



VILLAGE COUNCIL AGENDA

COUNCIL MEETING: TUESDAY, AUGUST 8, 2017 AT 6:00 P.M.
COUNCIL CHAMBERS, 760 CENTRAL AVENUE, CARLISLE, OHIO

- I. Pledge of Allegiance/Roll Call
- II. Minutes
 - A. Regular Meeting – July 25, 2017
- III. Public Forum
- IV. Council Report
- V. Mayor's Report
- VI. Manager's Report
- VII. Committee Report
- VIII. Old Business
- IX. New Business
- X. First Reading of Ordinances and Resolutions
 - A. Ord. 13-17 Extending Moratorium for Medical Marijuana-Related Businesses – (*Emergency*)
- XI. Second & Third Readings of Ordinances & Resolutions
 - A. Ord. 12-17 Establishing the Salary of the Mayor and Council – (*2nd Reading*)
- XII. Executive Session
- XIII. Adjournment

MUNICIPALITY OF CARLISLE COUNCIL MINUTES
REGULAR MEETING OF COUNCIL
July 25, 2017 – 6:00 P.M.
760 CENTRAL AVENUE, CARLISLE, OHIO

Mayor Randy Winkler called the Carlisle, Ohio Municipal Council Regular Meeting of Tuesday, July 25, 2017 to order in Council Chambers at the Carlisle Town Hall building, 760 Central Avenue, Carlisle, Ohio. The meeting was opened at 6:00 p.m. with the Pledge of Allegiance.

Roll Call:

Mr. Randy Jewett	present
Mr. Jake Fryman	present
Mr. James Licklitter	present
Mr. Brad McIntosh	present
Mr. Jonathan McEldowney	present
Ms. Barb Tankersley	present
Mayor Randy Winkler	present

Staff members present: Village Manager Julie Duffy
Clerk of Council Jennifer Harover

Mr. Licklitter made a motion to adjourn to Executive Session to discuss pending or imminent court action at 6:01 p.m., seconded by Ms. Tankersley.

Roll Call:

Mr. Jewett	yes
Mr. McIntosh	yes
Ms. Tankersley	yes
Mr. Fryman	yes
Mr. Licklitter	yes
Mr. McEldowney	yes
Mayor Winkler	yes

Council reconvened back into Regular Session at 6:28 p.m.

The minutes of July 11, 2017 were presented to Council for review. Mr. Jewett made a motion to approve the minutes as presented, seconded by Mr. Licklitter.

Roll Call:

Mr. Fryman	abstain
Mr. Licklitter	yes
Ms. Tankersley	abstain
Mr. McEldowney	yes
Mr. McIntosh	yes
Mr. Jewett	yes
Mayor Winkler	yes

Public Forum: None

Council Report:

Ms. Tankersley thanked Council Members for excusing her from the July 11, 2017 meeting due to her vacation.

Mr. McEldowney wished Clerk of Council, Jennifer Harover, a happy birthday.

Mr. McIntosh wished Mrs. Harover a happy birthday and thanked her for her efforts in her new position. He also wanted to bring special attention to two young Carlisle residents. Matthew Harrison was been recently diagnosed with leukemia and has been undergoing treatment. He has been pretty courageous going through that fight. There will be blood drive/donor match fundraiser on August 5th from 2:00pm-5:00pm at the Carlisle High School. This will help support Matthew and his family. Please stop by and see if you could be a donor match and/or donate blood. There will be a lot of prizes that have been donated for this fundraiser for auction. Preston Bober, 8 years old of Carlisle, lost his father to heart disease earlier this year. Preston is painting rocks and selling them to raise money for American Heart Association. His rocks will be for sale at the Butler/Warren County Heart Walk on September 30th at Atrium Medical Center. Rallying around Preston and supporting him in his efforts would be greatly appreciated.

Mr. Licklitter wished Mrs. Harover a happy birthday.

