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**CITY OF CARLISLE COUNCIL MINUTES  
REGULAR MEETING OF COUNCIL  
SEPTEMBER 27, 2022 – 7:00 P.M.  
760 CENTRAL AVENUE, CARLISLE, OHIO**

Mayor Randy Winkler called the Carlisle, Ohio City Council Regular Meeting of Tuesday, September 27, 2022 to order in Council Chambers at the Carlisle City Hall building, 760 Central Avenue, Carlisle, Ohio. The meeting was opened at 7:06 p.m. with the Pledge of Allegiance.

**Roll Call:**

Mrs. Debbie Kemper	present
Mr. William Bicknell	present
Mr. Michael Kilpatrick	present
Mr. Chris Stivers	present
Mr. Tim Humphries	present
Mayor Randy Winkler	present

Staff members present:      City Manager Julie Duffy  
   Police Chief Will Rogers

The work session meeting minutes of September 13, 2022 were presented to Council for review. Mrs. Kemper made a motion to approve the minutes as presented, seconded by Mr. Bicknell.

**Roll Call:**

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

Work session meeting minutes of September 13, 2022 Special Meeting have been adopted.

The regular meeting minutes of September 13, 2022 were presented to Council for review. Mr. Kilpatrick made a motion to approve the minutes as presented, seconded by Mrs. Kemper.

**Roll Call:**

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

Regular meeting minutes of September 13, 2022 have been adopted.

**Public Forum:**

Police Chief Will Rogers approached Council. He explained to Council that there was a recent rash of theft from parked cars. It is believed by local law enforcement that there is a group out of Cincinnati that descends upon a neighborhood and target unlocked vehicles. He recommends that everyone lock their vehicles and leave nothing of value inside. Helping to protect yourself will also help law enforcement to protect you. If you see a car in the neighborhood that you don't know, call the police. They would rather come out and realize it is nothing versus something bad happening because of it.

Mr. Kilpatrick stated that he had heard most of the vehicles were locked. Chief Rogers explained that all of the complaints they took were about vehicles that were unlocked. He stated that these thieves are those of opportunity. If a vehicle is locked, they will not take the time to break into it. They are looking for quick access with those vehicles that are unlocked. Also when they break into a car, they run the risk of being seen and heard so they avoid that unless they see something they want like a purse or laptop computer. Mr. Kilpatrick stated that he also saw online that Wi-Fi-jammers were being used. Chief stated that there was no talk of that in any report that was taken. He also mentioned that anyone with that sort of advanced techniques is most likely not going to be using it to steal items from vehicles.

No other members of the public approached Council.

**Council Report:**

Mr. Kilpatrick mentioned that daylight is quickly evaporating in the evenings. Please be watchful of those individuals who may be out walking, riding bicycles, or pushing strollers. We still have a few neighborhoods without sidewalks so if you are out, be careful in those areas and watch for pedestrians.

Mr. Stivers commented that the Lions Club will be having their Big "T" sale again on October 8<sup>th</sup>. It will begin at 11:00am and go until they sell out. We are coming into the high point of campaign season. Whatever issue you may be supporting with a yard sign, please be sure to keep those signs out of the right-of-way. Most rights-of-way are between the sidewalk and the road. He extended a Happy Birthday to Carlisle's Assistant Fire Chief, Jason Beckett.

Mr. Humphries stated that the general election is November 8<sup>th</sup> and you do need to be a registered voter thirty days prior to the election which would be October 8<sup>th</sup>. There are many ways to register to vote that include paperwork at the DMV or in person on Justice Drive in Lebanon. Be a part of the solution and what goes on locally. He acknowledged an employee that has taken another job outside of the City. Mark Riley was with us since 2007 and when he came in, the Service Department was, in his opinion, a hot mess. What Dan Casson and Mark Riley did as a team was what brought the standards and quality to the department today. He is now the Service Director at Franklin Township which gives us a strong partner across the train tracks.

Mr. Bicknell reminded everyone that the general speed is 25 mph throughout the city. On Fairview, it has been changed so that it is not a school zone which means it is not 20 mph, it is 25 mph. On weekdays, between 6:45 a.m. and 7:30 a.m., it is the busiest time for school traffic. He takes his daughter to school each day so he knows that there is an officer present in the area, but speed can kill. It doesn't matter where it is at or if it is intentional or not, it can hurt people. There are children walking

to school from all areas utilizing the crosswalks and sidewalks. Parents are walking children and some children are by themselves. As a community, we need to be diligent in following our speed limits. The area of the CBA fields is an area where people tend to go faster. He would really like the citizens to pay attention when they are driving to make sure they are traveling the speed limit. It will keep them safe as well as our children and adults that are walking.

