

WEST CARROLLTON CITY COUNCIL REGULAR

NOVEMBER 13,

07

PRESENT: Mayor Gilman, Councilmembers Jim Bowers, Jody Jones, Linda Lotspaih, Angie Fryman, Harold Robinson and Jeff Sanner; City Manager G. Tracy Williams; Law Director Lori Kirkwood; City Planner Greg Gaines; Human Resources Manager Sherry Callahan; Police Chief Rick Barnhart, Deputy Police Chief Doug Woodard, and Assistant Clerk of Council Alicia Waymire.

EXCUSED:

The meeting was called to order by Mayor Gilman. The Pledge of Allegiance and Roll Call followed.

MINUTES

Mrs. Lotspaih motioned, seconded by Mr. Sanner to approve the Regular Meeting Minutes of October 23, 2007. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

PUBLIC HEARINGS

None

COMMUNICATIONS AND PRESENTATIONS

PROCLAMATION **NATIONAL ADOPTION MONTH**

Mayor Gilman read the proclamation declaring November 2007 As “National Adoption Month” in the City of West Carrollton.

Mr. Bowers stated that he is a court appointed guardian and youth advocate, stressing that there are many kids in the system that need families, and he urged residents to consider adoption.

PROCLAMATION **NATIONAL FAMILY WEEK**

Mayor Gilman read the proclamation declaring November 18-24th as “National Family Week” in the City of West Carrollton.

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CITIZENS POLICE ACADEMY GRADUATION

Chief Barnhart spoke about the Citizen's Police Academy, going over some of the activities and what the citizens learned. Chief Barnhart, Deputy Chief Woodard and Sgt. Hensley handed out the certificates to the graduates.

Mr. Steve Buerschen gave a brief PowerPoint presentation outlining some of the scenarios the class encountered and learned about. He stated that the class had a greater understanding of police procedures and entreated council to continue supporting the Police Department. He concluded by saying that he felt the police do a great job and he feels safe with them.

Mayor Gilman stated that they appreciate the Police Department and that the police are always professional. She stated that she may want to take a refresher course to learn the things that are being taught now.

Mr. Sanner congratulated the graduates and stated that it seemed like everyone in the class had a good time.

Mrs. Fryman stated that she had visited the class, and congratulated everyone on a great job.

Mrs. Lotspaih said that it was an impressive class, that they learn a lot and encouraged residents to participate in the next class.

Mr. Robinson agreed with the Mayor that he may want to take a refresher class, and encouraged everyone to participate.

Mrs. Jones stated that she had a great time in the academy and learned a lot. She too encouraged everyone to participate.

Mr. Bowers congratulated everyone and encouraged them to take what they learned into the neighborhoods. He encouraged residents to participate in the next class.

Mayor Gilman stated that they are ambassadors of goodwill to the community, and encouraged them to let everyone know that police aren't bad people.

SOUTH SUBURBAN TEEN ALCOHOL AND OTHER DRUG PREVENTION TASK FORCE

Andrea White, Clerk of Municipal Court for the City of Kettering and Deborah Jay, Coordinator of the Montgomery County Satellite Juvenile Court for Centerville, Washington Township, and Kettering gave a PowerPoint presentation. They stated that they were here

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because they care about the health and safety of our kids. They talked about research linking alcohol use in teens to alcohol abuse in adults. They asked for council support for the task force.

Mayor Gilman stated that based on what she has heard and read, it's a great program and their request will be on the next agenda.

ATTORNEY RICHARD A. BOUCHER

Spoke on behalf of Mr. Gray, the owner of the property at 111 S. Elm Street. He stated that he was here to try to avoid having to go any further legally for Mr. Gray. He stated that it was his understanding that the property was zoned M2 when Mr. Gray purchased it. Mr. Gray subsequently submitted his building permit on January 30, 2007. When the area was rezoned, he was told he'd be grandfathered in for the storage units that he planned on building there. Around the end of July, the City of West Carrollton notified Mr. Gray that his building permit would expire on August 11, 2007. He was not told at that time that the city would refuse an extension of the building permit, nor was he informed that the expiration of the building permit would result in a termination of the zoning M2. At the end of August, Mr. Gray's contractor submitted a new site plan, and since the city had accepted it, he thought the city was reviewing and acting on the new plan. It wasn't until the middle of September that the city notified Mr. Gray that his building permit application for self service storage facilities had expired. He stated that the city has not cited any reference to any zoning code section, building code section or other legal reference in support of this decision. He concluded by stating that he respectfully requested that council assist them in either extending the expiration of Mr. Gray's building permit application; allow Mr. Gray to submit a new building permit application to be processed under the prior "grandfathered" zoning of M2; and/or other appropriate relief.

Mayor Gilman recommended that Ms. Kirkwood prepare a response in writing and meet with council.

Mayor Gilman motioned, seconded by Mrs. Fryman to table Mr. Gray's Building Permit Application until Ms. Kirkwood can prepare a written response to Mr. Boucher's letter. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

EXECUTIVE SESSION

Mayor Gilman motioned, seconded by Mr. Sanner to recess to a brief Executive Session as per Ohio Revised Code 121.22 section G1. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

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Mayor Gilman reconvened the city council meeting at 7:25 p.m.

COMMENTS BY THE AUDIENCE

None

UNFINISHED BUSINESS

None

NEW BUSINESS

RESOLUTION #18-2007

A Resolution Authorizing the Mayor to Sign an Agreement for the Employment of a New City Manager.

Mr. Sanner motioned, seconded by Mrs. Fryman to approve Resolution #18-2007. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

Mayor Gilman stated that they were pleased to announce that Mr. Brad Townsend would be the new city manager. She thanked Sherry Callahan and Lori Kirkwood for all their hard work in assisting council to select a candidate for the position.