Mr. Fryman wished Mrs. Harover a happy birthday and thanked her for her work with Council. He also thanked Council members for excusing him from the meeting on July 11, 2017 as he was on vacation. He does his best to schedule around Council meetings but he was not able to this time. He thanked community members for their patience during the many road construction projects taking place in the Village. Those areas have been troublesome but will be well worth the struggle when they are completed. He also wanted to make citizens aware that there is now a safe place for sales completed on the internet. The Franklin Police Department and the Franklin Public Library have designated the parking area on Anderson Street between the police station and library as an Internet Sales Safety Zone as of July 24, 2017. It will have 24 hour video surveillance so community members can utilize it as a safe place to exchange items sold/bought through Craig's List, Ebay, or other internet sites. It is a great benefit that they are providing and he encourages the use of this are for safe transactions.

Mr. Jewett wished a happy birthday to Mrs. Harover.

Mayor's Report:

Mayor Winkler wished Mrs. Harover a happy birthday. He also wanted to bring attention to Matthew Harrison and his family. He spoke with Matthew's grandmother last evening and Matthew was back in the hospital with a fever. Mayor Winkler is planning on visiting Matthew once he has been approved for visitors again. Matthew is a brave young man and Mayor Winkler would like to see the community come together for this fundraiser in helping the family through this time of need.

Manager's Report:

Mrs. Duffy updated members on the current road projects. Milling work has been completed on Jamaica Road as well as Martz-Paulin and Beachler Roads. Paving for these roads is scheduled to begin on Thursday, weather depending. Crews were working today on the traffic signal at Jamaica Road and St Rte 123 while the road has been lowered during construction. Work on the Jamaica Road bridge is not our project but is being completed through Montgomery County. Mr. Casson has been working with them as we do construction on the same road trying to keep things synchronized. Bridge work is ahead of schedule and, weather permitting, work may be completed as soon as a week from Wednesday.

Mrs. Duffy gave a big thank you to the Carlisle Fire Department as they represented Warren County and Montgomery County at the county fairs over the last couple of weeks. They were invited by both fairs to help provide fire and safety support for the various infield events, demolition derby, tractor pulls, etc. Chief Holbrook stated that the crew had a great time and it was a wonderful opportunity for them to work together as well as do something fun. They have already been invited back to next year's fairs. Of all of the departments that were invited to help out with the fairs, Carlisle and Lebanon were the only ones that were able to send over a crew. There was a group left behind that could respond to local calls as well as having Franklin Township as back-up. It was a great representation for Carlisle in both counties.

Carlisle Police Department will not be taking part in the National Night Out this year. With the recent turnover of staff, Chief Bruck did not feel he had the personnel to cover it. Chief Bruck and Chief Holbrook have been talking about possibly having a community public service event later in the fall. City of Franklin will be having their National Night Out on August 2nd.

Committee Report: none

Old Business: none

New Business:

Mr. Licklitter made a motion to approve the Village Manager to sign a pending mediation agreement, seconded by Ms. Tankersley.

Roll Call:

Mr. Jewett	yes
Ms. Tankersley	yes
Mr. McEldowney	yes
Mr. Licklitter	yes
Mr. Fryman	yes
Mr. McIntosh	yes
Mayor Winkler	yes

Mr. Lickliter made a motion to waive the remaining \$400 parade fee for the 2016 Railroad Days Festival, seconded by Mr. McIntosh.

Roll Call:

Mr. McIntosh	yes
Mr. Fryman	yes
Mr. Lickliter	yes
Mr. McEldowney	yes
Mr. Jewett	yes
Ms. Tankersley	yes
Mayor Winkler	yes

First Reading of Ordinances and Resolutions:

RES.12-17: A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH JOHN R. JURGENSEN FOR MARTZ-PAULIN ROAD RESURFACING AND DECLARING AN EMERGENCY

This is to get the Village's portion of Martz-Paulin Road resurfaced as the County paid for the portion just past the Village limits. This left a portion of approximately 600 feet of unpaved road. We are currently able to get very good pricing on our road projects so we do have leftover appropriation and our Village engineer felt it was good use of those funds to continue Martz-Paulin completely. It is an emergency because we currently have crews in town working on Jamaica Road and Beachler Road and this same crew could complete Martz-Paulin. This would cost \$13,870 when the original anticipated amount was \$30,000.

