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**MUNICIPALITY OF CARLISLE COUNCIL MINUTES  
REGULAR MEETING OF COUNCIL  
SEPTEMBER 14, 2021 – 7:00 P.M.  
760 CENTRAL AVENUE, CARLISLE, OHIO**

Mayor Randy Winkler called the Carlisle, Ohio Municipal Council Regular Meeting of Tuesday, September 14, 2021 to order in Council Chambers at the Carlisle Town Hall building, 760 Central Avenue, Carlisle, Ohio. The meeting opened at 7:01 p.m. with the Pledge of Allegiance.

**Roll Call:**

Mrs. Debbie Kemper	present
Mr. Randal Jewett	absent
Mr. William Bicknell	present
Mrs. Kim Bilbrey	present
Mr. Chris Stivers	present
Mr. Tim Humphries	present
Mayor Randy Winkler	present

Staff members present: Village Manager Julie Duffy  
Finance Director Ryan Rushing  
Clerk of Council Jennifer Harover

Mayor Winkler explained that Mr. Jewett would not be in attendance this evening and asked for Council to excuse him. Mrs. Bilbrey made a motion to excuse Mr. Jewett from tonight's meeting, seconded by Mrs. Kemper.

**Roll Call:**

Mr. Bicknell	yes
Mrs. Bilbrey	yes
Mr. Stivers	yes
Mr. Humphries	yes
Mrs. Kemper	yes
Mayor Winkler	yes

Mr. Jewett has been excused from tonight's meeting.

The minutes of August 24, 2021 were presented to Council for review. Mrs. Bilbrey made a motion to approve the minutes as presented, seconded by Mrs. Kemper.

**Roll Call:**

Mrs. Bilbrey	yes
Mrs. Kemper	yes
Mr. Stivers	yes
Mr. Humphries	yes
Mr. Bicknell	yes
Mayor Winkler	yes

Minutes of August 24, 2021 were approved.

**Public Forum:**

No members of the public were present.

**Council Report:**

Mr. Humphries thanked CSX for the quick repairs to a broken sensor last Friday at the crossing on State Route 123. This required that crossing to be closed while repairs were made. He thanked the community for being patient during this time. He also thanked the Service Department for their timely response in helping with appropriate detour signage and the Police Department for the assistance in directing traffic through the detour. The repair took a bit longer, closing the crossing until the next morning, due to the availability of asphalt.

Mr. Stivers thanked the Service Department for getting the signage out for the crossing detour. He reminded those running in the upcoming elections to not place political signs in the right-of-way which is the space between the roadway and sidewalks.

Mrs. Bilbrey congratulated Phil and Teresa Wilcher for receiving the Business of the Month at Phil's Auto and Tire. She enjoyed being able to celebrate this with them and the eleven employees they have there. She let the residents know that all businesses that are brick and mortar stores will receive a turn of being Carlisle's Business of the Month. There is no specific vote or accomplishment, it is simply a random pick and every business will have an opportunity. She explained that there was to be Movies in the Park for September 22<sup>nd</sup>; however, after all of the recent Covid issues, sports schedules and timing of movies with darkness, the committee has decided to postpone this. She encourages residents to get to know the candidates by getting involved in the community and/or coming to meetings. October 31<sup>st</sup> will be Trick or Treat in Carlisle. That same evening, Trunk or Treat will take place at 767 Central Avenue (old Pizza Hotline) with Valley Real Estate Services and Church in the Village. This will be held from 4:00 p.m. – 6:00 p.m. She has reached out to State Representative Thomas Hall in regards to a post on Let's Talk Carlisle Facebook page about trains holding up traffic. She is waiting to see if he will be interested in coming to speak to our community and Council regarding the possibilities of this bill being put into place. She stated that Mr. Hall is sponsoring this bill.

