

RECORD OF PROCEEDINGS  
Minutes of WEST CARROLLTON CITY COUNCIL REGULAR Meeting

Held November 26, 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 Jill Tomlin, Angie Fryman, Keith Tilton, Mike Boyle, and Rick Dobson. City Staff: City Manager Amber Holloway, Law Director Lori Denlinger, Assistant City Manager Dan Wendt, Fire Chief Chris Barnett, Finance Director Julie Duffy, Civil Engineer John Vance, Communications Manager Yvonne Concepcion, and Clerk of Council Tracy Moore.

EXCUSED: Councilmember Amanda Zennie

**MINUTES**

Mrs. Fryman moved, seconded by Mr. Boyle to approve the regular meeting minutes of November 12, 2024. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

**PUBLIC HEARINGS**

None

**COMMUNICATIONS AND PRESENTATIONS**

*Proclamation Honoring Bambi Puckett (YMCA Executive Director)*

Mayor Barnhart read the proclamation in its entirety. He also presented Ms. Puckett a signed copy of the proclamation. Wednesday, November 27, 2024 was named "Bambi Puckett Day" in the City of West Carrollton.

Mayor Barnhart, Councilmembers, and the City Manager thanked Ms. Puckett for all she contributed in making the YMCA a success for the community. They also congratulated Ms. Puckett and wished her well in retirement.

*Oath of Office for Full-Time Firefighter/Paramedics Bret Cottongim, Megan Hausfeld and Adam Madden*

Chief Barnett gave a brief background on Firefighters Cottongim, Madden and Hausfeld. He also conducted a badge pinning ceremony. Mayor Barnhart administered the Oath of Office.

Mayor Barnhart, Councilmembers and the City Manager congratulated and welcomed Firefighters Cottongim, Madden and Hausfeld to the city.

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**COMMENTS BY THE AUDIENCE**

None

**UNFINISHED BUSINESS**

*Ordinance 3784 – 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, 2025.*

Mayor Barnhart stated this ordinance was presented as a first reading at the last Council Meeting. He asked Council if they had any questions or comments. There were none.

Mrs. Fryman moved, seconded by Mrs. Tomlin to approve Ordinance 3784. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

**NEW BUSINESS**

*Public Defender Agreement*

City Manager Holloway explained this is the 2025 Montgomery County Public Defender Agreement for indigent defense services in municipal court. Under this agreement, the city agrees to pay the Public Defender \$172.70 per case.

Mayor Barnhart asked if there were any questions. There were none.

Mayor Barnhart moved, seconded by Mrs. Fryman to approve the Public Defender Agreement. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

*Jail Agreement*

City Manager Holloway explained this is the 2025 to 2027 Kettering Municipal Jail Agreement. She stated the Kettering Municipal Jail is used sparingly and typically only when a prisoner cannot be accepted in the Montgomery County Jail.

Mayor Barnhart asked if there were any questions or comments. There were none.

Mrs. Fryman moved, seconded by Mr. Dobson to approve the Jail Agreement for 2025. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

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Mayor Barnhart introduced Resolution 35-2024.

*Resolution 35-2024 – A Resolution Determining That The Establishment Of The River District New Community Authority Will Be Conducive To The Public Safety, Convenience, And Welfare And Is Intended To Result In The Development Of A New Community; Declaring The River District New Community Authority To Be Organized As A Body Politic And Corporate; Defining The Boundaries Of The New Community District; And Appointing Board Members.*

City Manager Holloway presented Resolution 35-2024. She explained this resolution enacts the River District New Community Authority. She further explained this will allow the city to enact a sales tax on gross receipts of restaurants, retailers, and hotels within the city's planned development. The NCA tax proposed is 2%, and applies only to businesses within the NCA boundaries. The revenue generated by the River District NCA will support the development of the City's River District through the financing of certain costs to provide services within the NCA including but not limited to landscaping, street and sidewalk cleaning, maintenance, event programming and other community improvement services. The petition to enact the River District New Community Authority was filed with the City Clerk on October 4, 2024, in accordance with Ohio Revised Code Chapter 349. On November 12, 2024, City Council held a Public Hearing for the River District NCA. This resolution serves as the final legislative step in enacting the NCA. It also appoints the initial slate of Board Members.

