a society.

law. a: A binding custom or practice of a community; a rule of conduct or action prescribed or formally recognized as binding or enforced by a controlling authority; b: The whole body of such customs, practices, or rules.

legislative body. Refers to a constitutionally established public lawmaking body of representatives.

defeated motion. A motion which has been defeated.

main motion. A formal proposal by a member, in a meeting, that the board/committee take certain action; the lowest ranking of the thirteen ranking motions. See **original main motion** and **incidental main motion**.

majority. More than half; a number greater than half a total.

majority vote. The basic requirement for approval of an action or choice by a deliberative board/committee; without qualification, it means more than half of the votes cast by members legally entitled to vote who are present and voting.

meeting. A single official gathering of the members of a board/committee/organization in one room or area to transact business for a length of time during which there is no cessation of proceedings, and the members do not separate, unless for a short recess.

member. A person who has the right to participate in a meeting and whose opinion has equal weight with other members as expressed by a vote. A member has the right to make motions, to speak in debate and to vote.

minority. The smaller in number of two groups, constituting a whole; specifically; a group having less than the number of votes necessary for control.

minutes. The official record of the proceedings of a deliberative board/committee/organization which contains mainly a record of what was done at the meeting, not what was said by the members.

motion. A formal proposal for action made to a deliberative board/committee/organization; a question.

nay. A vote against; a negative reply or vote.

negative vote. A vote against the adoption of a motion.

new business. New items of business or matters which may be brought up to a board/committee/organization for consideration.

notice of meetings. See **call (or notice) of a meeting**.

notice of motions. See **previous notice**.

null and void. Having no legal or binding force or effect.

objection (object). A formal expression of opposition to a proposed or pending action or motion; to oppose something firmly and usually with words or arguments.

obtain the floor. Secure recognition in order to speak or to make a motion.

officer. One who holds an office of trust, authority, or command in an organization.

opening ceremony. A series of acts prescribed by protocol which immediately follow the meeting call to order and may include the invocation, the singing of the National Anthem, the reciting of

the Pledge of Allegiance, a ritual briefly recalling the objects or ideals of the organization, or the like.

opinion (parliamentary). The president's reply to a parliamentary inquiry.

opposed. To be hostile or adverse to; to be against the adoption of the pending motion.

order. The customary or prescribed mode of proceeding in debates or in the conduct of deliberative or legislative bodies, public meetings, etc., (i.e., parliamentary rules of order).

order of business. An established sequence in which certain types or classes of business are to be brought up or permitted to be introduced at sessions of a given board/committee/organization.

original main motion. A main motion that introduces a substantive question as a new subject; the basic device by which a matter is presented to the board/committee/organization for possible action.

out of order. A motion, request, or behavior which is in violation of the rules of an organization.

outrank. Take precedence of; to rank higher than.

parliamentarian. A consultant, commonly a professional, who advises the presiding officer and other officers, boards, committees, and members on matters of parliamentary procedure. The role of the parliamentarian during a meeting is purely an advisory and consultative one.

parliamentary authority. Any accepted manual of parliamentary law which an organization may adopt as the rules of order the organization will follow; e.g., Robert's Rules of Order.

parliamentary law. The rules and precedents governing the proceedings of deliberative assemblies and other organizations.

parliamentary procedure. A set of rules for the orderly conduct of business at meetings that allows everyone to be heard and to make decisions without confusion.

pass. The response by a voter (in a roll call vote) indicating that the member is not ready to vote but wishes to be called on again after the roll has been completed.

pass/passed. (with reference to a motion) The same as adopted or carried.

pending motion (pending question). A motion which has been stated by the president but has not yet been disposed of permanently or temporarily.

personal privilege. A right or immunity granted as a peculiar benefit, advantage, or favor of an individual in a society. A question of personal privilege may relate to an incorrect record of a member's participation or to charges circulated against a member's character.

