

RECORD OF PROCEEDINGS

Minutes of

WEST CARROLLTON CITY COUNCIL REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held December 19,

2017

PRESENT: Mayor Sanner, Councilmembers, Rick Barnhart, Jim Bowers, Jim Folker, Angie Fryman, and Patrick Merris. City Staff - City Manager Brad Townsend, Law Director Lori Denlinger, Economic Development Director Mike Lucking, Service Director Richard Norton, Public Relations Coordinator Erika Mattingly, and Assistant Clerk of Council Carie Cottongim

EXCUSED: Councilmembers Jill Tomlin

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

MINUTES

Mrs. Fryman motioned seconded by Mr. Merris to approve the regular meeting minutes of November 28, 2017. A vote was taken: Mr. Bowers-yes, Mr. Folker-Abstain, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

Mrs. Fryman motioned seconded by Mr. Bowers to approve the regular meeting minutes of December 12, 2017. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-abstain, Mr. Merris-abstain, Mayor Sanner-yes, and Mr. Barnhart-abstain

PUBLIC HEARINGS

None

COMMUNICATIONS AND PRESENTATIONS

None

COMMENTS BY AUDIENCE

None

RECORD OF PROCEEDINGS

Minutes of

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DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held December 19,

17

UNFINISHED BUSINESS

ORDINANCE 3622

An Ordinance Approving Amendments to Chapter 153 of the Code of Ordinances of the City of West Carrollton, Known as the "Sign Code.

Mr. Folker motioned seconded by Mrs. Fryman to approve Ordinance 3622. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

ORDINANCE 3623

An Ordinance Providing for Personnel Classification, Rates of Pay, and Fringe Benefits for Employees of the City of West Carrollton, Ohio, Repealing Ordinance 3601 and any Ordinance in Conflict Herewith and Declaring an Emergency.

Mrs. Fryman motioned seconded by Mr. Barnhart to approve Ordinance 3623. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

ORDINANCE 3624

An Ordinance Providing for Personnel Classification, Rates of Pay, Benefits, Work Rules, and Working Conditions for Certain Positions in the Service Department and Parks and Recreation Department of the City of West Carrollton, and Authorizing the City Manager to Enter into an Agreement with the West Carrollton Independent Employees Association (WCIEA) Representing Said Employees and Repealing Ordinance No. 3539 and any Other Ordinances in Conflict Herewith and Declaring an Emergency.

Mr. Folker motioned seconded by Mrs. Fryman to approved Ordinance 3624. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

ORDINANCE 3625

An Ordinance Providing for Personnel Classifications, Rates of Pay, and Working Conditions for Police Officers of the City of West Carrollton, Ohio, Authorizing the City Manager to Enter into an Agreement with the West Carrollton Police Association (WCPA), Representing Said Employees, and Repealing Ordinance No. 3610 and any Other Ordinances in Conflict Herewith, and Declaring an Emergency.

RECORD OF PROCEEDINGS
WEST CARROLLTON CITY COUNCIL REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held December 19,

20 17

Mrs. Fryman motioned seconded by Mr. Bowers to approve Ordinance 3625. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

ORDINANCE 3626

An Ordinance Providing for Personnel Classifications, Rates of Pay and Working Conditions for Police Sergeants of the City of West Carrollton, Ohio, Authorizing the City Manager to Enter into an Agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., Representing Said Employees, and Repealing Ordinance No. 3538 and any Other Ordinances in Conflict Herewith, and Declaring an Emergency.

Mayor Sanner motioned seconded by Mr. Merris to approve Ordinance 3626. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

NEW BUSINESS

RESOLUTION 32-2017

A Resolution Requesting the Advance Payment of Tax Revenues Collected by the County Auditor for the Account of the City of West Carrollton.

Mr. Townsend informed this is something that is done annually where we request the county to release the tax revenues collected instead of holding onto them so we can increase our cash flow and maximize our investments.

