

RECORD OF PROCEEDINGS

Minutes of WEST CARROLLTON CITY COUNCIL REGULAR Meeting

Held June 13,

2023

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 Rick Barnhart, Angie Fryman, Rick Dobson, Jill Tomlin, and Amanda Zennie. City Staff – City Manager Brad Townsend, Law Director Lori Denlinger, Police Chief Doug Woodard, Economic Development Director Mike Lucking, Service Director Rich Norton, Civil Engineer John Vance, and Clerk of Council Tracy Moore.

EXCUSED: Councilmember Keith Tilton

MINUTES

Mrs. Fryman moved, seconded by Mrs. Zennie to approve the regular meeting minutes of May 23, 2023. A vote was taken: Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

Mrs. Fryman moved, seconded by Mrs. Tomlin to approve the special meeting minutes of May 30, 2023. A vote was taken: Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

PUBLIC HEARINGS

None

COMMUNICATIONS AND PRESENTATIONS

Presentation for the 2024 Sidewalk, Curb & Gutter Repair Program – John Vance

Civil Engineer John Vance addressed Council regarding the plans for the 2024 Sidewalk, Curb & Gutter Repair program. The first area is in the southwestern part of town, which includes Lake Forest Drive (west of Skyview), Deercreek Circle, Catalina Drive, Rambeau Drive, Leila Court, Wilson Park Drive (Heincke to Catalina), Heincke Road (Wilson Park to Ironwood), Ironwood Drive (#206), Skyview Drive (#991, #1001). He stated the last time this area was completed was in 2006. The second area to be completed includes King Richard Parkway, Elm Street (Sherwood Forest to King Richard), King Cross court, Lincoln Green Drive, Forest Park court, Crusader Drive, Sherwood Forest Drive (#1248, #1266, #1278, #1330, #1400), Gray Goose Court (#627), and Yeoman Court (#601). The last time this area was completed was between 2003 and 2007. The advance notices will be sent to property owners in July. The field markings and door hanger information packets will be provided in September/October. The property owners will be able to complete their own repairs between March and May of 2024, followed by a bid opening for the remaining properties. The construction should be completed by August 31, 2024. The assessment resolution will be brought to Council in September of 2024, followed by the assessment ordinance in October of 2024. Invoices

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will be mailed to property owners in October of 2024, which will give them 60 days to pay. Unpaid bills with assessments will be sent to Montgomery County no later than September of 2025. Mr. Vance offered to answer any questions. There were none.

COMMENTS BY THE AUDIENCE

Jan Velkoff, Community Manager at Canterbury Court, addressed Council regarding the situation at the church in the neighborhood. She stated many residents are concerned about it turning into a drug rehabilitation center and were hoping to find out more details. Mr. Townsend advised the property owner was instructed to file for a formal zoning request, which was denied. Mr. Townsend explained he has 10 business days to appeal that decision to the Board of Zoning Appeals. Mr. Townsend stated we do not know what his intentions are, but they can not proceed on any work inside the church that would be a permanent structure change. He stated a stop work order was posted on the door. Mrs. Velkoff asked if the request was denied. Mr. Townsend answered yes. She asked if we've researched what they are doing. Mr. Townsend answered the property owner was given the reason for the denial, but he has the right to appeal the decision. Mrs. Velkoff asked if an appeal happens what is the possible outcome. Mr. Townsend answered that will be up to the Board of Zoning Appeals. He further explained if the owner decides to appeal, there will be a public hearing with the Board of Zoning Appeals. He stated property owners will be notified and given the opportunity to participate. Mrs. Velkoff asked what the application was made for. Mrs. Denlinger answered an adult group home. Mrs. Velkoff asked if that would include drug rehab. Mrs. Denlinger answered they indicated it wouldn't be drug related as far as treatment, but more of an after program for those individuals who may have been in treatment. Mrs. Denlinger stated it isn't a permitted use in that district, so that is the reason it was denied. Mrs. Velkoff asked if it is approved is there a certain age for residents and how many people could live there. Mrs. Denlinger answered they asked for occupancy of 34 people, but that is secondary as to why it was denied. Mrs. Velkoff asked if they would have another opportunity to come and speak. Mrs. Denlinger answered if they appeal to the BZA there will be a public hearing. Mrs. Velkoff asked if we knew the rate of crime in the neighborhood. Mrs. Denlinger answered that she does not know. Mrs. Velkoff thanked Council.

UNFINISHED BUSINESS

None

NEW BUSINESS

Resolution 23-2023 – A Resolution Authorizing The City Manager To Enter Into A Contract With Central Square Technologies For Providing Services Associated With A Records Management System.

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Chief Woodard presented Resolution 23-2023. He stated this resolution will allow the Police Department to purchase Central Square products, which is a software product that includes a CAD and records management system. He explained Centerville Police Department, which provides dispatch service for the city, is migrating to this product and that would allow us to be on the same system.

