

RECORD OF PROCEEDINGS
Minutes of WEST CARROLLTON CITY COUNCIL REGULAR Meeting

Held October 8, 2024

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

ROLL CALL

PRESENT: Mayor Rick Barnhart, Councilmembers Keith Tilton, Mike Boyle, Rick Dobson, Jill Tomlin, Amanda Zennie, and Angie Fryman. City Staff: City Manager Amber Holloway, Law Director Lori Denlinger, Assistant City Manager Dan Wendt, Planning & Community Development Director Greg Gaines, Service Director Rich Norton, Communications Manager Yvonne Concepcion, and Clerk of Council Tracy Moore.

AMENDMENT TO THE AGENDA

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

MINUTES

Mrs. Fryman moved, seconded by Mrs. Zennie to approve the special meeting minutes of September 9, 2024. A vote was taken: Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, Mrs. Fryman-yes, and Mayor Barnhart-yes.

Mrs. Fryman moved, seconded by Mrs. Tomlin to approve the regular meeting minutes of September 10, 2024. A vote was taken: Mr. Tilton-yes, Mr. Boyle-abstain, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, Mrs. Fryman-yes, and Mayor Barnhart-yes.

COMMUNICATIONS AND PRESENTATIONS

Presentation from Five Rivers MetroParks

Carrie Scarff from Five Rivers MetroParks addressed Council to advise there will be a levy on the ballot this November. This is a 1.0 mill levy that will expire in ten years. The cost will be less than \$3 per month per \$100,000 of appraised property value. An independent campaign committee has been formed. To contact the campaign committee, the website is VoteforFiveRivers.org

Ms. Scarff provided Council the history of Five Rivers MetroParks, current park details and additional information about the levy via a PowerPoint Presentation. A copy of this presentation can be obtained by requesting it from Clerk of Council, Tracy Moore.

Mr. Boyle asked if Five Rivers MetroParks pays property taxes on the properties they consume. Ms. Scarff answered no. Governments who own property do not pay property tax. Mr. Boyle asked if that would be a concern for the citizens. He inquired about the 90 acres that was consumed on the west side of Montgomery County for \$1.2 Million. He asked if that would be a

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concern to the citizens because that is property taxes taken out of the local municipalities. Ms. Scarff stated at 16,000 acres they are at a point where they have met the level of service necessary for a county this size. Land acquisition is now looked at as a surgical approach. Mr. Boyle stated Five Rivers MetroParks just consumed an additional 90 acres this year in Farmersville / Lower Gratis area, and it was \$10,000 to \$15,000 over land value. He stated this is property tax that he is concerned that would not go to the local municipality. Ms. Scarff offered to speak with Mr. Boyle directly about these details. She stated they have not purchased acres this year. She stated she would like to understand what he is referring to. Mr. Boyle stated they could connect at a time after the meeting to discuss it further.

Mrs. Zennie stated she attended the event at Eastwood MetroPark. She stated it was very well attended, and offered many activities, including activities geared towards kids.

PUBLIC HEARINGS

Ordinance 3780 – An Ordinance Adopting Amendments To Chapter 154 Of The Code Of Ordinances Of West Carrollton Known As The “Zoning Code”, Amending Section 154.10.473, City Center District Use Regulations.

Planning & Community Development Director Gaines presented Ordinance 3780. He stated this is an application by the City of West Carrollton proposing text amendments to Section 154.10.473, City Center District Use Regulations. The Planning Commission reviewed the application on August 1, 2024, and unanimously recommended approval. This was also brought to City Council as a Work Session topic at the August 13, 2024, City Council Meeting.

Mr. Gaines provided Council a detailed PowerPoint presentation on the proposed amendments. A copy of this presentation can be obtained by requesting it from Clerk of Council, Tracy Moore.

Mayor Barnhart asked Council if there were any questions or comments.