Mr. Folker motioned seconded by Mr. Bowers to approve Resolution 32-2017. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

RESOLUTION 33-2017

A Resolution Declaring That the Estimated Costs for the Repair of Certain Sidewalks, Curbs, and Gutters in the City of West Carrollton are on File in the Office of the Clerk of Council of the City of West Carrollton for the Inspection and Examination of all Persons Interested Therein.

Mr. Norton informed this is the culmination of the 2016 Sidewalk, Curb, and Gutter Repair program which is now complete. The contractor has been paid and we will send the invoices out to the affected property owners. The estimates will be on file with the

RECORD OF PROCEEDINGS
WEST CARROLLTON CITY COUNCIL REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held December 19,

17

Clerk of Council for 30 days after the passage of this resolution. Approximately January 20, 2018 the invoices will go out and the property owners will have approximately 60 days to pay the invoice or they can have it assessed to their property taxes.

Mr. Bowers motioned seconded by Mrs. Fryman to approve Resolution 33-2017. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

RESOLUTION 34-2017

A Resolution Authorizing the City Manager to Enter into a Lease Extension with the Montgomery County Board of Commissioners/ Montgomery County Clerk of Courts Auto Title Division for 1,525 sq. ft. of Office Space at the City Owned Carrollton Properties.

Mr. Lucking informed this is an extension of the lease agreement with the county clerk of courts at a monthly rental fee of \$1,461.45 for six months for a total cost of \$8,768.75. The critical part of the agreement is that either party, the lessor or the lessee, have the ability to terminate with a 30 days-notice. We are trying to wrap up operations at that center and we anticipate the center will be able to close down at the end of June.

Mrs. Fryman motioned seconded by Mr. Barnhart to approve Resolution 34-2017. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

ORDINANCE 3627

An Ordinance Imposing a Six Month Moratorium, from the Effective Date of this Ordinance, on the Issuance and Processing of Building or Zoning Permits, and on the Approval by Planning Commission of Zoning, Conditional Use or Site Plan Applications, within the Western Lands, to Allow the City's Consultant Adequate Time to Conduct a Study Assessing the Highest and Best Use for the Western Lands; and Declaring an Emergency.

Mr. Gaines informed the city has received a couple of inquiries regarding the use of land west of the Great Miami River and Farmersville-West Carrollton Road and those inquiries have been both consistent and inconsistent with the zoning of the properties and with the recommendation of the Comprehensive Plan for the future use of the property. Currently the zoning is M-2 Manufacturing District which is one of our industrial districts. Our Comprehensive Plan, however, recommends the future development of that property to be primarily residential focusing on single family housing. To complicate matters, to the north of that area is a lot of heavy industrial activity and also in terms of developing the area there is currently no infrastructure to support development. Questions have been

RECORD OF PROCEEDINGS

Minutes of

WEST CARROLLTON CITY COUNCIL REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held December 19,

2017

raised regarding the appropriate future use of the land in that part of the community and as a result we discussed with council at the last work session the possibility of hiring a consultant to conduct a study of that area to evaluate the proper use and proper zoning for that part of West Carrollton. We have directed the city manager to go forward and hire a consultant to conduct that study and this ordinance would impose a 6-month moratorium on any permitting by the planning and building department and the approval of any applications by the planning commission in that area. This would allow time for the study to be conducted and for staff to review the study and to report back on any recommendations for changes either to zoning or the Comprehensive Plan.

Mr. Barnhart motioned seconded by Mr. Merris to approve Ordinance 3627. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

Consideration of an Agreement with Attorney Lori E. Denlinger to Serve as Law Director.

Mayor Sanner explained this contract is for three years commencing January 1, 2018 and going through to December 31, 2020. Contract is the same with the exception of changing the salary and adding 6 additional hours to hire an attorney in Mrs. Denlinger's absence.

Mr. Bowers motioned seconded by Mrs. Fryman to approve the agreement with Attorney Lori E. Denlinger to serve as Law Director. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

Consideration of the Annual Agreement with Tim Hobgood to Serve as Chief Building Official, Electrical Inspector, and Back-Up Building and HVAC Inspector.

Mr. Townsend informed there are no changes to Mr. Hobgood's contract.