ORDINANCE #3358

An Ordinance to Amend the Codified Ordinances of the City of West Carrollton to Include a New Chapter Adding Provisions for Competitive Video Service Authorizations, Establishing Fees, Defining Certain Terms, and Authorizing the City manager or Designee to Provide Certain Notice to the Video Service Providers Offering a Video Service in the City Pursuant to a State Authorization.

Mrs. Jones motioned, seconded Mr. Bowers to dispense with the second reading of Ordinance #3358. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

Mrs. Fryman motioned, seconded by Mrs. Jones to approve Ordinance #3358. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

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2008 ANNUAL PUBLIC DEFENDER AGREEMENT FOR INDIGENT PERSONS

Mrs. Fryman motioned, seconded by Mrs. Lotspaih to authorize the city manager to enter into an agreement for the 2008 annual Public Defender for Indigent Persons. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

ANNUAL CONTRACT FOR A CHIEF BUILDING OFFICIAL, ELECTRICAL INSPECTOR, AND BACK-UP BUILDING AND HVAC INSPECTOR

Mr. Sanner motioned, seconded by Mr. Bowers to authorize the city manager to enter in an Annual Contract for the employment of the Chief Building Official, Electrical Inspector, and Back-up Building and HVAC Inspector. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

ANNUAL AGREEMENT FOR SERVICES OF AN ARCHITECT TO SERVE AS PLANS EXAMINER

Mr. Bowers motioned, seconded by Mrs. Jones to authorize the city manager to enter into an Annual Agreement for Services of an Architect to Serve as Plans Examiner. A roll call vote was taken: Mrs. Jones –yes, Mr. Robinson –yes, Mayor Gilman –yes, Linda Lotspaih –yes, Mrs. Fryman –yes, Mr. Sanner –yes, Mr. Bowers –yes.

REPORTS BY OFFICERS

Mr. Keister stated that the bid award for the Appleton Papers traffic signal at Alex Bell was awarded to SK Construction with a bid of \$170,635.38.

UNSCHEDULED BUSINESS

None

COMMENTS BY AUDIENCE

Mr. Sauerman
Stated that the area outside of his driveway, on Bridle, backs up with water when it rains. He stated that it stretches all the way out into the road. He stated that someone from the city came out to take a look at it and said it was from the leaves. He stated that he felt that someone needed to come out and survey the area to be properly drained. He stated that he'd never had this problem before.

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Mr. Keister stated that he would speak to Mr. Norton about this situation, and that Mr. Norton would get in touch with Mr. Sauerman.

COMMENTS BY COUNCIL

Mrs. Jones stated that they had received a \$750 grant for the Historical Society, in order to place a plaque in honor of Mr. Bowman at Alex Bell and Dixie Drive.

Mr. Robinson state that there are inconsistencies to the way the city staff applies ordinances. He has received calls about the way the water is billed for businesses and dwellings with one meter for multiple tenants, the inconsistencies in fences around dumpsters, if the city plants trees whose responsibility is it to maintain the tree or repair sidewalks etc. He requested a worksession for the next agenda to discuss how the ordinances are applied.

Mrs. Lotspaih wished Grace and Bernard Kokenge a Happy Anniversary; they have been married 70 years.

Mrs. Fryman reminded citizens that they are looking for a council person to fill Mr. Sanner's seat. She stated that anyone interested in a 2 year seat should send a letter of interest to the City Manager's Office, and to call council members if anyone has questions about the responsibilities. She thanked everyone for all their work in finding a new city manager.

Mr. Sanner thanked Sherry Callahan for all her hard work.

Mr. Bowers also thanked Sherry for her work.

Mayor Gilman spoke about the Kokenge's and their contribution to the community and wished them a Happy Anniversary.

She indicated that Memorial United Methodist Church is selling their carmels again, and the price is \$7.50 a pound. Anyone interested in purchasing them should call 859-4444 Monday – Friday 9:00 a.m. – 2:00 p.m.

She stated that Jacob Eby Star was having a breakfast and bazaar on November 17 from 7:00 a.m. – 10:00 a.m. She stated that Canterbury Court was also having a bazaar on November 17.

She reminded the residents of the Lion's Club annual breakfast with Santa on November 24 from 8:30 a.m. – 11:30 a.m. The cost is \$4 for adults and \$2 for children 10 and under. Anyone interested should contact the Lion's club.

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She congratulated Mrs. and Mrs. Lotspaih on the birth of their granddaughter, Ava.

She stated that she had recently attended the dedication of the new medical facility at Sycamore, and stated that it was a great improvement.

RECESS

Mayor Gilman motioned, seconded by Mr. Sanner to recess a work session to discuss the items on the agenda. A unanimous roll call carried the motion.

WORK SESSION

PRESENT: Mayor Gilman, Councilmembers Jim Bowers, Jody Jones, Linda Lotspaih, Angie Fryman, Harold Robinson, and Jeff Sanner; Acting City Manager Jack Keister.

COMMUNITY MARRIAGE POLICY

Mayor Gilman reported on the Community Marriage Policy and that other cities in the area were passing resolutions in support of the policy. The consensus was not to pursue a resolution at this time.

OTHER BUSINESS

Chief Keister brought up the subject of the purchasing of Kroger gift cards for the Annual Holiday Reception in December. All members acknowledged affirmatively.

ADJOURNMENT

With no further items to discuss, councilmember Jones moved to adjourn the meeting, seconded by Mr. Sanner. The motion was approved and the meeting was adjourned at 8:15 p.m.

MAYOR

CLERK OF COUNCIL