Mr. Fryman made a motion to suspend the rules requiring three readings, and have one reading by title only, and declaring an emergency, seconded by Mr. Lickliter.

Roll Call:

Mr. Lickliter	yes
Ms. Tankersley	yes
Mr. Fryman	yes
Mr. Jewett	yes
Mr. McEldowney	yes
Mr. McIntosh	yes
Mayor Winkler	yes

With no further discussion, Mr. Jewett made a motion to adopt, seconded by Ms. Tankersley.

Roll Call:

Mr. McEldowney	yes
Mr. Licklitter	yes
Ms. Tankersley	yes
Mr. McIntosh	yes
Mr. Fryman	yes
Mr. Jewett	yes
Mayor Winkler	yes

Resolution passed on this day will be entered into Resolution Record Book as Res. 12-17.

ORD. 12-17: AN ORDINANCE ESTABLISHING THE SALARY OF THE MAYOR AND COUNCIL MEMBERS OF THE MUNICIPALITY OF CARLISLE, OH.

Ms. Tankersley noted that it has been 16 years since this has been addressed. She is not in favor of what has been proposed and it being passed off until 2020. This is something that she does not understand and wanted to make known that she does not feel it is the correct resolution. She is suggesting a possible discussion prior to approval.

Ms. Duffy explained that the Carlisle Charter has a provision in it that the Review Commission meets every five years. The Charter dictates that the Charter Review Commission looks at Council's salaries every five years. If nothing else is brought to the commission, they must look at Council's salaries every five years and make a recommendation. The Charter Review Commission met for approximately two and half months for Charter review and a significant amount of that time was spent on discussing Council's salaries. Mr. Bicknell, currently in the audience, was a member of that Review Commission. Some of the items that were looked at were history of Council's salaries, the history of pensionable compensation with the Ohio Public Employees Retirement System, the Council salaries from other communities for comparable salaries with the number of citizens and a lot of discussion was made on what they felt was appropriate for salaries. Some of the concerns that the Review Commission had was putting in language, such as the City of Springboro's ordinances, that speaks to automatic increases based on specific perimeters. This could be specifics such as it always matches what the pension systems minimum requirement is for insurance. For the level of insurance that the City of Springboro has, it is \$1,000 per month, currently, to get one service credit with retirement benefits possible. The Review Commission felt that was a rather large jump for Council and they were nervous with being in language that it would tie salaries to another entity knowing that they can only get together every five years should the pension system reevaluate/decide that the minimum threshold increase drastically. Looking at other jurisdictions, Council salaries did vary. They looked at both the high and the low with high being Springboro and the low being Waynesville. They felt that the middle of this range was comparable with other communities as part of their rationale. With the date being 2020, that is also dictated by the Charter. It dictates that any increase to a Council's salary does not go into effect until the beginning term of that Council member's next election term provided that the ordinance is passed six months prior to the November election. For the election this November, for it to go into effect for those council members voted into their position, it would have needed to be adopted six

months prior to November. It is a timing issue as to why it cannot be in effect for this particular cycle. Mrs. Duffy thinks the intention was that none of the members that would have voted on the ordinance would immediately receive compensation, it is only at the beginning of their next term. The next term that would come into effect would be the one that is voted on in 2019 which begins January 1st of 2020. That is the timing issue and the rationale. One of the discussions that was had, knowing there was a timing issue, was that they were not going to meet the January 1st deadline, was to table it and come back in a couple of years and then reevaluate other people's salaries, reevaluate what the OPERS minimum was but the law director instructed them that the Charter language did not allow for that and they can only meet every five years. There is plenty of time in the reading cycle since it is not an emergency to get information from our law director as to exactly when it would go into effect.

