

WEST CARROLLTON CITY COUNCIL REGULAR

FEBRUARY 27,

07

PRESENT: Mayor Gilman, Council Members Jim Bowers, Angie Fryman, Jody Jones, Linda Lotspaih, Harold Robinson, Jeff Sanner; City Manager G. Tracy Williams; Law Director Lori Kirkwood; Director of Finance Tom Reilly; Service Director Rich Norton; Director of Planning Greg Gaines, Parks and Recreation Director Christian Mattingly; Police Chief Rick Barnhart; Deputy Police Chief Doug Woodard; and Assistant Clerk of Council Alicia Waymire.

The meeting was called to order by Mayor Gilman. Pastor Brian Richardson, West Carrollton Church of the Nazarene, gave the Invocation. The Pledge of Allegiance and Roll Call followed.

MINUTES

Mrs. Lotspaih motioned, seconded by Mr. Sanner to approve with the noted corrections, the regular meeting minutes of January 23, 2007. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - abstain.

COMMUNICATIONS AND PRESENTATIONS

PROCLAMATION

“MENTAL RETARDATION & DEVELOPMENTAL DISABILITIES AWARENESS MONTH”

Mayor Gilman read a proclamation declaring the month of March 2007, as “Mental Retardation and Developmental Disabilities Awareness Month” in the City of West Carrollton.

WEST CARROLLTON HISTORICAL SOCIETY

Linda Zimmer gave a presentation on the writing of a book that the Historical Society is putting together about the history of West Carrollton. They are asking residents to help contribute their memories of West Carrollton to this publication. They went over the list of meeting times, and encouraged everyone to participate.

WEST CARROLLTON HIGH SCHOOL AFTER PROM PARTY

Mrs. Fryman motioned, seconded by Mrs. Jones, to donate \$100 to support the 2007 West Carrollton High School After Prom Party. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

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PUBLIC HEARINGS

None

COMMENTS BY THE AUDIENCE

Mrs. Hall-Alt, Principal Walter Shade ECC

Reminded the residents that the preschool packets would be available March 1 – March 22. She explained that there was a lottery process for acceptance into the preschool program, and tuition is based on income. She also reminded residents that kindergarten registration would be April 23 and 24, and the registration packets would be available April 9.

Chase Sterling, YMCA

Spoke about the Silver Sneakers program for seniors, which is a covered benefit of Humana or Anthem. She went over some additional programs which are available for seniors.

UNFINISHED BUSINESS

ORDINANCE NO. 3332 (second reading)

An Ordinance rezoning areas in and near the West Carrollton Central Business District at Central Avenue and Elm Street, from M-2 Manufacturing District, M-1 Business Park District, and R-2 Single Family Residential District to R-1 Single Family Residential District and PUD Planned Unit Development District.

Mr. Gaines went over the plans for the rezoning and the time frame of these plans since Fraser closed.

John Helgamond, attorney for Team Industrial, requested a continuance of this ordinance, stating he had not had an opportunity to review the PUD, and requested a 30 day continuance.

John Chamber, West Carrollton Parchment, agreed that they too would like a continuance, and stated that they were happy with the current zoning. He indicated that they would prefer the zoning not change, but if the zoning changes, he stated that they feel Section 2B is more appropriate than 2D, which was originally proposed.

Mr. Gray, stated that he owns the property south of the RR tracks on Elm, and indicated that he wanted to build warehouses there; he would like the zoning to stay the same. He indicated that under the new zoning, he wouldn't be able to build his warehouses.

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Mr. Sanner indicated that they could table this ordinance until the next meeting.

Mr. Robinson asked Mr. Gaines to clarify the difference between 2B and 2D.

Mr. Gaines indicated that the change to 2B had already been made.

Mr. Robinson asked if the changes would be in line with what Mr. Gray was originally going to do and asked if the storage would be inside or outside storage. Mr. Gray indicated that the front of the lot would be a building for his tree service, and the trucks would be stored inside. He indicated that they would use greenery to screen the residential area from the storage.

