



**CITY COUNCIL**  
**REGULAR MEETING PACKET**  
**February 2, 2026 @ 6:00pm Heritage Hall in Smith Park**

1. Call to Order: Mayor William Lindsey
2. Roll Call: Clerk of Council
3. Invocation:
4. Pledge of Allegiance: All
5. Action on Minutes: 1/20/26 Regular Meeting
6. Communications:
7. City Manager Report: Attached
8. Committee Reports: None
9. Comments from Members of the Public: \*Comments limited to 5 minutes or less

**10. RESOLUTIONS: NONE**

**11. ORDINANCES: (4-Intro; – 2-Action\*)**

**\*A. Ordinance 2026-01 (Introduced on 01/20/26. Public Hearing, and Action Tonight)**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE COLLECTIVE BARGAINING UNIT FOR THE PURPOSE OF ADDING A CELL PHONE ISSUANCE AND STIPEND POLICY

**\*B. Ordinance 2026-02 (Introduced on 01/20/26. Public Hearing, and Action Tonight)**

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

**C. Ordinance 2026-03 (Introduction Tonight. Public Hearing, and Action on 02/17/26)**

AN ORDINANCE EXTENDING A MORATORIUM ON NEW VAPE SHOPS WITHIN THE CITY OF NEW CARLISLE, OHIO

**D. Ordinance 2026-04 (Introduction Tonight. Public Hearing, and Action on 02/17/26)**

AN ORDINANCE EXTENDING THE MORATORIUM ON CANNABIS OPERATIONS WITHIN THE CITY OF NEW CARLISLE, OHIO

**E. Ordinance 2026-05 (Introduction Tonight. Public Hearing, and Action on 02/17/26)**

AN ORDINANCE ESTABLISHING A MORATORIUM ON SMALL SOLAR FACILITIES WITHIN THE CITY OF NEW CARLISLE, OHIO

**F. Ordinance 2026-06 (Introduction Tonight. Public Hearing, and Action on 02/17/26)**

AN ORDINANCE ESTABLISHING A MORATORIUM ON DATA CENTERS WITHIN THE CITY OF NEW CARLISLE, OHIO

**12. OTHER BUSINESS:**

- o Additional City Business:
  - City Offices Closed 02/16/26 for President's Day
  - Open for Discussion on City Related Business

13. Executive Session: Discussing the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

14. Return to Regular Session:

15. Adjournment:

**RECORD OF PROCEEDING**  
**MINUTES: CITY OF NEW CARLISLE, OHIO**  
**REGULAR SESSION MEETING @ Heritage Hall on 1/20/26 @ 6:00 pm**

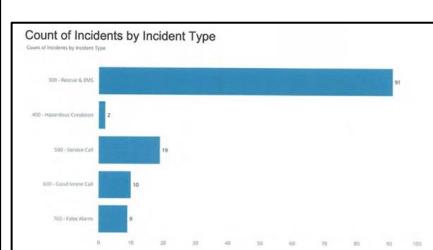
1. **Call to Order:** Mayor Lindsey calls the meeting to order.
2. **Roll Call:** Stapleton calls the roll – Lindsey, Cook, Bahun, Grow, Wright, Eggleston, Shamy **7**  
**Members present**
3. **Invocation:** Chief Trusty
4. **Pledge of Allegiance:** All are welcome to participate
5. **Action on Minutes:**  
Action on Regular Session minutes of 1/5/26: **1<sup>st</sup>: Cook, 2<sup>nd</sup>: Shamy**, YES: Lindsey, Cook, Bahun, Grow, Wright, Eggleston, Shamy NAY: 0 **Accepted 7-0**
6. **Communications** : Charlotte Farley, Social Service Commission Interview / Appointment.
  - Comments from council and appreciation for applying and loving New Carlisle.
  - Motion to accept Charlotte Farley to the Social Service Commission, **1<sup>st</sup>: Cook 2<sup>nd</sup>: Shamy** YES: Lindsey, Cook, Bahun, Grow, Wright, Eggleston, Shamy NAY: 0 **Accepted: 7-0**
  - Mayor Lindsey swore Charlotte to the Social Service Commission.
  - Motion to Break Rules of Council, **1<sup>st</sup>: Wright 2<sup>nd</sup>: Cook** YES: Bahun, Grow, Wright, Eggleston, Shamy, Lindsey, Cook NAY: 0 **Accepted 7-0**
  - Motion to move to Executive Session to discuss Economic development, **1<sup>st</sup>: Cook 2<sup>nd</sup>: Shamy** YES: Lindsey, Cook, Bahun, Grow, Wright, Eggleston, Shamy NAY: 0 **Accepted 7-0 @6:07pm**
  - Motion to return to Regular Session **1<sup>st</sup>: Cook 2<sup>nd</sup>: Shamy** YES: Lindsey, Cook, Bahun, Grow, Wright, Eggleston, Shamy NAY: 0 **Accepted 7-0 @ 7:06pm**

## 7. City Manager's Report:

**City Manager Report**  
January 20, 2020

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## 8. Committee Reports:



