

**TIPP CITY WORK SESSION**

**TIPP CITY, MIAMI COUNTY, OHIO**

**November 3, 2014**

**Executive Session**

The following Council Members answered roll call. President Joe Gibson, Mayor Pat Hale, Katie Berbach, Dee Gillis, John Kessler, Mike McDermott and Matt Owen. President Gibson informed everyone Council will be entering Executive Session for the purpose of discussing pending litigation to include all members of Council, Acting City Manager John Green, Law Director David Caldwell and Attorney Kevin Lantz. Mr. McDermott moved to enter Executive Session. Mr. Kessler seconded. Motion carried. Council entered Executive Session at 6:45 pm.

President Gibson informed everyone for purposes of the record and the benefit of those in the audience, Council Members already answered roll call prior to entering Executive Session. Mayor Hale moved to return from Executive Session. Ms. Berbach seconded. Motion carried. Council returned from Executive Session at 7:20 pm. Council began the Work Session at 7:20 pm.

**Work Session**

The work session began at 7:20 pm. The following Council members were present: President Joe Gibson, Mayor Pat Hale, Katie Berbach, Dee Gillis, John Kessler, Mike McDermott and Matt Owen. Also attending was Acting City Manager John Green, Assistant City Manager Brad Vath, Law Director David Caldwell, Police Chief Eric Burris and Clerk of Council Janice Bates. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

No others were in attendance.

**Review Strategic Plan  
2014-2015**

Mr. Vath reviewed the proposed 2014-2015 Strategic Plan with Council. (This plan is included as backup documentation for the September 15, 2014 Study Session minutes). Council did not have any modifications to the plan and Mr. Vath said it will be brought back for a motion to approve at Council's next meeting.

**Tipp City Senior Citizen  
Building Discussion**

Mr. Vath discussed new building location options for the Tipp City Seniors with Council. The current Senior Citizen's building is located at 320 S. 1<sup>st</sup> Street. The past several years they have been looking at existing buildings, and potentially a new building on vacant industrially zoned property.

Mr. Vath continued members of the Seniors organization have met with staff regarding locations. Previous Zoning Code would allow, by Special Use, their building in a Light Industrial District. However the new Zoning Code passed in April 2014 did away with the Special Use provision in Light Industrial. The new Zoning Code allows permitted use in General Business (GB), Highway Business (HB), Community Center (CC) and Legacy District (LD). The organization hopes to place a township wide levy on the November 2015 ballot to fund project & operations.

The Tipp City Seniors are interested in the property on North 3<sup>rd</sup> Street. Currently this property is Zoned Conservation District (CD). In order to utilize this property, it must be: Rezoned to Legacy District (LD) or potential "spot" rezoning, or amend the current code to allow their specific use in Conservation

District (CD) zoning district, or amend the current code to allow their specific use in Light Industrial (LI) district. The Seniors are looking at other Light Industrial properties rather than Highway Business as they are more cost effective. Additionally, if the Senior Citizens could find acceptable property adjacent to Tipp City's corporate limit with access to Tipp water, sewer, and potentially electric then staff would not recommend annexation.

Mr. McDermott inquired how they plan to operate in the facility. Mr. Vath replied he has seen concept plans that are between 8,000 – 12,000 feet but nothing is firm yet. Currently they are looking for property. President Gibson stated it is unfortunate this was not anticipated during the Code updates. President Gibson added he would be willing to allow for the specific use on the N. 3<sup>rd</sup> Street property. Mr. Vath asked under which zoning designation? Light Industrial or Conservation District. President Gibson inquired if the facility could be used as a rental facility as the Legion is. Mr. Vath wasn't certain, adding he will speak with City Planner, Matt Spring and will provide additional information to Council at a later date.

Mr. Owen inquired if the N. 3<sup>rd</sup> Street location was their top choice. Mr. Kessler replied he has spoken with several members of the Tipp City Seniors and they like this particular location because it's close to the City. Adding if it is not the top choice, it is one of the top choices.

**Adjournment**

Meeting adjourned at 7:45 pm.

\_\_\_\_\_  
Joseph Gibson, President of Council

Attest: \_\_\_\_\_  
Janice Bates, Clerk of Council

**TIPP CITY COUNCIL MEETING**

**TIPP CITY, MIAMI COUNTY, OHIO**

**November 3, 2014**

**Council Meeting**

The following Council Members answered roll call. President Joe Gibson, Mayor Pat Hale, Katie Berbach, Dee Gillis, John Kessler, Mike McDermott and Matt Owen.