Council members discussed the timing of this vote and how it would affect current salaries. If it has a span of five years between the vote and actual increase, it does not seem logical. If Charter Review Commission recommends an increase, Council can only accept or deny the recommendation. Council cannot set their own salaries. Review Commission meets every five years, they must recommend an increase for approval and vote six months prior to November ballot. Those Council members voted in during that November would then receive the approved salary the following January. Current members are disappointed that the Review Commission could not make a decision on salaries and members would like this to be discussed further at a Council work session. There has been sixteen years with no salary increase for Council and the Review Commission decided that an increase of \$30 would be recommended. The Review Commission felt that this salary recommendation was in line with those communities of similar size. In order to draw qualified people to replace Council, the salary needs to be discussed as most individuals lose money taking the time out of their days to provide support on Council. There are larger discussions between Council than what most people are aware of and their time is not just while in meetings/on camera. There are work sessions, special meetings, public events and seminars that are also part of a Council member's duties. The amount of compensation is well below the amount of actual hours put in to the job as well as the amount of personal money spent on a personal campaign to obtain the position.

This discussion will be continued during an upcoming work session to be scheduled with the Village law director.

Second and Third Readings of Ordinances and Resolutions:

RES. 8-17: A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE CHARTER OF THE MUNICIPALITY OF CARLISLE, OH AND DECLARING AN EMERGENCY

Emergency language was adopted during the first reading on June 27, 2017.

Mr. McEldowney thanked the Charter Review Commission for putting this together as this is their first item to vote on based on the work that they have done. He also encourages residents to understand the difference between resolutions and ordinances. It is great to be able to offer the citizens an opportunity to vote on the issue as a whole and reach beyond the seven members of Council. His vote on this issue will reflect the opportunity to give citizens that option.

Mr. McIntosh also encourages the citizens to understand the difference between resolutions and ordinances. It would be nice to instruct the manager to apply for free grant money without three votes and thirty days. Doing business by emergency gives the perception that Council is trying to do things fast or rushing it; however, there are many benefits to this type of business and allow us to increase efficiency.

With no further discussion, Mr. Lickliter made a motion to adopt, seconded by Mr. Fryman.

Roll Call:

Ms. Tankersley	yes
Mr. McEldowney	yes
Mr. Lickliter	yes
Mr. Fryman	yes
Mr. Jewett	yes
Mr. McIntosh	yes
Mayor Winkler	yes

Resolution passed on this day will be entered into Resolution Record Book as Res. 8-17.

RES. 9-17: A RESOLUTION AUTHORIZING THE MANAGER OR DESIGNEE TO APPLY FOR AND ACCEPT A GRANT FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION.

With no further discussion, Mr. Jewett made a motion to adopt, seconded by Mr. Lickliter.

Roll Call:

Mr. McIntosh	yes
Mr. Fryman	yes
Mr. Lickliter	yes
Mr. McEldowney	yes
Mr. Jewett	yes
Ms. Tankersley	yes
Mayor Winkler	yes

Resolution passed on this day will be entered in Resolution Record Book as Res. 9-17.

ORD. 9-17: AN ORDINANCE DETERMINING TO PROCEED WITH THE LIGHTING OF STREETS, LANES AND OTHER PUBLIC WAYS IN THE MUNICIPALITY OF CARLISLE, OH.

With no further discussion, Mr. Fryman made a motion to adopt, seconded by Mr. Lickliter.

Roll Call:

Mr. Jewett	yes
Mr. McIntosh	yes
Ms. Tankersley	yes
Mr. Fryman	yes
Mr. Lickliter	yes
Mr. McEldowney	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered in Ordinance Record Book as Ord. 9-17.

ORD. 10-17: AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR LIGHTING OF THE STREETS, LANES AND OTHER PUBLIC WAYS IN THE MUNICIPALITY OF CARLISLE, OH WITH ELECTRIC LIGHTING.

With no further discussion, Ms. Tankersley made a motion to adopt, seconded by Mr. Lickliter.