Mr. Sanner motioned, seconded by Mrs. Fryman to table Ordinance #3332 until the next meeting. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

NEW BUSINESS

RESOLUTION NO. 3-2007

A Resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation (ODOT) to permit the City of West Carrollton to serve as the LPA to administer the Traffic Signal Interconnect Phase I Project and the Gibbons Road Phase II Project. Mrs. Fryman motioned, seconded by Mrs. Jones to approve Resolution #3-2007. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

RESOLUTION NO. 4-2007

A Resolution establishing fees for use of the West Carrollton swimming pool.

Mr. Bowers motioned, seconded by Mr. Sanner to approve Resolution No. 4-2007. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

RESOLUTION NO. 5-2007

A Resolution designating May 12, 2007 and October 6, 2007 as “Garage Sale Saturdays” in West Carrollton.

Mrs. Lotspaih motioned, seconded by Mr. Robinson to approve Resolution No. 5-2007. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

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ORDINANCE NO. 3342

An Ordinance authorizing the City Manager to advertise for bids for storm infrastructure and concrete repairs on Cedar Street, Shade Drive , Richie Drive, Risley Drive, Catherine Avenue and Cottage Avenue and to expend a sum in excess of \$15,000 therefore.

Mr. Sanner motioned, seconded by Mr. Robinson to dispense with the second reading of Ordinance #3342. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

Mr. Sanner motioned, seconded by Mr. Bowers to approve Ordinance #3342. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

ORDINANCE NO. 3343

An Ordinance to make appropriations for current expenses and other expenditures of the City of West Carrollton, State of Ohio, during the fiscal year ending December 31, 2007, amending Section 2 of Ordinance 3338, and repealing any Ordinances in conflict herewith, and declaring an emergency

Mr. Bowers motioned, seconded by Mrs. Jones to approve Ordinance No. 3343. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

ORDINANCE NO. 3344

An Ordinance authorizing the City Manger to advertise for bids for the demolition of 5655, 5657, and 5665 Marina Drive and to expend a sum in excess of \$25,000 therefore.

Mrs. Fryman motioned, seconded by Mr. Sanner to dispense with the second reading of Ordinance No. 3344. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

Mrs. Jones motioned, seconded by Mrs. Fryman to approve Ordinance No. 3344. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

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ANNUAL AGREEMENT WITH THE MONTGOMERY COUNTY RECORDS
COMMISSION AND MICROFILMING BOARD

Consideration of the Annual Agreement with the Montgomery County Records Commission and Microfilming Board.

Mrs. Fryman motioned, seconded by Mrs. Jones to authorize the City Manager to enter in an Annual Agreement with the Montgomery County Records Commission and Microfilming Board. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

REPORTS BY OFFICERS

Mayor Gilman indicated that Mrs. Kathy Perkins, Director of Economic Development, would not be giving her report tonight, her guests could not attend the meeting.

Mr. Norton went over the proposed streets to be included in the 2008 Sidewalk, Curb and Gutter Repair Program.

Mr. Sanner motioned, seconded by Mr. Robinson to approve the 2008 Sidewalk, Curb and Gutter Repair Program. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

Mr. Williams thanked Appleton Papers for their extension and investment in the community. He also thanked Joe Tuss at Montgomery County and John Husted for all their help in making this extension possible.

UNSCHEDULED BUSINESS

Mr. Bowers motioned, seconded by Mrs. Fryman to donate \$300 to the West Carrollton Education Foundation. A roll call vote was taken: Mrs. Lotspaih – yes, Mrs. Fryman – yes, Mr. Sanner – yes, Mr. Bowers – yes, Mrs. Jones – yes, Mr. Robinson – yes, Mayor Gilman - yes.

COMMENTS BY AUDIENCE

Mr. Adkins, The Print Center

Indicated that he wanted to inquire as to policies the city had in effect. He asked if it was standard practice of council members to request quotes without other council members or the city managers knowledge. He indicated that he would like to receive copies of the quotes the city had received for the printing of the City Newsletter.

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Mayor Gilman indicated that a council member has only asked for quotes once, and it has not happened since.

