
MUNICIPALITY OF CARLISLE COUNCIL MINUTES
REGULAR MEETING OF COUNCIL
JULY 14, 2020 – 7:00 P.M.
760 CENTRAL AVENUE, CARLISLE, OHIO

Mayor Randy Winkler called the Carlisle, Ohio Municipal Council Regular Meeting of Tuesday, July 14, 2020 to order in Council Chambers at the Carlisle Town Hall building, 760 Central Avenue, Carlisle, Ohio. The meeting was opened at 7:04 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 June 23, 2020 were presented to Council for review. Mr. Bicknell made a motion to approve the minutes as presented, seconded by Mrs. Kemper.

Roll Call:

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

The minutes of a special meeting on June 25, 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
Mr. Humphries	yes
Mrs. Kemper	yes
Mrs. Bilbrey	yes
Mr. Bicknell	abstain
Mr. Jewett	abstain
Mayor Winkler	yes

Public Forum:

Mayor Winkler announced that there would be a Public Hearing for possible amendments to the Zoning Code. There will be 15 minutes for proponents and 15 minutes for opponents.

Mayor Winkler opened the 15 minute window for proponents. No public members were present.

Mr. Stivers made a motion to close the window for proponents, seconded by Mrs. Bilbrey

Roll Call:

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

The window for proponents was closed.

Mayor Winkler opened the 15 minute window for opponents. No public members were present.

Mr. Bicknell made a motion to close the window for opponents, seconded by Mrs. Kemper.

Roll Call:

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

The Public Hearing for amendments to the Zoning Code has been closed.

Mayor Winkler announced that the public forum is now open for any comments to Council. Seeing no public present, the public form was closed.

Council Report:

Mr. Humphries commented on the construction work being completed at the Liberty Station Apartments at 950 Du Bois Road. The work being done there is overwhelming. They are revamping everything from roofs, windows, doors, new asphalt in the parking areas and building a new clubhouse. He would like to commend Amanda, the apartment manager, for the work that they are overseeing. He lived in these apartments when he was young and he is happy to see that someone is coming in to make these more appealing to families in the community. Mr. Humphries also complimented the Village Manager and her staff for all of the work they have done to keep up with the building of the new schools, the proposed expansion of Carlisle Self Storage and the other permitting issues within the Village. This is a

time consuming job that takes several months to complete. He appreciates the work as this will also strengthen our community.

Mr. Stivers announced that Railroad Days will be happening on August 28 & 29. If anyone is interested in having a booth, please contact Brian Morris through Facebook or go to Carlisle Railroad Days 2020 Facebook page.

Mrs. Bilbrey thanked the community, Mayor Winkler, the Clerk of Council and the Village Manager for all of the work it took to bring in food trucks. She also thanked the Harris family and Gross family for allowing the food trucks on their property. This event has been very successful. She is grateful to the Councilmembers that have participated in this event as well. This event has been very positive within the community and they are excited to have the food trucks. She encourages positive comments to continue on Facebook. The owners/employees of these food trucks have put in a lot of time and effort for this event and she appreciates the letters they have sent to Council.

Mr. Bicknell spoke of the JEMS Board meeting that was held last night. Chief Riddiough has commented that the number of calls are leveling back out. During the biggest part of the pandemic, their numbers were extremely low compared to other months. Chief is working with the Department of Health to try and get the CPR classes started back up. This will require smaller class sizes, proper cleaning of equipment and screening of attendees. This has been a successful class in the past so he is trying to get it back for our communities.

Mrs. Kemper thanked Council for excusing her from the meeting on June 23rd as she had a family emergency. She offered Mrs. Duffy prayers and thoughts to her family. She asked Council for a final determination of the handicap swing at Roscoe Park. She would like to get this squared up so that plans can be finalized on arranging the installation of that swing. The swing will replace one of the two swings currently on the toddler swing set and the cost is \$600.

Mr. Bicknell made a motion to approve the purchase of a handicap swing to replace one current swing on the toddler section with a cost of \$600, seconded by Mr. Stivers.

Roll Call:

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

The handicap swing at Roscoe Park has been approved.