Roll Call:

Mr. Fryman	yes
Mr. McIntosh	yes
Mr. Jewett	yes
Mr. McEldowney	yes
Mr. Lickliter	yes
Ms. Tankersley	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered in Ordinance Record Book as Ord. 10-17.

ORD. 11-17: AN ORDINANCE ACCEPTING THE DEDICATION OF STREETS IN THE TIMBER RIDGE SUBDIVISION, SECTION SEVEN, AND VILLAS TIMBER RIDGE SUBDIVISION, SECTION FOUR.

With no further discussion, Mr. Lickliter made a motion to adopt, seconded by Mr. Jewett.

Roll Call:

Mr. Fryman	yes
Mr. McIntosh	yes
Mr. Jewett	yes
Mr. McEldowney	yes
Mr. Lickliter	yes
Ms. Tankersley	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered in Ordinance Record Book as Ord. 11-17.

With no further business, Ms. Tankersley made a motion to adjourn, seconded by Mr. Jewett.

Roll Call:

Mr. Licklitter	yes
Ms. Tankersley	yes
Mr. McIntosh	yes
Mr. Fryman	yes
Mr. McEldowney	yes
Mr. Jewett	yes
Mayor Winkler	yes

Meeting adjourned at 7:04p.m.

Date: _____

Mayor

Attest: _____
Clerk of Council

MEMORANDUM

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: JULIE DUFFY, VILLAGE MANAGER

DATE: August 4, 2017

POLICE

The police department has been active this past week. The department has been working on transitioning duties and assignments from Officer Gee to other officers in preparation for her departure. Officer Gee officially submitted her resignation notice on July 28th with her last day with our department being August 12th. Officer Gee has been a valued member of the department and will be greatly missed. A conditional offer is being extended to Officer Jerry Krebs who currently is an officer with the Felicity Police Department. We are hopeful that Officer Krebs will be able to begin his field training on August 14th and introduced to Council on August 22nd.

FIRE DEPARTMENT

Two new volunteers were sworn into the department this past week – Andrew Kleinschmidt and Brandon Oliver. Chief Holbrook will introduce them to Council upon their completion of their fire certification. Chief Holbrook met with JEMS Chief Riddiough and Franklin Township Assistant Chief Daly to go over joint responses and GIS location with the new County CAD system.

SERVICE

The department provided support to assist the crews from John R. Jurgensen during the paving of Jamaica Rd and Beachler Rd with traffic monitoring. Crews from RLA repaired the parking lot at Cook Park that was damaged during the staging of the gas service line work performed in the Fairview subdivision. There will be another contractor in that plat next week that will be doing some boring work to install an anti-corrosion line near the gas lines. My understanding is that they will be operating in the right-of-way near the perimeter of Cook Park and will bore under Katie's Ditch to Montgomery Ave. The disruption of this process should be much less invasive than the replacement of the service lines. In addition to their regular maintenance duties, the department is still maintaining the lawns on vacant houses at 405 Central Ave and 7278 Beth Ct.

CARLISLE CREMATORIUM

As was reported on several news outlets, the crematorium in the Carlisle Business Park had its cremation license temporarily suspended. I'm sure that Council was as shocked as I was to read some of the reports from the news agencies regarding this incident. My understanding is that a hearing will be held in the next week or two to determine if the license will be able to be reinstated. I have not seen a copy of the official inspection. However, some of the alleged violations that I have seen on the

internet are quite disturbing. I had a lengthy conversation with one of the owners of the facility to understand what happened as well as get a feeling for the likelihood of them being able to continue operation. Although I cannot determine what is and is not allowed with regards to State licensing, I felt it important to relay what I learned from the conversation to help Council understand some context behind the headlines.

According to the owner, the facility performed 500 cremations and over 2,400 transports of deceased individuals last year. In addition to providing cremation services for families in the area, they also provide cremation and transportation services for numerous indigent persons as well. The bodies that were in the poorest state in the report were received by the crematorium in that condition. As explained to me, indigent bodies are typically not taken care of post-mortem with the same care as one would take care of a family member. Often these bodies are discovered several days or weeks after death in exposed or less than sanitary conditions before they can be transported to a morgue for preservation. In addition, the facility must wait on various legal documents before it can dispense of an unclaimed body. This would account for reports of bodies being at the facility for several months.