Mayor Sanner asked if this was going to be an improvement. Chief Woodard answered yes.

Mr. Barnhart moved, seconded by Mrs. Tomlin to approve Resolution 23-2023. A vote was taken: Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

Resolution 24-2023 – A Resolution Authorizing the Mayor to Enter Into A Contract With Management Advisory Group, LLC, For Executive Search and Recruitment Services.

Mayor Sanner moved, seconded by Mrs. Zennie to approve Resolution 24-2023. A vote was taken: Mr. Barnhart-yes, Mrs. Fryman-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, and Mayor Sanner-yes.

REPORTS BY OFFICERS

Mr. Townsend advised Council staff opened bids for the Elmview Circle 8-inch water line project. The lowest and best bid was CG Construction from Miamisburg in the amount of \$367,380.00, which is approximately 9.9 percent over our estimate. He explained with inflation a lot of our projects are coming in over estimate. Ninety percent of this project will be paid from the Ohio Public Works Construction grant/loan program, and the ten percent overage will come from the surplus of the water fund. He also commented we are replacing 4 and 5-inch water lines, which will improve fire flow and protection for the area as well as pressure.

UNSCHEDULED BUSINESS

Comments by the Audience

James Napper, from 43 Reddington Court, addressed Council to ask if CSX has been contacted about the condition of the railroad crossing at Farmersville-West Carrollton Road. Mr. Townsend answered no, but advised Mr. Napper we will reach out the them.

Comments by Council

Mrs. Fryman inquired about the pavement project in the Maplehill area, Lindbergh Platt, and Cedar Street. She asked if it would happen before school starts. Mr. Townsend answered he is hopeful that it will be completed by that time frame. He stated we are bidding it out on July 7th. Mrs. Fryman asked how much notice will be given regarding

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parking. Mr. Vance answered the contractors will post no parking signs at least 72 hours in advance. He also stated that we will put something out on Facebook and the city's website to provide as much notice as possible.

Mr. Dobson thanked the citizens who attended the meeting to share their concerns.

Mrs. Tomlin also thanked the citizens who attended the meeting to share their concerns. She encouraged them to also attend the BZA meeting if it does continue to that process.

RECESS

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

WORK SESSION

PRESENT: Mayor Jeff Sanner, Councilmembers Angie Fryman, Rick Dobson, Jill Tomlin, Amanda Zennie, and Rick Barnhart. City Staff – City Manager Brad Townsend, Law Director Lori Denlinger, and Economic Development Director Mike Lucking.

Update on Former Appvion WWTP Reclamation Project

Mike Lucking, Economic Development Director, gave a brief overview of the timeline and accusation by the city of the former waste water treatment plant operated by Appvion. The 27-acre site, adjacent to the Great Miami River, was a chemical wastewater treatment plant for the paper plant operation dating back to the 1950's. In the 1960's and 70's, the facility manufactured carbonless paper. The by-product of carbonless paper is Polychlorinated Biphenyls or PCB's. It is a manmade product that is a known toxic substance if come into contact with it.

Mr. Lucking introduced Matt Deaner of Patriot Engineering and Environmental, who have been studying the site to determine the level of PDB contamination and the remediation options to put the property back into productive use. Mr. Deaner indicated that the final report has not been complete and that their findings at this point are preliminary. A copy of Mr. Deaner's PowerPoint presentation is available upon request from the office of the Director of Economic Development.

In summary, Patriot found that there is absolutely no danger from the site to the surrounding neighborhood or the general public. No contamination of the ground water or runoff from the site was detected. Two thirds of the property, including the treatment plant buildings, have little to no impact from PCB contamination. For these parts, the USEPA has specific guidelines for "closure" that can be easily followed to reclaim the property for productive reuse. The other 1/3 of the property is an area of approximately

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9 acres on the southern portion where contamination levels exceed the limits imposed by the EPA for normal "closure". How this portion of the property will ultimately be remitted will be determined by the USEPA. Therefore, it was the recommendation of Patriot that the City engage the services of a law firm that specializes in environmental law to assist with review of the final report and remediation negotiations with USEPA. Staff met with representatives from Frost, Brown and Todd of West Chester, Ohio, who have experience in these matters. FBT has offered their assistance for this phase of the project for a fee not to exceed \$30,000. Ms. Denlinger recommended that the council approve the hiring.

After a brief discussion, it was the consensus of council to proceed as proposed. The Manger was directed to place a resolution on the next council agenda to engage the services of Frost, Brown and Todd to assist with the project.

ADJOURNMENT

With no further business, Mayor Sanner moved, seconded by Angie Fryman to adjourn the meeting. Voice vote was unanimous, motion carried. The meeting was adjourned at 7:53 p.m.


Clerk of Council


Mayor