Mayor Barnhart asked Council if there were any questions or comments. There were none.

Mrs. Fryman moved, seconded by Mrs. Tomlin to approve Resolution 35-2024. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

*Ordinance 3785 – An Ordinance Providing For Personnel Classification And Rates Of Pay For Employees Of The City Of West Carrollton, Ohio, Repealing Ordinance 3764 And Any Ordinance In Conflict Herewith, And Declaring An Emergency.*

City Manager Holloway presented Ordinance 3785. She explained this ordinance establishes the personnel classifications and rates of pay for employees for the 2025 payroll year. This ordinance was presented as an emergency because the start of the 2025 payroll year begins December 16, 2024.

Mayor Barnhart asked Council if there were any questions or comments. There were none.

Mayor Barnhart moved, seconded by Mr. Dobson to approve Ordinance 3785. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

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*Ordinance 3786 – An Ordinance Amending Ordinance Nos. 3365 And 3366, And Declaring The Improvement To Parcels Of Real Property Located In The City Of West Carrollton, Ohio To Be A Public Purpose Under Section 5709.41 Of The Ohio Revised Code, Providing For The Exemption Of Such Improvement From Real Property Taxation, Providing For The Collection And Deposit Of Service Payments And Specifying The Purposes For Which Those Service Payments May Be Expended, Establishing The River District Urban Redevelopment Tax Increment Equivalent Fund, And Declaring An Emergency.*

City Manager Holloway presented Ordinance 3786. She explained this ordinance establishes the River District TIF. She further explained the River District TIF is a proposed 30 year rolling TIF that will allow the City of West Carrollton to realize 100% improvement value property within the TIF district that can be used to support redevelopment. The terms of this TIF ordinance are expressly subject to the requirements of the 2019 School Compensation Agreement. Ms. Holloway stated West Carrollton Schools and the Miami Valley CTC have been notified of this proposal. This ordinance was presented as an emergency as it is necessary to facilitate the sale of property for its redevelopment.

Mayor Barnhart asked Council if there were any questions or comments. There were none.

Mr. Tilton moved, seconded by Mrs. Fryman to approve Ordinance 3786. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

*Ordinance 3787 – An Ordinance Vacating Portions Of Manchester Road, A Public Street, Comprising .087 Acres On The East Side And .075 Acres On The West Side South Of East Dixie Drive, And Declaring An Emergency.*

Planning and Community Development Director Gaines presented Ordinance 3787. He provided a PowerPoint Presentation. A copy of this presentation can be obtained by contacting Clerk of Council Tracy Moore. Mr. Gaines highlighted all of the requirements for a ROW vacation.

The city's vacation procedures include:

- Petition distributed for review by the utilities and other agencies.
- Planning Commission reviews and makes a recommendation to City Council.
- Petition placed on City Council agenda for final decision.

The Ohio Revised Code Chapter 723 – Vacation Procedures include:

- Notice of petition request published in newspaper for six consecutive weeks.
- Notice sent to all adjacent property owners.

Mr. Gaines stated a notice was sent to any property owner within 200 feet, which included some property owners in the Harmony Pointe Mobile Home Park.

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The criteria to approve a street vacation petition includes:

- The city is “satisfied that there is good cause”.
- The vacation “will not be detrimental to the general interest”.

Mr. Gaines stated a review of the Manchester Road ROW Vacation was completed with Service Director Norton. Mr. Norton feels the remaining right-of-way is sufficient for the needs of the widened roadway and utilities that were recently constructed to support the River District development.

Mr. Gaines stated the Planning Commission reviewed and approved the petition with one condition, which is in Section 2 of the ordinance. It states: All easements required by Ohio Revised Code Section 723.041 shall be illustrated on any record plats of property abutting the vacated right-of-way.

Mayor Barnhart asked Council if there were any questions or comments. There were none.