Pledge of Allegiance to the Flag of the United States of America. A solemn oath of allegiance or fidelity to the United States which forms part of many opening ceremonies of deliberative assemblies in the United States.

podium. (plural: podiums or podia) A dais especially for a presiding officer; lectern.

policy. A high-level overall plan embracing the general goals and acceptable procedures in and for a society.

preamble. Usually refers to the statement(s) of the reasons for the action being proposed in a resolution. The preamble begins with the word “Whereas”.

precedent. Something done or said that may serve as an example or rule to authorize or justify a subsequent act of the same or an analogous kind.

preside. To exercise guidance, direction, or control of a meeting; to occupy the place of authority; act as president, president, or moderator.

presiding officer. The person conducting a meeting; the individual who has the responsibility of exercising guidance, direction, and control of a meeting of a deliberative board/committee/organization.

prevailing side. The winning side, whether affirmative or negative.

previous notice. An announcement of intent to introduce a proposal – indicating the exact content – given at the preceding meeting or in the call of the meeting at which the proposal is to be brought up.

primary amendment. The first proposed wording modification to an amendable motion made using the subsidiary motion to amend.

pro. On the affirmative side; in favor of (as in pro and con).

pro tem (pro tempore). For the time being; temporarily.

protocol. A code prescribing strict adherence to correct etiquette and precedence.

question. A motion; a subject or point of debate or a proposition to be voted on in a meeting; the bringing of such to a vote; the specific point at issue. The “question” is whether the board/committee/organization agrees to or will adopt the immediately pending motion.

question of privilege. Relates to the rights and privileges of the board/committee/organization or its members. There are two types: 1) the privileges of the board/committee/organization as a whole; 2) personal privileges.

quorum. The minimum number of voting members who must be present at a meeting of a deliberative board/committee/organization for business to be legally transacted.

rank. The same as **precedence**.

ratify. To approve and sanction formally. In a parliamentary sense, it means to confirm or make.

recognition. The president’s formal acknowledgment that a member is assigned the floor.

recognize. The process by which the presiding officer assigns the floor to a member for the purpose of making a motion, to speak in debate or to make a proper inquiry permitted under the rules.

regular meeting. The periodic business meeting of a permanent society, local branch, or board, held at weekly, monthly, quarterly, or similar intervals, for which the day should be prescribed by the bylaws and the hour should be fixed by a standing rule of the society.

report. An account, usually written, of the study or work conducted by an officer or by a board/committee.

reporting member. Member of a board/committee that submits the board/committee's report to the board/committee/organization.

resignation. The formal act of giving up one's office or position.

resolution. A main motion which either because of its importance or because of its length or complexity is presented (usually in writing) in a formal format. A resolution begins with "Resolved" and may have a preamble (begins with "Whereas") which includes a brief statement(s) of the background and/or the reasons/rational for adoption of the resolution.

Robert's Rules of Order. The most widely used manual on parliamentary procedure written by General Henry M. Robert; originally published in 1876.

Robert's Rules of Order Newly Revised. The current edition of the parliamentary manual written by General Henry M. Robert with material from his other books incorporated into the original Robert's Rules of Order.

roll call. The procedure (usually by the secretary) of calling off a list of names (as for checking attendance).

roll call vote. The process of voting by each member responding "yea" or "nay" as the member's names are called by the secretary. It has the opposite effect of a ballot vote.

RONR. Acronym for *Robert's Rules of Order Newly Revised*.

ROR. Acronym for *Robert's Rules of Order Revised*, editions of General Robert's manual published between 1915 and 1951.

rules of order. Refers to the written rules of parliamentary procedure; such rules related to the orderly transaction of business in meetings and to the duties of officers in that connection.

ruling. A decision of the president on questions of parliamentary law usually rendered in response to a point of order.

second. A verbal, sometimes written, indication made by any member of a board/committee/organization that the member agrees that a motion made should come before the meeting (not that the member necessarily favors the motion).

secondary amendment. A motion to amend applied to itself (the pending primary amendment) i.e., an amendment to an amendment.

secondary motion. A subsidiary privileged or incidental motion that can be made while a main motion is pending and whose procedural or emergency character does not violate the principle of taking up only one question at a time; it must be acted upon or disposed of before continuation of the main question.

secretary. An officer of an organization or society responsible for its records and where there are both a recording secretary and a corresponding secretary, the term secretary, used alone, refers to the recording officer.

secretary pro tem. The person elected or appointed to serve as secretary on a temporary basis, as in the case where the secretary may not be present at a meeting.

special meeting (or called meeting). A separate session of a society held at a time different from that of any regular meeting and convened only to consider one or more items of business specified in the call of the meeting.

special rules of order. Parliamentary rules adopted by an organization which it finds are needed at that moment in order to address a situation that arises and there is no existing rule to address it.

stand at ease. A brief pause in a meeting permitted by the president without objection and without a declaration of recess whereby members remain in their places but there is a technical interruption of the meeting.