Mrs. Kemper commented that she has received so much positive feedback on the food truck event and the community is very thankful for it. She is excited that Railroad Days will be returning this year. She thanked the Police Department for watching the speed of vehicles on Union Road.

Mr. Jewett thanked Council for excusing him from the meeting on June 23rd as he had a work conflict. In this time of so much negativity, he thanked our Police officers for the jobs that they are doing and the pressure that they are under every day. It is not a small task and he sincerely appreciates their service.

Mayor's Report:

Mayor Winkler cautioned everyone to be diligent in social distancing as well as wearing a mask when social distancing cannot be controlled. COVID-19 seems to be on the rise again and he certainly does not want to see our businesses shut back down. Another shutdown could cause many businesses to close and not be able to ever open back up. He asks that everyone be considerate and do what needs to be done until this is passed us. Some counties in Ohio are considered "red" which means that public is required to wear a mask constantly. This virus is not something that people get over quickly and some do not recover.

Manager's Report:

Mrs. Duffy commented that it has been a crazy couple of weeks for her family and she truly appreciates all of Council's support. She would also like to once again acknowledge what a great staff she has in the Village. This has been a very challenging time for everyone and staff has continued to provide a high level of service that our citizens deserve and expect from us. Staff is finding new ways to complete daily tasks with a positive attitude. Officer Czarnota reached out to her to let her know how wonderful our Fire Department was during the last major wind event a few weeks ago. Our local volunteers were very responsive and quick in handling multiple scenes at one time. As a reminder, time has flown by and tomorrow, July 15th, is the tax due date for all local, State and Federal levels. She asks that everyone be patient during this time as phone calls may not be answered as quickly as normal.

Committee Report:

None

Old Business:

None

New Business:

None

First Reading of Ordinances and Resolutions:

ORD. 11-20 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CARLISLE, OHIO, AND DECLARING AN EMERGENCY.

Mrs. Duffy explained that the Village contracts with American Legal who is responsible for the both the paper and online process of updating our codified ordinances. Our ordinances are the backbone of our community regarding laws and regulations under which we operate. They also make sure that our local code stays compliant with State statutes that our Police Department operates under. As general defense laws change at the State level, it is important that our local laws reflect those changes as quickly as possible. This legislation allows for some of those updates to be included into our local laws. This is on for an emergency so that our local code can be compliant as quickly as possible.

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

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

Roll Call:

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

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 11-20.

ORD. 14-20 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 3 (1ST Reading)

Mr. Ryan Rushing reminded members that the budgetary process is required by Ohio law as Council adopts appropriations. Council recently adopted the authorizing legislation to approve the CARES Act funding (the Corona virus relief fund). This is the State portion that allows local governments to combat the effects of COVID-19. We have received our share of this relief fund. It was administered through the counties of Warren and Montgomery since our Village sits in both. We received \$41,399.05 from Warren County and \$3,557.37 from Montgomery County for a total of \$44,956.42. The next step is for Council to authorize the appropriation for the full amount so that staff can go through and make expenditures out of this new COVID-19 Relief fund. Once authorized, staff will be able to utilize this fund in the appropriate manner. This fund can only be used for COVID-19 relief expenses. This is a federal law passed by Congress so there are very strict guidelines that must be met in order to expend this money. Personal protective equipment, awareness & education materials or any unemployment claims that have been received due to the pandemic. As Council may remember, we have received one unemployment claim due to COVID separation. This fund can be used to reimburse some of the expenditures that we have made for COVID-19 relief but, moving forward, also use it for items related to the pandemic. He will be coming back to Council to approve another ordinance that will authorize

transfers. We are able to reimburse some of the funds from which we spent monies for COVID-19 pandemic. However, according to Ohio law, we have to authorize the transfer through Council. This is the first step of a couple in order to reimburse the funds and to allow staff to make the expenditures. We have until October 15, 2020 to make any expenditures out of this fund. We are able to encumber any balances and by December 28, 2020, any balance still remaining must be remitted back to the State of Ohio.