<div style="text-align: center;">  <p>CITY OF NEW CARLISLE MAYOR'S COURT</p> <p>Court Report December 5, 2025</p> <p>Brown, Patricia of New Carlisle pled not guilty to Parking citation. Trial scheduled for December 10. Matheny, Brian of Dayton pled guilty to Non-Compliance Suspension and Expired Registration. Fined \$500 plus court cost.</p> <p>Nipp, James of New Carlisle pled no contest to Outdoor Storage &amp; Display, Vegetation Residential Exterior Maintenance and Est. Property &amp; Structure. If defendant gets a license within 90 days then \$400 fine will be suspended.</p> <p>Parsons, Ryan A of Springfield pled guilty to Operating a Motor Vehicle without a license. Fined \$500 plus court cost. If defendant provides this Court with a license within 90 days then \$400 fine will be suspended.</p> <p>Reyes, Adelina of New Carlisle pled guilty to Operating a Motor Vehicle without a license and assumed owner. Fined \$550 plus court cost. If defendant provides this Court with a license within 180 days then \$400 fine will be suspended.</p> <p>Stauder, Brian of New Carlisle charged with Failure to Stop after accident and Reasonable control. Requested to speak to the Prosecutor.</p> <p><b>PAID THROUGH VIOLATION BUREAU</b></p> <p>Robinson, Kandy of New Carlisle, Parking where signs prohibit parking, \$40</p> <p>Sylvie, Lora of Columbus, Parking where signs prohibit parking, \$40</p> </div>	<div style="text-align: center;">  <p>CITY OF NEW CARLISLE MAYOR'S COURT</p> <p>Court Report December 17, 2025</p> <p>McNeil, Daniel W of New Carlisle pled not guilty to Expired Registration. Defendant spoke to the Prosecutor. Since defendant renewed the day after the citation was issued. The Prosecutor agreed to have the defendant pay court cost.</p> <p><b>PAID THROUGH VIOLATION BUREAU</b></p> <p>Hernandez, Jocelyne of Troy, Reasonable Control, \$170</p> <p>Taylor, Heather of DeGraff, Parking Violation, \$40</p> </div>	<div style="text-align: center;">  <p>CITY OF NEW CARLISLE MAYOR'S COURT</p> <p>Court Report December 30, 2025</p> <p>Gibson, Bobby of New Carlisle previously charged with Property Violation. Appeared to discuss three past due cases. Continued until January 28.</p> <p>Matinez-Arce, Richard of New Carlisle pled guilty to Operating a Motor Vehicle without a license and assumed owner. Fined \$500 plus court cost. If defendant gets a license within 120 days then \$400 will be suspended.</p> <p>Parsons, Harold of New Carlisle pled guilty to Property Structure, Vegetation and Structure Soundness. Fined \$500 plus court cost. If defendant is in compliance with 30 days weather window then \$400 fine will be suspended.</p> <p>Wright, Angela of New Carlisle charged with Structure Soundness and Exterior Maintenance. Continued until January 14, 2026.</p> <p><b>PAID THROUGH VIOLATION BUREAU</b></p> <p>Groff, Allen Jr of Dayton, Parking, \$40</p> <p>Kroeker, Tavis of New Carlisle, Speed 74/75, \$245</p> </div>
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<p><b>Clark County Sheriff's Office</b>          New Carlisle Sheriff's Office          Major Crime Unit Report          Reporting Period: December 2025 Submitted to: City Manager Mr. Hall, City Council          Submitted by: Sgt. Christina Evans-Fisher</p>																					
<p><b>1. Calls for Service</b></p> <ul style="list-style-type: none"> <li>• Total Calls for Service: 137</li> <li>• Domestic Calls: 113</li> <li>• Business Checks: 633</li> <li>• Community Interactions: 434</li> </ul>																					
<p><b>2. Incident Breakdown</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Incident Type</th> <th>Number of Reports 35</th> </tr> </thead> <tbody> <tr> <td>Burglaries</td> <td>0</td> </tr> <tr> <td>Theft - Property Crimes</td> <td>2</td> </tr> <tr> <td>Domestic Violence</td> <td>22</td> </tr> <tr> <td>Negligent Disposals</td> <td>3</td> </tr> <tr> <td>Suspicious Person/Vehicle</td> <td>15</td> </tr> <tr> <td>Traffic Crashes</td> <td>24</td> </tr> <tr> <td>OVI Arrests</td> <td>0</td> </tr> <tr> <td>Medical Health/EDF Calls</td> <td>6</td> </tr> <tr> <td>Juvenile Complaints</td> <td>1</td> </tr> </tbody> </table>		Incident Type	Number of Reports 35	Burglaries	0	Theft - Property Crimes	2	Domestic Violence	22	Negligent Disposals	3	Suspicious Person/Vehicle	15	Traffic Crashes	24	OVI Arrests	0	Medical Health/EDF Calls	6	Juvenile Complaints	1
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<p><b>3. Traffic Enforcement</b></p> <ul style="list-style-type: none"> <li>• Traffic Stops Conducted: 9</li> <li>• Citations Issued: 9</li> <li>• Warning: 3</li> <li>• Parking: 3</li> </ul>																					
<p>Respectfully submitted,</p> <p><b>Sgt. Christina Evans-Fisher</b>          Administrative Sergeant          New Carlisle Division          Clark County Sheriff's Office</p>																					

COUNCIL FINANCIAL REPORT SUMMARY – DECEMBER 2025									
Estimated Revenue			2025 Original Budget			2025 REVISED TOTAL BUDGET			
Amended Est. Resources	\$ 2,412,041.00		1st Q. Supplemental	\$ 8,867,122.00	2nd Q. Supplemental	\$ 100,000.00	3rd Q. Supplemental	\$ 42,000.00	4th Q. Supplemental
Amended Est. Resources	\$ 226,740.00		1st Q. Supplemental	\$ 100,000.00	2nd Q. Supplemental	\$ 42,000.00	3rd Q. Supplemental	\$ 42,000.00	4th Q. Supplemental
Amended Est. Resources	\$ 40,000.00		1st Q. Supplemental	\$ 20,000.00	2nd Q. Supplemental	\$ 10,000.00	3rd Q. Supplemental	\$ 10,000.00	4th Q. Supplemental
Amended Est. Resources	\$ 10,100.00		1st Q. Supplemental	\$ 5,000.00	2nd Q. Supplemental	\$ 2,000.00	3rd Q. Supplemental	\$ 2,000.00	4th Q. Supplemental
<b>2025 REVISED TOTAL EST. REV.</b>	<b>\$ 10,160,111.00</b>		<b>2025 REVISED TOTAL BUDGET</b>	<b>\$ 12,957,615.00</b>					
<b>Received To Date</b>	<b>\$ 12,744,577.24</b>		<b>Expenses To Date</b>	<b>\$ 12,047,079.59</b>					

Statement of Cash from Revenue and Expense									
Month	Revenue Received	Month	Expense Paid	Year-to-Date	Year-to-Date	Unexpended	Encumbrance	Year-to-Date	Ending Balance
January	\$ 1,432,195.00	January	\$ 1,432,195.00	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 179,50	\$ 179,50
February	\$ 1,432,195.00	February	\$ 1,432,195.00	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
March	\$ 1,877,455.93	March	\$ 1,375,773.84	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
April	\$ 753,080.72	April	\$ 840,171.05	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
May	\$ 26,740.00	May	\$ 8,867,122.00	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
June	\$ 1,713,513.23	June	\$ 1,192,566.93	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
July	\$ 1,838,679.51	July	\$ 1,307,132.27	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
August	\$ 835,239.54	August	\$ 639,233.37	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
September	\$ 751,540.92	September	\$ 687,707.57	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
October	\$ 680,466.66	October	\$ 750,508.17	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
November	\$ 962,810.38	November	\$ 1,089,206.01	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
December	\$ 1,147,300.71	December	\$ 1,147,300.71	\$ 8,867,122.00	\$ 8,867,122.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Received To Date</b>	<b>\$ 12,744,577.24</b>	<b>Expenses To Date</b>	<b>\$ 12,047,079.59</b>						

