

RECORD OF PROCEEDINGS

Minutes of WEST CARROLLTON CITY COUNCIL REGULAR Meeting

Held September 27,

2022

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 Amanda Zennie, Rick Barnhart, Angie Fryman, Keith Tilton, Rick Dobson, and Jill Tomlin. City Staff – City Manager Brad Townsend, Law Director Lori Denlinger, Finance Director Tom Reilly, Planning & Community Development Director Greg Gaines, Economic Development Director Mike Lucking, and Assistant Clerk of Council Tracy Rankin.

AMENDMENT TO THE AGENDA

Mayor Sanner moved, seconded by Mr. Barnhart to amend the agenda by moving the Communications and Presentations before the Public Hearings. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, and Mayor Sanner-yes.

MINUTES

Mrs. Fryman moved, seconded by Mrs. Zennie to approve the regular meeting minutes of September 13, 2022. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-abstain, Mr. Dobson-yes, Mrs. Tomlin-yes, and Mayor Sanner-yes.

COMMUNICATIONS AND PRESENTATIONS

Plaza of Fame Award Presentation – Mike Smith on behalf of Margarette Radabaugh

Mayor Sanner read a biography of Margarette Radabaugh's life. He spoke about some of the ways she gave back to the community, including her work with the Food Pantry at the United Methodist Church as well as the Operation Christmas Share project. She also volunteered with the caramel candy making from 1986 to 2019. In the nineties, she was involved in helping feed people living with aids in Montgomery, Butler, Warren, and Clark counties. She was able to do the majority of that work through the West Carrollton Food Pantry. She also helped with the United Way, Red Cross functions, and many other charities.

Sadly, Mrs. Radabaugh passed away earlier this year. Mr. Townsend presented a plaque honoring her to her brother, Mike Smith. Mr. Smith thanked the City Manager, Mayor, and Councilmembers on behalf of his entire family.

A brick, inscribed with her name, will be placed in the plaza located outside the front of the Civic Center.

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COMMUNICATIONS AND PRESENTATIONS (continued)

Delinquent Tax Collection Presentation – John McManus, County Treasurer

John McManus, Montgomery County Treasurer, addressed Council to provide some information on the way he can be of assistance to the constituents and the city. He mentioned that there was an article in the newspaper stating property taxes are approaching a billion dollars in Montgomery County. He stated they collected approximately \$920,000,000 this year county wide and expect another \$20,000,000 by the end of the year. He explained the collection of those revenues benefit cities, townships, libraries, and school districts. Mr. McManus stated the Treasurer's office can help the constituents by making the process of collection as easy as possible. He stated if we know of persons in our community struggling with their property taxes to reach out to him to see if they can assist in getting them into a different payment methodology. One of the ways this can be done is to enroll in their prepayment plan which separates the payments into twelve different installments. He also mentioned that payments can be accepted by an electronic funds transfer. He mentioned if a taxpayer is in delinquency to reach out to him and they can set them up on a delinquent payment plan. He explained they collect twenty percent of the delinquency upfront and then put the rest on a payment plan to get them back on track. Mr. McManus also explained ways the Treasurer's office can assist the city, which include Expedited Foreclosures. He stated the city has used this with great success in the past. He explained through Ohio law cities can submit properties to their local treasurer for an expedited foreclosure. This process works by the property being given a regular case number with the court, then is put before the board of revision for an administrative foreclosure, the board then adjudicates that foreclosure one way or the other, and upon successful foreclosure that property reverts back to the city. He explained there is various criteria and some of that has been changed since we've previously used this process. He stated the property must now be underwater in value to impositions, meaning the auditor's assessed value can not be greater than the delinquent taxes and assessments. Mr. McManus stated that delinquency in West Carrollton represents 0.35% of the county's total delinquency. He provided Council with some printed information, including a list of delinquent properties. He stated there are some properties on the list that have the owner listed as the State of Ohio and explained in most cases this means they were a foreclosure that wasn't bid on. He stated when a property is forfeited to the state then the landbank can take possession of said property and work to redevelop it. He encouraged Council to reach out if they are aware of any residents that may need assistance. He thanked the Mayor, Councilmembers, and City Administration.