Mr. Dobson

Stated that he had gone over several years of financial records and indicated that he had a question about what is allowed to be reimbursed expenses for council members. He asked if the Ohio Ethics filing fee is an expense that can be reimbursed by the city. He indicated that he had contacted several legal departments at State level, and was told that if there was a procedure in place, it was ok to reimburse this fee. He indicated that he did not feel that there was a procedure in place, and asked that council look into this issue.

COMMENTS BY COUNCIL

Mrs. Lotspaih thanked the VFW for the steak dinner and congratulated the speech winner from the West Carrollton Middle School. She thanked the city workers for all their hard work on the streets during the snow. She indicated that the First Tier Suburbs Committee Meeting would be held February 28 at Fire Station 1 at 5:30 p.m. She indicated that at the last meeting, they had 3 County Chairpersons attend and they were in support of the I-75 exchange.

She addressed Mr. Adkins letter to the editor, and indicated that reading his letter was the first that she knew of this situation. She indicated that she had talked to the City Manager, and was assured that this situation would never happen again.

Mrs. Fryman indicated that Lindbergh Neighborhood watch meeting would be Thursday, February 28 at 7:00 p.m. in the new Police Department training room. She welcomed Bill Parsons to the Rec Board and thanked Kathy Perkins for her work on the Appleton extension. She concluded by addressing Mr. Dobson's concerns, stating that Ms. Kirkwood should work with council on what expenses can be reimbursed by the city.

Mr. Sanner indicated that he was glad the Mayor got home in time to enjoy some of the snow. He thanked city staff for their work in keeping the streets cleared during the snow. He concluded that he had never heard of the Ethics issue, but he would look into it.

Mr. Bowers stated that city staff did a fantastic job keeping the streets cleared during the snow.

Mrs. Jones encouraged everyone to participate and help the Historical Society write the history of West Carrollton.

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Mr. Robinson indicated that city staff did a wonderful job keeping the streets cleared. He asked for an update on the status of the Comprehensive Plan. Mr. Williams indicated that they were in the process of putting together a committee to formulate the comprehensive plan.

Mr. Robinson addressed the issue that Mr. Adkins presented the reasoning behind obtaining quotes for the City Newsletter printing, and outlined the time frame everything happened. He indicated that council and the city manager had discussed the issue at a work session, and he worked with city staff in preparing the criteria for the quotes. Once the quotes had been received, he went over all the quotes with staff. City staff then made the decision for the printing company based on quotes that had been received. He indicated that Mr. Mattingly had advised Mr. Adkins that lower bids had been received, and when he was advised of the quote, the response Mr. Adkins gave was that he couldn't match the quote. Mr. Robinson indicated that the city does embrace local businesses, but they need to be competitive, otherwise city staff has an obligation to the taxpayer to try and save taxpayers dollars. He indicated that nothing unethical took place, but he and Mr. Williams decided that in the future, request for quotes would be sent from the city offices. Mr. Robinson concluded by stating that city staff and council members have never done anything unethical.

Mayor Gilman thanked Mr. Sanner for conducting the meeting in her absence. She indicated that she had attended a Memorial Service for Dr. Jane Chance, and offered her condolences to the family. She stated that she had attended the Sunday Eagle Scout Court of honors, and was very impressed. She read a letter of commendation that she had received regarding Officer Rick Hart. She thanked the city staff for their work keeping the streets cleared during the snow.

RECESS

Mayor Gilman motioned, seconded by Mrs. Lotspaih to recess to an executive session as per Ohio Revised Code 121.22 Section G3, to be followed by a work session to discuss the items on the agenda. A unanimous roll call carried the motion.

EXECUTIVE SESSION

PRESENT: Mayor Maxine Gilman; Council Members Jim Bowers, Angie Fryman, Jody Jones, Linda Lotspaih, Harold Robinson, Jeff Sanner; City Manager G. Tracy Williams; Law Director Lori Kirkwood; Director of City Planning Greg Gaines.

At the conclusion of the Executive Session a motion was made to reconvene in work session. Motion was made by Council Member Jody Jones and seconded by Council Member Jim Bowers. Approved.