New Carlisle Bank Report									
Banks: 0001 to 0100 As Of: 1/1/2025 to 12/31/2025									
Bank	Beginning Bal.	MTD Revenue	YTD Revenue	MTD Expense	YTD Expense	MTD Other	YTD Other	Ending Bal.	
PNC - GENERAL	\$ 1,339,227.56	\$ 438,766.62	\$ 5,208,276.15	\$ 554,453.45	\$ 4,549,654.32	(\$1,546,906.27)	\$ 448,943.12	\$ 1,339,227.56	
PNC - PAYROLL	\$ 333,333.33	\$ 18,000.00	\$ 19,300.00	\$ 2,000.00	\$ 2,000.00	\$ 379,000.00	\$ 379,000.00	\$ 333,333.33	
STAR OHIO	\$ 442,239.60	\$ 14,869.50	\$ 199,535.44	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 431,775.04	
US BANK INVESTMENTS	\$ 1,059,293.89	\$ 6,353.87	\$ 49,900.97	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,059,194.86	
PARK NAT - GENERAL	\$ 1,206,140.44	\$ 34,824.00	\$ 48,824.00	\$ 4,824.00	\$ 4,824.00	\$ 4,824.00	\$ 4,824.00	\$ 1,202,316.44	
PARK NAT - MMA	\$ 1,081,106.66	\$ 1,919.85	\$ 25,106.21	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,077,006.77	
PARK NAT - MAYORS COURT	\$ 200.00	\$ 14,135.00	\$ 42,361.50	\$ 4,135.00	\$ 42,361.50	\$ 0.00	\$ 0.00	\$ 200.00	
PNC - MMA SAVINGS	\$ 0.00	\$ 1,912.47	\$ 12,707.37	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 762,707.37	
PNC - PAYROLL	\$ 80,000.00	\$ 2,000.00	\$ 20,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 80,000.00	
CASH ON HAND	\$ 500.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 500.00	
<b>Grand Total:</b>	<b>\$ 9,257,433.12</b>	<b>\$ 962,695.38</b>	<b>\$ 12,744,071.74</b>	<b>\$ 1,147,695.86</b>	<b>\$ 12,046,404.09</b>	<b>\$ 0.00</b>	<b>\$ 9,955,100.77</b>		

MONTHLY NET INCOME TAX COLLECTION COMPARISON 2024-2025										
MONTH RECEIVED	CCA			STATE OF OHIO			ATTORNEY GENERAL			%
	2024	2025	Difference	2024	2025	Difference	2024	2025	Difference	
JANUARY	\$ 151,657.05	\$ 162,464.32	\$ 9,807.18	6,427,400.00	6,427,400.00	\$ 0.00	0.00%	\$ 179,50	\$ 179,50	-
FEBRUARY	\$ 151,657.05	\$ 151,584.97	\$ 1,072.08	6,427,400.00	6,427,399.92	\$ 1,055.08	-0.09%	\$ 179,50	\$ 179,50	-0.05%
MARCH	\$ 150,971.99	\$ 140,472.15	\$ 50,500.00	27,779.00	27,779.00	\$ 0.00	-22.09%	\$ 16,099.44	\$ 16,099.44	-5.00%
APRIL	\$ 150,841.59	\$ 150,150.32	\$ 30,239.00	\$ 56,65	\$ 154,443	\$ 977.96	-11.26%	\$ 43,343.36	\$ 46,090.55	\$ 7,747.19
MAY	\$ 150,088.21	\$ 290,518.03	\$ 4,930.00	\$ 47,732.18	\$ 11,131.30	\$ 36,590.00	-76.08%	\$ 13,658.18	\$ 6,981.94	\$ 6,676.24
JUNE	\$ 150,860.85	\$ 201,724.34	\$ 4,863.73	\$ 41,604.44	\$ 33,490.71	\$ 8,113.00	-51.94%	\$ 13,682.77	\$ 1,380.58	\$ 32,302.19
JULY	\$ 150,548.23	\$ 187,989.11	\$ 1,949.00	\$ 50,00	\$ 50,00	\$ 0.00	-0.00%	\$ 56,616.44	\$ 50,00	-10.37%
AUGUST	\$ 150,267.33	\$ 150,447.91	\$ 10,028.00	\$ 15,415.26	\$ 16,03					

CITY OF NEW CARLISLE BOND BORROWED STATEMENT			
MAYOR'S COURT REPORT FOR DECEMBER 2025			
Total Cases: 15 (3 Traffic, 1 CVI (Dismissed), 8 Other)			
FUND RECEIVED	CURRENT MONTH	YEAR-TO-DATE	
Court Cost	\$ 788.00	\$ 16,842.00	
Fees - New County Municipal (Transfer Cases)	\$ 24.00	\$ 24.00	
Total Fees Paid (J.F. Bounced Chk, B.W)	\$ -	\$ 1,060.00	
Other	\$ -	\$ -	
Misc Fees Paid (Jail Time)	\$ -	\$ -	
Bond Collected	\$ -	\$ 124.00	
Interest Collected	\$ -	\$ -	
BBT (Indient interest & alcohol)	\$ -	\$ -	
<b>TOTAL FUNDS RECEIVED</b>	<b>\$ 1,388.00</b>	<b>\$ 40,526.50</b>	
FUND DISBURSED			
Victims of Crime	\$ 27.00	\$ 990.00	
Child Safety/Child Bills	\$ -	\$ -	
Drug Court Support Fund	\$ 75.00	\$ 2,845.00	
Drug Law Enforcement Fund	\$ 10.50	\$ 387.00	
Expungement	\$ -	\$ -	
State Bond Surcharge (new as of 2010)	\$ -	\$ 225.00	
<b>TOTAL REMITTED TO STATE</b>	<b>\$ 112.50</b>	<b>\$ 4,327.50</b>	
Indigent Drivers Alcohol Treatment (Springfield)	\$ 4.50	\$ 157.50	
Remitted to Computer Fund (Court)	\$ 58.00	\$ 1,472.00	
Remitted to Court Clerk (Court)	\$ 18.00	\$ 444.00	
Remitted to Court Security Fund	\$ 55.00	\$ 1,490.00	
Remitted to Facility Fee	\$ 30.00	\$ 750.00	
Remitted to Juvenile Fees	\$ 78.00	\$ 22,280.00	
Remitted to City GF - Court Court/Misc	\$ 317.00	\$ 8,865.00	
Remitted to City Health Dept	\$ -	\$ -	
Remitted to City Environment & Education	\$ -	\$ -	
Remitted to City Drug Analysis	\$ -	\$ -	
Bond forfeiture	\$ -	\$ 324.00	
<b>TOTAL REMITTED TO CITY</b>	<b>\$ 1,283.00</b>	<b>\$ 35,441.50</b>	
Capital Recovery	\$ -	\$ -	
Restitution	\$ -	\$ -	
<b>TOTAL DISBURSED</b>	<b>\$ 1,388.00</b>	<b>\$ 40,526.50</b>	

