

RECORD OF PROCEEDINGS

Minutes of WEST CARROLLTON CITY COUNCIL REGULAR Meeting

Held July 13, 2021

The meeting was called to order by Mayor Sanner at 6:30 p.m. The Pledge of Allegiance and Roll Call followed.

PRESENT: Mayor Jeff Sanner, Councilmembers Angie Fryman, Leanne Nash, Harold Robinson, Jill Tomlin, and Amanda Zennie. City Staff – City Manager Brad Townsend, Law Director Lori Denlinger, Economic Development Director Mike Lucking, Police Chief Doug Woodard, Public Relations Director Heidi Van Antwerp, and Clerk of Council Tom Reilly.

EXCUSED: Councilmember Rick Barnhart

MINUTES

Mrs. Tomlin moved, seconded by Mrs. Fryman to approve the regular meeting minutes of June 22, 2021. A vote was taken: Mrs. Fryman-abstain, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

PUBLIC HEARINGS

None

COMMUNICATIONS AND PRESENTATIONS

OATH OF OFFICE FOR POLICE OFFICERS ZACHARY TAYLOR AND PASQUALE BRUNO

Chief Woodard gave a brief background on Mr. Taylor and Mr. Bruno, followed by a badge pinning ceremony. Mayor Sanner administered the Oath of Office.

Mayor Sanner and Councilmembers congratulated and welcomed Mr. Taylor and Mr. Bruno to the city.

COMMENTS BY THE AUDIENCE

State Representative Tom Young, 1121 Cedar Creek Circle in Washington Township, stated that it has been a busy time in Columbus and wanted to answer any questions that Council may have regarding the budget. He stated that the House fought hard to keep a lot of things in the budget that the Senate wanted to take out. Mr. Young stated that he knew that Council was going to be discussing ARPA in the Executive Session (Work Session). He also mentioned that they were able to do formulas with the Cares dollars, but ARPA wrote the rules and the formula. He said that he thought it was unfortunate that the Ohio Municipal League did a formula because it was totally inaccurate because they didn't even have those figures. He said the feds told them exactly what was going to happen and that it was based on population. He also said

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COMMENTS BY THE AUDIENCE (continued)

that when the Townships were brought in the assumption was that they were going to give more money, but they didn't so it went from 640 cities to adding 1640 townships. He stated that was a surprise.

Ms. Nash asked what is going to happen with the fireworks bill. Mr. Young answered that the bill passed, but the governor vetoed it. He said that he does not think that there will be an override of a veto for a fireworks bill. Mr. Young asked what Ms. Nash's feelings are regarding the bill. Ms. Nash answered that the injuries from fireworks are horrendous and that she would like the legislatures to consider the injuries and damage that is done. Mr. Young stated that the goal of the bill initially, until they started amending the legislation, was to get some semblance of control over who is purchasing the fireworks, the enforcement, and then the limitation of when they could be fired off. Mrs. Fryman stated that many times the neighborhoods and citizens that shoot them off are typically not able to afford them, but are still able to get them, and those are the citizens that are highly susceptible to the injuries. She said that she is totally opposed to it for many reasons. Mr. Young stated that there was a lot of feed back and the governor vetoed it, so it is a dead issue as of now. Mr. Young stated that he appreciated Council's input. Mrs. Fryman stated that she thinks we should be proactive and make sure that we have zoning in place to make sure that they are not sold in our community. Mrs. Tomlin mentioned that she witnessed on her street that parents had toddlers out there while they were throwing fireworks in the sewer system and underneath the cars and that these parents should be held accountable for child endangerment. Mr. Young asked if Council felt that if Ohio legalized it if it would make it worse and Mrs. Fryman answered definitely and that she believes that it will increase. Mayor Sanner added that it is illegal to fire them off now, but it still happens. Ms. Nash stated that from the state, if there is a problem that we need a solution. Mr. Young answered that it is local enforcement and that he agrees that it is a good idea to look at policy and the charter with the police. He said that one of the things that concerned him with the bill is that it took away local influence, but they heard horror stories about people transporting fireworks. He advised for the city to review how we look at it locally. Ms. Nash stated that we need support from the state to enforce it locally. She explained if the police officers respond and take the fireworks from citizens that we have no place to put them safely. She said that she thinks the state needs to do more to protect its communities by supplying those types of things if they are looking to pass this type of bill. Mr. Young answered the intent was to get some semblance of control over the use of the fireworks. Mr. Young stated that he felt that it was more control than we've ever had before. Mayor Sanner added that there is an additional tax on top of it. Mr. Young answered yes. He told the Mayor and Councilmembers that he appreciated their input.