Mrs. Kemper thanked Chief Rogers and the Police Department for all that they do to keep the community safe. She appreciates him coming tonight and updating them about the break-ins throughout the neighborhoods. In the past few months, she has realized that community members are talking more about problems with speed limits being obeyed. She has noticed that there is a speed monitoring sign on Union Road, and she appreciates that going up. This is a reminder to everyone that they need to watch their speed. There are adults and children out walking while it is getting darker earlier, and the community appreciates the monitoring sign. She sent out thoughts and prayers to everyone in Florida who are being threatened by the hurricane. We are all hoping that it will not be as bad as what they are predicting. She reminded all the community that they can go to the City's website and receive most of the information that is happening in town. There are vacancies on various boards and commissions where the community can volunteer to help. There is a calendar showing all the scheduled upcoming meetings. The website is <https://www.carlisleoh.org>. The city also has a Facebook page to help keep everyone updated. She thanked all the families that came out last week for the Food Truck Night and she thanked The Farm on Central for their mum donation. The winner of that mum was the Atkins family.

**Mayor's Report:**

Mayor Winkler reminded everyone that there are still a lot of motorcycles on the road even though the temperatures are dropping. Last evening, he was coming home from Miamisburg and by the old power plant in the curve, there was gravel all over the road where someone had been doing "donuts" in the gravel drive there. Even in a vehicle doing the speed limit, he hit that gravel and it sent him sideways. Had that have been a motorcycle, it would have certainly caused an accident. He knows that many don't think about it but anything in the street such as gravel or grass clippings can cause problems for certain vehicles. He asked that everyone be respectful and try to keep the roadways clear of debris. The funeral for Officer Seara Burton recently took place in Richmond, Indiana. We also had an officer in Clearcreek Township who is recovering, and we also had a deputy sheriff in Springfield that was shot and killed. There have been too many instances over the past few months, and he wanted to thank all of the police nationally for what they do for their citizens. They have an extremely difficult job with everything they do. If you do have an encounter with someone in law enforcement, be kind and do what they ask you to do, they are doing their job just like you do yours. The goal is that everyone is safe.

**Manager's Report:**

Mrs. Duffy stated that last week, in the City's ongoing effort to maintain this great facility, added new carpeting in the public areas as part of the previously budgeted improvements. This meant that most of our departments were displaced for much of last week. If you did try to reach out to us, we did not have access to phones, fax machines or internet so please try to reach out again. Everything at this point is back up and operational. Public was not being ignored; it was simply a larger project than anticipated.

Please double check to be sure that anything sent our way was received. As a reminder, Beggar's Night will be on Monday, October 31<sup>st</sup> from 6:00pm – 8:00pm. A few years ago, Carlisle Council as well as most area councils adopted a resolution indicating that they would observe Beggar's Night on Halloween day which is October 31<sup>st</sup>. The idea was that it would give consistency to the area for a time period. The City of Carlisle did adopt this, not indefinitely, but for a period of several years. This year and next year, it will be held on October 31<sup>st</sup>. Daylight Savings Time does not change until the week after so that will not affect Trick or Treat. As a follow-up to a couple comments made earlier this evening, a couple years ago there was a discussion with our City Engineer regarding the traffic on Fairview Drive. There was a report that she shared on behalf of the City of Springboro, and she will dig that out to share with Council. There were questions about traffic-calming devices in neighborhoods. No one likes vehicles speeding in front of their home whether it is real or perceived. Communities will at times ask about speed humps or additional signs. From that report, one of the natural indicators of enticements of speeding are wider roads. Many times, reports of speeding are on Union, Fairview, and Meadowlark as these are wider roads in our community. Studies have shown that the narrower a road is, the calmer the speed of the driver. When a road is wider, it feels more open, and drivers tend to drive faster. This could be a reason why people tend to drive faster in the areas that Mr. Bicknell mentioned. Our Service Director and our Police Chief work together to move the speed monitoring sign around town into areas where the police designate concern. Union Road is a wider road and there have been discussions about where that sign could go for best placement of both directions as well as not becoming a nuisance to homes in that area. She appreciates Mayor Winkler thanking our local police department as well as other men & women in blue for what they do. As we do have a younger force in Carlisle, our Chief makes sure his department is respectful in acknowledging the brotherhood whenever there is an injured or fallen officer anywhere else. You will, unfortunately, see our officers wearing mourning bands and showing their respect to all fellow officers.

