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**MUNICIPALITY OF CARLISLE COUNCIL MINUTES**  
**REGULAR MEETING OF COUNCIL**  
**July 10, 2018 – 7:00 P.M.**  
**760 CENTRAL AVENUE, CARLISLE, OHIO**

Mayor Randy Winkler called the Carlisle, Ohio Municipal Council Regular Meeting of Tuesday, July 10, 2018 to order in Council Chambers at the Carlisle Town Hall building, 760 Central Avenue, Carlisle, Ohio. The meeting was opened at 7:03 p.m. with the Pledge of Allegiance.

**Roll Call:**

Mr. William Bicknell	present
Mr. Randal Jewett	present
Mr. Jonathan McEldowney	present
Mr. Brad McIntosh	present
Ms. Barb Tankersley	present
Mr. Tim Humphries	present
Mayor Randy Winkler	present

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

Mayor Winkler stated that Council would be entering into Executive Session to conduct interviews of candidates for vacancies on the Planning Commission. Mr. McEldowney made a motion to adjourn into Executive Session, seconded by Mr. Jewett.

**Roll Call:**

Mr. McIntosh	yes
Mr. Jewett	yes
Mr. Humphries	yes
Mr. Bicknell	yes
Ms. Tankersley	yes
Mr. McEldowney	yes
Mayor Winkler	yes

Council entered into Executive Session at 7:04 p.m.

Mr. McIntosh made a motion to return to regular session, seconded by Mr. Bicknell.

**Roll Call:**

Mr. McEldowney	yes
Ms. Tankersley	yes
Mr. Bicknell	yes
Mr. Humphries	yes
Mr. Jewett	yes
Mr. McIntosh	yes
Mayor Winkler	yes

Council reconvened back into Regular Session at 8:14 p.m.

The minutes of June 26, 2018 were presented to Council for review. Mr. Bicknell made a motion to suspend the clerk from reading the minutes, seconded by Ms. Tankersley.

**Roll Call:**

Ms. Tankersley	yes
Mr. Humphries	yes
Mr. Bicknell	yes
Mr. McEldowney	yes
Mr. McIntosh	yes
Mr. Jewett	yes
Mayor Winkler	yes

Mr. Jewett made a motion to approve the minutes as presented, seconded by Ms. Tankersley.

**Roll Call:**

Mr. McIntosh	yes
Mr. Jewett	yes
Ms. Tankersley	yes
Mr. McEldowney	yes
Mr. Humphries	yes
Mr. Bicknell	yes
Mayor Winkler	yes

**Public Forum:**

Mrs. Claudia Tufts of 7400 Diane Drive approached Council. Mrs. Tufts commented that she wanted to verbally slap each of them as she feels it is ridiculous that they make people wait an hour and fifteen minutes when this could have been done either before or after Council or on a different night. There are people here that wanted to speak to Council and they were left sitting for an hour and fifteen minutes. She believes it was rude and inconsiderate and she believes that Council can do better than that.

Mrs. Jackie Lainhart of 961 Wilshire approached Council for an update on the RV situation. She is also curious as to why two different RV's have people living in them on Industry Drive but RV's are not allowed in personal yards. Mayor Winkler stated that he was not aware of anyone living in an RV on Industry Drive. Mrs. Lainhart commented that there is one at Kitty Hawk that has been there for at least the last three summers that she knows of and the other is just down from 123 on Industry where the storage sheds are sitting way back behind the building. She has been by these during different times of the day and night and there are lights on it and there used to be a satellite dish there. Mayor Winkler informed her that he would have our Code Enforcement Officer look into both of these locations.

**Council Report:**

Mr. Bicknell thanked the two candidates for coming in this evening and for allowing them to speak about the vacancies on Planning Commission.

Mr. Jewett commented that he has had several citizens ask him why the railroad tracks are so rough and why the Village is doing nothing about it. He has spoken with Mrs. Duffy and, to let the citizens know, the railroad track crossings are not the responsibility of the Village. We are not allowed to do any repairs to the track crossings. We are at the mercy of the railroads, when they get to us, they will get to us. We are aware of the rough tracks but there is nothing we can do. Mrs. Duffy will most likely elaborate on that later. The concerns have been addressed but there is nothing that the Village can immediately do about it.

Mr. McEldowney thanked the individuals who have submitted interests for the Planning Commission. He also reminded citizens that there are other vacancies open on various boards and committees. A listing of these vacancies can be found on our website.