Motion to accept Mayors Court Report: 1<sup>st</sup>: Shamy 2<sup>nd</sup>: Cook YES: Bahun, Grow, Wright, Eggleston, Shamy, Lindsey, Cook NAY: 0 Accepted 7-0

Mr. Hall began reviewing the City Manager's report:

- Upcoming legislation will include Charter amendment updates
- Ms. Colleen Harris, Finance Director, reviewed highlights of End of 2025 financial year. Excellent job to all departments on a great year.
- Mr. Hall expressed appreciation to administration and council on 2025 being a great year end.
- Beginning interviews for 2 new positions
- Newsletter will be hitting mailboxes any day, it is great and hope everyone enjoys it
- USS update: Studebakers and USS are working together to serve meals to seniors on Mondays and Wednesdays from 11-1 with a limited menu. More details to come at upcoming meetings.

#### 9. Comments from Members of the Public (Comments less than 5 minutes)

- Charlotte Farley, 1204 Hemlock Way:** Spoke on behalf on the seniors of City of New Carlisle, thanked individuals for their support. Bryan Moore for providing a New Years Day meal and Bill Cook for a MLK day meal. Expressed excitement and appreciation to begin working on the Social Service Commission.
- Emily Seymour: 700 Lake, Emerald Bilbrey: 230 N. Pike St. and Elizabeth Handwerker: 301 N. Medway Carlisle Rd:** Discussion on potential of forming a 'Friends of the Pool' 501c3 non-profit group and requested information and details on donating funds directly to the pool. Council and administration discussed fundraising and opportunities for the pool and the future of the pool. Responsibilities of the city vs. Swimsafe vs. Parks and Rec board.

#### 10. RESOLUTIONS: (5 - Intro; -5- Action\*)

##### \*A. Resolution 2026-01R (Introduction, Public Hearing, and Action Tonight)

A RESOLUTION AMENDING AND ADOPTING THE NEW CARLISLE RULES OF COUNCIL. Failed due to lack of motion. Ex: Amended rules to move council meetings to Tuesday.

##### \*B. Resolution 2026-02R (Introduction, Public Hearing, and Action Tonight)

A RESOLUTION ADOPTING THE NEW CARLISLE RULES OF COUNCIL 1<sup>st</sup>: Cook 2<sup>nd</sup>: Shamy YES: Lindsey, Cook, Bahun, Grow, Wright, Shamy NAY: Eggleston Accepted 6-1 Ex: Accept the current Rules of council with no changes

##### \*C. Resolution 2026-03R (Introduction, Public Hearing, and Action Tonight)

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STREET LEVY, GENERAL BOND RETIREMENT, TWIN CREEKS BOND, STREET SWEEPER BOND AND GOVERNMENT CENTER FUNDS OF THE CITY OF NEW CARLISLE 1<sup>st</sup>: Shamy 2<sup>nd</sup>: Cook YES: Bahun, Grow, Wright, Eggleston, Shamy, Lindsey, Cook Accepted 7-0 Ex: Annual transfer of money to pay bills

##### \*D. Resolution 2026-04R (Introduction, Public Hearing, and Action Tonight)

A RESOLUTION ADOPTING A SPONSORSHIP AND DONATION POLICY FOR THE NEW CARLISLE POOL 1<sup>st</sup>: Shamy 2<sup>nd</sup>: Wright YES: Eggleston, Shamy, Lindsey, Cook, Bahun, Grow, Wright Accepted 7-0 Ex: Adopting the Pool sponsorship and banner policy

##### \*E. Resolution 2026-05R (Introduction, Public Hearing, and Action Tonight)

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT WEST JEFFERSON STREET AND SOUTH ADAMS STREET 1<sup>st</sup>: Shamy 2<sup>nd</sup>: Wright YES: Eggleston, Shamy, Lindsey, Cook, Bahun, Grow, Wright Accepted 7-0 Ex: Real Estate transaction of the Presbyterian Church on Jefferson Street. Council asked questions about cost to remodel / update the buildings – these evaluations are in process now by the architect.

## 11. ORDINANCES: (2-Intro; – 0-Action\*)

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## 12. Other Business:

Additional City Business

- Moratorium Discussion – Current Moratorium expires 4/1/26
  - ◆ Motion to change zoning code to not allow dispensaries or vape shops in town. **1<sup>st</sup>:** **Bahun** **2<sup>nd</sup>:** **Shamy** Council and administration discussed other items that need to be considered to include in this motion. Vice Mayor Shamy withdrew his motion, Councilman Bahun withdrew his motion
- Proposed Mayor Charter Amendment - Attached
- Open for Discussion on City Related Business:
  - ◆ Councilwoman Wright interested in trying to get grants for the Opioid grants available. It will take close to 2 years to prepare and potentially receive the grant; it is a lot of work. Motion to Allow Councilwoman Wright to work on grants to go toward the Rec Center **1<sup>st</sup>:** **Wright** **2<sup>nd</sup>:** **Shamy** YES: Lindsey, Cook, Bahun, Grow, Wright, Eggleston, Shamy Nay: 0 **Accepted 7-0**
  - ◆ Councilwoman Wright discussed a possible 501c3 for the Social Services Commission

## 13. Executive Session:

## 14. Return to Regular Session:

15. Adjournment: **1<sup>st</sup> Shamy 2<sup>nd</sup>:** **Cook** at 8:07pm YES: Bahun, Grow, Wright, Eggleston, Shamy, Lindsey, Cook NAY: 0 **Accepted 7-0**


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Mayor William Lindsey

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Clerk of Council Christine Stapleton

# **City Manager Report**

*February 2, 2026*

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## **A. DEPARTMENTAL REPORTS**

- The Following Departmental Reports will be given at the next City Council meeting that will be held on Tuesday, February 17, 2026; Finance, Public Service, Fire/EMS, Police, Planning & Zoning, and Mayor's Court Report.