Mayor Sanner thanked Mr. McManus for his time and stated it was very informative.

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COMMUNICATIONS AND PRESENTATIONS (continued)

Proclamation for Fire Prevention Week, October 9-15, 2022

Councilmember Tilton read the Proclamation in its entirety. Mayor Sanner recognized Mr. Tilton since his profession is a Firefighter and thanked him for reading the proclamation.

PUBLIC HEARINGS

Ordinance 3736 - *An Ordinance Adopting Amendments to Chapter 154: Zoning Code of the Codified Ordinances of West Carrollton, Section 154.11.02, Fencing and Wall Regulations, to Permit Fences in the Front Yard of Properties in Industrial and Commercial Zoning Districts and to Make Other Best Practices Amendments*

Mr. Gaines presented Ordinance 3736. He stated this is a proposal to permit fences in the front yards of industrial and commercial zoning districts. Mr. Gaines stated the background on this proposal originated with one of our major employers, NuVasive. He stated they submitted a fence permit application looking to put up a fence around the perimeter of their property consisting of a six-foot-high chain link fence on the sides and the rear and a six-foot-high aluminum fence in the front. He explained what they proposed for the front fencing is currently not permitted by our fence regulations. Staff researched surrounding communities and found that most do allow fences in front yards of industrial districts. He also stated that staff found several other businesses within our city that already have fences in the front yards, including city property. Mr. Gaines highlighted the proposed amendments through a PowerPoint presentation. A copy of this PowerPoint can be obtained by contacting the Office of Planning & Community Development. Mr. Gaines stated staff and the Planning Commission recommend approval of Ordinance 3736 and offered to answer any questions.

Mayor Sanner asked if there were any questions for Mr. Gaines. Mr. Dobson stated he had a few comments. He stated on the Permit, Plan and Inspection on Page 3, C 1, when he was comparing the old fence ordinance to the new fence ordinance he felt like it needed a better explanation. He stated he did his fence this year and the rules or guidelines set forth to him was his 25 percent, for whether he had to get a permit or not, was based on the structure, meaning the post, but now the 25 percent is based on the length of the fence. He stated there was one more thing that he didn't understand and wanted to get clarification on, which had to do with the penalty clause being removed. He asked if that means there is no penalty. Mr. Gaines stated, for instance on page 5 it says for penalty see section 150.99(D) and all of those references have been struck out. He stated the reason is because all of the fence regulations used to be in the building code, which is chapter 150, but they've been previously moved to the zoning code, which is chapter 154. He stated there is a penalty section in chapter 154 that would apply to the fence regulations now. Mr. Dobson stated he just wanted the explanation as to why because it was on every section before but it isn't now. Mr. Gaines stated he

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PUBLIC HEARINGS (continued)

Ordinance 3736 (continued)

believes when we have this codified by the company that codifies our ordinances they will add those references. Mr. Dobson commented in general he likes this ordinance and was only trying to obtain clarification. Mayor Sanner asked if there were any other questions. There were none.

Mayor Sanner moved that the public hearing be open for public comment on Ordinance 3736. He stated anyone wishing to come and speak in favor of Ordinance 3736 should come to the podium with their name and address for the clerk's record. No one came forward. Then Mayor Sanner stated anyone who is opposed to Ordinance 3736 should come to the podium with their name and address for the clerk's record. No one came forward. Mayor Sanner closed the Public Hearing on Ordinance 3736. He stated this will be the first reading of this ordinance and it will be on the agenda at our next meeting.

COMMENTS BY THE AUDIENCE

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Resolution 27-2022 - *A Resolution Approving the City Manager's Appointment of Charles (Todd) Baker as Director of the Department of Finance Pursuant to Article VII, Section 7.02 of the City Charter.*

Mayor Sanner moved, seconded by Mrs. Fryman to approve Resolution 27-2022. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, and Mayor Sanner-yes.