Mr. McIntosh thanked the two applicants that came in tonight to speak to them about the Planning Commission openings. He would encourage people to still get involved as there are a lot of boards and commission seats open. These can be found on our website or contact Town Hall. He would like to ask for a Community Events committee meeting following the next Council meeting. He would also like to extend the invitation to Chief Bruck. He would also like to send condolences the family of Franklin Clay who served as our Fire Chief for approximately six years. He knows that Carlisle and other surrounding municipalities had a good presence at his processional. He appreciates the fire department's attendance for that. He also reminded the public that Railroad Days is scheduled for August 17<sup>th</sup> & 18<sup>th</sup>. He is sure that the committee would appreciate any help that anyone would like to offer. There are still vendor sign-ups available. Contact can be made to Brian Morris through their Facebook page.

Ms. Tankersley thanked the applicants that interviewed this evening for Planning Commission openings.

Mr. Humphries commented that he had seen the property maintenance vehicle out and about yesterday and he is thinking that the employee would only be in it for professional reasons but he would like to be sure that Carlisle magnet is on the side of the vehicle. He would also like a timeline for the Dubois apartment complex (Carlisle Crossings), something as to what they will be doing and on what timeline for possible rehab. He would like to get something in writing from them as soon as possible. Mrs. Duffy explained that they have had one meeting with the owner and are in the process of scheduling a second meeting to follow-up on the items discussed. Monday, July 16<sup>th</sup> is the beginning of the Warren County Fair in Lebanon at the fairgrounds and it runs through Saturday, July 21<sup>st</sup>, ending with a demolition derby night. He would like to see everyone going out and supporting the County Fair.

**Mayor's Report:**

Mayor Winkler extended his condolences to the family of Franklin Clay. He had the opportunity to socialize and visit with Frank once a month during the Mayor and Managers' Meeting. Frank was the Executive Director of the Miami Valley Fire District and he also taught at Sinclair Community College. He saw him just in May and said he would see him in September. He was a great man and he enjoyed their talks. Mr. Clay was also involved with the Carlisle Historical Society and he will be greatly missed.

**Manager's Report:**

Mrs. Julie Duffy commented about the railroad repairs mentioned by Mr. Jewett. Carlisle was notified last fall by CSX that they planned on doing some crossing repairs through Carlisle. At that time, they thought that they would have the repairs done prior to the winter season; obviously, that did not

happen. We have been told that the crews are north of here working their way down the line but we have not yet been contacted about when they will be in Carlisle. The plan is, that when they do come, they will be closing the Fairview & Union Road crossings together and, weather depending, each crossing takes about a day or two to repair. They will open those two crossings and, for now, skip the 123 crossing and repair Beachler Road and Martz Paulin Road crossings. At some point, they will then return and repair the 123 crossing which is getting worse and worse. Mr. Jewett is correct in saying it is bothersome that we have zero control over the railroad. If you notice when paving is done, we stop far from the crossings because the railroad right-of-way is a pretty good spread from one side of the railroad to the other and we not allowed to do any work within the railroad right-of-way. There have been times in the past when we have asked to do that work on our own to help with some paving closer to it and it is not allowed as it is federally regulated. It is frustrating that we are at their mercy for communication and repairs, it is not an excuse, it is unfortunately just a reality with the railroad. We will see some relief with those crossings but we just don't know when. Once we have been notified of that timeline, we will post information on our website and Facebook page as to when those crossing will be closed and the detour routes for them.

As a reminder, JEMS and the City of Franklin Fire Department will be offering free CPR training to residents of Carlisle and Franklin Township. The next session will be on Saturday, August 18<sup>th</sup> from 1:00 p.m. – 4:00 p.m. This information has been posted on our sites and we will keep you updated. There will be more dates coming in October and December so there are additional opportunities. These will be at the City of Franklin Fire Department. You will need to register but there is no cost to residents.

National Night Out will be happening in Carlisle in August. We have not participated in this event for two years. We are bringing that back into town. The date will be Tuesday, August 7<sup>th</sup>. It will be at Roscoe Roof Park. Chief Bruck is working on getting some events planned and, she believes, there have been some parachutes lined up and they are trying to get a canine unit as well. We will keep everyone posted on our website and Facebook pages. Mr. McIntosh commented that this is the reason for the meeting he has requested of the Community Events committee after the next Council meeting.