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WORK SESSION

SCHOOL SUPERINTENDENT DR. RUSTY CLIFFORD

Dr. Clifford spoke to the City Council concerning the school district's plan to place a 6.5 mil levy on the May ballot. He stressed the importance of the passage of this levy in order to continue the programs and excellent progress the West Carrollton schools have seen in recent years. He distributed a flyer which also outlined the necessary cuts that would have to be made if this levy is not approved. He asked for the support of the City Council and indicated that he hoped that the City Council would speak openly and frequently in support of the passage of the levy. Concluding his presentation, Dr. Clifford left.

COMPREHENSIVE PLAN STEERING COMMITTEE

City Planning Director, Greg Gaines, updated the City Council on the status of the Comprehensive Plan Steering Committee. City Council indicated that they were very pleased with the high level of acceptance of their invitations to serve on the steering committee, staff will proceed with scheduling the necessary meetings to move the project forward. It was also noted that individuals that have an interest, although they may not serve on the Comprehensive Plan Steering Committee, are more than welcome to participate in various subcommittees and other study groups that will be necessary to complete the Comprehensive Plan.

HOUSING FAIR

City Planning Director, Greg Gaines, reviewed the preliminary plans for the Housing Fair to be held on May 5th at the West Carrollton Middle School. Staff indicated they would welcome any ideas that Council or others may have concerning this Housing Fair which is targeted in assisting citizens in West Carrollton to improve their homes and also to interest individuals in purchasing homes in West Carrollton. Concluding this discussion, Greg Gaines left.

GIBBONS ROAD AND SPRINGBORO PIKE

Service Director, Rich Norton, reviewed the plans for the street improvements on Gibbons Road as well as streetscaping improvements to be made on Springboro Pike. The City Council indicated they felt no assessments should be made for the improvements on Gibbons Road and that the city should proceed to levy an assessment of 25% of the local share for the improvements that will be made along Springboro Pike. Rich Norton indicated that he would be meeting with all the property owners along

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Springboro Pike as well as Gibbons Road to discuss with them the plans for these improvements over the next couple of years. City Council and staff indicated they were very pleased to obtain the grants and financial assistance they received from outside sources to help with making these improvements. Rich Norton left.

OTHER ITEMS

City Council asked that the City Manager participate in the Dayton Development Coalitions Fly-In to Washington, D.C. on May 1st and May 2nd to represent the City of West Carrollton on this trip to Washington to meet with Congressman concerning various projects in the Dayton area specifically the earmark funding request by the City of West Carrollton for improvements at the I-75 Exit 47 as well as flood control projects on Holes Creek and Owl Creek.

City Manager Williams noted that a local church had expressed an interest in having a movie night in Wilson Park this summer and that he had asked the City Attorney for an opinion on this matter.

Mayor Gilman also noted that the Ohio Municipal League was having their annual legislative luncheon in Columbus on March 20th and invited any interested council members to attend also.

City Manager Williams noted that the Dayton Development Coalition recently extended an invitation to local governments throughout the area to join their organization. City Manager Williams noted the cost to join the Dayton Development Coalition would be \$7,500 annually. He also noted that Montgomery County belongs to the Dayton Development Coalition and contributes \$250,000 per year for their membership.

City Manager Williams noted that the Miami Valley Communications Council was considering hosting a breakfast for state legislatures and City Council indicated they were supportive of that idea and hoped that many of them might be able to attend such a meeting.

COMMENTS BY COUNCIL

Council Member Linda Lotspaih noted that the house at 721 Cherry Blossom Drive was vacant and that the city might want to check on the status of the water service at that location. Also was noted that a Ski Doo had been seen operating in the street in the vicinity of Peach Orchard Drive and City Manager Williams indicated he would advise the Police Department. Council Member Lotspaih advised the City Council that she had advised the YMCA that the City Council had discussed the possibility of the YMCA operating the Wilson Park Pool and that the City Council indicated they had no interest in that at this time.

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ADJOURNMENT

There being no further business, the motion to adjourn was made by Deputy Mayor Jeff Sanner and seconded by Council Member Linda Lotspaih and the meeting was adjourned at 10:15 p.m.

MAYOR

CLERK OF COUNCIL