standing rules. (except in the case of conventions). Rules which are related to the details of the administration of a society rather than to parliamentary procedure.

stating the question. After a motion is made and seconded the presiding officer repeats the motion so there will be no doubt what is to be considered.

subcommittee. A subdivision of a board/committee usually organized for a specific purpose. A subcommittee is responsible to and reports to the board/committee which organized it.

substitute motion. The motion proposed to be substituted for the pending motion.

super majority (a fairly recent term). A majority that must represent some percentage more than a simple majority (more than half), e.g., a two-thirds or a three-fifths vote.

sustain. To uphold or support as true, legal, or just. When a point of order or any ruling of the president is appealed, a presiding officer may ask the organization to decide if the decision of the president should stand as the judgment of the organization. If the board/committee/organization votes “yes”, the members are said to sustain the decision of the president.

table. A colloquial term for disposing of a motion by putting the motion aside temporarily.

tie vote. An equal number of affirmative and negative votes; since a tie vote is not a majority, a motion requiring a majority vote for adoption is lost.

timekeeper. Appointed by the presiding officer (mostly at conventions) to monitor the time each speaker is allotted for debate.

two-thirds vote (when the term is unqualified). At least two-thirds of the votes cast by persons legally entitled to vote, excluding blanks and abstentions, at a regular or properly called meeting at which a quorum is present.

unanimous consent. A time-saving procedure whereby routine business or questions of little importance are decided/approved without taking a formal vote. See **general consent**.

undebatable motion. A motion on which discussion is not permitted.

unfinished business. Matters not completed at the previous meeting, which are included on the agenda of the current meeting.

vacancy. An office or position which has not been filled or which is otherwise not occupied by an incumbent.

vacate the president. The process whereby the regular presiding officer leaves the president, and another individual presides.

voice vote. The process of voting by voice where an “aye” vote indicates for or in favor and a “no” vote means against or not in favor.

vote. A formal expression of the will, or opinion, or preference of the members of an organization in regard to a matter submitted to it.

withdraw (as a motion). To take back or remove from consideration.

yeas and nays. Another term for a roll call vote.

yield. Give precedence to; give way to. A lower ranking motion yields to a motion of higher rank.

yield the floor. When a member who has been recognized as “having the floor” finishes speaking, the member is said to “yield the floor” after the member sits down.



BOARD OR COMMITTEE MEMBERSHIP APPLICATION

To serve on any of these boards you must be a registered voter and a citizen of the City of New Carlisle.

Name: _____ Date: _____

Home Address: _____

Phone: _____ Email: _____

Board or Committee of interest: _____

Why do you wish to serve on this Board or Committee?

Please return this application to the City Building, located at 331 S. Church St., or submit online to general@newcarlisleohio.gov



GRANT OF AUTHORITY TO RELEASE PERSONAL INFORMATION FOR CITY BOARDS AND COMMITTEES

TO: Whom It May Concern

I have made application for a position on a Board or Committee with the City of New Carlisle, Ohio. I am aware that my background is to be investigated thoroughly; and I have pledge to cooperate completely with the background screening process. I acknowledge that the City of New Carlisle will conduct the background screening process, and that this inquiry may include, but is not limited to conviction records, and driving & motor vehicle records. It is further my understanding that any history adversely reflecting on my qualifications for service on the Board or Committee obtained by such investigation may be cause for disqualification for appointment.

I hereby authorize the release of any and all criminal, employment, military, educational history, driving and motor vehicle information which you might have concerning me (excluding records relating to my medical history) to the City of New Carlisle upon the request of the bearer or sender of this document. I acknowledge that the information which you might provide is for the official use of the City of New Carlisle, which is authorized to furnish the information obtained to third parties in the course of fulfilling the City's duties.

I hereby release you as custodian of such records or information, and any employer, educational institution training provider, or other repository of military records, officers, employees, and related personnel, individually or collectively, from any and all liability for damages, which might accrue to me, my heirs, assigns, or associates, because of compliance with this authorization. I hereby agree to hold harmless any person who reveals to the City of New Carlisle any information which is truthful and not given with malicious intent.

(Applicant Signature) (Print Full Name)

Date of Birth: _____ Social Security Number: _____

Current Residence Address: _____
(Street Address)

(City/State/Zip)

STATE OF OHIO

COUNTY OF _____

This day _____ personally appeared before me and acknowledged
(Applicant Name)

his/her statement and signature, which was executed in my presence.