Carlisle has been notified of an upcoming event over Labor Day weekend, specifically September 2<sup>nd</sup>. The Miami Valley is having a bicycle event called the Tour de Gem and it is a community bicycle one-day event where there is a 100-mile route set-up that tries to touch every community in the Miami Valley as a way to promote the region. There are sections of the course where you can ride for as little as three miles and be part of the event or you can do the entire tour which is a total of 107 miles. You can have a team or you can be an individual. It is meant to be a fun day to help promote the community. A portion of the route will come through Carlisle. We have been told that based on best "guesstimate" that bicycle traffic should be between 8:00 a.m. – 10:00 a.m. Updates will be available as it gets closer. The route will come down State Route 123 heading west towards Germantown so we will be on the main path. We are not sure where Carlisle sits on the route to anticipate how many riders may be coming through town but, again, we will keep everyone posted. The event is guessing that they will have 100-200 riders for this inaugural event. At a meeting earlier in the year, this group talked about bringing this to the Dayton area and they are basing it off of some really popular community events out west in the Las Vegas/Arizona areas where it has turned into a great opportunity for communities to plan activities. This will be the first event. If you are interested in more information or

participating, you can go to their website at [tourdegem.org](http://tourdegem.org) and we will also have information on our website as well.

**Committee Report:**

None

**Old Business:**

None

**New Business:**

Ohio Open Checkbook – Ryan Rushing – included in Council’s packet is information on this presentation. This program was brought to Council’s attention several years ago and it has been revisited. He was contacted by the Ohio State Treasurer’s Office recently and, being that it was a topic once discussed with Council and viewed more as a political policy discussion, he thought it would be more appropriate to bring to Council tonight to get their input and feedback on if we would like to participate in this program moving forward. A little bit of background as to what the Ohio Open Checkbook is – it’s a program that was created by the State Treasurer’s Office in 2014. The original purpose of the open checkbook was to put the state spending online. It was marketed as you can go down to the individual check and view spending to increase transparency. Since that time, the program has expanded to include other jurisdictions whether it be villages, municipalities, school districts, universities, counties, public libraries, etc., to offer the program to participate. Before joining this program, he would like to know Council’s opinion since it is not mandatory and completely voluntary and would put our entire spending online on this Ohio Open Checkbook so that anyone can go online and view, down to the individual check, and see our spending. Since the inception of this program, over 1500 local jurisdictions have joined the Ohio Open Checkbook program. Some have joined, done it for several months and then quit as you can join or leave whenever you like. Some other jurisdictions have been uploading very consistently in terms of keeping their site up-to-date. From his knowledge, when this was previously brought to Council’s attention, it was piloted here in Carlisle but, due to issues with our accounting software, the data that we uploaded to the program was not compatible so our information was not presented fairly or accurately in a way it can be accessible. He believes that everyone would agree that any information published should be fair and accurate to the best of our abilities. Since that time, he was contacted by the State Treasurer’s Office and he met with one of their representatives and they have reached out to our software company, CMI. They then worked on a patch to this bug of uploading the data so that it is presented fairly and accurately. He is now seeking direction and any comments or questions of whether this is something that Council would like to do. His personal staff recommendation would be to pilot the program so they can launch a site that is only accessible if you have a certain code to get into it to see if it is working. From his previous knowledge, it was something that put a lot of time and resources on staff and, due to that data transferring issue, was never further pursued. Anything that we can provide to be more transparent and accessible to the public is, in his opinion, a good choice. He wants to make sure that it is tested and make sure it is functioning before it is taken live to the public. He would like Council’s direction on pursuing this or if he should stop the idea.

Mr. McIntosh asked what the State's benefit of this program was other than promoting transparency. Mr. Rushing stated that transparency is their main issue. He cannot speculate as to why the State Treasurer's Office actually did it but, in his opinion, it was purely political. There is no benefit to them and no charge, no fee and it is a voluntary program. Many jurisdictions have joined it and then have stopped so if you go to the Ohio Open Checkbook's website, their information will show the date of the last update. He doesn't see any real benefit for the State whatsoever.

Mr. Humphries asked how it will affect his day and/or staff's day for the data entry to make this program happen. Mr. Rushing said that has yet to be determined as they are still creating a pilot website. The representative mentioned to him that it should not be a great time commitment for staff and he does not foresee it to be but, not having done it as of yet, he cannot truly answer that.