Mr. Bicknell thanked Phil's Auto and Tire for allowing them to present him with the Business of the Month. This has been a longstanding business within the community and he hopes they remain that way for some time to come. He commended the Carlisle School Board for their quick decision on taking a short break just prior to Labor Day. This allowed them to put a stop to high occurrence of absences due to illness to perform contract tracing. The day following Labor Day showed a significant increase in attendance. This is something that administration, teachers and principals must deal with everyday and learn to redirect quickly to stay ahead of it. He commends them for the great job that they continue to do. He feels the same for our Village Manager and Village employees as the jobs are everchanging as new direction comes out daily to keep communities safe.

Mrs. Kemper congratulated the Wilchers on receiving the Business of the Month at Phil's Auto and Tire. They have been in Carlisle for a long time and she appreciates all of the work they have done. They are a business that normally helps with donations to the community and she is very thankful for that.

She thanked our Service Department for doing such an awesome job. The community sign as you enter into Carlisle always looks so nice. She was always very impressed with the way our staff handled the CSX issue over the weekend. Staff was out on Saturday collecting the signs and getting everything back to normal for the community. She reminded everyone about the Warren County Shred-It and Recycle Day on October 2<sup>nd</sup> from 10:00am – 1:00pm on Justice Drive in Lebanon. This will take place in the parking lot of the administration building. Any questions can be called into (513) 695-1815.

**Mayor's Report:**

Mayor Winkler commented that he and Mr. Wilcher have been friends for many, many years. It is nice to see his business recognized. Mr. Wilcher told him he was 25 years old when he opened his business in Carlisle and has now been here for 34 years. He is a great man and wonderful friend. He has had a tough summer but he is doing well now and he congratulates him.

**Manager's Report:**

Mrs. Duffy stated that along with the Warren County Shred-it and Recycling day, the county also has an area where you can recycle hard to dispose of item. There are two sheds in the back parking area of the administration building where residents can recycle old cans of paint as well as Styrofoam. These sheds are accessible each weekday during normal business hours and there are instructions on the outside of the sheds on to utilize them properly. This gives our communities a proper way of disposing of paint and Styrofoam versus filling up our landfills with it. Montgomery County residents will have an opportunity this Sunday to get rid of old tires. Montgomery County offers a buy-back program of \$2 per tire with a limit of ten. You will need to show proof of residency in Montgomery County. The event will take place at the Transfer and Recycling facility on Encrete Lane in Moraine and will operate from 9:00am – 1:00pm. As a reminder, it is illegal to transport more than ten tires in a vehicle at one time unless you have a special license. She reminded residents that our school's Homecoming parade will be happening on Thursday, September 23<sup>rd</sup>. It is nice to see these types of events returning. The line-up will be at Roscoe Roof Park at 6:00pm and the parade will begin at 6:30pm. The route will be the traditional one of crossing the tracks at Beachler, Park Drive to Central Avenue to Jamaica going in the main entrance of the school. The band and various sport teams will be present as well as the candidates for court. The football game will be on Friday at 7:00pm against Monroe. The dance this year will be on Saturday and activities will be taking place outside this year. The Homecoming committee planned the event to be under a tent behind the school in order to be compliant with COVID requirements. This will be a unique experience for everyone. She thanked our Police Department and Service Department for their quick action with the CSX issue. Our Police Chief received a very early phone call and immediately thought about the possible transportation issues for school traffic. Closing of the railroad during either arrival or dismissal of school could cause some great chaos. He was able to contact Dr. Vale at the school and coordinate a plan to get the buses rerouted fairly quick. When we were actually notified that the crossing was shutting down, it comes with no warning. Both departments went into action. Service Department provided signage and detours and the Police Department coordinated with the school and directed traffic through the detours. She received an email earlier today from Tim Abbott with CG&E that there will be assistance funds available for COVID relief for electric and gas bills. This program will be posted on our Facebook page as well as handouts for Council to help and spread the word of this opportunity.