DATE: _____
Notary Public Signature (and Seal)



**BOARD OR COMMITTEE
MEMBER ACCEPTANCE AND
OATH OF OFFICE**

I have read the City of New Carlisle Board and Committee Handbook in its entirety provided to me and pledge to carry out the responsibilities of my position in a trustworthy and diligent manner and in accordance with the New Carlisle Code of Ethics as outlined in the City of New Carlisle Board and Committee Handbook.

I hereby accept the position as a member of the _____ in the City of New Carlisle to which I have been appointed by the New Carlisle City Council.

(Signed)

(Printed Name) (Title)

OATH OF OFFICE

I, _____, do solemnly swear or affirm to support the Constitution of the United States, the Constitution of the State of Ohio, the Charter, and all ordinances of the City of New Carlisle and that I will faithfully, honestly, and impartially discharge the duties of my office to the best of my abilities, so help me God.

(Signed)

(Printed Name) (Title)

SWORN AND SUBSCRIBED TO THIS _____ DAY OF _____, 20_____.

BEFORE _____

(Signed)

(Printed Name) (Title)



PUBLIC RECORDS POLICY

(Summarized)

The Public Records Policy of the City of New Carlisle guides employees in making available the materials to which the public is entitled by law. The policy, summarized below, appears in full in the City of New Carlisle's Employee Handbook and after this summary. A copy of the most recent edition of the Ohio Sunshine Laws: An Open Government Resource Manual is available free at www.OhioAttorneyGeneral.gov/YellowBook

DEFINING AND ORGANIZING PUBLIC RECORDS

The City of New Carlisle, in accordance with the Ohio Revised Code, defines records as including the following: Any document –paper, electronic, including but not limited to, e-mail, text messages or other electronic communications – that is created or received by, or comes under the jurisdiction of a public office that documents the organization's functions, policies, decisions, procedures, operations, or other activities of the office. All records are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

MAKING RECORDS ACCESSIBLE

Public records are available for inspection during regular business hours. Records must be provided promptly for inspection, and copies must be made available within a reasonable period of time.

PROCESSING REQUESTS

All requests for public records must either be satisfied or be acknowledged in writing or electronically as soon as is practicable. An oral response shall satisfy the requirement of a receipt when the requester does not provide an email or postal address. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgment should include the following:

- An estimated number of business days it will take to satisfy the request.
- An estimated cost if copies are requested.
- Any items within the request that may be exempt from disclosure.

HANDLING ELECTRONIC RECORDS

Electronic records are to be treated in the same way as records in other formats. Email, text messages, and instant messages, for example, may be public records if their content documents the business of the office.

Public Records content transmitted to or from private email accounts or personal devices are subject to disclosure. All employees or representatives of the City are required to retain their email records and other electronic records in accordance with applicable records retention schedules.

DEALING WITH DENIALS OR REDACTIONS

If the office withholds, redacts, or otherwise denies a requested record, it must provide an explanation, including legal authority where applicable. If portions of a record are public and other portions are exempt, the exempt portions may be redacted while the rest are released. If there are redactions, each identified redaction must be accompanied by a supporting explanation, including legal authority.

DETERMINING COPYING AND MAILING CHARGES

There is no charge to inspect public records. Those seeking public records will be charged only the actual cost of making copies, excluding labor. The charge for paper copies is 10 cents per page. The charge for electronic files downloaded to a compact disc is \$1 per disc. There is no charge for emailed documents. The requester shall pay all mailing costs (postage and mailing supplies, or other actual cost of delivery) if the requester asks the documents to be mailed. The city may require payment prior to providing copies of the requested records.

MANAGING RECORDS

Records retention schedules are also available on the City of New Carlisle's Administrative Offices located at 331 North Church Street, New Carlisle, Ohio 45344.

FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

The City of New Carlisle recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the City's failure to comply with a request may result in a court ordering the city to comply with the law and to pay the requester attorney's fees and damages.

DESTRUCTION OF PUBLIC RECORDS

The City of New Carlisle adopted a Records Retention Schedule in February 2005. All public records are maintained and destroyed according to this Schedule.

PUBLIC RECORDS POLICY

(Full Policy)

Introduction

It is the policy of the City of New Carlisle that openness leads to a better-informed citizenry, which leads to better government and better public policy. It is the policy of the City of New Carlisle to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

Section 1. Public Records

This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of (this office) are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Section 1.1

It is the policy of the City of New Carlisle that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly.