Mr. McIntosh asked if he had any information on what the involvement is throughout the state, if it is being widely used or not? If it has been out for a couple of years and it is not going over real well, is it something that will possibly die out? Mr. Rushing commented that there are elections this year so it is possible that a new State Treasurer could come in and scrap the entire program. Locally, he knows that the City of Franklin uses the Open Checkbook program but, for example, Warren County has not updated their site since 2016, Franklin Township has not updated their site since 2015 and Miamisburg is very active on their site, updating their information monthly. They have a lot of participating areas but most are not actively updating their data or maintaining the website.

Mr. McEldowney feels that it is worthwhile to explore further. He brought it up in 2016 and he thinks that exploring it further to see what the constraints would be on staff during the workday and reporting back to them would be a good starting point.

Mr. McIntosh's concern is the accuracy of the information. Everything is public record anyway but he doesn't want to push it out there if it is not correct. He doesn't have a problem putting it out there as long as it is accurate. Mr. Rushing believes that it goes back to the saying "content is great but content without context is very dangerous". As we all know, many things on social media are immediate and very accessible but how accurate it is and how fairly it is presented causes a lot of misunderstandings and falsehoods that do not put out the best of images. Mr. McIntosh stated that software patches are not always foolproof. He has no problem with Mr. Rushing moving forward and experimenting with the pilot. Mayor Winkler also commented that he would like for Mr. Rushing to check it out further and report back to Council with his findings. Mr. McEldowney suggested that Mr. Rushing find other jurisdictions or municipalities currently using CMI along with the Ohio Open Checkbook to see how their experience is going with any software patches they have had to make. Mr. Rushing also noted that due to Carlisle being frugal as well as fiscally responsible, they are currently using previous versions of the software so the company does not have as much staff on hand with knowledge of the version we are utilizing. Hopefully, we will update that software in the future and the newer version may be more compatible.

Mr. McIntosh asked if our software was housed locally or if it was cloud-based. Mrs. Duffy commented that we have a local server and part of that server is partitioned to be a CMI server. We are currently housed locally but newer versions are offering more cloud-based options. Historically, we tend not to be trendsetters when it comes to software. We have never been in the first issue of any software for any platform, we are usually about two versions behind. With CMI, because it has met our current

needs, we have never really been in a hurry to keep up with the newer versions. We are normally in the “forced upgrade” category. Prior to CMI, we were still DOS based and were forced out mainly because programmers had no idea how to program behind the scenes in DOS for CMI. We are actually upgrading the utility software this year so we can begin accepting online payments as well as testing out what it is like to work in a newest version of CMI software. Mr. Rushing commented that they are currently working with the IT company, HGST, on updating our firewall, licenses and server as well as requirements to update the utility software. Mrs. Duffy also commented that we are transitioning over to having our back-up on the cloud versus being done locally.

Mr. McIntosh would like to make a motion to accept the resignation of Martin Neal from the BZA; seconded by Mr. Bicknell.

***Roll Call:***

Mr. Bicknell	yes
Mr. McIntosh	yes
Mr. Jewett	yes
Mr. McEldowney	yes
Mr. Humphries	yes
Ms. Tankersley	yes
Mayor Winkler	yes

Mr. Neal’s resignation has been accepted. Mayor Winkler thanked Mr. Neal for spending 25 years on the BZA. Mrs. Duffy announced that another member of BZA, Mr. Morris, has also submitted his resignation and that information will be included in Council’s packet for the meeting on July 24<sup>th</sup>.

***First Reading of Ordinances and Resolutions:***

**RES 12-18 A RESOLUTION INITIATING THE AMENDMENT OF THE CARLISLE ZONING MAP TO CHANGE THE ZONING CLASSIFICATION OF SPECIFIC PARCELS, AND REQUESTING AN EMERGENCY**

