

RECORD OF PROCEEDINGS

Minutes of WEST CARROLLTON CITY COUNCIL REGULAR Meeting

Held October 12,

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 Rick Barnhart. City Staff – City Manager Brad Townsend, Law Director Lori Denlinger, Planning & Community Development Director Greg Gaines, Police Chief Doug Woodard, and Assistant Clerk of Council Tracy Rankin.

EXCUSED: Councilmember Amanda Zennie

MINUTES

Mrs. Fryman moved, seconded by Mrs. Tomlin to approve the regular meeting minutes of September 28, 2021. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mr. Barnhart-yes, and Mayor Sanner-yes.

PUBLIC HEARINGS

None

COMMUNICATIONS AND PRESENTATIONS

Oath of Office for Police Officers Seth Paul and Joshua Labensky

Police Chief Woodard gave a brief background on Officer Paul and Officer Labensky, followed by a badge pinning ceremony. Mayor Sanner administered the Oath of Office.

Mayor Sanner and Councilmembers congratulated and welcomed Officer Paul and Officer Labensky to the city.

COMMENTS BY THE AUDIENCE

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Ordinance 3710 – *An Ordinance Imposing a Nine Month Moratorium, From the Effective Date of this Ordinance, on the Enforcement of Non-Commercial Sign Code Violations, to Allow City Council Time to Review the Recommendations of Counsel to Amend Portions of the Sign Code Regulations to be in Compliance with Current Case Law.*

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NEW BUSINESS (continued)

Ordinance 3710 (continued)

Law Director Denlinger presented Ordinance 3710. She explained we were notified by outside counsel that portions of our current sign code may be in violation of some current case law. Ordinance 3710 would place a nine-month moratorium on the enforcement of non-commercial sign code violations. Law Director Denlinger stated during this nine-month period, we will review the current case law and case decisions to decide whether or not the current code is in violation. She stated if we determine the code is in violation, amendments will be brought before Council. She recommended the passage of Ordinance 3710.

Mayor Sanner asked if this was a nine-month moratorium. Law Director Denlinger answered yes. He asked if this was the first reading of the ordinance. Law Director Denlinger answered correct. She also stated that one case was as recent as this past August and others were just within the last year. She explained when we last reviewed the sign code we used the current case law, which was US Supreme Court Decision Reed, and at that time we were in compliance, but case law is ever-changing and the courts are always interpreting things differently especially when it comes to constitutionality and first amendments.

Mayor Sanner asked if there were questions for Law Director Denlinger. There were none. Mayor Sanner stated this is the first reading of Ordinance 3710 and it will be back on the agenda at the next Council Meeting.

Resolution 35-2021 – *A Resolution Recognizing, Honoring, and Thanking the Men and Women of the West Carrollton Police Department for Their Dedicated and Selfless Service to the Residents of this Municipality.*

Mayor Sanner read Resolution 35-2021 in its entirety.

Mayor Sanner moved, seconded by Mrs. Fryman to approve Resolution 35-2021. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mr. Barnhart-yes, and Mayor Sanner-yes.

REPORTS BY OFFICERS

Mr. Townsend stated for the record, Council will hold a Special Work Session on Tuesday, October 19th at 5:30 p.m. in the Police Training Room to review a draft of the 2022 City Budget. He also reminded everyone to attend the “Rockin’ the River” Concert on Saturday, October 16th. Proceeds of the concert will benefit the local Montgomery County Law Enforcement Memorial Association.

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REPORTS BY OFFICERS (continued)

Chief Woodard passed around the Destination Zero Award that the Police Department received from the Law Enforcement Memorial.

UNSCHEDULED BUSINESS

Comments by the Audience

None

Comments by Council

Mrs. Fryman reminded everyone to attend the "Rockin' the River" Concert on Saturday.

Ms. Nash stated she wanted to pass along information that Chief Woodard sent in an e-mail earlier in the week regarding the passing of the former Police Department Chaplain Mark Leach and Jeff Pedro, who was retired from the Kettering Police Department.

Mayor Sanner reminded everyone to attend the "Rockin' the River" Concert on Saturday. Gates open at 5:30 p.m.

RECESS

Mayor Sanner moved, seconded by Mrs. Tomlin to recess to a work session to discuss the items on the agenda. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mr. Barnhart-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 Section (G)(1) to consider the appointment, employment, or compensation of a public employee or official, to return for adjournment. A vote was taken: Mrs. Fryman-yes, Ms. Nash-yes, Mr. Robinson-yes, Mrs. Tomlin-yes, Mr. Barnhart-yes, and Mayor Sanner-yes.

WORK SESSION

PRESENT: Mayor Jeff Sanner, Councilmembers Angie Fryman, Leanne Nash, Harold Robinson, Jill Tomlin, and Rick Barnhart. City Staff - City Manager Brad Townsend, Law Director Lori Denlinger, and Planning & Community Development Director Greg Gaines.

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WORK SESSION (continued)

2022-2023 Capital Improvement Program and Vehicle Replacement Program

Mr. Townsend presented the estimated year end 2021 Capital Improvement Plan summary report, along with the FY 2022 and FY 2023 proposed plans. A copy of the CIP is available upon request from the office of the City Manager.

With the infusion of federal ARPA funds, plus transfers from the General Fund at the direction of the City Council, the repaving budget was increased from \$300,00 to over \$600,000 in FY 2022 and 2023. This will allow us the catch up on some critical paving projects that were put off due to a lack of funding.

After a brief discussion, it was the consensus of council to move forward as proposed. The CIP will be incorporated into the FY 2022 final budget

Discussion of Landscaping Plan for Alex Bell Underpass

Mr. Gaines presented a proposed landscaping plan for the Alex Bell Underpass area under I75. A copy of Mr. Gaines presentation is available upon request from the office of the Director of Planning and Community Development.

The plan would include clearing the area under both bridges, installing new landscaping material, new ornamental fencing and new lighting fixtures under the bridges. Painting of the pillars and concrete barriers would also be completed. The project would qualify for funding through MVRPC's transportation enhancement program. In order to qualify, detailed design work for the project would have to be completed in 2022, with an application for funding in 2023.

After a lengthy discussion, it was the consensus of council to move forward with detailed design work. This project will be included in the FY 2022 budget. Council also directed staff to develop an interim plan to clear out the overgrowth, clean up the area and possibly install new lighting next year.

EXECUTIVE SESSION

PRESENT: Mayor Jeff Sanner, Councilmembers Angie Fryman, Leanne Nash, Harold Robinson, Jill Tomlin, and Rick Barnhart. City Staff - City Manager Brad Townsend and Law Director Lori Denlinger.

Council met pursuant to ORC 121.22 (G)(1) to consider the appointment, employment, or compensation of a public employee or official, to return for adjournment.

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ADJOURNMENT

With no further business, Mayor Sanner moved, seconded by Ms. Nash to adjourn the meeting. Voice vote was unanimous, motion carried. The meeting was adjourned at 8:27 p.m.


Assistant Clerk of Council


Mayor