Mr. Townsend presented Resolution 27-2022. He stated after 31 years of service our current Finance Director, Tom Reilly, is retiring at the end of October. Mr. Townsend introduced Charles Todd Baker as the new Finance Director for the City of West Carrollton and gave a brief background on him. Since 2019, Mr. Baker has served as the Director of Finance and Administration for the Miami Valley Leadership Foundation. Prior to that, Mr. Baker served for thirty years at the City of Miamisburg leading in both Finance Administration and Technology roles. He served as the Assistant Finance Director for nearly twenty years managing finance operations around budgeting, banking services, accounting functions and reporting, business service platforms, capitol assets, utility billing, collections, accounts payable and receivable, and

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NEW BUSINESS (continued)

Resolution 27-2022 (continued)

reporting as needed for senior leadership, municipal court, consultants, audit teams, and elected officials. Mr. Baker also served as the Technology and Finance Manager in the City Manager's office in the final four to five years of his career. He worked with all senior leadership teams to help plan and bridge finance and business services with new system updates and state of the art technology platforms across all departments. Mr. Townsend stated Mr. Baker holds a Master's Degree in Public Administration and a Bachelor's Degree in Business, both from Wright State University. He also has a School Treasurer's License and Real Estate License. Mr. Townsend also gave a personal background on Mr. Baker. Mr. Townsend then asked Mr. Baker if he would like to say a few words.

Mr. Baker started by thanking Mayor Sanner and all Councilmembers. He thanked City Manager Townsend and the committee that selected him for the position. He thanked the Mayor and all Councilmembers for the resolution. He stated he believes it is a unique opportunity to bring thirty years of local government experience back into play. He hopes his experience can add value and stated he enjoys serving and helping others in general so jumping into this role with West Carrollton is just an extension of that. He thanked Council for the opportunity and stated he will be starting next Monday.

Resolution 28-2022 - A Resolution Accepting the Amounts and Rates as Determined by The Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to The County Auditor.

Mr. Reilly presented Resolution 28-2022. He explained this resolution indicates that we agree with the County's rates and amounts, which are the same as last year. He recommended the approval of this resolution.

Mr. Barnhart moved, seconded by Mrs. Tomlin to approve Resolution 28-2022. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, and Mayor Sanner-yes.

Consideration of a Donation Request for a 2023 Wilson Pool Family Pass for the West Carrollton Education Foundation 2022 Gala Fundraiser.

Mrs. Fryman moved, seconded by Mrs. Tomlin to approve a Donation Request for a 2023 Wilson Pool Family Pass for the West Carrollton Education Foundation 2022 Gala Fundraiser. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, and Mayor Sanner-yes.

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NEW BUSINESS (continued)

Consideration of a Donation Request for a 2023 Wilson Pool Family Pass for the West Carrollton Athletic Boosters Association 2022 "Island Fest" Fundraiser.

Mrs. Fryman moved, seconded by Mr. Tilton to approve a Donation Request for a 2023 Wilson Pool Family Pass for the West Carrollton Athletic Boosters Association 2022 "Island Fest" Fundraiser. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Dobson-abstain, Mrs. Tomlin-yes, and Mayor Sanner-yes.

REPORTS BY OFFICERS

Mr. Townsend gave updates on the following events:

Citywide Garage Sale - The second citywide garage sale this year will be held on Saturday, October 1st, rain or shine. Residents may register by calling 937-859-5182 or online at www.westcarrollton.org. Please provide a name, address and phone number. The last day to register is Wednesday, September 28th. A list of all the participating homes within the West Carrollton city limits will be available on the city website or in the Civic Center Lobby on Thursday, September 29th.

Rockin The River - This event will be held on Saturday, October 8th at 5641 Marina Drive. Gates open at 5:30 p.m. and the show begins at 6:00 p.m. The Ashely Martin Band will start the show and then the Ultimate Garth Brooks Tribute is the main act. Online presale tickets are \$5.00 per person through October 1st. Any tickets purchased after that will be \$10.00 per person. Kids 12 and under are free. Tickets can be purchased at www.westcarrollton.org.

