
MUNICIPALITY OF CARLISLE COUNCIL MINUTES
REGULAR MEETING OF COUNCIL
MAY 12, 2020 – 7:00 P.M.
760 CENTRAL AVENUE, CARLISLE, OHIO

Mayor Randy Winkler called the Carlisle, Ohio Municipal Council Regular Meeting of Tuesday, April 28, 2020 to order virtually utilizing Zoom, Carlisle, Ohio. The meeting was opened at 7:03 p.m. with the Pledge of Allegiance.

Roll Call:

Mrs. Debbie Kemper	present
Mr. Randal Jewett	present
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
Clerk of Council Jennifer Harover

The minutes of the regular meeting of April 28, 2020 were presented to Council for review. Mr. Stivers made a motion to approve the minutes as presented, seconded by Mrs. Kemper.

Roll Call:

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

The regular meeting minutes of April 28, 2020 have been adopted.

The minutes of the Work Session of April 28, 2020 were presented to Council for review. Mr. Bicknell made a motion to approve the minutes as presented, seconded by Mr. Kemper.

Roll Call:

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

The Work Session minutes of April 28, 2020 have been adopted.

The minutes of a special meeting on May 8, 2020 were presented to Council for review. Mrs. Kemper made a motion to approve the minutes as presented, seconded by Mr. Stivers.

Roll Call:

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

The special meeting minutes of May 8, 2020 have been adopted.

Public Forum:

No members of the public requested to speak.

Council Report:

Mrs. Kemper congratulated Kim Bilbrey for being appointed to Council. She is looking forward to working with her. She reminded citizens to be cautious with the re-opening of Ohio due to Covid-19 and to adhere to the safety precautions.

Mr. Jewett welcomed Mrs. Bilbrey to Council. It is a great big responsibility but one with plenty of entertainment. He also reminded citizens that the re-opening of Ohio businesses does not mean to throw caution to the wind. He is ready to get America moving again with common sense. It is mowing season again, so he reminded citizens to keep their grass clippings off of the roadways. People riding motorcycles have a huge risk factor when their cycles lose traction on these clippings.

Mr. Bicknell welcomed Mrs. Bilbrey to Council. She will bring plenty of vibrance, energy and a lot of heart. After her interview, he realized that she has a lot of love for this community which is something that all members share as a group. He is excited to see what type of dynamics she brings to the table. He mentioned that he has also seen grass clippings in the roadways and it is very dangerous. Please make sure that grass clippings are kept in your own yard. He also continued his appreciation to the Village staff both in the building and those working around the Village. This has been an unprecedented time for the entire country and our staff has continued to maintain business as usual while adhering to the Governor's as well as President's warnings and restrictions. He commended Village Manager, Julie Duffy, for continuing to keep those who are precious to us through this pandemic.

Mr. Humphries thanked the Bilbrey family for allowing Kim to become a Council Member. Her insight of business, family and being a good citizen will make her a great fit. He is looking forward to the future of working with her. He congratulated the Class of 2020 for Carlisle High School. He wished them all the best and encouraged them to make Carlisle proud. He encouraged the citizens of Carlisle to complete

the Census if they have not already done so. "If we don't exist on paper, then we don't exist in the real world!" Fill out the 2020 Census as soon as possible.

Mr. Stivers welcomed Mrs. Bilbrey to Council. During her interview process, she was very animated with a lot of energy and he sees that as something positive for the Village. He looks forward to what she will bring and hopes she enjoys it. He also congratulated the Class of 2020. Graduation ceremonies have taken place so it is official, they have graduated from Carlisle High School. During the re-opening of Ohio, please use social distancing, be cautious and hopefully we will be back to "normal" very soon.

Mrs. Bilbrey thanked everyone for appointing her to Council. She thanked Mrs. Bilbrey for all the he has done for the Village in the last seven years and she knows she has big shoes to fill. She looks forward to working with Council, Staff and the community. She congratulated seniors, teachers and parents through this difficult time in education. She appreciates all that teachers, the superintendent and school staff have done to give this senior class a special day. She thanked every community member that "adopted" a senior this year to shower them with gifts and praise since parties were not an option.