**Committee Report:**

None

**Old Business:**

None

**New Business:**

None

**First Reading of Ordinances and Resolutions:**

**RES. 10-21 A RESOLUTION ACCEPTING THE FISCAL YEAR 2022 AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND THE AUTHORIZING OF THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.**

Mr. Ryan Rushing explained this legislation is to accept the amounts and rates for the tax year 2021 which is settled in the calendar year of 2022. These are determined by the Warren County and Montgomery County Budget Commissions. This is the next step in the tax budget process. The Tax Budget for 2022 was adopted on June 8<sup>th</sup> as Resolution 6-21. We do have one voted levy that is a 2 mil levy for our volunteer fire department. It generates roughly \$150,000 per year for our fire fund. In addition, we are required to receive the "inside" millage or a portion of the 10 mils that is authorized by the Ohio Constitution. All jurisdictions share that 10 mil inside millage, and it is unvoted but we do have to certify the rate in order to collect that for both Warren and Montgomery counties. The Budget Commission did return the Official Certificate of Estimated Resources which is the first initial document in order to develop next year's budget. This Certificate of Resources limits the amount of resources that we presented to the Budget Commission that we are able to appropriate. This is the starting document of the 2022 budget. From this, we will begin formulating the budget for next year. Ohio Revised Code does require that each taxing jurisdiction adopt the amounts and rates for the next year by October 1<sup>st</sup> or another date prescribed by the Ohio Tax Commissioner. In order to meet this deadline, both this resolution and the next are on as emergencies as they have to be in full force and effect by October 1<sup>st</sup>. Montgomery county does have an alternate date of November 1<sup>st</sup> but both are on as emergencies so we can get them to the appropriate bodies in adequate time.

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

**Roll Call:**

- Mr. Humphries        yes
- Mrs. Kemper            yes
- Mr. Bicknell            yes
- Mr. Stivers             yes
- Mrs. Bilbrey            yes
- Mayor Winkler         yes

With no further discussion, Mr. Stivers made a motion to adopt, seconded by Mrs. Bilbrey.

**Roll Call:**

Mr. Humphries	yes
Mr. Bicknell	yes
Mr. Stivers	yes
Mrs. Kemper	yes
Mrs. Bilbrey	yes
Mayor Winkler	yes

Resolution passed on this day will be entered into Resolution Record Book as Res. 10-21.

**RES. 11-21 A RESOLUTION ACCEPTING THE FISCAL YEAR 2022 AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND THE AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.**

Mrs. Bilbrey made a motion to suspend the rules requiring three readings, and have one reading by title only and declaring an emergency, seconded by Mrs. Kemper.

**Roll Call:**

Mrs. Bilbrey	yes
Mrs. Kemper	yes
Mr. Stivers	yes
Mr. Bicknell	yes
Mr. Humphries	yes
Mayor Winkler	yes

With no further discussion, Mrs. Bilbrey made a motion to adopt, seconded by Mr. Bicknell.

**Roll Call:**

Mr. Bicknell	yes
Mrs. Bilbrey	yes
Mr. Stivers	yes
Mr. Humphries	yes
Mrs. Kemper	yes
Mayor Winkler	yes

Resolution passed on this day will be entered into Resolution Record Book as Res. 11-21.

RES. 12-21 A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH DOUBLE JAY CONSTRUCTION INC. FOR ROSCOE ROOF PARK PARKING LOT RESURFACING AND JOHN STREET IMPROVEMENTS AND ON AS AN EMERGENCY.

