

VILLAGE OF CARROLLTON, OHIO
ORDINANCE NO. 2023-48

AN ORDINANCE AUTHORIZING THE VILLAGE OF CARROLLTON TO PICK UP THE
STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES
RETIREMENT SYSTEM FOR THE VILLGE ADMINISTRATOR PURSUANT TO IRC SECTION
414(h)(2), AND DECLARING IT AN EMERGENCY

WHEREAS, pursuant to federal and Ohio laws, the Village of Carrollton may offset future salary increases and “pick up” (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS), and such individuals will not be required to pay federal and state income taxes on such contributions;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
CARROLLTON, OHIO THAT:

SECTION 1: Effective February 10, 2024, the full amount of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the Village of Carrollton for the Village Administrator. The pickup shall be an offset against future salary increases. This “pickup” by the Village of Carrollton shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by such person. No person subject to this “pickup” shall have the option of choosing to receive the statutorily required contributions to OPERS directly instead of having it picked up” by the Village of Carrollton or of being excluded from the “pickup”. The Village of Carrollton shall, in reporting and making remittance to OPERS, report that the public employee’s contributions for each person subject to this “pick up“ has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and the employee does not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

SECTION 2: Under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employee’s statutorily required contribution to OPERS.

SECTION 3: The Clerk-Treasurer is hereby authorized and directed to implement the provisions of this ordinance to institute the “pickup” of the statutorily required contributions to OPERS for the Village Administrator so as to enable him to have his employee contributions paid by his employer.

SECTION 4: This Ordinance is declared an emergency measure necessary to the immediate preservation of the public health, safety and welfare of the residents of the Village of Carrollton, Ohio to expedite the authorization of the “pickup” as required by OPERS in a timely manner before the Village Administrator contract renewal start date, and shall become effective at the earliest date allowed by law.

Attest:

/s/ Darla Tipton
Darla Tipton, Clerk-Treasurer
Village of Carrollton, Ohio

/s/ William J. Stoneman
William J. Stoneman, Mayor
Village of Carrollton, Ohio

This Instrument Prepared by:
Clark E. Battista, Village Solicitor
Village of Carrollton, Ohio
Published on the Village of Carrollton website

VILLAGE OF CARROLLTON, OHIO

RESOLUTION NO. 2023-49

A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR PAYROLL FOR THE VILLAGE OF CARROLLTON, OHIO FOR THE MONTH OF JANUARY 2024 AND DECLARING IT AN EMERGENCY.

WHEREAS, the Clerk-Treasurer has notified the Council of the Village of Carrollton, Ohio that it is necessary to make temporary appropriations for payroll for the month of January and the first payroll of the year is due before the first council meeting and that the following sums are hereby set aside and appropriated as follows:

101-1111-5-2110	Police Department	\$25,000
101-1111-5-2120	Benefits	\$15,000
101-1162-5-2110	Street Maintenance	\$ 5,000
101-1162-5-2120	Benefits	\$ 1,000
101-1174-5-2110	Clerk-Treasurer	\$ 2,500
101-1174-5-2120	Benefits	\$ 500
101-1176-5-2110	Village Administrator	\$ 3,000
101-1176-5-2120	Benefits	\$ 1,000
201-2162-5-2110	Street Dept.	\$ 2,200
201-2162-5-2120	Benefits	\$ 1,000
208-2812-5-2110	Fire Dept.	\$10,000
208-2812-5-2120	Benefits	\$ 500
501-5151-5-2110	Water Dept. (Office)	\$ 2,000
501-5151-5-2120	Benefits	\$ 500
501-5156-5-2110	Water Distribution	\$ 9,000
501-5156-5-2120	Benefits	\$ 500
502-5253-5-2110	Sewer Pumping	\$ 2,750
502-5253-5-2120	Benefits	\$ 2,000
502-5254-5-2110	Sewer Distribution	\$ 5,000
502-5254-5-2120	Benefits	\$ 1,500

This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of Carrollton and the reason for the necessity being that there exists an imperative need to approve temporary appropriations for the first payroll of January 2024, which is prior to the first council meeting of 2024. Passed the 19TH Day of December 2023

/s/ Darla Tipton
Darla Tipton, Clerk-Treasurer

/s/ William J. Stoneman
William J. Stoneman, Mayor

**VILLAGE OF CARROLLTON, OHIO
ORDINANCE NO. 2023-50**

AN ORDINANCE CREATING A MORATORIUM AGAINST MEDICAL AND RECREATIONAL MARIJUANA DISPENSARIES, OR OTHER FORMS OF MEDICAL AND RECREATIONAL MARIJUANA CULTIVATORS, PROCESSORS, RETAILERS, OR OTHER MEDICAL AND RECREATIONAL MARIJUANA SALES, IN THE VILLAGE OF CARROLLTON, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, Section 3796.29 of the Ohio Revised Code Chapter 3796, entitled the “Medical Marijuana Control Program,” permits the legislative authority of a municipal corporation to adopt an ordinance or resolution to prohibit or limit the number of cultivators, processors, or wholesale or retail dispensers of medical marijuana (hereinafter collectively “medical marijuana operations”);

WHEREAS, Section 3780.25(A) of the Ohio Revised Code, entitled the “Local authority regarding adult use cannabis operators,” permits the legislative authority of a municipal corporation to adopt an ordinance, by majority vote, to prohibit or limit the number of adult use cannabis operators permitted under this chapter within the municipal corporation or within the unincorporated territory of the township, respectively.