Section 2. Record Request

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the person responsible for that particular department's records must contact the requester for clarification and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

Section 2.2

The requester does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public record. It is the City's general policy that this information is not to be requested.

Section 2.3

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of

time. "Prompt" and "reasonable" consider the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review of the records requested.

Section 2.4

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied as soon as feasible to do so.

All requests for public records must either be satisfied (see Section 2.4) or be acknowledged in writing by the City of New Carlisle within a reasonable time following the City's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

Section 2.4a

An estimated number of business days it will take to satisfy the request.

Section 2.4b

An estimated cost if copies are requested.

Section 2.4c

Any items within the request that may be exempt from disclosure.

Section 2.5

Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

Section 3. Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies.

Section 3.1

The charge for paper copies is 10 cents per page.

Section 3.2

The charge for downloaded computer files to a compact disc is \$1 per disc.

Section 3.3

There is no charge for documents e-mailed.

Section 3.4

Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

Section 4. E-mail

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to copy them to their business e-mail accounts and/or to the office's records custodian.

Section 4.2

E-mails from private accounts are to be treated as records of the public office, and should be filed in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

Section 5. Failure to Respond to a Public Record Request

The City of New Carlisle recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the City's failure to comply with a request may result in a court ordering the city to comply with the law and to pay the requester attorney's fees and damages.

Section 6. Destruction of Public Records

The City of New Carlisle adopted a Records Retention Schedule in February 2005. All public records are maintained and destroyed according to this Schedule.

Code of Ethics for Members of the New Carlisle City Council, Boards, and Committees

Preamble

This code outlines the ethical standards expected of members of the New Carlisle City Council, boards, and committees, ensuring accountability, transparency, and public confidence in governance. As members entrusted with the public interest, we adhere to the following principles to uphold the integrity and effectiveness of our governance:

Act in the Public Interest

I shall prioritize the public interest of the people of New Carlisle over any private or personal interests. Fair and equal treatment of all persons, claims, and transactions before the City Council, boards, and committees shall be assured.

Compliance with the Law

I shall comply with all applicable laws of the nation, State of Ohio, and City of New Carlisle in the execution of their public duties, including constitutional provisions, city charter, and laws on conflicts of interest, financial disclosures, and open government processes.

Conduct

I shall maintain professional and personal conduct above reproach, refraining from abusive behavior, personal attacks, or disparagement of fellow members, City Staff, or the public.

Respect for Process

I shall adhere to established processes and rules governing public policy deliberations, public involvement, and implementation of City Council decisions by city staff.

Conduct of Public Meetings

I shall prepare diligently for meetings, listen attentively to public discussions, and focus on agenda items. They shall refrain from interrupting others, making irrelevant comments, or disrupting meeting order.

Decision-Making Based on Merit

I shall base decisions on the substantive merits of issues under consideration, devoid of unrelated influences.

Communication

I shall transparently share relevant information received from external sources concerning matters before the City Council or boards and committees.

Conflict of Interest

I shall avoid using their positions for personal gain or influencing decisions where they have financial interests or personal relationships that may create a conflict. They shall disclose relevant financial interests and abstain from related deliberations.

Gifts and Favors

I shall not accept gifts, favors, or promises that could compromise their judgment or create the appearance of compromise due to their public office.

Confidentiality

I shall respect the confidentiality of city information and refrain from unauthorized disclosure or use of such information for personal gain.

Use of Public Resources

I am prohibited from using public resources, such as city staff time, equipment, supplies, or facilities, that are not available to the general public, for personal gain or private purposes.

Representation of Private Interests

I shall refrain from advocating for private interests before their respective bodies or City Council, maintaining focus on public welfare.

Advocacy

When representing individual opinions, I shall clarify I am not speaking on behalf of my board/committee or the City of New Carlisle.

Policy Role

I shall respect the division of responsibilities between City Council policy-making and administrative functions, supporting city staff in implementing Council decisions.

Independence of Boards and Committees

I shall refrain from exerting undue influence over the deliberations or outcomes of boards and committees, respecting their independent advisory role.

Positive Workplace Environment

I shall promote a constructive workplace environment for city employees and stakeholders, refraining from inappropriate direction to city staff.