City Staff in attendance include: Acting City Manager John Green, Law Director David Caldwell, Assistant City Manager Brad Vath, Police Chief Eric Burris and Clerk of Council Janice Bates

Guests signing the register include: Thomas Chaney, Rick Chaney, Jason Salyer, Spencer Ranft, Andrew Thornbury and Father Marc Sherlock.

**Invocation and Pledge of Allegiance**

Father Marc Sherlock of St. John the Baptist Catholic Church gave the Prayer for Guidance. President Gibson led the Pledge of Allegiance.

**Approval of Agenda**

Ms. Gillis moved to approve the agenda. Mr. Kessler seconded. Mayor Hale moved to amend the agenda to include a Proclamation for the Tippecanoe Boys High School Cross Country Team. Mr. McDermott seconded. Motion carried. Mr. Kessler moved to approve the amended agenda. Ms. Berbach seconded. Motion carried.

**Minutes**

10/4/14 Special Council Meeting

Mr. Kessler moved to approve the minutes of the October 4, 2014 Special Council Meeting. Ms. Berbach seconded. Motion passed 7-0.

10/20/14 Work Session

Mr. Owen moved to approve the minutes of the October 20, 2014 Pre-Meeting Study Session. Mayor Hale seconded. Mr. Kessler moved to amend the minutes on page 1 first paragraph with Mr. Hadden's comments from "We are open 4 solid months with a month and half and both the beginning and end of the season". To "We are open 4 solid months with a month and half at both the beginning and end of the season". Mr. Owen seconded. Motion passed 6-0-1. President Gibson abstained. Mr. Kessler moved to approve the amended minutes. Ms. Berbach seconded. Motion passed 6-0-1; President Gibson abstained.

10/20/14 Council Meeting

Mr. Kessler moved to approve the minutes of the October 20, 2014 Council Meeting. Mr. Owen seconded. Motion carried. 6-0-1; President Gibson abstained.

10/27/14 Budget Workshop

Mr. Kessler moved to approve the minutes of the October 27, 2014 Budget Workshop. Ms. Berbach seconded. Motion carried.

**Presentations, Proclamations, & Awards**

Mayor Hale presented a Proclamation to the Tippecanoe Boys Cross Country State Championship team.

**Ordinances (2<sup>nd</sup> Reading)**

An ordinance adopting a revised codification of the Tipp City Municipal Code.

City Manager Comments: The adoption of this ordinance would approve the codification of legislation that has been passed by City Council

between March, 2009 to December, 2013 plus Ordinances 5-14 and 6-14 adopting the 2014 Zoning Code Updates. This process is typically performed annually or bi-annually depending on the volume of legislation required to be codified. A memo and chart of ordinances to be incorporated was provided at the October 20, 2014 meeting.

Mr. Kessler introduced the ordinance and moved for its adoption. President Gibson inquired if this will allow the new code to be added to the website and what is the time frame for this to be added. Mr. Green replied, the ordinance will take thirty days for adoption. Then the information will be uploaded at that time. Motion passed 7-0. Ordinance 24-14 was declared adopted and President Gibson affixed his signature in witness thereto.

A resolution adopting the 2015-2019 Capital Improvement Plan for the City of Tipp City, Ohio.

**Resolutions**  
Adopting the 2015 –  
2019 Capital  
Improvement Plan

City Manager Comments: This resolution would adopt the 2015-2019 Capital Improvement Plan. The capital plan was submitted to Council on September 5, 2014 and Council conducted a public hearing/workshop session on September 22<sup>nd</sup>. A subsequent Study Session was conducted on October 20<sup>th</sup> to review all outstanding items.

Mr. McDermott sponsored the resolution and moved for its adoption. Ms. Berbach seconded. Motion passed 7-0. Resolution 46-14 was declared adopted and President Gibson affixed his signature in witness thereto.

A resolution authorizing and directing the City Manager to enter into a contract with the law office of the Miami County Public Defender.

Contract with the Miami  
County Public Defender's  
Office

City Manager Comments: The adoption of this resolution would authorize the City Manager to enter into a contract with the Miami County Public Defender Commission to meet the City's obligation to provide legal services to the City's indigent population. This one year contract is for the sum of \$4,068.23 which is the same amount paid for the 2014 contract period.

Mr. Kessler sponsored the resolution and moved for its adoption. Mayor Hale seconded. Motion passed 7-0. Resolution 47-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Miami County Winter  
Maintenance on various  
streets

A resolution authorizing the City Manager to sign and execute an agreement with Miami County for an ongoing period for winter maintenance on various roads and streets under the jurisdiction of Miami County and the City of Tipp City.