Mr. Dobson asked Mr. Gaines if the trailer park was in the City Center District. Mr. Gaines answered it is in the Mobile Park Home District. Mr. Dobson stated everything around it has been changed with the exception of the trailer park. Mr. Gaines answered correct. Mr. Dobson stated he is curious as to why it isn't considered as part of the City Center District. Mr. Tilton stated it is a separate parcel. Mr. Dobson answered he is asking Mr. Gaines. Mr. Gaines answered the mobile home park is a separate zoning district. The City Center District is the district that contains the regulations that are proposed to be changed through this ordinance. These regulations are not necessarily in the Mobile Home Park District. Mr. Dobson stated the Store N Locks are in the City Center District, so he is just curious why the mobile home park isn't included. Mr. Gaines asked if he was suggesting to rezone the mobile home park and put it in the City Center District. Mr. Dobson stated he is just curious as to why it all isn't included in the City Center District.

Law Director Denlinger asked Councilmember Dobson if she could address his question. She stated everything in pink on the map is already the City Center District, and that is not being changed by this ordinance. Mr. Dobson stated some of it has been changed fairly recently. Ms.

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Denlinger answered not tonight for these amendments. She stated zoning is not being addressed. This ordinance is just addressing some text amendments within the City Center District zoning.

Mr. Dobson also inquired if there were any parcels within this district that currently have the zoning status to include manufacturing. Mr. Gaines answered three parcels. Mr. Dobson asked if any of these parcel owners were notified that this change might take place. Mr. Gaines answered no. Mr. Dobson asked why they weren't notified. Mr. Gaines answered when text is being amended notification is not required by code. He stated it has not been common practice to notify when we are amending zoning code itself. Mr. Dobson stated he felt it was changing more than the zoning code or text. He stated this is changing a person's land designation. Mr. Boyle stated if it sits vacant for six months it swallows the building. Mr. Dobson stated he always felt that you have the right for the highest and best use for your property. He stated this may or may not be the highest or best use for these people's property. However, he did state that he understands how we are trying to improve the city. Mr. Gaines stated he would be glad to get in touch with the property owner to inform them of what we are doing. City Manager Holloway stated we will definitely reach out to the property owner at Council's request. She also stated, to Mr. Gaines's credit, notification is not typically made on a parcel-to-parcel basis with text amendments.

Mayor Barnhart opened the Public Hearing. He asked for anyone wishing to speak in favor of Ordinance 3780 to come to the podium and state their name and address for the Clerk of Council. There were no comments. Then he asked anyone wishing to speak against Ordinance 3780 to come to the podium and state their name and address for the Clerk of Council. There were no comments.

Mayor Barnhart closed the Public Hearing on Ordinance 3780. He stated Ordinance 3780 was presented as a first reading. It will be on the next agenda.

COMMENTS BY THE AUDIENCE

James Napper, of 43 Reddington Court, addressed Council to express concerns over deceased trees that may extend over roadways and/or be on residential properties. He inquired if it could be added to an ordinance to make the property owner responsible. He is also concerned about the overgrown brush in Owl Creek.

UNFINISHED BUSINESS

None

NEW BUSINESS

Ordinance 3781 - An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of West Carrollton, State Of Ohio, During The Fiscal Year Ending December 31, 2024, Amending Ordinance 3779, Repealing Any Ordinances In Conflict Herewith, And Declaring An Emergency

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Mayor Barnhart moved, seconded by Mr. Boyle to table Ordinance 3781. A vote was taken: Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, Mrs. Fryman-yes, and Mayor Barnhart-yes.

Ordinance 3782 - An Ordinance Authorizing The City Manager To Enter Into A Purchase Agreement With MD Restaurant Group LLC., An Illinois Limited Liability Company For The Sale Of A Portion Of 1100 E. Dixie Drive, West Carrollton, Ohio, And Declaring An Emergency.

City Manager Holloway presented Ordinance 3782. She explained the City has been in discussions with MD Restaurant Group regarding their desire to build a Culver's Restaurant at the southeast corner of East Dixie Drive and Manchester Road. This ordinance will allow the City Manager to enter into a purchase agreement with MD Restaurant Group LLC to sell the city owned parcel for \$645,000.