Implementation

The Code of Ethics shall be integral to candidate orientations, board and committee applications, and new official inductions. I shall annually review and affirm my adherence to these standards.

Compliance and Enforcement

I am responsible for upholding ethical standards and maintaining public trust. Chairs of boards and committees, along with the mayor, shall address potential violations brought to their attention by me.

We, the undersigned members of the New Carlisle City Council, boards, and committees, hereby affirm our commitment to uphold the ethical standards outlined in this Code of Ethics. We recognize the importance of accountability, transparency, and maintaining public confidence in governance.

Signed: _____ Date: _____

Please Print:
Member's Name: _____

City Council, Board, or Committee Name: _____

Position/Title: _____

ORDINANCE 2024-54

AN ORDINANCE ADOPTING THE DISASTER RECOVERY AND RESPONSE PLAN FOR THE CITY OF NEW CARLISLE, OHIO

WHEREAS, the safety and well-being of the citizens of the City of New Carlisle are of utmost importance; and

WHEREAS, the City Manager and the Fire Chief have collaborated with the Clark County Emergency Management Agency (“EMA”) to develop a comprehensive Disaster Recovery and Response Plan ("Plan"); and

WHEREAS, the adoption of the Plan will enhance the City’s preparedness and response capabilities in the event of a disaster.

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

Section 1. Adoption of the Plan.

City Council hereby adopts the Disaster Recovery and Response Plan, which is attached hereto and incorporated herein by reference.

Section 2. Implementation.

The City Manager and Fire Chief are hereby authorized to take all necessary steps to implement the Plan, including the training of personnel and coordination with local, state and federal agencies.

Section 3. Review and Update.

The City Manager and Fire Chief shall regularly review the Plan and recommend updates as necessary to ensure its effectiveness and compliance with applicable laws and best practices.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Chris Stapleton, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

_____ Wright	Y	N
_____ Bahun	Y	N
_____ Lindsey	Y	N
_____ Mayor Cook	Y	N
_____ V. Mayor Eggleston	Y	N
_____ Shamy	Y	N
_____ Grow	Y	N

Introduction and First Reading: 10/07/2024
Second Reading and Action: 10/21/24
Effective Date of Legislation: 11/05/2024

Totals:		
	Pass	Fail

Disaster Recovery Response Plan

I. Purpose

This Disaster Recovery Response Plan outlines the procedures and responsibilities for the city of New Carlisle, Ohio, in the event of an emergency. The plan addresses both natural and non-natural disasters and includes the roles of city staff, the use of emergency and reunification centers, and the coordination of resources to effectively mitigate hazards and restore services.

II. Scope

The plan covers the following scenarios (non-exhaustive list):

- Act of Nature Events:
 - Excessive Heat and Cold
 - Tornadoes
 - Large Snow Events
 - Windstorms
 - Extreme Flooding
 - Earthquakes
 - Train detainment due to the city's proximity to rail lines
- Non-Act of Nature Events:
 - Structure Failures and Collapses
 - Acts of Terrorism
 - Major Gas Leaks
 - Hazardous Material Incidents
 - Plane Crashes
 - Wright-Patterson Air Force Incidents
 - Widespread and Prolonged Power Outages

III. City Staff Responsibilities

Fire Chief

- Command all disaster response efforts.
- Utilize necessary agencies/organizations to mitigate hazards.
- Provide updates on mitigation efforts to relevant individuals and agencies.

Police Administrator

- Act as the point of contact for the Clark County Sheriff's Office.
- Direct and manage the city's contracted deputies and request additional deputies as needed.
- Collaborate with the Fire Chief and other city staff to ensure effective mitigation.

City Manager

- Serve as the point of contact for all media inquiries and public communications during mitigation efforts.
- Support the Fire Chief in coordinating response efforts.
- Assist the Finance Director and Director of Public Service as needed
- Ensure the Executive Assistant to the City Manager's is present to assist as needed.
- May need to work off-site in and assume additional responsibilities in accordance with the city's Business Continuation Plan

Finance Director

- Authorize financial expenditures
- Support the Fire Chief as necessary
- May need to work off-site in and assume additional responsibilities in accordance with the city's Business Continuation Plan

Director of Public Service

- Manage and direct employees from the Streets, Water, and Wastewater departments.
- Report directly to the Fire Chief to coordinate road clearance, utility shut offs, and other critical tasks.
- Support the Fire Chief as required.
- May need to work off-site in and assume additional responsibilities in accordance with the city's Business Continuation Plan
-

City Council

- Provide support at emergency and reunification centers to assist residents in need

4. Emergency and Reunification Centers

Heritage Hall

- Designated as the Emergency Center.
- Stocked with emergency supplies such as water, First Aid supplies, and emergency food (supplies stored at Tool Lending Center until secure storage at Heritage Hall is available).
- Acquire a generator for backup power.