## **B. INFORMATIONAL ITEMS**

- Upcoming Legislation
  - Moratoriums
  - Union MOU for Educational Reimbursement
  - New Public Works Vehicle
- Discussion Topics
  - Winter Storm Fern Wrap Up
  - New Hires
    - ◊ Code Enforcement Officer- 2/9/26 Jeremy Leist
    - ◊ Administrative Assistant- 2/17/26 Stephanie White
  - Fire Inspection Results

Attachment Summary:

None

Motion summary:

None

## **ORDINANCE 2026-01**

### **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE COLLECTIVE BARGAINING UNIT FOR THE PURPOSE OF ADDING A CELL PHONE ISSUANCE AND STIPEND POLICY**

**WHEREAS**, the non-exempt employees of the City of New Carlisle are represented by Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO, and Local No. 101, Dayton Public Service Union; and

**WHEREAS**, the City provides City-owned cell phones to some employees, for City business, at an average monthly cost of approximately \$39.99 per cell phone; and

**WHEREAS**, some employees would prefer to use their personal cell phones for City business and receive a stipend of \$30.00 per month instead of being issued City-owned cell phones; and

**WHEREAS**, the City and Union desire to enter into the attached memorandum of understanding for the purpose of addressing City-owned cell phones and cell phone stipends in the current Collective Bargaining Agreement.

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

1. The attached memorandum of understanding is hereby approved.
2. The City Manager is hereby authorized and directed to execute the memorandum of understanding on behalf of the City of New Carlisle.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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William Lindsey, MAYOR

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Christine Stapleton, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

_____ Bahun	Y		N
_____ Cook	Y		N
_____ Eggleston	Y		N
_____ Grow	Y		N
_____ Mayor Lindsey	Y		N
_____ Vice Mayor Shamy	Y		N
_____ Wright	Y		N

Totals:

Pass Fail

Introduction and First Reading: 01/20/2026  
Second Reading and Action: 02/02/2026  
Effective Date of Legislation: 02/17/2026



## MEMORANDUM OF UNDERSTANDING

**To:** Dave Coleman, Chapter Chair  
Pete McLinden, Staff Representative

**From:** Donald R. Hall III, City Manager

**Date:** January 20, 2026

**Subject:** Addition of a Cell Phone Issuance and Stipend Policy to the Collective Bargaining Agreement

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The City of New Carlisle, Ohio, and the Dayton Public Service Union Local No. 101 A.F.S.C.M.E Ohio Council 8 agree to amend the current Collective Bargaining Agreement by adding Article 36 – Cell Phone Issuance and Stipend Policy.

The New Carlisle Cell Phone Issuance and Stipend Policy is attached to this Memorandum of Understanding and incorporated herein by reference.

For the City of New Carlisle:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Donald R. Hall III, City Manager

For the Union:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Pete McLinden, Staff Representative

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dave Coleman, Chapter Chair



## City of New Carlisle Cell Phone Issuance and Stipend Policy

Effective Date: February 17, 2026

1. **Objective.** The purpose of this policy is to establish a program whereby certain bargaining unit employees, whose duties require a readily available cell phone through his/her work periods and/or during non-work hours, may be issued a City-owned device or receive a monthly personal cell phone stipend in lieu of a City-owned device.
2. **Eligibility.** Individual department heads are responsible for identifying employees who hold positions that require a cell phone. Employees may qualify if their duties require regular communication outside of normal working hours, involve field work or extended time away from City facilities, require availability for emergency calls, or are in need of mobile email or data access. The City Manager, or his designee, shall have final approval authority.
3. **Administration.** The City Manager, or his designee, shall ensure that this policy is evaluated annually to confirm continued necessity and compliance, review employee eligibility based on the criteria contained in this policy with individual department heads, determine the security and privacy standards for devices used for City business, and ensure that employees who receive a City-owned device or stipend under this policy acknowledge the requirements of this policy in writing.
4. **Procedures and Requirements.** The procedures and requirements for employees to receive a City-owned device or stipend are as follows:
  - a. **City-Owned Devices.**
    - i. *Establishment.*
      1. The employee must obtain written approval from the department head, subject to the City Manager's or his designee's final approval, for a City-owned device.
      2. The phone number will be shared as necessary for City purposes and be subject to disclosure as a public record.
    - ii. *Restrictions on Use of City-Owned Devices.*
      1. As a general rule, City-owned devices are not intended nor should they be used for personal use.

2. Occasional personal calls or text messages on City-owned devices, due to personal emergencies or other unforeseen circumstances, are not in violation of this policy unless such personal use becomes abusive, extreme or repetitive.

iii. *Audit.*

1. The City reserves the right to audit/review use of City-owned devices for compliance with this policy.
2. Employees have no right to nor expectation of privacy while using City-owned devices.

iv. *Care of City-Owned Devices.*

1. Employees must safeguard any City-owned devices in their possession.
2. An employee must report a lost, stolen or damaged City-owned device to the department head immediately.

v. *Return of City-Owned Devices.*

1. If the employee's department head or the City Manager, or his designee, determines that the employee no longer needs a City-owned device, then the employee shall promptly return the device to the City.
2. An employee whose employment is terminated, voluntarily or involuntarily, shall promptly return any City-owned device to the City.

b. *Stipend.*

i. *Establishment.*

1. The employee must obtain written approval from the department head, subject to the City Manager's or his designee's final approval, for the stipend.
2. The employee is responsible for maintaining a cell phone account under the employee's name, and purchasing a cell phone and any other necessary equipment.
3. The stipend will be effective the first payroll period following approval of the stipend.
4. All costs and contractual obligations, including termination fees, related to the purchase and usage of the cell phone are the employee's sole responsibility.