Mr. Tilton moved, seconded by Mrs. Zennie to approve Ordinance 3782. A vote was taken: Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, Mrs. Fryman-yes, and Mayor Barnhart-yes.

Mayor Barnhart introduced Resolution 23-2024.

Resolution 23-2024 – A resolution to determine that the petition for the establishment of the River District New Community Authority complies with the requirements of Section 349.03(a) of the Ohio Revised Code and set a date and place for a public hearing on the establishment of the River District New Community Authority.

City Manager Holloway presented Resolution 23-2024. She explained this resolution would accept the petition for the River District New Community Authority (NCA). The NCA Petition was filed with the City Clerk on October 4, 2024. Establishing a NCA for the City's River District will allow the City to enact a 2% sales tax on gross receipts of restaurants, retailers and hotels that are located within the NCA boundaries. This resolution is the first step in enacting the NCA. It accepts that the petition is sufficient and in compliance with Ohio Revised Code, sets a time and a place for a public hearing, and authorizes the city to advertise for that public hearing. If this resolution is approved, the public hearing will be set for Tuesday, November 12, 2024.

Mrs. Fryman moved, seconded by Mrs. Tomlin to approve Resolution 23-2024. A vote was taken: Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, Mrs. Fryman-yes, and Mayor Barnhart-yes.

Mayor Barnhart introduced Resolution 24-2024.

Resolution 24-2024 – A Resolution Authorizing The City Manager To Enter Into A Contract With Patriot Engineering And Environmental, Inc. For Necessary Professional Services Related To The Whitewater Park Development In An Amount Not To Exceed \$117,340.

City Manager Holloway presented Resolution 24-2024. She explained this resolution will allow her to contract with Patriot Engineering for necessary services related to the City's Whitewater

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Park. Council approved a Supplemental Appropriation at the September 9, 2024, Council Meeting which included funds for three areas of study including a flood plain and river assessment, archeological evaluation, and USACE wetlands determination. These three studies total \$117,340, and are outside the scope of the engineering and design work that has been done thus far in our pre-construction design.

Mrs. Tomlin moved, seconded by Mrs. Fryman to approve Resolution 24-2024. A vote was taken: Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, Mrs. Fryman-yes, and Mayor Barnhart-yes.

REPORTS BY OFFICERS

City Manager Holloway welcomed Assistant City Manager Dan Wendt. He will handle our Economic Development efforts as well as oversee Human Resources and work on special projects that come out of the City Manager's Office. Ms. Holloway also thanked City Staff for all of their hard work and clean up after Hurricane Helene. Police Chief Woodard and Fire Chief Barnett worked hard to coordinate with community members that were without electric service. She thanked staff for the extra hours and time spent.

Communications Manager Concepcion gave updates on the following events:

Bulk Trash Pickup: October 7 through October 11 on the normal trash day.

Homecoming Parade: Thursday, October 10 at 6 p.m.

Fall Leaf Collection: Begins on Monday, October 14

The Great Paint Escape: Wednesday, October 16 - 6 p.m. to 8 p.m. – Civic Center

Monster Mash: Thursday, October 24 from 6 p.m. to 8 p.m. at Weidner Park

Beggar's Night: Thursday, October 31 from 6 p.m. to 8 p.m. Rain or Shine

Father Daughter Dance: Friday, November 1 from 7 p.m. to 9 p.m. at Station 56

Rake Rally: Saturday, November 9 from 10 a.m. until Noon – Meet at Civic Center

UNSCHEDULED BUSINESS

Comments by the Audience

None

Comments by Council

Mr. Tilton thanked City Staff for their hard work with Hurricane Helene. He also asked for prayers for the State of Florida due to Hurricane Milton approaching. Finally, he encouraged everyone to get out and vote.