Mr. Robinson inquired about the amendment attached to the sports bill allowing athletes to be compensated for the use of their name. Mr. Robinson stated that the amendment that was offered was to prevent biological males from being able to compete with females. Mr. Young stated that is correct. Mr. Robinson mentioned that he didn't

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COMMENTS BY THE AUDIENCE (continued)

know what happened to it and asked if it made it into the budget bill. Mr. Young answered that it was separate. He stated that the weekend before they were going to do the budget that he got a call on Friday night that they were going to put this bill forward in the house and asked him to carry it on Tuesday. He said that he immediately got on the phone and talked to Ohio State, other colleges, and high school athletic directors and coaches to find out their opinion. Mr. Young gave a very lengthy explanation of what happened with the bill when he went to Columbus the following week. He then explained that the bill passed, but not as an emergency. He stated that the governor did an executive order, which made it an immediate bill. Mr. Robinson asked if the bill was passed as an emergency without the amendment. Mr. Young answered that is correct and that the other one is still out there. Mr. Robinson asked what is the next step. Mr. Young answered that it has to go to the senate. Mr. Robinson asked if Mr. Young thought it would pass in the senate and Mr. Young answered that he didn't really know. Mr. Robinson said that he thought that the majority of the other states have passed an amendment to prevent biological males from being able to compete with females in the sports world and that he would promote passage of that bill in the State of Ohio. Mr. Robinson stated that he was just curious as to whatever happened to that because he never heard. Mr. Young advised that he would have his legislative aid send Mr. Robinson the status. Mr. Young asked if there were any other questions. There were none. The Mayor and Councilmembers thanked Mr. Young for attending the meeting.

UNFINISHED BUSINESS

None

NEW BUSINESS

Resolution 19-2021 – A Resolution Authorizing the Submittal of a Community Development Block Grant (CDBG) Program Application for Demolition and Site Restoration Work on Property Located at 215 West Circle Drive, and Authorizing the City Manager to Represent the City in Fulfilling Program Requirements.

Mr. Townsend explained that 215 West Circle Drive has been a vacant property since 2017 because the owner decided to walk away. Mr. Townsend explained that the property is getting to the point where a renovation is not possible, so demolition is in order. This resolution will authorize Greg, the Planning Director, to apply for Community Development Block Grants to pay for 80 percent of the cost of the demolition of the house. The cost estimate is \$17,500, the application would be for block grant funds in the amount of \$14,000, and the city would match it with \$3,500. Mayor Sanner asked if there were any questions. There were none.

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NEW BUSINESS (continued)

Mayor Sanner moved, seconded by Mr. Robinson to approve Resolution 19-2021. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

Resolution 20-2021 – A Resolution Authorizing the Submittal of a Community Development Block Grant (CDBG) Program Application for Demolition and Site Restoration Work on Property Located at 34 Maplehill Circle, and Authorizing the City Manager to Represent the City in Fulfilling Program Requirements.

Mr. Townsend reminded Council that the city acquired 34 Maplehill Circle in 2019 from Fannie Mae as part of the anticipated widening of Owl Creek. The house on the property has fallen into a state of disrepair and is deteriorating causing blight in the neighborhood. He explained that even though we don't have a final plan for how much of this lot is needed to widen the creek, demolition of the house on the property is in order. This resolution will authorize Mr. Gaines, the Planning Director, to apply for Community Development Block Grants to pay 80 percent of the estimated \$15,000 cost for demolition of the house, matched by \$3,000 of city funds. Mayor Sanner asked if there were any questions. There were none.

Ms. Nash moved, seconded by Mrs. Zennie to approve Resolution 20-2021. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

Resolution 21-2021 – A Resolution Authorizing the City Manager to Enter into a Property Improvement Reimbursement Grant (PIR) Agreement with NuVasive, Incorporated and NuVasive Manufacturing, LLC (The Company) in Support of a Manufacturing Expansion at The Company's West Carrollton Manufacturing Facility Located at 805 Liberty Lane.

Mr. Lucking stated that when NuVasive moved into the community in 2017 that they invested 45 million dollars into their facility. He also stated that they pledged to hire 199 people, and their current employment stands at 284 persons. Mr. Lucking explained that the company is now going through an expansion. They are in the fourth year of a five-year PIR agreement. Mr. Lucking said that we are asking in terms of the new hires to do a new agreement for five years. They are pledging to hire 30 new persons, which is an additional payroll of 1.9 million dollars annually. In addition, they are investing over 2.1 million dollars in their physical plant. They are also making a substantial investment in machinery and equipment to do the new work. Mr. Lucking then introduced Bruno Balod from NuVasive to give an overview on what the expansion entails.

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NEW BUSINESS (continued)

Mr. Balod started by saying for anyone who doesn't know NuVasive, they are a 1.2-billion-dollar company that has one large manufacturing site which is located here in the city. He said that he joined the company about a year and a half ago. Mr. Balod said that anyone who has had a back or spine surgery that there is a thirty percent chance that their products have been used. He explained their plant produces the implants that go between the vertebrae, along with the supplies and screws, etc. He said the expansion plan is three parts, with the most exciting being the 3-D printing technology. He gave an explanation of this breakthrough technology. He said that they are in the beginning of this journey and hope to eventually have approximately twenty printers. He said they have three printers today that are already printing prototypes and they have just acquired another two. He explained this is a five-year journey and they are just in the very beginning. He said the second part of the expansion has to do with taking on a chemical bath process that they typically send out to a supplier to handle. Now they want to attempt to take on the process and keep the work in house. He explained the third part of the expansion involves a lab. He said that they currently send these parts off to be tested in the lab, but they plan to construct their own lab so they can process their own testing. He also stated that he feels that the expansion will go above and beyond all of that, but those are the three areas for now.