City Manager Comments: This agreement would extend the current arrangement between the City of Tipp City and the Miami County Engineer's Office for winter maintenance of streets that are partially the responsibility of both parties or, due to location, are more convenient for the other party to maintain. The 2013-2014 agreement was for a one-year term. This agreement before Council tonight would be for a continuing period until such future time as the parties determine to modify the terms.

**Miami County to perform winter maintenance on:**

Co. Rd. 25A from Kessler-Cowlesville north,  
Tipp Canal Road from Tipp City Kyle Park Entrance south,  
Tipp-Cowlesville from Shoop south,  
Continue to do all of Peters Road, and  
Kessler-Cowlesville Road west of Peters Road

**City of Tipp City to perform winter maintenance on:**

Co. Rd. 25A from Kessler-Cowlesville to Evanston Road,  
Evanston Road from Co. Rd. 25A east,  
Crane Road from Tipp-Cowlesville south,  
Tipp-Cowlesville from curb north of Crane Road south to Tipp  
corp. limit,  
Tipp-Cowlesville from Evanston Road south to Shoop Road.

Mr. Kessler sponsored the resolution and moved for its adoption. Ms. Gillis seconded. Mr. McDermott inquired of Mr. Green if he felt this was a fair distribution in the “swapping plan”. Mr. Green replied “yes”. Mr. Green added this is the same agreement as previous years, we are extending the agreement rather than coming back each year. We will be setting it for an ongoing period and if there comes a point where it doesn’t make sense for the maintenance swap to occur, we will return to Council to terminate the agreement or modify the agreement. This is the same agreement that the City had last year. It makes it easier for both parties to maintain areas that would be difficult to do our own City streets or for the County to do theirs. Motion passed 7-0. Resolution 48-14 was declared adopted and President Gibson affixed his signature in witness thereto.

An ordinance amending 2014 appropriations, approving a transfer of funds from the General Fund to the Pool Fund, and modifying the 2014 Annual Operating Budget as a result of this action.

**Ordinances  
(1<sup>st</sup> Reading)**  
Amending 2014  
Appropriations

City Manager Comments: This ordinance is a housekeeping measure that staff brings back to Council to account for items that were unexpected that came up during the course of the year. This ordinance if adopted, would increase the revenue estimates by \$263,000 primarily for grants that were not originally anticipated. We are looking to increase expenses by \$1.1 million and the most significant are tied to the grants. The Electric Fund expenses were higher than anticipated in January and February due to consumption and power increases. Staff anticipated needing an additional \$500,000 for the remainder of the year.

Mr. Kessler introduced this measure.

An ordinance amending Section 34.04 of the Tipp City Code of Ordinances relating to the compensation of the Director of Law.

Amending Section 34.04  
– Compensation of the  
Director of Law

City Manager Comments: This ordinance would authorize a 2% increase in the Law Director’s salary from \$41,482 to \$42,312. This is the same percentage increase provided to non-union City employees and would be the Law Director’s second wage adjustment since being hired in January, 2012.

**Motions**

President Gibson introduced this measure and thanked Mr. Caldwell for all of his hard work.

There were none.

There were none.

**Miscellaneous**

There were none.

**Citizen Comments on Items not on the Agenda**

Ms. Gillis encouraged everyone to get out and vote tomorrow. Ms. Gillis also reminded everyone November 11<sup>th</sup> is Veteran’s Day and to remember our Veterans who fought for our freedom.

**Councilmember Comments**

Mr. Owen also encouraged everyone to get out and vote. Mr. Owen also reminded everyone the holiday shopping season will be coming up and also encouraged everyone to participate in the upcoming home tours and the Yuletide Winter’s Gathering. Mr. Owen also congratulated the Cross Country Team for an outstanding season. “I can tell you as a Tipp alumni I watched teams make it to State and come very close and now I can say I lived to watch a Tipp City team win the State Title. I am completely jubilated”. What a great group of young men we certainly appreciate you guys bringing home a trophy to the Red Devils”.

Ms. Berbach also congratulated the Cross Country Team. “As an athlete you strive for that kind of excitement and I am so glad they got to accomplish that”.

Mr. Kessler had nothing additional.

Mr. McDermott also congratulated the Cross Country Team. “Nicely done”. Mr. McDermott continued this is a historic moment for Tipp City and the Red Devils. Mr. McDermott also encouraged everyone to participate in the Home Tour. This year 11 homes will be open for tour on Main Street. This is a way to highlight our Downtown. All of the merchants Downtown are beginning their holiday sales. Mr. McDermott encouraged everyone to take part in all the activities happening this holiday season in Tipp City.