Mayor Winkler expanded on his earlier comment that last week he had a business owner here in town ask him if they could find out who the local officers were that had been checking on his business. This business owner was coming out of a facility late in the evening next to theirs with another owner. The officers asked for their IDs to be sure they were present for the right reasons and the other owner was very disrespectful to our officers. They asked him to find out which officers were there so that they could make a personal apology to them for the actions of the other business owner. He explained that this is exactly how things get out of hand. The police were there doing their job making sure that the area was safe. If you could just cooperate, give them proper ID and explain your presence, everything could move on smoothly. When you place intentional tension in a situation like this, it can elevate quickly, and things could go bad. He was able to get the names to this business owner so they could correct the situation.

Mrs. Kemper mentioned that about a month ago JEMS and our Fire Department were at the Food Truck night and are planning on being back again this Thursday. These emergency groups will be there for questions and/or pictures. Please stop by and meet the staff who will help you if ever you have an emergency.

Mr. Kilpatrick added a thank you to Mrs. Kemper for doing the work around the Food Truck nights. It is a very popular event and there are lines at each truck. Heather, who manages the line-ups each week has done a great job and he appreciates what she has done for the community.

**Committee Report:**

None

**Old Business:**

None

**New Business:**

Appointment of New Council Member

Mr. Stivers made a motion to appoint Mr. Jason Faulkner, seconded by Mrs. Kemper.

**Roll Call:**

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

Mr. Jason Faulkner has been appointed to the vacant Council seat. Mayor Winkler commented that there were five candidates that applied for the vacant seat. Council interviewed all five applicants. They have had two separate Executive Sessions to discuss the interviews. He congratulated Mr. Faulkner on his appointment.

**First Reading of Ordinances and Resolutions:**

**RES. 14-22 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BARRTT PAVING, INC, FOR IMPROVEMENTS TO PORTIONS OF CHAMBERLAIN ROAD AND UNION ROAD, AND DECLARING AN EMERGENCY.**

Mrs. Duffy explained that this resolution would authorize her, on behalf of the City, to sign a contract with Barrett Paving. There are two City paving projects that were put out to bid. The projects are for paving as well as milling and will not include any new improvements such as storm sewers, curbs, gutters or sidewalks. The first project is Chamberlain Road between SR 123 and Martz Paulin. The second project will be the first phase of improvements on Union Road. This project will be between SR 123 and Timber Ridge Drive/Auburn Meadows Court. These two projects were chosen based on their age, amount of damage as well as the amount of traffic. This legislation would allow her to sign the contract on behalf of the City. It was put up for competitive bid. Three companies took out bid packets expressing interest in these projects and two submitted proposals. Of the two submitted bids, Barrett Paving was the lowest price. After review by our City Engineer, it was determined to be the lowest and best bid that met all our needs. The amount of the improvements is \$245,069.60. This is on for an emergency as we are hopeful that they will be able to get to both improvements, or at least one, before the asphalt plants shut down for the winter. It is important for us to get on their schedule as Barrett Paving is one of the two busiest paving companies in the area. Again, we would like to have these improvements finished by the end of this year. When they are paving, the roads will be open to local traffic down to one lane. This will include milling and an asphalt overlay and there may be periods of time when traffic is driving on the milled surface.

Mr. Kilpatrick asked Mr. Bicknell if he knew where the new entrance off SR 123 will be for the proposed JEMS station. Mr. Bicknell stated the new drive will be directly across from the SR 123/Union Road intersection. Mr. Kilpatrick asked if a future for this intersection had been discussed yet in regard to a possible traffic light. Mr. Bicknell explained that JEMS would have the ability to put in a traffic light and believes that the JEMS Chief is having discussions with the city to look at that possibility somewhere down the line if the need arises. Mayor Winkler commented that he knows there has been passed citizen discussions of a traffic light for that intersection. Mr. Kilpatrick explained that his drive on SR 123 can sometimes cause him to wait 5-6 minutes for traffic to break so he can pull out. Mrs. Duffy explained that there were preliminary discussions with JEMS about aligning their drive with this intersection. They looked at options to best utilize their property. It was agreed with future development in this area to line their drive up with the intersection. In discussions with our City Engineer, there was not a requirement for them to have a traffic light so it would be treated as a driveway; however, it would align them with any future traffic light that would give them access to control the light in cases of emergencies. A traffic light at this intersection will be a meeting or two of itself. It will come down to finances available at the time. In today's dollars, it was estimated to be approximately \$500,000 for the amount of lights it would take for a four-way intersection with safety equipment.