Ms. Nash asked what is the retention of their employees. Mr. Balod said that he thinks that it is high – maybe around 11 percent. He said that they try to offer not only the vision or mission for the company, but also a good environment and a fair compensation with career growth. He feels that this helps with the retention. He did say that the recruitment at the lower level has been a challenge. He said that the environment and safety of his employees is of high importance to him, but at the end of the day manufacturing is a challenge and they have to adjust and adapt as they go.

Mayor Sanner commented that West Carrollton is very fortunate to have NuVasive. He wished Mr. Balod luck with everything.

Mr. Lucking added that JobsOhio is also participating in this expansion. They are working with NuVasive and their Human Resources Department to create a marketing video since NuVasive recruits nationally and internationally.

Mayor Sanner moved, seconded by Mrs. Tomlin to approve Resolution 21-2021. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

Resolution 22-2021 – A Resolution Authorizing Recommendation to Accept the Fifth Amended Joint Chapter 11 Plan of Reorganization of Purdue Pharma L.P. in the United States Bankruptcy Court for the Southern District of New York, Case No. 19-23649

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NEW BUSINESS (continued)

Mrs. Denlinger advised the Mayor and Councilmembers that the resolution in front of them is to give her the authority to vote in the affirmative on this reorganization plan. For background, she stated that the State of Ohio filed class action suits against several pharmaceutical companies for their responsibility in the opioid crisis indicating that they knew that these drugs were addictive, and yet they passed literature onto physicians and consumers stating that they weren't addictive. In the meantime, in 2019 Purdue filed for protection under bankruptcy, reorganization Chapter 11. This is the fifth proposed negotiation to meet with creditors, like the City of West Carrollton. Mrs.

Denlinger explained that they owe a lot of money to people out there and the bankruptcy protects them from having to pay any creditors until they authorize the settlement. She said this is the first settlement that was authorized by lead council for all of the creditors, which includes the City of West Carrollton, so they are recommending approval of this particular plan, which is the fifth. This plan includes 4.5 billion dollars that Purdue will have to pay out within a nine-year period, which includes a 225-million-dollar payment they've made to the federal government. It doesn't shield them from criminal responsibilities, but this would be the civil part of their involvement in the opioid crisis. She also explained that the Purdue company will also end up being disband. She said the company won't exist as it is today. It will be reorganized or sold, which will be done through the bankruptcy court. Mrs. Denlinger recommended the approval of Resolution 22-2021. Mayor Sanner asked if there were any questions. There were none.

Mrs. Fryman moved, seconded by Mrs. Zennie to approve Resolution 22-2021. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

REPORTS BY OFFICERS

None

UNSCHEDULED BUSINESS

Comments by the Audience

None

Comments by Council

None

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RECESS

Mayor Sanner moved, seconded by Ms. Nash to recess to a work session to discuss the items on the agenda, to be followed by adjournment. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

WORK SESSION

PRESENT: Mayor Jeff Sanner, Councilmembers Angie Fryman, Leanne Nash, Harold Robinson, Jill Tomlin, and Amanda Zennie. City Staff - City Manager Brad Townsend, Law Director Lori Denlinger, Police Chief Doug Woodard, and Public Relations Director Heidi Van Antwerp.

Mental Wellness Checkup Program

Chief Woodard was present to discuss with council a new mental health wellness program that he is proposing to start up within the police department. As part of their annual training, full-time officers would be required to have a 30-minute visit with a mental health professional once per year. The program would be confidential and the only requirement is that the officer show up for the visit. The program, if successful, could also be rolled out to other employees in other city departments.

After a brief discussion, council expressed support for the program and for expanding it to other employees in the future.

Discussion of ARPA Funds Priorities

Mr. Townsend reviewed with council the updated estimates from the American Rescue Plan Act. The State cut the City's initial estimated allocation by 47% to include Townships. Mr. Townsend reviewed council's allocation priorities for these funds. After a brief discussion, staff was directed to prepare a resolution for council consideration at the next meeting.

Other Business

Mr. Townsend asked if Council wished to place a moratorium on short term rental units in the City until the issues could be studied. Staff was directed to prepare an ordinance for consideration at the next meeting. Mr. Townsend discussed a proposal to host a concert on the riverfront in October with Dillin Events. The budget for the concert is \$35,000. Staff was directed to prepare a supplemental appropriation for the next council meeting. Mr. Townsend discussed a proposal from Sports Facilities Companies to study the hillside of the former Frasier paper site for an adventure park. It was the consensus of council to move forward with the proposal.

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ADJOURNMENT

With no further business, Mayor Sanner moved, seconded by Ms. Fryman to adjourn the meeting. Voice vote was unanimous, motion carried. The meeting was adjourned at 8:24p.m.


Clerk of Council


Mayor