Smith Park Shelter House

- Designated as the Reunification Center.

New Carlisle Elementary

- Tecumseh Local Schools may be used if city facilities are unusable.
- Pursue an agreement with Tecumseh Local Schools to use the elementary school as an emergency and reunification center.
- High school may serve as a backup location.
 - If the schools are not willing to enter into an agreement, the City Manager will work with the Fire Chief to determine alternative locations outside of city limits.

5. Issuing of Appropriate Equipment

MARCS Radio

- Issued to the City Manager to ensure direct communication with the Fire Chief and relevant agencies.

FirstNet Internet Pucks

- Issued to the City Manager, Director of Public Service, Finance Director, Tax Administrator and the City Manager's Assistant to ensure reliable internet access for city operations.

6. Command Center and Mutual Locations

New Carlisle Fire/EMS Station

- Primary command center

Back-Up Command Centers

- Locations will be determined by the Fire Chief based on accessibility and safety
- Potential Locations
 - Bethel Township Fire/EMS Department
 - Safe and Sound Outfitters
 - Establish mutual aid agreement with both

7. Order of Operations

1. Rescue and recovery of life.
2. Secure utilities (gas, electricity, water).
3. Clear roads for emergency access.
4. Continue recovery and restoration of utilities and infrastructure.

8. Review and Updates

This plan should be reviewed annually and updated as needed to reflect changes in city structure, resources, or identified risks. Regular drills and training exercises should be conducted to ensure all staff and agencies are familiar with their roles in the event of a disaster.

9. Conclusion

The Disaster Recovery Response Plan provides a structured approach for responding to emergencies in New Carlisle, Ohio. By clearly defining roles, responsibilities, and procedures, the city can effectively manage and mitigate the impact of disasters, ensuring the safety and well-being of its residents.

ORDINANCE 2024-55

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

WHEREAS, the City requires liability and property insurance; and

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

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

WHEREAS, the Annual Contribution renewal cost for 2024/2025 has increased by \$7,916 from 2023/2024, with the total premium being \$79,781; and

WHEREAS, the City’s Annual Contribution renewal cost for 2024/2025 was reduced by \$2,340, in the form of a “Member Loyalty Credit,” due to the long relationship between the City and PEP; and

WHEREAS, the reasons for the cost increase are set forth on the attached Exhibit A; and

WHEREAS, the start date for this contract will be November 1, 2024 and despite the effective date being past the start date of the contract, no lapse of coverage will occur; and

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

2017/2018 - \$76,709	2021/2022 - \$56,150
2018/2019 - \$60,499	2022/2023 - \$66,475
2019/2020 - \$59,084	2023/2024 - \$71,865
2020/2021 - \$57,266	2024/2025 - \$79,781

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

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

Section 2. The City Manager be, and hereby is, authorized and directed to enter into an agreement for the administration of the City’s liability and property insurance through the Public Entities Pool of Ohio.

Passed this _____ day of _____, 2024.

Bill Cook, Mayor

Chris Stapleton, Clerk of Council

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

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

Introduction and First Reading: 10/07/2024
Second Reading and Action: 10/21/24
Effective Date of Legislation: 11/05/2024

EXHIBIT A

Coverage	2023 – 2024 Policy Term	2024 – 2025 Policy Term	Change in Price	Reason for Increase in Premium
GL	\$13,398	\$13,398	\$0	
AL	\$5,569	\$4,867	- \$702	2023 # of Autos: 39 2024 # of Autos: 33
POL	\$1,918	\$1,918	\$0	
APD	\$12,635	\$13,842	+ \$1,207	5% Rate Increase due to Market Conditions 2023 Total Insured Values: \$2,524,682 2024 Total Insured Values: \$2,609,228
Property	\$40,338	\$48,096	+ \$7,758	10% Inflation Guard added to Building, Personal Property, and Additional Property Values 5% Rate Increase due to Market Conditions 2023 Building TIV: \$26,728,876 2024 Building TIV: \$29,931,765 2023 Pers Prop TIV: \$363,500 2024 Pers Prop TIV: \$498,850 2023 Add'l Prop TIV: \$1,665,543 2024 Add'l Prop TIV: \$1,851,377
SUB TOTAL	\$73,858	\$82,121		
PEP MEMBER LOYALTY CREDIT	(\$1,993.)	(\$2,340)	- \$347	
Totals	\$71,865	\$79,781	+ \$7,916	