Mayor's Report:

Mayor Winkler welcomed Mrs. Bilbrey. It was a pleasure to swear her in at her home with her family. He looks forward to working with her in the future. Last week, was Teacher's Week as well as Nurse's Week. He extended his appreciation to the teachers as they have had a tough time getting lessons out to students, working online and also trying to care for their own families. Today is the last day of Nurse's Week and he read a proclamation that was also posted on our Facebook page. He also congratulated the seniors, Class of 2020. This is a graduation that has been like no other but they did get to walk across the stage and get their diplomas. He wishes them the best in their next steps.

Manager's Report:

Mrs. Duffy commented on behalf of the entire staff of the Village and welcomed Mrs. Bilbrey to the family. We all look forward to working her on many projects to come. As the parent of a 2020 graduate of Carlisle High School, she gave a big thank you to the faculty and staff with a big shout-out to Quentin Hammock. They have taken a situation that no one could have anticipated and figured out a unique way to allow each senior to have their moment while adhering to restrictions. She appreciates the ingenuity that they took to allow the seniors and their parents to be in the building to walk across the stage one last time. She addressed the re-opening of local businesses and reminded everyone that this is a new situation to all involved. Business owners are figuring out what they can and cannot do so please give them all patience during this time. There will be bumps along the way. Town Hall is also figuring out a new way to open back up to the public. This week, staff has returned to their daily schedules. Next week, Town Hall will be open by appointment only limiting day/times to specific departments. This will minimize interaction with one another while also allowing the public to reenter the building. Our website will have this reopening schedule listed for all to view. She thanked Mr. Humphries for bringing up information about the Census. This count is very important to our community, not only for our local government, but also for our schools and public agencies who rely on state and federal funding. Your voice needs to be heard so please complete the Census information as soon as possible. With Mrs. Bilbrey's appointment, there are few Council committee vacancies as well

as the Deputy Mayor spot that need to be filled. All vacancies need to be considered by Council and then information can be sent to Mrs. Harover for interest in any open seat.

Committee Report:

None

Old Business:

None

New Business:

None

First Reading of Ordinances and Resolutions:

RES. 9-20 A RESOLUTION ADOPTING THE FISCAL YEAR 2021 TAX BUDGET FOR THE MUNICIPALITY OF CARLISLE, OHIO. – (1st Reading)

Ryan Rushing explained this Resolution to Council. The adoption of a tax budget is a statutory annual obligation per the Ohio Revised Code. This is part of the annual budget process that must be adopted and sent to the County Budget Commission by July 15th. All counties in the state of Ohio have a Budget Commission. This Commission is compromised of the County Auditor, County Treasurer and the County Prosecutor. They must meet every year to set and certify the tax rates for all local jurisdictions in their specific county. Most counties in Ohio use a Tax Budget in order to do that. Montgomery County is one of the counties that waives Tax Budget requirement and uses an alternative form to set the tax rates for the county. Warren County does utilize the Tax Budget. This is a compliance tool that is compromised for multiple reasons. As a chartered municipality, the county nor the state has prevue over our local income tax to the extent of rate but the county does have the ability to set the property taxes in all jurisdictions. Through this budget process, we have to prove to the county that we need to collect the revenue in which we are collecting. The County Budget Commission has made several comments to area jurisdictions including Carlisle that we are getting near our fund balance limit or what they see as a maximum fund balance. The Village's operating funds are 100% funding balance which is very unusual. As a public entity, our duty is to provide services to our residents, we are not in the business to make a profit. Although we are in a unique situation with Covid-19, we will realize some revenue losses due to this pandemic. Among these losses will be the gas tax as the stay-at-home orders have forced the majority of residents to stay home with limited travel. Income tax collection is also down compared to where we were at this time last year. Many industries have been temporarily closed which directly affects employees with no taxable income. License fees will also be lower as BMVs throughout the state have been closed. When BMVs reopen, we will most likely see an increase or large bump in this fund. Another decrease will be our interest earnings. The projected \$75,000 of interest income will be decreased as several of our holdings are directly tied to bank balances. Due to large monthly balances, we will be utilizing those fund balances to "weather the storm" in terms of this pandemic. We are very fortunate that we do not rely on a constant cash-flow basis and can continue services as usual due to those fund balances. As we look to coming years, we do need to do a better job of planning and realizing how we utilize our resources in