Mrs. Duffy explained the reason for the emergency language is that this resolution is to initiate the official process to change zoning classifications on the zoning map. This comes out of two previous work session discussions where there were several parcels in town that are currently classified as M-1 manufacturing and those properties have homes on them. These places of residences are not allowed in an M-1 classification so they are not zoned properly for their current use nor prospective use. The reason that is a concern is if anything should happen to those residences, they would potentially not be allowed to rebuild as a home even though those homes have been established since the 1970’s. We are just trying to clean up the map to match the official use to how they are currently being used. There is a list of 16 properties throughout town. Through the course of work session discussions, two additional property owners came forth and asked for their properties to be rezoned since they knew we were rezoning a bunch of other properties. This would officially send the list of properties to be rezoned to the Planning Commission for them to review and discuss. There will be a required public hearing at the Planning Commission. Notification letters will be sent to all of the property owners inviting them to the public hearing. Planning Commission will make a recommendation either to go forward with the list,

modify the list or to recommend that these properties not be changed. Their recommendation will come back to Council at a later date for a second public hearing with the property owners and to officially change the zoning classifications. The reason for the emergency is the next Planning Commission meeting to begin this lengthy process is set for August 2<sup>nd</sup> so this allows us to get the required information out there, newspaper advertisements and letters to property owners. In previous work session discussions, there was a property owned by Mr. Prater in Montgomery County that is vacant. That has been removed from the original list. This vote will be to officially begin the process and does not actually change any zoning at this time.

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

***Roll Call:***

Mr. Humphries	yes
Ms. Tankersley	yes
Mr. Bicknell	yes
Mr. Jewett	yes
Mr. McEldowney	yes
Mr. McIntosh	yes
Mayor Winkler	yes

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

***Roll Call:***

Mr. Jewett	yes
Mr. Humphries	yes
Mr. Bicknell	yes
Mr. McEldowney	yes
Ms. Tankersley	yes
Mr. McIntosh	yes
Mayor Winkler	yes

Resolution passed on this day will be entered into Resolution Record Book as Res. 12-18.

***Second and Third Readings of Ordinances and Resolutions:***

**ORD. 8-18 AN ORDINANCE EXTENDING A MORATORIUM FOR A PERIOD OF ONE-YEAR ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR ANY PROCESSORS OF MEDICAL MARIJUANA WITHIN THE MUNICIPALITY OF CARLISLE, OHIO**

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



**Roll Call:**

Mr. McIntosh	yes
Mr. Bicknell	yes
Mr. Humphries	yes
Mr. McEldowney	yes
Mr. Jewett	yes
Ms. Tankersley	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 8-18.

**ORD. 11-18. AN ORDINANCE ACCEPTING THE FINAL PLAT OF EAGLE RIDGE, SECTION SEVEN AND CONFIRMING THE DEDICATION OF EASEMENTS**

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

**Roll Call:**

Mr. Humphries	yes
Ms. Tankersley	yes
Mr. Bicknell	yes
Mr. Jewett	yes
Mr. McEldowney	yes
Mr. McIntosh	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 11-18.

**ORD. 12-18 AN ORDINANCE AMENDING SECTION 1274.17 PARKING AND USAGE OF RECREATIONAL AND PASSENGER VEHICLES IN RESIDENTIAL DISTRICTS OF ZONING CODE**

Mr. Humphries commented that a lot of time and effort has been put into this zoning code. The goal is to respect property values. There is no perfect plan. The diversification of this community of having homes with gravel driveways and no curbs, gutters or sidewalks that have a cost in the buyer's market of \$50,000 to the homes with all of the amenities at a market value of \$400,000. There is no perfect way to cover that gamut. There was a lot of time and effort that was taken into consideration. It is hard to make a rule that covers everyone. Please note that if there is something that just doesn't fit, come to Council, or the Village Manager and help us understand because there are going to be a few opportunities where a variance may be offered because of being an anomaly of something that doesn't fit under this blanket.

Mr. McIntosh thanked all of the property owners that came out during all of the discussions and presented sides and ideas that we wouldn't have thought of otherwise. Not all of the ordinances are perfect but he believes a lot of them are a good compromise on both sides. They might need tweaked in the future but he believes it is much better than what we had before.

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

**Roll Call:**

Ms. Tankersley	yes
Mr. McEldowney	yes
Mr. Humphries	yes
Mr. Bicknell	yes
Mr. Jewett	yes
Mr. McIntosh	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 12-18.

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

**Roll Call:**

Mr. Jewett	yes
Mr. McIntosh	yes
Ms. Tankersley	yes
Mr. Bicknell	yes
Mr. Humphries	yes
Mr. McEldowney	yes
Mayor Winkler	yes

Meeting adjourned at 8:52 p.m.

Date: 7-24-18

Randy Winkler  
Mayor

Attest: [Signature]  
Clerk of Council