PEP+ Grant Program



REINVESTING IN PEP MEMBERS
BUILDING STRONGER COMMUNITIES TOGETHER

Apply for up to \$1,000 in grant money to help fund safety items that will aid in risk services or risk management efforts.

The PEP Board of Directors is pleased to announce the **PEP+ Grant Program** is once again available for 2024.

Eligibility:

Each applicant must be a PEP Member both at the time of submission and issuance of the **PEP+ Grant Program** funds. Approved funds will be issued once membership is verified.

Only qualified expenses will be considered for **PEP+ Grant Program** funds; qualified expenses include safety items wherein the primary purpose of the item is the prevention or reduction of liability claims or property losses, as well as risk services training and COVID 19 related expenses!



DON'T FORGET!
RISK SERVICES TRAINING MAY BE REIMBURSED
THROUGH THE PEP+ GRANT

Qualified Expenses Include:

- Playground Safety Material
- Safety Signage
- Safety Cones or Other Hazard Warning Items
- Sexual Harassment Training
- Automatic External Defibrillators (AEDs)
- Fire Extinguishers
- Warning Sirens
- Reflective Materials
- Firefighter Training
- Personal Protection Equipment (PPE)

www.pepohio.org

Cities + Villages + Agricultural Societies + Parks & Recreation Districts + Health Districts
Water & Sewer Districts + Fire & Ambulance Districts

PEP+ Grant Application



This program is only available to PEP Members. All Members are encouraged to participate and apply for a grant during the application period of **January 1, 2024 - December 31, 2024**. Applications that are incomplete or that are not submitted within the required time frame may be deemed ineligible.

Please complete and return this form with required documentation of the expense, such as an invoice, advertisement or price quote to:

PEP+ Grant Program

315 South Kalamazoo Mall

Kalamazoo, MI 49007

pepgrantprogram@gmail.com

Fax: (269) 276-4095

PEP Member: _____

Contact: _____

Title: _____

Address: _____

Email: _____

Phone Number: _____

Amount Requested: _____

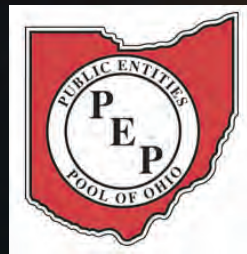
Please list the safety item(s) or risk services training your entity is requesting:

Briefly describe how this grant will help prevent or reduce liability claims, property losses or risk services training:

www.pephio.org

Cities + Villages + Agricultural Societies + Parks & Recreation Districts + Health Districts
Water & Sewer Districts + Fire & Ambulance Districts

PEP Legal Access Help Line



Every member of the Pool is eligible to receive up to 90 minutes of free legal consultation per year, as a benefit of PEP Membership.

What is it?

Authorized PEP member representatives seeking legal consultation services may now call the **PEP Legal Access Help Line** to request up to 90-minutes of free advice, guidance, or information on various legal subject matters, such as:

- Human Resource Related Questions
- Zoning
- Open Records
- Open Meetings
- Waiver Forms
- Hold Harmless Agreements
- Review of Contracts
- Nuisance Complaints

An independent team of legal professionals is ready and available to professionally and promptly support and service the legal inquiries of our members.

How does it Work?

Members are invited to call and provide a brief description of the nature and extent of the service requested. Upon authorization, the caller's information will be routed to a full-service law firm for an attorney to contact the member directly. Handling attorneys will track the time utilized by each PEP member and deliver notice when the 90-minute time limit has been reached. At that time, an alternative course of action and/or a range of possible options will be discussed. If a member desires to extend service beyond the allocated time, continual service may be provided pursuant to PEP's Legal Access program at the member's expense.

Where do I Access?

Call the help line any time at **877-250-5545** to take advantage of this resourceful and complimentary legal service!

www.pepohio.org

**Cities + Villages + Agricultural Societies + Parks & Recreation Districts
Health Districts + Water & Sewer Districts + Fire & Ambulance Districts**