Mr. Boyle added to what Mr. Tilton said and extended it to Tennessee, North Carolina and other impacted areas where Helene completely destroyed families and businesses. He asked for prayers for the families who are still searching for their loved ones.

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Mr. Dobson complimented the Police Department and the Fire Department for helping Canterbury Court while they were without power. Since they didn't have their elevators or cooking facilities it was much more traumatic for them. He also thanked Grace Baptist Church, West Carrollton Church of the Nazarene, and especially the Church of the Lost and Found for helping the residents of Canterbury Court.

Mrs. Tomlin thanked City Staff for all of their hard work. She wished the West Carrollton Pirates luck on their football game. She asked anyone attending the Homecoming Dance to be careful and safe. Finally, she welcomed Assistant City Manager Wendt.

Mrs. Zennie welcomed Assistant City Manager Wendt. She also thanked the First Responders who were out there in the storms. She encouraged donations to organizations that are still taking supplies. Finally, she encouraged attendance at the Homecoming Parade and wished the Pirates luck with their game.

Mrs. Fryman echoed the sentiment with the community organizations and the storm. She reminded citizens to be conscious and follow the directions that the city puts out for bulk trash pickup.

Mayor Barnhart also thanked City Staff for their hard work during the storm. He especially thanked Chief Woodard and Chief Barnett on their efforts to make sure the residents of Canterbury Court were taken care of. He also thanked the Church of the Lost and Found. He stated they've only been here a short time, but have already made a large impact in the community. Mayor Barnhart welcomed Assistant City Manager Wendt. Finally, he wished the Pirates luck on Friday.

RECESS

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

WORK SESSION

PRESENT: Mayor Rick Barnhart, Councilmembers Keith Tilton, Mike Boyle, Rick Dobson, Jill Tomlin, Amanda Zennie, and Angie Fryman. City Staff: City Manager Amber Holloway, Law Director Lori Denlinger, Assistant City Manager Dan Wendt, Service Director Rich Norton, Finance Director Julie Duffy, and Parks & Recreation Director Christian Mattingly.

Advance Collection of Property Taxes & Advance Payment of Tax Revenues Collected by County Auditor

City Manager Holloway discussed the advance collection of property taxes. She explained that these were annual Resolutions that Council saw and allowed the County to levy and collect property tax on our behalf, and to receive advance collections ahead of the statutory deadline

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for distribution. She noted that this allowed the City to earn interest revenue on these funds. She added that she would be requesting approval of these Resolutions at Council's next meeting in order to give the County ample time to anticipate the disbursement.

Recreation Board Member Application Review

City Manager Holloway noted that there was a vacancy on the Recreation Board due to Mr. William Stolz moving. She advised that there was an application from Mr. Darius Thomas to fill the unexpired term. After brief discussion, it was requested that Mr. Thomas be invited to the next City Council meeting and that his appointment be placed on the agenda.

Biosolids Hauling Contract

Service Director Norton passed out a Staff Memorandum to City Council. He explained that Synagro Central, LLC. had been providing biosolids hauling for the City for many years, and our current agreement was due to expire on October 31, 2024. He recommended entering into an extension to the agreement for another three years. He noted that the extension included a 5% increase in year one to a rate of \$79.15 per wet ton and \$198.01 per load charge, adding that years two and three would be adjusted by the CPI.

Mr. Boyle inquired about the storage and land application method rather than hauling, noting that it may be cheaper in the long run. Service Director Norton explained that our plant was not currently set up for this and the City had not land applied since 2009.

Water and Sewer Infrastructure Discussion

City Manager Holloway introduced the discussion, noting that this was a request by City Council to get an update on how the City approaches water and sewer infrastructure maintenance. She then invited Service Director Norton to give a presentation.

Service Director Norton went through a brief PowerPoint and talked about various techniques and approaches to maintenance and repair. He explained that in FY 2025, we were not planning for any water/sewer projects as they were wrapping up the Well #5 project and working on plant upgrades. City Manager Holloway added that we, like many other communities, had aging infrastructure and need to be proactive and make strategic investments in our systems.