Mrs. Duffy explained that just over a year ago Council did authorize staff to seek funding from the Community Development Block Grant ("CBDG") for assistance with two projects in town. One was to help with the drainage, accessibility and general paving of the rear parking lot to Roscoe Roof Park (Sylvia Court) as well as drainage issues and road patching repair work at John Street where it intersects with Park Drive. We were able to get the full ask of both projects from CBDG. We have moved forward seeking the bids and have received a bid from Double Jays Construction on September 2<sup>nd</sup>. Representatives from the Montgomery County CBDG were part of the process and have reviewed the bid as well as our Village Engineer. It has been deemed acceptable for this body to approve and move forward with it. These are two separately funded projects with two separate grants. However, because they are smaller projects and contractors are stretched a bit thin these days, CBDG did allow the Village to package these projects as one offering to entice more bidders. This resolution will allow her to sign paperwork for both projects. The bids actually came in under the engineer's estimate totaling about \$66,000 which is a great savings to the Village. She is asking this to be an emergency as there is a running time clock before asphalt plants close for the season as well as being able to use the CBDG funds. She showed a site plan of the John Street improvements with the existing drywells. In order to improve drainage, new drywells will be installed. The one closest to Park Drive will actually be installed on the opposite side of the current one to provide better percolation. There will also be a third drywell added as an overflow closer to the railroad. This area does back-up with water any time it rains and this will be a great improvement to the neighborhood. She showed an aerial of the back parking area for Roscoe Roof Park. This project will add paved connectivity between the current parking section and the walking trail.

Mrs. Kemper made a motion to suspend the rules requiring three readings, and have one reading by title only and declaring an emergency, seconded by Mrs. Bilbrey.

**Roll Call:**

- Mr. Bicknell            yes
- Mrs. Bilbrey            yes
- Mr. Stivers            yes
- Mr. Humphries        yes
- Mrs. Kemper            yes
- Mayor Winkler        yes

With no further discussion, Mrs. Bilbrey made a motion to adopt, seconded by Mrs. Kemper.

**Roll Call:**

- Mrs. Kemper            yes
- Mr. Humphries        yes
- Mr. Stivers            yes
- Mrs. Bilbrey            yes
- Mr. Bicknell            yes
- Mayor Winkler        yes

Resolution passed on this day will be entered into Resolution Record Book as Res. 12-21.

ORD. 19-21 AN ORDINANCE TO MAKE REAPPROPRIATION/SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE MUNICIPALITY OF CARLISLE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021 AMENDMENT NUMBER 5 AND IS ON AS A SINGLE READING.

Mr. Rushing explained that this ordinance would authorize supplemental appropriations to the 2021 budget. This is in response to federal funds that the Village of Carlisle has received from the American Rescue Plan. This plan was a federal piece of legislation that passed through Congress and was signed by the President of the United States to authorize this second step of the COVID-19 pandemic and its recovery. Unlike the CARES Act, which was primarily for the immediate public health response emergency, this plan is about the economic and fiscal recovery for the ongoing effects of COVID-19. This amount of \$285,237.14 represents half of the total that the Village will receive. In total, we will receive \$770,474.28 and the second installment will be deposited in 2022. There are several items that are prohibited as well as items allowable for expenditures. This funding meant solely for recovery. He showed Council a listing of five allowable expenditures for which the Village may use this funding. 1) Support of public health expenditures – we know with the different variants that there continues to be a public health emergency. These funds can go to use for PPE and other items to help mitigate those public health issues. 2) Address negative economic impacts caused by the public health emergency. This would support local businesses, and other economic tools in order to support those in need due to the pandemic. 3) Replace lost public sector revenue. Just like other entities, we saw the impact of COVID-19 to our funds and to the amount of revenue we normally collect. The American Rescue Plan does provide a formula to determine if reimbursement is possible for some declining funds related to the pandemic. 4) Provide premium pay for essential workers. 5) Invest in water, sewer and broadband infrastructure. These funds cannot be used for road construction or resurfacing or any items regarding roads or bridges. However, water, sewer and broadband infrastructure are allowable uses. Going through these five available categories for allowable expenditures, Staff is recommending that the Village focus 3 of these. By addressing negative economic impacts we can utilize these funds so they go right back to the community. We would ensure to develop some type of program such as grants to businesses or rental assistance so we can benefit our residents directly. They want to highlight that and make sure that a portion of these funds go right back to our community. Another item will be to replace any lost public sector revenue. This is not arbitrary as there is a formula that we must follow and it is fairly restrictive in terms of what funds and how to calculate this lost revenue. Although we are fortunate that they were able to reimburse a portion of lost revenue, this is merely a portion because the formula will limit the amount that we can reimburse. Investing in water, sewer and broadband infrastructure is beneficial to us as we know there are areas in the Village that deal with storm water issues. Staff is going through this process very diligently and making sure that they are meaningful of how they utilize these funds. They do have until December 31, 2024 to obligate these funds which means they must be encumbered by then. The actual funds then have to be expended by 2026. Unlike the CARES Act that had a very narrow window, this is a multi-year approach. There is no need to rush into allocating all of the funds immediately. This gives them time to be meaningful in helping our residents for some much needed items. This legislation will authorize the supplemental appropriation. He will first calculate the public sector lost revenue and reimburse the funds that are allowable under