UNSCHEDULED BUSINESS

Comments by the Audience

None

Comments by Council

Mrs. Zennie commented that she loves hearing stories about people who have been involved in the community their entire life. She stated she wished Mrs. Radabaugh was here so Council could thank her, but the brick will be in the plaza and her name will live on. She also welcomed Mr. Baker and congratulated him on his new position

Mr. Barnhart also welcomed Mr. Baker. He expressed his gratitude for all that Mrs. Radabaugh did for the city and stated he was proud to have her as a friend.

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UNSCHEDULED BUSINESS (continued)

Mrs. Fryman thanked Mrs. Radabaugh's family for attending the meeting. She stated that was a well-deserved award. She also stated that she is excited for Mr. Baker to come onboard with the city.

Mr. Tilton welcomed Mr. Baker to the city.

Mr. Dobson stated he worked with Mrs. Radabaugh on many occasions and she was a very hard worker. He gave his congratulations on her award. He also congratulated Mr. Baker on his new position with the city. He spoke about how important the ordinances are that the city passes. He stated another ordinance will be coming up for the Sign Code. He mentioned there are concerns and issues and if the public has any interest they should come and get involved and learn what the issues are.

Mrs. Tomlin thanked Mrs. Radabaugh's family for being present. She also pointed out that the West Carrollton Education Foundation has a Facebook page. She stated when you go to the Facebook page you can see the approved grants which is important so when the city contributes it is known what they are contributing to. She also welcomed Mr. Baker. Finally, she encouraged everyone to vote. She stated if you aren't registered to vote please go to the library and they will assist with the registration process.

Mayor Sanner commented that everything said about Mrs. Radabaugh was true. He stated he knew her for 50 years and she truly was a character. He also congratulated Mr. Baker on his new position.

RECESS

Mayor Sanner moved, seconded by Mr. Barnhart to recess to a Work Session to discuss the items on the agenda. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, and Mayor Sanner-yes.

Mayor Sanner moved, seconded by Mr. Barnhart to recess to an Executive Session pursuant to Ohio Revised Code 121.22(G)(8) To consider confidential information related to the marketing plans and specific business strategy of an applicant for economic development assistance that is to be provided or administered under Chapter 715 of the Revised Code, and that involves public infrastructure improvements that are directly related to an economic development project; to return for adjournment. A vote was taken: Mrs. Zennie-yes, Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, and Mayor Sanner-yes.

WORK SESSION

PRESENT: Mayor Jeff Sanner, Councilmembers Amanda Zennie, Rick Barnhart, Angie Fryman, Keith Tilton, Rick Dobson, and Jill Tomlin. City Staff - City Manager Brad

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Townsend, Law Director Lori Denlinger, and Planning & Community Development Director Greg Gaines.

Discussion - Clarification of certain sign code provisions and scope of review- Greg Gaines, Planning and Community Development Director and Lori Denlinger, Law Director.

Mr. Gaines and Mrs. Denlinger led a discussion on the status of the legal updates to the sign code. Specifically, staff is looking for council direction on the issue of commercial offsite signs. Recent case law allowed all offsite commercial signs to be prohibited. However, the consequence of the prohibition would have some unintended consequences, specifically for signs that are posted around the baseball fields that are sold to support youth baseball groups and construction signs that advertise remodeling or other construction services in residential areas while the activity is ongoing. Mr. Dobson also raised questions about other types of signs and how they would be classified. A lengthy discussion of the pros and cons of allowing off site commercial signs ensued. It was the consensus of council to ask the law director to see if an exception could be made of signs that support city youth groups and continue the discussion at a later work session.


EXECUTIVE SESSION

Council met in Executive Session pursuant to Ohio Revised Code 121.22(G)(8) To consider confidential information related to the marketing plans and specific business strategy of an applicant for economic development assistance that is to be provided or administered under Chapter 715 of the Revised Code, and that involves public infrastructure improvements that are directly related to an economic development project.

ADJOURNMENT

With no further business, Mayor Sanner moved, seconded by Mrs. Tomlin to adjourn the meeting. Voice vote was unanimous, motion carried. The meeting was adjourned at 8:57 p.m.


Assistant Clerk of Council


Mayor