5. The employee's phone number must be provided to the City and will be shared as necessary for City purposes, and will be subject to disclosure as a public record.

ii. *Payment of Stipend.*

1. The monthly stipend amount is Thirty and xx/100 Dollars (\$30.00).
2. Monthly stipends will be divided bi-weekly and paid in accordance with the City's current payroll schedule.
3. The dollar amount of the stipend will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, etc.
4. The stipend is considered to be taxable income and the employee shall be responsible for any taxes due, but the stipend is not included in other wage calculations (e.g., retirement) unless required by law.

iii. *Termination/Cancellation or Replacement of Service.*

1. If the cell phone service of an employee receiving a stipend is terminated or cancelled, then the employee must promptly find a replacement cell phone service. The employee must immediately notify the department head of termination, cancellation and/or service replacement.
2. Receiving a stipend without a cell phone plan is prohibited.

iv. *Maintenance and Lost, Stolen or Damaged Equipment.*

1. Employees are responsible for the maintenance of their cell phones, both hardware and software.
2. An employee is responsible for the replacement of any lost, stolen or damaged equipment and must do so as soon as possible.
3. In the event of a lost, stolen or significantly damaged cell phone, the employee must notify his or her department head immediately.

v. *Ending a Stipend.*

1. A stipend may be ended for any of the following reasons: termination or cancellation of cell phone service without obtaining a replacement service, determination by the City Manager or his designee that the employee no longer qualifies for a cell phone stipend under this policy, extended absence of the employee or termination of employment.

2. The stipend will stop being paid the next payroll period after the stipend is ended.
3. Upon a stipend being ended, the City will wipe the employee's cell phone to delete City information from the device. It is the employee's responsibility to back up personal applications and data prior to this event. The employee is not authorized to restore any applications or data that originated through City employment following this process.

c. Miscellaneous Provisions Applicable to All Employees Who Receive a City-Owned Device or Stipend.

- i. Violation of this policy by an employee may result in disciplinary action.
- ii. All City-owned devices and cell phones for which an employee receives a stipend must be strictly maintained and operated in accordance with state and federal law, and City ordinances and policies, including any security policies.
- iii. Communication records involving City business are public records. Because of that, no communication records involving City business are permitted to be deleted without prior department head authorization. Additionally, the employee shall, upon the City's request, immediately provide public records from the cell phone. The intent of this provision is to permit the City to provide prompt inspection of public records in accordance with Ohio Rev. Code Section 149.43.
- iv. Employees with City-owned devices or who receive a cell phone stipend are expected to have their devices in their possession at all times during their work shifts and as necessary to fulfill their employment responsibilities.

## **ORDINANCE 2026-02**

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

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

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

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

**WHEREAS**, Council has determined that amendments to Article VIII of the Charter should be submitted to the electors of the City at the election to be held on May 5, 2026.

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

Section 1. The question of the amendments to Article VIII of the City of New Carlisle Charter shall be submitted as a single ballot item, to a vote of the qualified electors of the City at the May 5, 2026 primary election, at the regular hours and regular places of voting in the City. If approved by a majority vote at said election, Article VIII of the City Charter shall be amended as shown on Exhibit A and shall become effective thirty (30) days after its adoption by the voters.

Section 2. The ballot for the question shall be titled: “Proposed Charter Amendment City of New Carlisle” and the question to be submitted on the ballot shall be in substantially the same form as shown on the attached Exhibit B.

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

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

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

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

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

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

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

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
William Lindsey, MAYOR

\_\_\_\_\_  
Christine Stapleton, Clerk of Council

APPROVED AS TO FORM:

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

____	Bahun	Y		N
____	Cook	Y		N
____	Eggleston	Y		N
____	Grow	Y		N
____	Mayor Lindsey	Y		N
____	Vice Mayor Shamy	Y		N
____	Wright	Y		N

Totals:

Pass Fail

Introduction and First Reading: 01/20/2026  
Second Reading and Action: 02/02/2026  
Effective Date of Legislation: 02/17/2026

CITY OF NEW CARLISLE BALLOT ITEM \_\_\_\_  
PROPOSED AMENDMENTS TO ARTICLE VIII OF THE CITY'S CHARTER  
A majority affirmative vote is necessary for passage.

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

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## ARTICLE VIII – PLANNING

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### **Section 8.01. Planning Director.**

There shall be a Planning Department headed by a director who shall be appointed by the Manager with the approval of Council ~~as provided in Section 6.04~~. The Planning Director shall have the following responsibilities:

- (a) To study and advise the City Manager on any matter affecting the physical development of the City;
- (b) To formulate and recommend to the Manager a comprehensive plan and modification thereof;
- (c) To review and make recommendations to the Council regarding proposed Council action implementing the comprehensive plan pursuant to Section 8.04;
- (d) To participate in the preparation and revision of the capital program provided for in Section 7.05;
- (e) To advise the Planning Board in the exercise of its responsibilities and in connection therewith to provide necessary staff assistance; and
- (f) To coordinate the planning activities of the City with the planning operations of the County.

### **Section 8.02. Planning Board.**

There shall be a Planning Board consisting of five (5) members appointed by the Council for terms of three (3) years from among the qualified electors of the City. *Members of the Board should possess the education and experience necessary to ensure that the Board satisfactorily fulfills its responsibilities.* A Chairperson shall be elected annually by a majority vote of the members. Members of the Board shall hold no other City office. The Board shall make recommendations to the Manager and the Council on all matters affecting the physical development of the City, shall be consulted on the comprehensive plan and the implementation thereof as provided in Sections 8.03 and 8.04, and shall exercise all other responsibilities as may be provided by this Charter or by ordinance for the protection and improvement of the health, safety and welfare of the citizens of New Carlisle.

### **Section 8.03. Comprehensive Plan.**

(a) Content. The Council shall have the authority to adopt, and may from time to time modify, a comprehensive plan setting forth in graphic and textual form policies, laws and regulations to govern the future physical development of the City. Such plan may cover the entire City and all of its functions and services or specific geographic areas which together cover the entire City.

(b) Adoption. Upon receipt from the Manager of a proposed comprehensive plan or proposed modification of an existing plan, the Council shall refer such proposal to the Planning Board which shall, within a time specified by the Council, report its recommendations thereon. After the receipt of the recommendations of the Planning Board, the Council shall hold a public hearing on the proposed comprehensive plan or modification thereof and shall take action by resolution with or without amendment.

(c) Effect. The comprehensive plan shall serve as a guide to all future Council action concerning land use and development regulations, urban renewal programs, and expenditures for capital improvements.