I know that the owner is very upset with this situation and understands that it makes for a very good news story. However, as with any good story, there are multiple sides and opinions with the actual truth somewhere in between. The business is still allowed to perform other services – such as transport – but cannot provide any cremation services at this time. I will update Council with any additional information related to this situation.

GOLF CART LICENSING

As of January 1, 2017, the State of Ohio adopted legislation that permits local jurisdictions the ability to pass a local ordinance allowing the use of under-speed vehicles (aka golf carts) on designated streets that are 35mph and under. Currently, we do not have a local ordinance that would allow such vehicles on Village streets. The golf carts would have to be “street legal” and meet minimum safety standards such as headlights, seat belts, brake lights, working horn, rear view mirror, and turn signals. The local police department would be required to inspect the vehicles for compliance and sign an inspection/certification document in order for the BMV to issue a license. A person operating the vehicle would need to hold the same valid driver’s license as any other motorized vehicle.

Staff has received a request from a citizen to drive a licensed golf cart on Village streets. Chief Bruck has indicated that if Council is considering adopting an ordinance, that we would prohibit the use of them on any official truck route with the Village limits due to safety concerns. This would prohibit their use on SR123, Dayton-Oxford Rd, Lower Carlisle Road, and Jamaica Road. I have been told that several members of the community have golf carts and would want to drive them on public streets so I do not think this is an isolated request.

Staff has recommended some proposed changes to the property code that I am currently reviewing. I recommend that we have a work session in the future to discuss these recommendations in addition to the requested golf cart operation. There is already a scheduled work session scheduled for August 22nd to discuss Council compensation and the Charter so this could be another topic for that night or perhaps on a different day.

WORK SESSION – AUGUST 22ND

A reminder that there is a work session scheduled for August 22nd Council meeting. Typically, the work sessions are held after the conclusion of the regular meeting. However, the third reading is scheduled that evening for the adoption of the changes to Council salaries. Question – do you want to postpone the third reading of this legislation to the September 12th meeting to allow for discussion at the work session?

MORATORIUM ON MEDICAL MARIJUANA

Our current moratorium expires on August 13, 2017. I have checked with area communities to see what legislation they are enacting regarding this issue. The City of Franklin currently has a moratorium that will expire in a few weeks. At this time, they are not certain what action they will take. Their Law Director has resigned to take a position in Xenia, so they are in a bit of limbo at the moment. The City of Springboro is in the process of adopting legislation to formally prohibit all forms of medical marijuana within their limits. I have attached a copy of their proposed ordinance for your review.

Given the fact that our Law Director is currently on vacation and that the State is still finalizing rules regarding the processing and dispensing of medical marijuana, I recommend that we extend our moratorium to allow for additional time to discuss and research this issue. The proposed extension legislation would continue to prohibit the distribution of a permit to cultivate, process or dispense with the Village. However, this extension includes language to still allow cultivation on the agreed upon parcel in the Business Park that is under contract with Ohio Craft Cultivators, LLC.

LEGISLATION or COUNCIL ACTION REQUIRED:

FIRST READING

Ordinance: Extending Moratorium for Medical Marijuana-Related Business (Emergency): This Ordinance would extend the moratorium that expires on August 13th for an additional 180 days. This legislation would still allow for the cultivation on the agreed upon parcel in the Business Park as was previously adopted on June 19, 2017. Emergency language is required to have the moratorium be in full effect prior to the expiration of the current moratorium deadline.

SECOND READING

Ordinance: Establishing the Salary of the Mayor and Council: This Ordinance is to adopt the Charter Review Commission's recommended salary increase. The recommended increase would not go into effect until January 1, 2020 and would raise the salary for Council by \$30 per month and the Mayor by \$60 per month.