Deputy Mayor Fryman inquired about the "ring of fire" location. Service Director Norton explained that it was located in the Elm Street, Ivy Hill, and Redbud area where two pressure systems meet. Council inquired about water pressure and noted a possible water pressure issue. Discussion ensued on a possible resolution. Service Director Norton indicated he was unaware of any sort of pressure issue, and stated that Staff would take a closer look.

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MCD Lease Agreement

City Manager Holloway presented on the MCD Lease Agreement. She reminded Council that this had appeared on their agenda in June and was tabled for Staff to resolve outstanding questions. She then walked Council through each question that was posed and how it had been addressed. She stated that she would like to place this on Council's October 22 meeting agenda.

Mr. Boyle inquired about the ability to lease the river. Mr. Tuss explained the ownership structure of the river, noting that the river itself was a part of this lease. Mr. Boyle also expressed concern over grant funding being tied to the lease. There was general discussion about the lease agreement and maintenance of the land, which would start upon "notice to proceed" with construction of the planned Whitewater Park.

Financing for Spine Road

City Manager Holloway discussed the Spine Road, noting that the design was nearly complete and under review. She explained that the complete cost estimate for the Spine Road included balancing the site and the purchase of the mast arms (originally planned for Phase II) for a total of \$1.741 million, adding that with fees under a CMAR agreement it would be approximately \$1.828 million. She stated that the balancing of the site was important to creating "shovel-ready" sites for development, and explained that the mast arms were planned for Phase II, but would have a long lead time, which was why the team was recommending we proceed with that purchase now.

Mr. Dobson asked why balancing out the site was not thought of previously. Mr. Boyle added that the elevation has always been the elevation, and asked how this was missed. Mr. Tuss stated that the detention pond was designed before Mannik & Smith came in. Mr. Boyle inquired further about the drainage system and why it did not complement the system we had in place. Mr. Tuss explained that the plans had not been at that level of detail until Culver's came to the table. He went on to say that this is an iterative process and will happen over time, noting that rising costs were obviously not ideal. Mr. Boyle stated he was not in favor of completing the site balancing. Mr. Dobson stated that he wanted to see numbers, but understood the value of shovel ready sites. Mr. Boyle asked about getting free fill dirt. Mr. Tuss explained that was unlikely, but it certainly could be cheaper than what was quoted. There was extensive discussion on this matter. Council expressed desire to move forward with this project. Mr. Boyle emphasized his desire to see effort to get less expensive fill dirt.

City Manager Holloway briefly discussed the State Infrastructure Bank (SIB) Loan.

Whitewater Park Status Update

City Manager Holloway advised Council that we are nearly through the 30% design drawings and have figures on the final design. She advised Council that the City had not been recommended for the \$3mm FY 25 Federal Earmark that the City had applied for. She explained the number of factors involved in this, noting that both Congressman Turner and Senator Brown had expressed support for the project. She stated that the City would resubmit for FY 2026, and in the

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meantime, start to draw down on grant funding from 2023 to show further progress with the project. She recommended that the City move forward with final design, using grant funding to cover the costs. She indicated that there would be further effort to seek other funding sources while final design was in the works.

Council expressed frustration with the outcome of the grant application. Mr. Tuss explained that the City started with \$0 in outside funding, and now have \$5mm in grants for economic development, which was huge. He added that this grant funding, plus the revenue generated by the TIF and NCA would allow us to creatively finance this project. General discussion ensued.

EXECUTIVE SESSION

None

ADJOURNMENT

With no further business, Mr. Boyle moved, seconded by Mrs. Tomlin to adjourn the City Council Meeting of October 8, 2024. A vote was taken: Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, Mrs. Tomlin-yes, Mrs. Zennie-yes, Mrs. Fryman-yes, and Mayor Barnhart-yes.

The meeting was adjourned at 10:36 p.m.


Clerk of Council


Mayor