terms of fund balances. Once the Tax Budget is adopted, the Budget Commission will review and certify our tax rates. Our volunteer fire department is the only tax levy in our jurisdiction and it receives approximately \$150,000 annually. The Commission will return to the Village what is called an official Estimated Certificate of Resources that dictates the appropriation limits in which we already appropriated for our 2021 budget. An appropriation is the spending cap in which a fund can be spent. By Ohio law, no entity can budget more than their fund appropriation or for a deficit or operating loss. Once the Certificate of Estimated Resources has been received, he will come back to Council to pass a resolution adopting the Certificate. That resolution will get sent back to the Commission's files. The certified appropriations will then be used to be ensure that proposed 2021 budget falls into those appropriation limits.

With no further discussion by Council, this resolution will be on for a second reading at Council's next meeting.

RES. 10-20 A RESOLUTION INITIATING THE AMENDMENT OF SECTION 1274 OF THE ZONING CODE AND REQUESTING AN EMERGENCY

Julie Duffy explained the emergency language for the next three pieces of legislation brought before Council this evening as all are for very similar concepts. All three resolutions will begin the process to amend some section of our zoning code. The process to amend the textual part of our code can be done by Council passing a resolution that will officially start formal review for possibly updating or amending specific sections. This is not a guarantee that a change will be made nor does it guarantee that it will be changed by the terms of the zoning code. This is simply a means to begin discussion of the code by both Council and Planning Commission. The emergency language allows for a quick turn-around to the first review step which would be to go before Planning Commission where a public hearing is held for citizens to have a part in discussions and offer opinions of the proposed change in code. Emergency language has been requested in order to meet the deadline of the June meeting of Planning Commission. Once Commission reviews any proposed textual change, the will make a recommendation back to Council and a second public hearing is held after a 20-day notification of the hearing. It would then be presented back to Council as an ordinance to officially change the portion of the code to update/change the law. Council would then have the ability to accept Planning Commission's recommendations, modify them or determine that no changes to the code will occur.

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. Jewett	yes
Mr. Stivers	yes
Mrs. Bilbrey	yes
Mayor Winkler	yes

Mrs. Duffy explained that this particular requested change to the code is for the specific purpose of allowing food trucks as a permissible business/use within the Village. Council has discussed this topic at various work sessions and have been contacted by citizens requesting the allowance of food trucks. Current regulations do not allow them as a permitted use. Council met in work sessions in April where they examined some language that they were comfortable with exploring. This sample draft legislation is based on those suggestions to begin this process.

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

Roll Call:

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

Resolution passed on this day will be entered into Resolution Record Book as Res. 10-20.

RES. 11-20 A RESOLUTION INITIATING THE AMENDMENT OF SECTION 1262.11 ACCESSORY USES AND STRUCTURES OF THE ZONING CODE AND REQUESTING AN EMERGENCY.

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. Stivers.

Roll Call:

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

Mrs. Duffy explained that this piece of legislation would amend two topics in our zoning code of which Council has been discussing over the past several months. It relates to the setback of accessory structures in residentially zoned districts and the setbacks of residential driveways. These are the top two requested variances from citizens. This proposal would be for setbacks to be reduced when it comes to accessory structures from 10' to 5' as well as reduce driveway setbacks from 5' to no setback for a side driveway but maintain a 5' rear setback. There is some flexibility language that is added to the accessory structure setback related to lots with more than one front setback. These would be lots with frontage on multiple streets; corner lots and/or through lots. Staff would be able to look at the actual placement of the proposed structure and, as long as it does not impede safety visibility issues for pedestrian or vehicular traffic, would allow the flexibility of placement. Currently, accessory structures

on these particular lots can only be approved if they are out of the front setback which is 40'. This legislation would allow for the discussions to begin on amending this portion of the code.

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

Roll Call:

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

Resolution passed on this day will be entered into Resolution Record Book as Res. 11-20.

RES. 12-20 A RESOLUTION INITIATING THE AMENDMENT OF SECTION 1274.13 FENCES AND WALLS IN RESIDENTIAL DISTRICTS OF THE ZONING CODE AND REQUESTING AN EMERGENCY.