Mrs. Kemper asked if the paving came out of the road fund budget line. Mrs. Duffy commented that some will come from Road Fund (201) as well as the County Vehicle Tax "CVT" (203). Mr. Stivers asked if these improvements would take care of the small dip in front of the storage facility on Union. Mrs. Duffy commented that improvements in this area should take care of the dip. Mr. Kilpatrick if a timeline of completion could be given. Mrs. Duffy stated that, at this time, she does not know as this legislation, if approved, will allow her to find time in their schedule. Based on previous projects, she would assume it would take approximately one week to complete.

Mrs. Duffy explained that, at this time, she has not been given an update as to when the railroad crews will be back in town to complete the crossing work at SR 123. Supplies were dropped off earlier but crews are now up close to Troy. There has been no indication given as to when they will be back in our area. The railroad contracts out with a sign detour company which is responsible for reaching out to local entities so we will not hear from the railroad directly. The last update we received was last week about them moving towards Troy. There is a contact with the detour company that lives in Germantown and he has stated that as soon as he hears a schedule, he will be in touch with our Service Director.

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. Kilpatrick	yes
Mr. Stivers	yes
Mayor Winkler	yes

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

**Roll Call:**

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

Resolution passed on this day will be entered into Resolution Record Book as Res. 14-22.

ORD. 23-22 AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM FOR A PERIOD OF NINETY (90) DAYS AND OTHER POULTRY AS DEFINED BY SECTION 618.19(A) OF THE CITY OF CARLISLE CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Mrs. Duffy explained this legislation would place a moratorium of 90 days on a specific section of our code pertaining to where chickens and other poultry may reside on lots within the City of Carlisle. This is on as an emergency due to Mr. Kilpatrick’s recommendation to Council a few meetings ago to impose a moratorium. At that meeting’s conversation, there was no commitment toward that action and Mayor Winkler had indicated that staff should continue to enforce the laws as written until Council had a chance to come back and hold a Work Session. Staff has continued operations with enforcing this provision. Based upon the interaction between staff and the public, Mr. Kilpatrick is now formerly asking Council to consider pausing enforcement upon this particular piece of legislation until Council can have further conversation. If this legislation is adopted, it would put this particular section of the code into a moratorium for a requested 90 days giving Council time to review it. This particular section is not part of the zoning code. Zoning code amendments can take a bit longer. This falls in the general offenses category of our code where Council does have the authority to amend at any time. This moratorium would give Council time for review and adoption of new language should discussions take them that route.

Mr. Kilpatrick was pleased with the requested moratorium language. Mr. Bicknell expressed concerns about the language as to whether the community will be confused about its meaning. Some may view this as an opportunity to acquire chickens and then, if language is not changed, be upset when they are in violation of the code after the moratorium is lifted. He agrees that he does not enforcement to be done while discussions are occurring, but he also does not want to mislead the public that this is a free-for-all to go get chickens. He is not sure how that could be worded or communicated to the public but those are his concerns. Mayor Winkler stated that he knows one family who lived in Franklin Township, where there is no enforcement of chickens, who had neighbor’s free-range chickens in their yard because there was no fence around the chickens. This family ended up selling their home and moving into Eagle Ridge because they didn’t want to deal with chickens. Mr. Kilpatrick understands that issue and he would say that, if Council were to change this at some point, there would need to be a list of things put into place to make sure that it does not get out of hand. If a neighbor has issues with chickens in his yard, he would have the ability to catch them as they shouldn’t have been there. Mayor Winkler commented that is what causing issues to escalate quickly. Mr. Kilpatrick explained that there are ways that other municipalities have regulated good ways to do this. It would need to be specifically regulated with appropriate language. He believes that Carlisle is an agricultural community and this