THIRD READING

No third reading of an Ordinance or Resolution is scheduled for the August 4th meeting.

CITY OF SPRINGBORO, OHIO
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE, PROHIBITING MEDICAL MARIJUANA CULTIVATION, PROCESSING AND DISPENSING IN ALL ZONING DISTRICTS; AND CROSS-REFERENCING OTHER PROHIBITED USES.

WHEREAS, the Ohio General Assembly passed and Governor Kasich signed H.B. 523 permitting the sale, cultivation, research on, processing, and use of medical marijuana within the State of Ohio which is now codified in the Ohio Revised Code section 3796.01-3796.30; and

WHEREAS, pursuant to Ohio Revised Code 3796.20, the legislative authority of a municipal corporation may adopt an ordinance to prohibit cultivators, processors, or retail dispensaries within the City of Springboro; and

WHEREAS, the Springboro Planning Commission at its meeting on May 31, 2017, following a discussion on May 10, 2017 with members of City Council present, approved a recommendation prepared by City staff to amend the Planning and Zoning Code and prohibit the cultivation, processing and dispensing of medical marijuana. The recommendation also included language that provides cross references to prohibition language already present in the Planning and Zoning Code for other uses;

NOW, THEREFORE, THE MUNICIPALITY OF SPRINGBORO HEREBY ORDAINS:

SECTION I

Section 1263.02, Prohibited Uses and Uses Not Expressly Permitted, of the Planning and Zoning Code, is hereby amended by the addition of text as indicated in **bold and underline**:

- (a) Prohibited Uses Generally.** No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land with public and/or privately developed improvements be used, arranged to be used or designed to be used, in a manner which does not comply with all of the district provisions established by these regulations for the districts in which the building or land is located.
- (1) Uses which do not appear in the Ordinance by virtue of their omission from **Section 1263.04**, Table 6, Permitted Uses by District, are prohibited.
 - (2) A prohibited use may become a permitted use if Council passes an amendment incorporating the prohibited use into appropriate use lists for appropriate zoning district(s).
 - (3) A prohibited use may become a permitted use if the Zoning Inspector determines the use should be a permitted use in an appropriate zoning district because it is substantially similar in character to specifically permitted use in such district.
 - (4) Uses for enterprises or purposes that are contrary to federal, state, or local laws or ordinances are prohibited.
- (b) Prohibited Uses. The following uses are prohibited in all zoning districts:**
- (1) Medical marijuana as defined in the Ohio Revised Code Chapter 3796.**

- A. The cultivation, processing and dispensing of medical marijuana are prohibited uses in all zoning districts.**
- B. This prohibition shall not be applicable to the extent it limits any research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.**
- C. Nothing herein shall prohibit the legal personal use or legal possession of medical marijuana by individuals in the City.**
- (2) Certain home occupations identified in Section 1264.33(j), Development Standards for Specific Uses, Home Occupations.**
- (3) Certain uses as identified in Section 1268.01(e), ADD-1, Austin Development District 1, Prohibited Uses.**

SECTION II

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were taken in meetings open to the public and in conformance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION III

This Ordinance shall take effect thirty (30) days after its adoption, the earliest date allowed by law.

Adopted: _____

John H. Agenbroad, Mayor

ATTEST:

Lori A. Martin, Clerk of Council

This Ordinance was prepared by Alan Schaeffer, Law Director and Dan Boron, Planning Consultant.



July 28, 2017

Kathleen Gee
Police Officer

Dear Katie:

I am in receipt of your letter of resignation dated July 28, 2017. It saddens me to accept your resignation. You have given many years of dedication and loyalty to the Village/City of Carlisle, and you will be sorely missed.

Your service to the Village is greatly appreciated and I have enjoyed working with you the past 9 years.

I wish you much success in your new endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Duffy", written in a cursive style.

Julie Duffy
Village Manager

xc: Mayor & Council
file

ORDINANCE NO. 13-17

AN ORDINANCE EXTENDING A MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY (180) DAYS ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR ANY PROCESSORS OF MEDICAL MARIJUANA WITHIN THE MUNICIPALITY OF CARLISLE, OHIO, AND DECLARING AN EMERGENCY.