Mayor Hale thanked Mr. Vath and Janice for going through the process of getting the proclamation for the Cross County team together and making the phone calls and contacts necessary to get the team and Coach here tonight. That was well done and well put together. “Thank you both for that”. Mayor Hale reminded everyone Yuletide Winter’s Gathering is this weekend. There will be a new store opening this weekend. It’s called “That Place on Main”. They are located in the old M&J’s store. The ribbon cutting is Thursday afternoon at 4:30 pm and they open on Friday. Mayor Hale continued the Home Tours are December 6<sup>th</sup> and tickets are available online through Community Services ([www.tippchristmas.com](http://www.tippchristmas.com)). Mayor Hale informed everyone he had the opportunity this past Saturday to participate in the Feel The Heat Program. This was a 7 hour opportunity to go out and play the part of a fireman. The day consisted of five different stations. Participants were dressed in full fire protection gear and uniforms. At the end of the seven hour

day, was the opportunity to put out a live fire. "It was quite impressive and educational". Mayor Hale continued the following Monday and Tuesday he attended the Ohio Municipal Electric Association fall conference.

President Gibson thanked Mayor Hale for his work on the AMP/OMEA Board. President Gibson also congratulated the Boys Cross Country Team. President Gibson encouraged everyone to vote and wished the best of luck to all candidates. President Gibson added the Yuletide Winter's Gathering begins Saturday, November 8<sup>th</sup> at 10:00 am – 8:00 pm and Sunday, November 9<sup>th</sup> from noon to 6:00 pm. President Gibson encouraged everyone to patronize the businesses and to see how pretty it is decorated Downtown. President Gibson thanked Mayor Hale for filling in for him at the last meeting. President Gibson informed everyone the new City Manager will begin on November 17<sup>th</sup>. Mr. Timothy Eggleston has been chosen as our new City Manager replacing Jon Crusey who is now in Vandalia. That start date is the culmination of a six month process where Council interviewed candidates, reviewed resumes and we look forward to having Mr. Eggleston here and wish him the best of luck. We cannot start his tenure until we thank folks who have assisted us throughout this entire process. Starting with the previously Acting City Manager, Brad Vath who did a stellar job and we hope we continue to have him on board with the City in whatever capacity he may be brought to and thank you for your help during the transition. Thanks to Mr. Green as well as Ms. Butera who also filled in. We appreciate the efforts of staff who helped coordinate all of the interviews and to make the transition as smooth as possible. President Gibson also thanked Council for their input on this process and making this process a success. President Gibson also wished Mr. Eggleston congratulations on his appointment. President Gibson reminded everyone these proceedings have been recorded and will be rebroadcast on the local cable access station. In this area it is Time Warner Channel 5. You can also log onto [www.kittv.org](http://www.kittv.org) and download videos of this City Council meeting, Monroe Township Trustee, School Board and other local events.

Mr. Green stated the contractor for the Fourth Street Culvert repair is continuing their work and all of the culvert sections have been installed, the head walls have been poured. Work is still being completed on the storm sewer pipe.

Mr. Green continued the City purchased a new trackless leaf machine at a price of \$162,500. This new machine will reduce labor costs associated to leaf clean-up making it more expedient. The new machine grinds the leaves finer than the old machines did making them easier to transport and not causing as many trips to transport to the dump site.

The Electric Department is currently installing the holiday lights Downtown. The removal of some dead trees was necessary in that area. In preparation for re-planting staff has placed backfill in the grates to make it safe this weekend.

After the October 27<sup>th</sup> Operating Budget Review Workshop we discussed a follow-up session which should be at our next meeting on November 17<sup>th</sup>. It was requested of staff to provide information on the EMS Medics and some recommendations from the employee committee. Janice, after a lot of search, found the information that was provided to Council on

**City Manager  
Comments**

January 17, 2014 prior to the January 21<sup>st</sup> meeting. That information has been provided to you tonight. Staff will give Council two weeks to review and we will have a discussion on November 17<sup>th</sup> to answer any additional questions as well as have the additional information that was requested.

Mr. Kessler moved to adjourn. Mr. McDermott seconded. Motion carried.

**Adjournment**

Meeting adjourned at 8:14 pm.

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Joseph Gibson, President of Council

Attest: \_\_\_\_\_  
Janice Bates, Clerk of Council