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

Mrs. Duffy explained that this particular zoning amendment would be specific to fences on a residential through lot. Residential through lots are those that sit between two parallel streets. There are not a lot of these in the Village but the best visual of this type of lots is on Oakridge Ct. A few of these lots have frontage on Oakridge and they also have frontage on Fairview Drive. Our code currently states that through lots have two setbacks and are recorded and platted as such. The lack of flexibility comes into play for establishing fences. Fences can be erected but homeowners are limited in terms of placement and height. Staff is proposing that the code be changed to allow flexibility by staff to look at specific through lots and determine if it would be possible and not impede visibility for either an intersection or egress/ingress for any private drives/access roads. This would allow for flexibility of fencing for some of these homeowners on a more individualized basis.

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

Roll Call:

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

Resolution passed on this day will be entered into Resolution Record Book as Res. 12-20.

ORD. 8-20 AN ORDINANCE ACCEPTING THE FINAL PLAT OF TIMBER RIDGE, SECTION TEN AND CONFIRMING THE DEDICATION OF EASEMENTS AND DECLARING AN EMERGENCY.

Mrs. Duffy explained the emergency language as well as the ordinance language. This is the final plat of Timber Ridge, Section 10 which is the last undeveloped part of the subdivision that is located off of Union Road. There are 35 proposed homes. Planning Commission have reviewed the plans at their May 7th meeting and they did accept the final plat. The reason for the emergency language is that the developer originally submitted this for the April Planning Commission meeting. At the time that we were figuring out the details of Zoom virtual meetings so the Developer graciously offered to wait until May's meeting could be done safely. There are now items that the Developer needs to move forward with and is requesting the passage by emergency. This section has a very large fiber optic easement as well as existing fiber optic line that runs through the development and needs to be relocated. The Developer is working with AT&T about its location and moving it. The Developer needs to move forward with the replacement of this line so they can then begin the normal process for them to install the necessary infrastructure of the development. Staff is comfortable with requesting this as an emergency since the Developer did give staff and the Commission an extra month due to Covid-19.

Mr. Jewett asked if in the past, Council has received a copy of the plat in their Council packets. If so, he did not see the attachment for this piece of legislation. She apologized for not supplying that to Council and it should have been included. Timber Ridge Drive comes off of Union Road and travels west then curves north. This final phase will continue Timber Ridge Drive north into a cul-de-sac at the northern end of the development. Another road, Union Crossings Drive, will also connect Timber Ridge Drive with Union Road directly across from Auburn Meadows Ct. This will complete the loop on the east side similar to the loop on the west side.

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

Roll Call:

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

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

Roll Call:

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

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 8-20.

ORD. 9-20 AN ORDINANCE TO TEMPORARILY ALLOW MOBILE FOOD VEHICLES AS PERMITTED USE AND REQUESTING AN EMERGENCY.

Mrs. Duffy explained that this piece of legislation is a result of last Council's work session. Council had been discussing the allowance of food trucks as a use in this community. They also realized that the process to change the Zoning Code would most likely take until the end of the summer before the Code could be updated. Given the difficulty of restaurants options right now in the community and the need for the community to have some viable safe social distancing options, Council had reviewed this legislation. This will allow food trucks to operate temporarily this summer, while the formal process and review of a permanent change to the Zoning Code are vetted out. This would grant food trucks to operate lawfully through September 30, 2020 which would also be the length of time that the permanent food truck language could be adopted. It is on as an emergency so that it can be in full force and effect quickly to allow the food truck operators to get permitting in place.

Mr. Stivers 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:

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

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

Roll Call:

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

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 9-20.

Second and Third Readings of Ordinances and Resolutions:

ORD. 6-20 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, 2020, AMENDMENT NUMBER 2.
(2nd Reading)

With no further discussion, this will be on for a third and final reading at Council's next meeting.

ORD. 5-20 AN ORDINANCE ACCEPTING THE FINAL PLAT OF WATERBURY, SECTION TWO AND CONFIRMING THE DEDICATION OF EASEMENTS. *(3rd Reading)*

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

Roll Call:

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

Ordinance passed on this day will be entered into Ordinance Record Book as Ord.5-20.

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

Roll Call:

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

Meeting adjourned at 8:00 p.m.

Date: 5-26-20

Randy Winkler
Mayor

Attest: [Signature]
Clerk of Council