(d) Review. *The Council shall review the comprehensive plan as needed, and at least once every ten years.*

### **Section 8.05. Board of Appeals.**

(a) The Council shall by ordinance establish a Board of Appeals and shall provide standards and procedures for such Board to hear and to determine appeals from administrative decisions, petitions for variances in cases of peculiar and unusual circumstances and hardships which would prevent the reasonable use of land or such other matters as may be required by the Council.

(b) The Board of Appeals shall be composed of five (5) members appointed by Council and ~~they~~ the members may hold no other City office, *except as otherwise provided in division (d) of this Section.*

(c) The City Manager shall appoint a Zoning Inspector whose duties shall be described in "Zoning Regulations" as established by Council. The City Manager may serve as Zoning Inspector.

(d) *Council is permitted to serve as the acting Board of Appeals anytime there are fewer than three (3) members appointed to and serving on the Board of Appeals.*

**Proposed Charter Amendment**

**City of New Carlisle**

**A majority affirmative vote is necessary for passage.**

Shall Article VIII, Sections 8.01, 8.02, 8.03 and 8.05 of the Charter of the City of New Carlisle be amended as follows:

**Article VIII – Planning (Summary)**

Remove the reference to Section 6.01 of the Charter regarding the appointment of the Planning Director. Add that Members of the Planning Board should possess the education and experience necessary to ensure that the Board satisfactorily fulfills its responsibilities. Add that Council shall review the comprehensive plan as needed, and at least once every ten years. Specify that members of the Board of Appeals may hold no other City office, except as otherwise provided in division (d) of Section 8.05 of the Charter. Add that Council is permitted to serve as the acting Board of Appeals when fewer than three members are appointed to and serving on the Board of Appeals?

**YES**

**NO**

## **ORDINANCE 2026-03**

### **AN ORDINANCE EXTENDING A MORATORIUM ON NEW VAPE SHOPS WITHIN THE CITY OF NEW CARLISLE, OHIO**

**WHEREAS**, pursuant to the Ohio Constitution and the Ohio Revised Code, municipal corporations possess broad authority to enact planning and zoning regulations to protect the public health, safety, welfare, comfort and peace, including the authority to regulate and restrict areas used for business and trade; and

**WHEREAS**, the City has observed an increase in the volume of businesses that sell electronic smoking devices, as that term is defined in Ohio Revised Code Section 2927.02; and

**WHEREAS**, a business that sells a significant amount of electronic smoking devices is often referred to as a “Vape Shop”; and

**WHEREAS**, on March 17, 2025, City Council adopted Ordinance 2025-11 for the purpose of imposing a moratorium on the consideration and/or granting of any zoning, occupancy, building or other permits or applications relating to new Vape Shops for a period of twelve (12) months; and

**WHEREAS**, City Council requires additional time to study and evaluate the City’s planning and zoning ordinances and business regulations applicable to new Vape Shops to determine the appropriate locations and regulatory standards for such use; and

**WHEREAS**, extending the moratorium will allow City Council adequate time to more fully consider these matters prior to the possible enactment of future legislation.

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

**SECTION 1.** The moratorium on the consideration and/or granting of any zoning, occupancy, building or other permits or applications relating to new Vape Shops is hereby extended and imposed for an additional twelve (12) months from the effective date of this Ordinance.

**SECTION 2.** While the moratorium is in effect, no use permit, variance, building permit, business license or other applicable land use entitlement may be approved or issued for the establishment or operation of any new Vape Shop within the City of New Carlisle.

**SECTION 3.** For purposes of this Ordinance, the term “Vape Shop” means any establishment, structure, facility, vehicle, stand or cart that devotes five percent (5%) or more of its floor space or display area to the sale, display, marketing, bartering, trading or exchange of electronic smoking devices. The term “Vape Shop” shall be broadly and liberally interpreted to carry out the intent of this Ordinance.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
William Lindsey, MAYOR

\_\_\_\_\_  
Christine Stapleton, Clerk of Council

APPROVED AS TO FORM:

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

____	Bahun	Y		N
____	Cook	Y		N
____	Eggleson	Y		N
____	Grow	Y		N
____	Mayor Lindsey	Y		N
____	Vice Mayor Shamy	Y		N
____	Wright	Y		N

Totals: \_\_\_\_\_

Pass \_\_\_\_\_ Fail \_\_\_\_\_

Introduction and First Reading: 02/02/2026  
Second Reading and Action: 02/17/2026  
Effective Date of Legislation: 03/04/2026

## **ORDINANCE 2026-04**

### **AN ORDINANCE EXTENDING THE MORATORIUM ON CANNABIS OPERATIONS WITHIN THE CITY OF NEW CARLISLE, OHIO**

**WHEREAS**, Ohio Revised Code Section 3780.25 authorizes the legislative authority of a municipal corporation to prohibit or limit the number of adult use cannabis operators, including cultivators, dispensaries and processors, within its jurisdiction, and Ohio Revised Code Section 3796.29 authorizes the legislative authority of a municipal corporation to prohibit or limit the number of medical marijuana cultivators, dispensaries and processors within its jurisdiction; and

**WHEREAS**, for the purposes of this Ordinance, “Cannabis Operations” includes any and all of the following: adult use cannabis operators regulated under Chapter 3780 of the Ohio Revised Code, and medical marijuana cultivators, dispensaries and processors regulated under Chapter 3796 of the Ohio Revised Code; and

**WHEREAS**, pursuant to the Ohio Constitution and the Ohio Revised Code, municipal corporations possess broad authority to enact planning and zoning regulations to protect the public health, safety, welfare, comfort and peace, including the authority to regulate and restrict areas used for business and trade; and

**WHEREAS**, the City does not presently have zoning classifications that specifically address Cannabis Operations; and

**WHEREAS**, on March 17, 2025, City Council adopted Ordinance 2025-12 for the purpose of imposing a moratorium on the consideration and/or granting of any zoning, occupancy, building or other permits or applications relating to Cannabis Operations for a period of twelve (12) months; and

**WHEREAS**, on December 9, 2025, the Ohio General Assembly passed Senate Bill 56, which made several changes to Ohio cannabis laws; and

**WHEREAS**, in light of the recent passage of Senate Bill 56, City Council requires additional time to study and evaluate the City’s planning and zoning ordinances and business regulations in order to determine whether Cannabis Operations should be permitted within the City and, if so, the appropriate locations and regulatory standards for such uses; and

**WHEREAS**, extending the moratorium on Cannabis Operations will allow City Council adequate time to more fully consider these matters prior to the possible enactment of future legislation.