Mr. Jewett asked if there were any rough numbers of what the Village has spent so far to date on this pandemic. Mr. Rushing stated that the largest expense thus far is the unemployment claim from a previous employee, not a current employee. Several months ago, Council was informed of the unemployment claim as we are a reimbursing member of the Ohio Unemployment which means we are in the look-back period for any employee. Regardless of whether that employee was with us at the time, we had no responsibility in terms of separation but, because we were in that twelve-month lookback period, that employee fell under our experience period which means we are responsible for that claim. That is claim is approximately \$12,000 which is by far our greatest expenditure thus far. There were a few of employees that were quarantined. As prescribed by the Corona Virus Family Relief Act, any individual that is under a health order or has a strong reasonable suspicion of being exposed to COVID-19, is provided up to 80 hours of paid leave. There is still some grey area as to whether or not this fund can be used to reimburse those salaries but we suspect that new guidance will come out for the possible reimbursement. In regards to safety equipment and awareness materials, our expenses are somewhere between \$1,500 and \$2,000. We will be doing a detailed accounting showing all of those items.

With no further discussion, this legislation will be on for a second reading on July 28, 2020.

ORD. 15-20 AN ORDINANCE TO AMEND SECTION 1262.11 ACCESSORY USES AND STRUCTURES OF THE ZONING CODE REGARDING THE SETBACK OF DRIVEWAYS (1ST

Reading)

Mrs. Duffy commented that this legislation is one of three pieces being brought before Council as a first reading that will amend our Zoning Code. In 2013, our Zoning Code went through a significant revision. Like any law that is enacted, once it goes into effect, there is some tweaking that goes on along the way to make sure it fits the needs of our current community as well as the foreseeable future. Council did initiate this process earlier in the year to potentially change these three sections of the Code. There was a resolution that adopted to begin that process. The next step was a public hearing and review by Planning Commission which took place on June 4th. Planning Commission passed a formal recommendation back to Council with their thoughts on the proposed amendments. These items are now before Council for a formal review and possible adoption that will amend the law. The first of these items does relate to the setback of driveways in the residentially zoned areas. This would affect single family residences in any zoned area of R-3/R-4 as they follow R-2 standards, as well as all R-1/R-2 zoned areas. The current law as of today, does require a minimum 5' setback from the side lot line for a driveway. Prior to 2013, there was no required setback from the side lot line and was changed in 2013 to a minimum of 5'. Since this change, our Board of Zoning Appeals has heard several variance request cases because the 5' minimum setback is difficult for several areas of our town to maintain. Many of those cases would like to have an extension to the side of their home to lawfully park a trailer

or a recreational vehicle as well as to extend the driveway to a detached garage. A lot of our homes only have a 10' setback from the side of their primary residence to the lot line so in order to maintain the 5' setback for the driveway, it makes difficult for them to adhere to it. Staff brought these concerns to Council and Council thought it was worthy of a review by Planning Commission. Commission's formal recommendation is that Council does adopt this law and amend the 5' setback of driveways on the side lot line, returning it to no required setback.

With no further discussion, this legislation will be on for a second reading on July 28, 2020.

ORD. 16-20 AN ORDINANCE TO AMEND SECTION 1262.11 ACCESSORY USES AND STRUCTURES OF THE ZONING CODE REGARDING THE SETBACK OF ACCESSORY BUILDINGS
(1ST Reading)