WHEREAS, Council for the Village of Carrollton, Ohio has (1) discussed the advantages and disadvantages of allowing medical and recreational marijuana operations to be located in the Village, (2) reviewed actions taken by other local jurisdictions with respect to the potential siting of medical and recreational marijuana operations, and (3) sought and obtained feedback from Village residents and businesses as to their interests with respect to the potential siting of medical marijuana operations in the Village of Carrollton;

WHEREAS, Council believes that there is a general consensus among members of Council and residents and businesses that the Village shall prohibit the siting of medical and recreational marijuana operations until such time as the Village adopts a zoning code and decides thereunder what areas, if any, of the Village are an appropriate location for the siting of such potential operations;

WHEREAS, the creation of a moratorium against the siting of medical and recreational marijuana operations is not a permanent ban against such operations, but serves to protect against potential medical and recreational marijuana operations being located near schools, churches, libraries, playgrounds or parks in the Village, in violation of Sections 3796.30 and 3780.25(A) of the Ohio Revised Code, until such time as the Village adopts a zoning code; and

WHEREAS, this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, because, without an ordinance or zoning code at the present time addressing the potential siting of medical and recreational marijuana operations, the risk of siting such operations near schools, churches, libraries, playgrounds or parks in the Village in violation of the Ohio Revised Code is uncontrolled.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CARROLLTON, OHIO, TWO-THIRDS OR MORE OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1. The siting of any potential medical marijuana operation anywhere in the Village is prohibited until such time as the Village adopts a zoning code and decides thereunder what areas, if any, of the Village are an appropriate location for the siting of such potential operations.

Section 2. The siting of any potential cultivators, processors and retail dispensaries of adult use marijuana as defined in Sections 3780.01, et. seq. of the Ohio Revised Code is prohibited until such time as the Village adopts a zoning code and decides thereunder what areas, if any, of the Village are an appropriate location for the siting of such potential adult use cannabis operators.

Section 3. Pursuant to Section 3796.20 of the Ohio Revised Code and Section 3780.25, the creation of this moratorium shall not be construed as prohibiting the location of any state university affiliate, academic medical center or private research and development organization engaged in research relating to the use of medical marijuana to treat mental or physical infirmities.

Section 4. This Ordinance is declared an emergency measure necessary to the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of Carrollton to ensure that the zoning code can be amended to prohibit the siting of medical and recreational marijuana operations near schools, churches, libraries, playgrounds or parks, which operations would violate the Ohio revised Code, and shall become effective at the earliest date allowed by law.

Passed by Council on the 19th day of December, 2023.

Attest:

/s/ Darla Tipton

Darla Tipton, Clerk-Treasurer

/s/ William J. Stoneman

William J. Stoneman, Mayor

Approved as to form by:

Clark Battista, Village Solicitor

Village of Carrollton, Ohio

Published on the Village of Carrollton

VILLAGE OF CARROLLTON, OHIO

RESOLUTION NO. 2023-51

A RESOLUTION AMENDING THE ORIGINAL APPROPRIATIONS ORDINANCE FOR 2023 AND DECLARING IT AN EMERGENCY. WHEREAS, the Clerk-Treasurer has notified the Council of the Village of Carrollton that it is necessary to amend the appropriations within certain funds to anticipate necessary expenditures approved by council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF CARROLLTON, OHIO that the Clerk-Treasurer of the Village of Carrollton be authorized to make the following amendments and or/additions to the appropriations for 2023 as follows:

101-1111-5-2340	Police Dept. Prof. Services	(\$1160.00)
101-1111-5-2360	Police Dept. Insurance	(\$4,000.00)
101-1111-5-2400	Police Dept. Supplies	(\$3,000.00)
101-1111-5-2410	Police Dept. Office Supplies	(\$4,000.00)
101-1111-5-2430	Police Dept. Repairs & Main.	(\$4200.00)
101-1111-5-2120	Police Dept. Benefits	(\$100.00)
101-1111-5-2140	Police Dept. Uniforms	\$100.00
101-1111-5-2500	Police Dept. Capital	\$16,360.00
502-5254-5-2110	Salaries Distribution	(\$28,713.83)
502-5253-5-2500	Capital Outlay	\$28,713.83
502-5255-5-2300	Lands & Buildings Contr.	(\$4,000.00)
502-5255-5-2360	Lands & Buildings Insur.	(\$1,741.35)
502-5253-5-2500	Pumping Capital Outlay	\$5,741.35
502-5253-5-2110	Salaries Pumping	(\$25,772.68)
502-5253-5-2500	Pumping Capital Outlay	\$25,772.68
502-5254-5-2120	Distribution Benefits	(\$10,000.00)
502-5253-5-2500	Pumping Capital Outlay	\$10,000.00
502-5251-5-2120	Office Benefits	(\$4111.99)
502-5253-5-2500	Pumping Capital Outlay	\$4111.99
502-5253-5-2120	Pumping Benefits	(\$4000.00)

502-5253-5-2500	Pumping Capital Outlay	\$4,000.00
501-5156-5-2120	Benefits Distribution	(\$20,000.00)
501-5156-5-2340	Distribution Prof. Services	\$20,000.00
208-2812-5-2400	Fire Dept. Supplies	(\$500.00)
208-2812-5-2210	Fire Dept. Education	\$500.00
101-1111-5-2300	Contractual Services	(1786.00)
101-1111-5-2400	Supplies & Materials	\$100.00
101-1111-5-2410	Office Supplies	\$100.00
101-1111-5-2430	Repairs & Maint.	\$210.00
101-1111-5-2500	Capital Outlay	\$1376.00

This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of the Village of Carrollton and the reason for the necessity being there exists an imperative need to add and/or amend the current appropriations between accounts to cover necessary expenses approved by council.

Passed this 19^h Day of Dec. 2023

/s/ Darla Tipton

Darla Tipton, Clerk-Treasurer

/s/ William J. Stoneman

William J. Stoneman, Mayor

Published on the Village of Carrollton website