their formula. Moving forward, he will approach Council on plans and ideas of other funds. As of now, he will be focusing on bullet point items 2), 3) and 5) to put these funds to work.

Mr. Stivers made a motion to suspend the rules requiring three readings, and have one reading by title only, seconded by Mrs. Bilbrey.

**Roll Call:**

Mrs. Bilbrey	yes
Mrs. Kemper	yes
Mr. Bicknell	yes
Mr. Humphries	yes
Mr. Stivers	yes
Mayor Winkler	yes

With no further discussion, Mrs. Bilbrey made a motion to adopt, seconded by Mr. Bicknell.

**Roll Call:**

Mr. Bicknell	yes
Mr. Stivers	yes
Mrs. Kemper	yes
Mr. Humphries	yes
Mrs. Bilbrey	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 19-21.

**ORD. 20-21 AN ORDINANCE ACCEPTING HE DEDICATION OF COMMERCIAL WAY EXPANSION**  
**- 1<sup>ST</sup> READING.**

Mrs. Duffy stated this legislation focuses on a section of road that extends Commercial Way. This road is where Carlisle Self Storage is located and is behind the Carlisle shopping center. Planning Commission approved the development plan for this expansion during the summer of 2020. Mr. Pilkenton has completed the necessary infrastructure improvements per plans. It has been reviewed by our Carlisle Service Director as once we go through this process, this section of road will become the Village's and will be ours to maintain. One caveat for any new road is that there is a one-year maintenance period where the developer has a certain amount of bond that needs to be posted to cover any anticipated expenses. This is a formula calculated which is based upon the overall construction cost. The maintenance bond is normally 10% of the overall construction costs. The developer has posted the necessary money into a bank account. This is on as a first reading as there is plenty of time to accept this road. It has met all of our standards and our Service Director as well as Village Engineer are recommending that we accept it.

This legislation will be on for a second reading on Council's meeting of September 28, 2021.



ORD. 21-21 AN ORDINANCE TO AMEND CARLISLE PROPERTY MAINTENANCE CODE SECTION 1466.11 AND ABOLISH THE PRPERTY MAINTENANCE REVIEW BOARD AND ESTABLISH ALL APPEALS TO BE REVIEWED BY THE BOARD OF ZONING APPEALS AND DECLARING AN EMERGENCY.

Mrs. Duffy explained that our Code has many chapters. Some are traffic enforcements, some are general offenses and some are zoning which talk about the rules of development of property within the Village. It also describes what are residential properties and what are commercial. Chapter 14 include, among other things, the property maintenance code. This portion is different from our Zoning Code. Zoning focuses on how structures and the physical land are developed. The Property Maintenance Code deals more with once the structures and the land are built and deal with aesthetic and appearance issues that must be done to maintain the value of our community. Within this code, because you can be sited if you are not in compliance with this code, we want to make sure that there is recourse for any violation received. If they then believe that Staff has misinterpreted the Code, or they think that they are in compliance, that there is a method for them to appeal to another body to review the case. In the case of property maintenance, as the Code is written today, there is a stand-alone Property Maintenance Review Board that is established per Section 1466. From what she can tell, this was put into place back in 2007. This board is made up of five residents. She does not believe nor can she find any record of having a quorum of members for this particular board. There are not usually many requests for meetings, or this would have most likely been presented to Council before now. In talking with our Law Director, our Code Enforcement Officer did receive a request from a citizen who received a violation related to junk or abandoned vehicles indicating that he may want to appeal this decision. This case has been put on pause and our Law Director has advised Council two different options. One is to seek out members to be a part of the Board so that there is a quorum so that this case could be heard should the resident want to pursue it. Another option that he feels Council should really consider is that this be placed under the purview of our existing Board of Zoning Appeals. Other communities around us have their Board of Appeals handle these types of situations. Our Board of Zoning Appeals does exist and it is currently at full membership. It does currently hear/appeal cases under the Zoning Code. The Board is familiar with an appeals process. The process under the Property Review Maintenance is slightly different but the concepts are the same. If Council would agree to this, this legislation would remove the Property Maintenance Board from our Code and replace their duties with the current Board of Zoning Appeals. It is on as an emergency as there is a resident that has indicated he may want to seek an appeal and to make sure that his case is reviewed in a timely manner.