- WHEREAS,** House Bill 523, which is the Bill legalizing the dispensing, cultivating, and processing of medical marijuana in the State of Ohio, became effective September 8, 2016; and
- WHEREAS,** for the purposes of this Ordinance, "retail dispensaries", "cultivators", and "processors" are defined in newly enacted Chapter 3796 of the Ohio Revised Code; and
- WHEREAS,** Ohio Revised Code Section 3796.29 also authorizes a Municipality to limit the number of, or entirely prohibit, retail dispensaries, cultivators, or processors licensed under Ohio Revised Code Section 3796.29 in the Municipality of Carlisle; and
- WHEREAS,** the State of Ohio has not yet finalized rules regarding the processing and dispensary of medical marijuana; and
- WHEREAS,** Village staff will need additional time to review the adopted State rules before making recommendations on zoning, prohibition and/or limitations of medical marijuana so that any necessary regulations conform to the goals of the Municipality of Carlisle and help ensure the public peace, health, safety, and welfare of its residents; and
- WHEREAS,** an extended moratorium on the granting of permits for medical marijuana-related businesses in Carlisle will allow the Municipality time to accomplish these goals.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF CARLISLE, OHIO THAT:

- Section 1.** Village Council hereby extends a moratorium of one hundred and eighty days on permits for the establishment of retail dispensaries, cultivators, and processors of medical marijuana so that Village staff may study the new law and the related issues and then determine whether to limit or entirely prohibit retail dispensaries, cultivators, and processors in the Village and to prepare any necessary regulations.
- Section 2.** Village Council hereby directs and orders that no permits for retail dispensaries, cultivators, or processors of medical marijuana shall be issued or processed by the Municipality of Carlisle during the one hundred and eighty day moratorium.
- Section 3.** Ordinance No. 8-17 shall remain in effect which lifted the moratorium on the cultivation of medical marijuana only on Parcel No. 01-33-451-020 Lot Pt. 5.
- Section 4.** This Ordinance is hereby declared to be an emergency measure to preserve the public peace, health, safety, and welfare of the inhabitants of the Municipality, and therefore this Ordinance shall take effect immediately upon its adoption.

Adopted: _____

Mayor: _____

Attest: _____
Clerk of Council

Introduced by Mayor Randall Winkler

ORDINANCE NO. 12-17

AN ORDINANCE ESTABLISHING THE SALARY OF THE MAYOR AND COUNCIL MEMBERS OF THE MUNICIPALITY OF CARLISLE, OHIO.

WHEREAS, the current salary of the Mayor and council members was established by Ordinance 40-01, passed December 11, 2001, and;

WHEREAS, the Charter of the Municipality, section 4.07, provides that the Charter Review Commission shall review the salaries of the Mayor and Council Members as part of their duties every five years, pursuant to Section 12.04 of the Charter, and shall make recommendations to Council, and;

WHEREAS, if Council accepts the recommendations, an ordinance will be adopted setting the appropriate salaries pursuant to the recommendations of the Charter Review Commission, and;

WHEREAS, the Charter Review Commission has completed a review of Mayor and Council salaries and has recommended an adjustment to become effective January 1, 2020 pursuant to Section 4.07 of the Charter, and;

WHEREAS, it is the desire of the majority of Council to accept the recommendation of the Charter Review Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF CARLISLE, OHIO THAT:

SECTION 1: effective January 1, 2020, the Mayor shall be paid the sum of Six Hundred and Sixty dollars (\$660.00) per month (\$7,920.00 annually) and Council Members shall be paid the sum of Three Hundred and Thirty dollars (\$330.00) per month (\$3,960.00 annually).

SECTION 2: This Ordinance shall become effective from and after it's date of passage and publication as required by law.

Approved: _____

Mayor

Attest: _____
Clerk of Council

Introduced by Mayor Randy Winkler