Mayor Barnhart moved, seconded by Mr. Dobson to approve Ordinance 3787. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

*Ordinance 3788 – An Ordinance To Approve Current Replacement Pages To The West Carrollton Codified Ordinances.*

City Manager Holloway presented Ordinance 3788. She explained this ordinance would approve replacement pages to the codified ordinances. These updates include ordinances adopted by West Carrollton City Council on or before April 30, 2024, as well as legislation updated by the State of Ohio through February 28, 2024.

Mayor Barnhart asked Council if there were any questions or comments. There were none. Mayor Barnhart stated this is the first reading of Ordinance 3788. It will be on the next agenda.

*Ordinance 3789 – An Ordinance Authorizing The City Manager To Enter Into A Purchase Agreement With Morse Road Development, LLC., An Ohio Limited Liability Company For The Sale Of 1000 E. Dixie Drive, West Carrollton, Ohio.*

City Manager Holloway presented Ordinance 3789. She explained this ordinance would authorize the City Manager to enter into a purchase agreement with Morse Road Development, LLC to sell the city owned parcel at 1000 East Dixie Drive for \$3,600,000. Morse Road Development intends to build a Sheetz fuel center, restaurant and convenience store on the parcel at the southwest corner of East Dixie Drive and Manchester Road.

Mayor Barnhart asked Council if there were any questions or comments. There were none. Mayor Barnhart stated Ordinance 3789 was presented as a first reading. It will be on the next agenda.

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**REPORTS BY OFFICERS**

City Manager Holloway wished everyone a Happy and safe Thanksgiving.

Law Director Denlinger wished former Mayor Jeff Sanner a Happy Birthday and stated her heart and thoughts are with his family. She stated he is definitely missed.

Planning & Community Development Director Gaines wished everyone a Happy Thanksgiving.

Communications Manager Concepcion gave updates on the following events:

- The City Offices will be closed for the Thanksgiving Holidays on Thursday, November 28, 2024 and Friday, November 29, 2024. Trash and recycle will be delayed by one day if your trash day is Thursday or Friday.
- There is a mailbox in the Civic Center Lobby for little ones to send letters to Santa. It will be in the lobby through Friday, December 13, 2024. Please include a self-addressed envelope so Santa can write back.
- Leaf collection ends Friday, December 6, 2024. Please place the leaves in the right of way, not the street, and do not block the storm drains.
- Gingerbread House Decorating Contest will be held at the Civic Center from 5:30 p.m. until 7:30 p.m. on Friday, December 6, 2024. The judging will take place at the Holiday Festival.
- The Holiday Festival will be held from 4 p.m. until 6 p.m. at the Civic Center on Saturday, December 7, 2024. It will include horse drawn wagon rides, live performances by the West Carrollton choir and orchestra, a candy cane hunt, free photos with Santa (with personal cameras), complimentary hot cocoa/cookies and the tree lighting.
- There will be a luminary walk at Wilson Park from 6 p.m. until 8 p.m. on Saturday, December 13, 2024. There will be smores and hot cocoa sponsored by the Lions Club. This event is wheelchair and stroller friendly.

**UNSCHEDULED BUSINESS**

**Comments by the Audience**

None

**Comments by Council**

Mrs. Tomlin wished city staff and all residents a Happy and safe Thanksgiving. She also stated that former Mayor Sanner and his family was on her mind today.

Mrs. Fryman wished everyone a Happy Holiday Season and safe travels. She wished Ms. Denlinger a Happy Birthday. She also wished former Mayor Sanner a Happy Heavenly Birthday. She sent hugs to the Sanner family.

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Mr. Tilton wished everyone a Happy Thanksgiving and safe travels. He also reminded residents to heat their homes safely with the colder temperatures approaching.

Mr. Boyle wished everyone Happy Holidays and a Blessed Thanksgiving. He also asked everyone to be careful on Black Friday.

Mr. Dobson wished everyone an enjoyable time with their family during Thanksgiving and the Holiday Season.

Mayor Barnhart commented it is great to see young people joining our departments. He also stated it is great to see three additional positions filled. Mayor Barnhart thanked Ms. Denlinger for her service and wished her a Happy Birthday. He also wished former Mayor Sanner a Happy Birthday. Finally, Mayor Barnhart wished Happy Thanksgiving to all of the employees and citizens of the city.