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

**Roll Call:**

- Mr. Humphries            yes
- Mrs. Bilbrey             yes
- Mr. Stivers                yes
- Mr. Bicknell             yes
- Mrs. Kemper             yes
- Mayor Winkler          yes

With no further discussion, Mrs. Bilbrey made a motion to adopt, seconded by Mrs. Kemper.

**Roll Call:**

Mr. Stivers	yes
Mrs. Bilbrey	yes
Mr. Bicknell	yes
Mrs. Kemper	yes
Mr. Humphries	yes
Mayor Winkler	yes

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 21-21.

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

None

Mayor Winkler explained the final item on their agenda this evening is an Executive Session to discuss the possible purchase or sale of property. Immediately following tonight's meeting, Council will have a Work Session and public is welcome to attend.

With no further business, Mr. Bicknell made a motion to enter Executive Session, seconded by Mr. Stivers.

**Roll Call:**

Mrs. Bilbrey	yes
Mrs. Kemper	yes
Mr. Stivers	yes
Mr. Humphries	yes
Mr. Bicknell	yes
Mayor Winkler	yes

Council entered Executive Session at 7:42 p.m.

Mr. Bicknell made a motion to return to Regular Session, seconded by Mr. Stivers.

**Roll Call:**

Mrs. Kemper	yes
Mr. Bicknell	yes
Mrs. Bilbrey	yes
Mr. Stivers	yes
Mr. Humphries	yes
Mayor Winkler	yes

Council returned to Regular Session at 8:10 p.m.

Mayor Winkler announced that they had concluded their scheduled agenda items. There will be a Work Session immediately following and the public is welcome to attend.

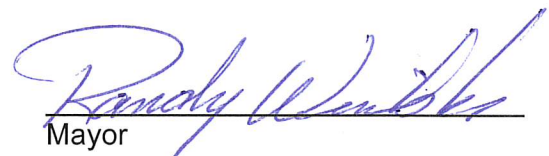
With no further business, Mr. Stivers made a motion to adjourn, seconded by Mrs. Kemper

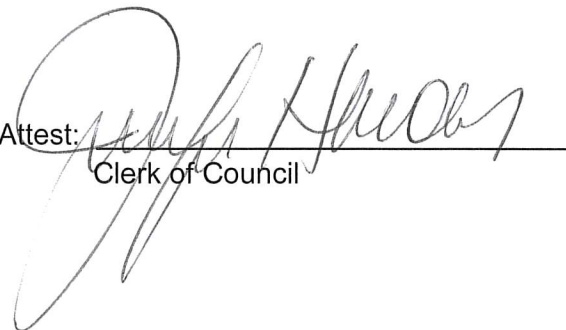
**Roll Call:**

Mrs. Bilbrey	yes
Mrs. Kemper	yes
Mr. Bicknell	yes
Mr. Humphries	yes
Mr. Stivers	yes
Mayor Winkler	yes

Meeting adjourned at 8:11 p.m.

Date: 9-28-21

  
\_\_\_\_\_  
Mayor

Attest:   
\_\_\_\_\_  
Clerk of Council