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

**SECTION 1.** The moratorium on the consideration and/or granting of any zoning, occupancy, building or other permits or applications relating to Cannabis Operations is hereby extended and imposed for an additional twelve (12) months from the effective date of this Ordinance.

**SECTION 2.** While the moratorium is in effect, no use permit, variance, building permit, business license or other applicable land use entitlement may be approved or issued for Cannabis Operations within the City of New Carlisle.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
William Lindsey, MAYOR

\_\_\_\_\_  
Christine Stapleton, Clerk of Council

APPROVED AS TO FORM:

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

____	Bahun	Y		N
____	Cook	Y		N
____	Eggleson	Y		N
____	Grow	Y		N
____	Mayor Lindsey	Y		N
____	Vice Mayor Shamy	Y		N
____	Wright	Y		N

Totals: \_\_\_\_\_

Pass \_\_\_\_\_ Fail \_\_\_\_\_

Introduction and First Reading: 02/02/2026  
Second Reading and Action: 02/17/2026  
Effective Date of Legislation: 03/04/2026

## **ORDINANCE 2026-05**

### **AN ORDINANCE ESTABLISHING A MORATORIUM ON SMALL SOLAR FACILITIES WITHIN THE CITY OF NEW CARLISLE, OHIO**

**WHEREAS**, the Ohio Power Siting Board (“OPSB”), a state agency within the Public Utilities Commission of Ohio, is responsible for approving major utility facilities, including large-scale wind farms, solar projects, and electric transmission lines, and has exclusive jurisdiction over solar electric generation facilities of fifty (50) megawatts or more; and

**WHEREAS**, on January 5, 2023, the Ohio General Assembly passed House Bill 501 granting municipal corporations express authority to pass zoning restrictions on Small Solar Facilities, which are solar generation facilities of less than fifty (50) megawatts; and

**WHEREAS**, for purposes of this Ordinance, “Small Solar Facility” means solar panels and associated facilities with a single interconnection to the electrical grid, designed for or capable of operating at less than fifty (50) megawatts, that function primarily as a power generation facility for the sale of electricity; and

**WHEREAS**, the City does not presently have zoning classifications that specifically address Small Solar Facilities; and

**WHEREAS**, City Council desires to study the City’s planning and zoning regulations and business regulations in order to determine whether Small Solar Facilities should be permitted within the City and, if so, the appropriate locations and regulatory standards for such uses; and

**WHEREAS**, a moratorium will allow City Council adequate time to more fully consider these matters prior to the possible enactment of future legislation.

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

**SECTION 1.** A moratorium on the consideration and/or granting of any zoning, occupancy, building or other permits or applications relating to Small Solar Facilities is hereby imposed for twelve (12) months from the effective date of this Ordinance.

**SECTION 2.** While the moratorium is in effect, no use permit, variance, building permit, business license or other applicable land use entitlement may be approved or issued for the establishment or operation of any Small Solar Facility within the City of New Carlisle.

**SECTION 3.** Nothing in this Ordinance shall be construed to prohibit or restrict the installation or operation of solar energy systems intended primarily to serve on-site residential, business, industrial or agricultural uses in compliance with Chapter 1295 of the City Ordinances.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
William Lindsey, MAYOR

\_\_\_\_\_  
Christine Stapleton, Clerk of Council

APPROVED AS TO FORM:

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

____	Bahun	Y		N
____	Cook	Y		N
____	Eggleston	Y		N
____	Grow	Y		N
____	Mayor Lindsey	Y		N
____	Vice Mayor Shamy	Y		N
____	Wright	Y		N

Totals: \_\_\_\_\_

Pass                      Fail

Introduction and First Reading: 02/02/2026  
Second Reading and Action: 02/17/2026  
Effective Date of Legislation: 03/04/2026

## **ORDINANCE 2026-06**

### **AN ORDINANCE ESTABLISHING A MORATORIUM ON DATA CENTERS WITHIN THE CITY OF NEW CARLISLE, OHIO**

**WHEREAS**, pursuant to the Ohio Constitution and the Ohio Revised Code, municipal corporations possess broad authority to enact planning and zoning regulations to protect the public health, safety, welfare, comfort and peace, including the authority to regulate and restrict areas used for business and trade; and

**WHEREAS**, “Data Centers” are industrial-scale facilities that consume significant energy, water and infrastructure capacity, and may create water supply issues, impose substantial utility demands that the City may be unable to support, cause potential environmental and neighborhood impacts, and potentially conflict with the City’s long-term planning goals; and

**WHEREAS**, the City does not presently have zoning classifications that specifically address Data Centers; and

**WHEREAS**, City Council desires to study the City’s planning and zoning regulations and business regulations in order to determine whether Data Centers should be permitted within the City and, if so, the appropriate locations and regulatory standards for such uses; and

**WHEREAS**, a moratorium will allow City Council adequate time to more fully consider these matters prior to the possible enactment of future legislation.

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

**SECTION 1.** A moratorium on the consideration and/or granting of any zoning, occupancy, building or other permits or applications relating to Data Centers is hereby imposed for twelve (12) months from the effective date of this Ordinance.

**SECTION 2.** While the moratorium is in effect, no use permit, variance, building permit, business license or other applicable land use entitlement may be approved or issued for the establishment or operation of any Data Center within the City of New Carlisle.

**SECTION 3.** For purposes of this Ordinance, “Data Center” means a facility designed or substantially modified to house a large number of computer servers and related network and data storage equipment, with associated mechanical, electrical and utility infrastructure necessary for continuous operation, used for the commercial or enterprise-scale storage, processing or transmission of digital data for third parties. The term does not include office or business facilities where such equipment is incidental to the primary use.

**SECTION 4.** The moratorium shall apply to Data Centers and any substantially similar use, regardless of name.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
William Lindsey, MAYOR

\_\_\_\_\_  
Christine Stapleton, Clerk of Council

APPROVED AS TO FORM:

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

____	Bahun	Y		N
____	Cook	Y		N
____	Eggleson	Y		N
____	Grow	Y		N
____	Mayor Lindsey	Y		N
____	Vice Mayor Shamy	Y		N
____	Wright	Y		N

\_\_\_\_\_  
Totals:

Pass                      Fail

Introduction and First Reading:      02/02/2026  
Second Reading and Action:          02/17/2026  
Effective Date of Legislation:       03/04/2026