Mrs. Duffy explained that this piece is most likely tied for first in the amount of cases that have come before the Board of Zoning Appeals for variance requests. In 2013, the minimum setback from the side and rear lot lines was changed from 5' minimum to 10' minimum. Based on the cases that have come before the Board of Zoning Appeals, the 10' setback makes it challenging for many of our properties especially the smaller lots to have a useable shed or structure in their rear yard. These 10' setbacks basically puts structures in the middle of most lots. Staff is also recommending that Council consider reducing this setback from 10' to 5'. Staff feels that this would still allow plenty of space to mow around structures but would also reduce the temptation of storing debris or trash behind these structures. This section also has some other changes to it. This will be to give further flexibility to two different types of lots that we have within the Village. For a typical residential lot with neighbors on both the left and right sides, the change would be made from 10' to 5' minimum setback. It would also allow flexibility for corner lots (lot with street to the front of the primary structure as well as a street that is perpendicular to the side of the primary structure) which is deemed to have two front yards and two side yards. What most people may considered to be their rear yard is actually considered a side yard as defined by code. This is important as the second front yard (normally considered a side yard) has the same setback requirements the yard to the front of the primary structure which, in our current code, is 40'. This does drastically impact the ability for residents to put in privacy fences and/or structures. Anything placed within a front yard can only have a maximum height of 42". This language would give flexibility to the individual lots and allow some flexibility for privacy fences and/or structures to be placed closer than the 40' setback. Commission's review and Staff's recommendation has created language that would be 17' from the edge of road right of way is where a fence or structure could be with a caveat that it cannot create a visibility issue. There may be some corner lots where 17' is still not enough space for safe traffic visibility but this is closer than what is currently in the code. There will also be flexibility for through lots. Through lots are when a lot is "sandwiched" in between two parallel streets. The best case is Oakridge Ct where these lots face Oakridge Ct and back up to Fairview Drive. Those lots have two front yards and two side yards. Where most people would consider the rear yard to be is actually, by definition, a front yard and makes it very difficult to have either a fence or an accessory structure. There was a resident that came to represent Oakridge Ct at the Planning Commission meeting. The recommendation by Planning Commission was agreeable by staff as well as the residents of Oakridge Ct. Setbacks would be 10' minimum from back of sidewalk or 17' from the edge of road for placement of an accessory structure. This language would help to address those areas that may not have sidewalks. There will also be a caveat that no structure would be permitted to create a visibility issue to

traffic. In the area Oakridge Ct, the visibility must be clear from the intersection of Union and Fairview as well as one home near the railroad tracks at the west end of Oakridge Ct cul-de-sac. This language change would reduce the side setback of 10' back to 5' as well as give some flexibility to both corner lots and through lots in order to allow them more area for fences and/or accessory structures.

With no further discussion, this legislation will be on for a second reading on July 28, 2020.

ORD. 17-20 AN ORDINANCE TO AMEND SECTION 1274.13 FENCES AND WALLS IN RESIDENTIAL DISTRICT OF THE ZONING CODE (1ST Reading)

Mrs. Duffy explained that this is the third possible amendment to the zoning code. It went through the same review process as the other two. This will actually add some language to the section of the Code that addresses fences and walls in a residential district that is specific to through lots. Our current Code does not provide any relief to these properties. They would be under the same restrictions as fences in a front yard where a majority of their "rear" yard would be held to a 42" maximum height. Staff is recommending, and Planning Commission also agreed, that Council should change the law to allow flexibility that a fence, up to 6' in height, to be placed up to 5' from the back of sidewalk or 17' from the edge of road. This would allow for a buffer of space for any pedestrian traffic along a sidewalk as well as provide access for mowing. While this will allow some privacy, it also will provide a level of safety to property/persons in their "rear" yard. There is also built-in language that will not permit placement to impede any traffic visibility. There may be some lots that will have to adjust the placement further than the stated setback in order to clear visibility concerns.

With no further discussion, this legislation will be on for a second reading on July 28, 2020

Second and Third Readings of Ordinances and Resolutions:

ORD. 12-20 AN ORDINANCE DETERMINING TO PROCEED WITH THE LIGHTING OF STREETS, LANES, AND OTHER PUBLIC WAYS IN THE MUNICIPALITY OF CARLISLE, OHIO (2ND Reading)

With no further discussion, this legislation will be on for a third and final reading on July 28, 2020.

ORD. 13-20 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR LIGHTING OF THE STREETS, LANES AND OTHER PUBLIC WAYS IN THE MUNICIPALITY OF CARLISLE, OHIO WITH ELECTRIC LIGHTING (2ND Reading)

With no further discussion, this legislation will be on for a third and final reading on July 28, 2020.

Mayor Winkler commented that there will be a Work Session immediately following tonight's meeting where Council will be discussing food trucks and Council goals. Public is welcome to attend this Work Session.

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 7:46 p.m.

Date: 7-28-20

Randy Winkler
Mayor

Attest: [Signature]
Clerk of Council