Mrs. Fryman motioned seconded by Mr. Bowers to approve the annual agreement with Tim Hobgood to serve as Chief Building Official, Electrical Inspector, and Back-Up Building and HVAC Inspector. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

Consideration of the Annual Agreement with J. Michael Asebrook to Serve as Plans Examiner and Design Review Architect.

Mr. Townsend informed there are no changes to Mr. Asebrook's contract.

RECORD OF PROCEEDINGS
WEST CARROLLTON CITY COUNCIL REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held December 19,

17

Mr. Folker motioned seconded by Mr. Barnhart to approve the annual agreement with J. Michael Asebrook to serve as plans examiner and design review architect. A vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes

REPORTS BY OFFICERS

Mr. Townsend wished Mr. Bowers, Mr. Folker, and Mr. Merris luck in their future endeavors. He also welcomed the new elected members of Mr. Harold Robinson, Ms. Leanne Nash, and Mrs. Amanda Zennie as well as congratulated Mr. Rick Barnhart on being re-elected. Mr. Townsend wished everyone a safe and happy holiday season.

Mrs. Denlinger thanked council for approving her contract and she will miss the three councilmembers who are leaving and looks forward to working with the newly elected members. Mrs. Denlinger wished everyone a Merry Christmas.

Mrs. Mattingly gave a few community updates:

- The civic center will be closed Friday, December 22, 2017 and Monday, December 25, 2017 in observance of the Christmas holiday as well as Monday, January 1, 2018 in observance of New Year's Day. Trash and recyclable collection will be delayed one day all week the weeks of December 25, 2017 and January 1, 2018.
- Cut Christmas trees will be picked up until January 12, 2018 and should be free from bags, tinsel, and other decorations.
- The first free quarterly pickup will be the week of January 8-12, 2018 on your regularly scheduled trash day.

UNSCHEDULED BUSINESS

Comments by Audience

None

Comments by Council

Mrs. Fryman congratulated the newly elected councilmembers and said she will miss the outgoing members. She wished everyone a Merry Christmas and a safe holiday.

RECORD OF PROCEEDINGS
WEST CARROLLTON CITY COUNCIL REGULAR

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20 17

Mr. Barnhart thanked the outgoing councilmembers for their service and their leadership they provided. He also welcomed the newly elected members. He also wished everyone a Merry Christmas and a Happy New Year.

Mayor Sanner thanked the outgoing councilmembers for their service and welcomed the newly elected councilmembers. He also wished everyone a Merry Christmas and a safe and Happy New Year.

Mr. Merris thanked everyone for putting up with him the last four years and said he isn't going anywhere and plans on being on the other side of the council desk for future meetings. He welcomed the newly elected councilmembers and congratulated Mr. Barnhart and wished everyone a Merry Christmas and a Happy New Year.

Mr. Folker said the last 10 years have gone by quick and he has learned a lot about city government and the way it works. We should be thankful for the staff we have here at West Carrollton. They are a strong and knowledgeable staff which starts with Mr. Townsend and goes down to the department heads through all the employees and I can't compliment them enough. Mr. Folker congratulated the newly elected councilmembers and wished everyone a Merry Christmas and a safe and Happy New Year.

Mr. Bowers recognized Mrs. Fryman's son, daughter-in-law, and grandchildren that are in the audience tonight. Mr. Bower's acknowledged that both of them are actively serving our country and truly appreciate it. Mr. Bowers said he will truly miss being on council and would like to let everyone know that we need everyone's help in keeping our community strong. It has been an honor to serve with everyone and I have learned a lot. Mr. Bowers also welcomed the newly elected councilmembers and wished everyone a Merry Christmas.


WORK SESSION

None

ADJOURNMENT

With no further business, Mayor Sanner motioned, seconded by Mrs. Fryman to adjourn the meeting. Vote was taken: Mr. Bowers-yes, Mr. Folker-yes, Mrs. Fryman-yes, Mr. Merris-yes, Mayor Sanner-yes, and Mr. Barnhart-yes


Clerk of Council


Mayor

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held

20