**RECESS**

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

Mayor Barnhart moved, seconded by Mr. Tilton to recess to an Executive Session pursuant to Ohio Revised Code 121.22 (G)(1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, and Ohio Revised Code 121.22 (G)(2): To consider the sale of property that is unneeded, and Ohio Revised Code 121.22 (G)(4): To review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment, to return to the regular meeting for adjournment. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, and Mayor Barnhart-yes.

**WORK SESSION**

PRESENT: Mayor Rick Barnhart, Councilmembers Jill Tomlin, Angie Fryman, Keith Tilton, Mike Boyle, and Rick Dobson. City Staff: City Manager Amber Holloway, Law Director Lori Denlinger, Assistant City Manager Dan Wendt, Finance Director Julie Duffy, and Civil Engineer John Vance.

*2024 Curb, Gutter and Sidewalk Program*

City Engineer Vance advised Council that the 2024 Curb, Gutter, and Sidewalk Program was now complete, and final costs had been submitted. He stated that the next step in the process was to bring a resolution before Council to certify the list and final costs to assess properties. He noted that Staff was proposing a change to the assessment length from a flat 10-year assessment to 2-, 5-, and 10-year assessments depending on total project cost, noting that the City also charged interest on the assessments.

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Mr. Dobson asked what the interest rate is. Mr. Vance stated that last year it was 3.8%, but varied by year. There was discussion regarding the interest rate. Finance Director Duffy explained that the interest rate comes from the rate that the City would be able to lock in for a city-backed bond. She explained that the interest rate was charged for the 2023 program, and that the invoices that went out for the 2024 program advised of the interest charge. She explained the assessment terms.

Mr. Tilton asked if residents were notified of the timeframe for the assessments. Ms. Duffy advised that we did not because the terms had not been set. Mr. Vance added that the letter advises that the charges will be assessed to the property but does not specify the term. Mr. Tilton asked if anyone called in to ask about the term. Ms. Duffy stated that the calls she receives are generally from people who want to go ahead and pay.

Mr. Boyle asked about the interest rate and whether it was really necessary. Ms. Duffy explained the purpose of the interest charge and how our ability to recoup our costs impacts our ability to borrow for next year's program.

Mrs. Fryman emphasized the importance of the program as a matter of property maintenance, adding that she was in favor of the proposal for different terms. Mayor Barnhart agreed. Additional discussion about the interest charge ensued.

*Year-End Supplemental Appropriation*

City Manager Holloway advised that at Council's next meeting, Staff would bring the year-end supplemental appropriation. Finance Director Duffy briefly explained the purpose of the year-end supplemental appropriation, adding that the goal is to have a net zero impact to the budget, however Staff was still reviewing the funds. Mr. Boyle inquired about the supplementals for the year and asked for a report summarize these. Ms. Holloway stated that she would provide that.

Council went into Executive Session at 7:51 p.m.

**EXECUTIVE SESSION**

PRESENT: Mayor Rick Barnhart, Councilmembers Jill Tomlin, Angie Fryman, Keith Tilton, Mike Boyle, and Rick Dobson. City Staff: City Manager Amber Holloway, Law Director Lori Denlinger, and Assistant City Manager Dan Wendt.

Council met in Executive session pursuant to Ohio Revised Code 121.22 (G)(1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, and Ohio Revised Code 121.22 (G)(2): To consider the sale of property that is unneeded, and Ohio Revised Code 121.22 (G)(4): To review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment, to return to the regular meeting for adjournment.



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**ADJOURNMENT**

With no further business, Mr. Boyle moved, seconded by Mrs. Zennie, to adjourn the City Council Meeting of November 26, 2024. A vote was taken: Mrs. Tomlin-yes, Mrs. Fryman-yes, Mr. Tilton-yes, Mr. Boyle-yes, Mr. Dobson-yes, Mrs. Zennie-yes, and Mayor Barnhart-yes.

The meeting was adjourned at 8:57 p.m.

  
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Clerk of Council

  
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Mayor