should be something taken into consideration for their residents. Some area may make more sense than others but this issue has not been discussed for over ten years and he feels it is time to discuss it again. Mayor Winkler stated that another concern he has is that it takes some cleaning to keep odors down and, if residents don't do those necessary clean-up tasks, it could cause other issues. Mr. Kilpatrick explained that a large dog could have a lot more smell/odors than a chicken. Mayor Winkler agreed that too many residents don't clean up after their dogs in the park not to mention their own property. He can see issues to all sides of this discussion. Mr. Kilpatrick asked Mrs. Duffy how this moratorium would affect the current law if, after discussions, there was not change to the language. Mrs. Duffy stated that she feels this is exactly the conversation that Mr. Kilpatrick was looking for and she hopes it continues in a future work session. From a practical point of view, this is the only section of code that would not be actively enforced during this 90-day period. There would be no identifying of violators, issuance of citations or moving forward with current citations. Everything at this point, on this issue, would be paused. There are other active portions of this same chapter that do prohibit animals, such as chickens, running across property lines. Anything else related to chickens, the way this is written, would still be in full force and effect. Only the provisions that limit a person from keeping chickens in a dwelling or within 100 feet of a dwelling or property line would be paused. If there is a pause or removal of a particular piece of legislation, citizens can make their own choices and gamble on whether or not they go out and get chickens. Whatever decision is made at the end of the 90-day moratorium is what the community will have to adhere to and staff would remind them as to what they have to abide by. Mr. Stivers asked what the significance of the 90-day period is for this issue. Mr. Kilpatrick stated that it is nothing more than to give Council time to discuss it. He would like to have public input with Council's discussion and then have a vote to determine how to move forward. He would, more democratically, like to have a committee be in charge of having input from the public and then bring back legislation to Council for review. Some of suggested to him that it should be a decision of the citizens. He does not believe it should go that far and feels that a public forum would be a great opportunity for residents to come and give their feedback. The point is that there are most likely more chickens with the City than what people realize. He suggested the 90-day moratorium simply to give Council the appropriate time to gather information from citizens. From what he understands the moratorium could be dissolved sooner than that if it comes to that. Mrs. Duffy explained that legislation could be passed to either amend the moratorium and/or pass new legislation that would override the moratorium. She explained that the end of the year is normally busy with budgetary discussions and this year they will have the added discussions about JEMS as well as holiday plans. It would be up to Council as how they would like to proceed. Mayor Winkler explained that he would like to reach out to some of the folks in the community and let them know about it to get their opinions.

Mr. Kilpatrick asked if this issue could be added to their next Work Session. Council was in agreement that it could be a topic at their Work Session on October 11<sup>th</sup>. Mr. Kilpatrick asked if it would be possible for residents with strong opinions about the topic to submit a written comment with their name and address prior to Council's Work Session. Mayor Winkler explained that a citizen would need to come to the podium and address Council. Mrs. Duffy reminded members that a Work Session is not a business meeting so there is no public comments at that time. Work Sessions are about Council working together on discussing topics. Members could entertain comments at that time as far as for discussion but it is not the formal business meeting for public hearings with names and addresses for the official record. We do document that Council met as entity to discuss topics for Work Sessions but it is not the business meeting where discussions are on the record. Mayor Winkler definitely would like



to know which residents who are commenting are Carlisle residents or live in Franklin Township. Mrs. Duffy stated that there can be a posting made for the public to submit their questions or comments as well as to invite them to come to the Work Session knowing that it will be most likely be more than just a one-evening topic. She explained that, in her personal opinion, it may work best to know what Council's thoughts are on the topic in order to keep the group focused on concerns of Council as that discussion, in and of itself, may answer questions or concerns that the public may have and/or prompt more questions specific to what direction they believe Council may take.

Mr. Humphries commented that it is hard to understand 5,501's citizens in over 2,000 houses when there may be ten homes that might be interested in having chickens. When you start looking at size of lots, he has just as much interest in protecting people from foul odor and smell as he is worried about someone having access to eggs in their backyard. He does, as well, care about the people that do want to have what they feel is in their right to have, and there is nothing about this that is simple. This will be an interesting topic to address and discuss and he is not taking it lightly. Our community is very diverse with \$80,000 homes up to \$480,000 homes. Of the few places that he knows of already that do have chickens, it seems better for those to request a variance due to the uniqueness of their property than it is to have a blanket of properties than can have them. His first priority will be the size of property and perhaps using that as specific criteria as to whether or not it could safely accommodate chickens.

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
- Mr. Stivers            yes
- Mr. Kilpatrick        yes
- Mr. Humphries        yes
- Mrs. Kemper            yes
- Mayor Winkler        yes

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

**Roll Call:**

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

Ordinance passed on this day will be entered into Ordinance Record Book as Ord. 23-22.

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

**ORD. 18-22 AN ORDINANCE ACCEPTING THE DEDICATION OF STREETS IN THE TIMBER RIDGE SUBDIVISION, SECTION TEN - (3<sup>rd</sup> Reading)**

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

**Roll Call:**

Mr. Kilpatrick	yes
Mrs. Kemper	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. 18-22.

Mayor Winkler stated that this concludes the items on their agenda.

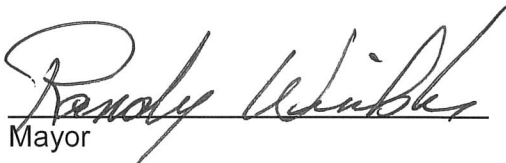
With no further business, Mr. Kilpatrick made a motion to adjourn, seconded by Mr. Bicknell.


**Roll Call:**

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

Meeting adjourned at 8:06 p.m.

Date: 10-11-22

  
Mayor

Attest:   
Clerk of Council