

TIPP CITY WORK SESSION

TIPP CITY, MIAMI COUNTY, OHIO

May 19, 2014

Work Session

The Work Session began at 6:30 pm. The following Council members were present: President Joseph Gibson, Mayor Pat Hale, Katelyn Berbach, Dee Gillis, John Kessler, Mike McDermott and Matt Owen. Also attending was: Acting City Manager Brad Vath, Finance Director John Green, Utility Director Christy Butera, Law Director David Caldwell, Police Chief Eric Burris and Acting Clerk of Council Kimberly Patterson. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

Others in attendance include Karen Jackson, Mike Jackson, Ron Mettert, Jean Mettert, Anne Johnson-Oliss, Paula Lantz, Philip Lantz, Pat Langley, David B. Wirth and Danny Bowman.

Health Insurance
Renewal & Health
Savings Accounts

Finance Director Green reviewed the attached PowerPoint with Council. In 2011 the City instituted a High Deductible Health Savings Plan. We have a \$2,000 for single and \$4,000 for the family plan where the employees are responsible for all costs up to that deductible. Benefits include the employee sees a significant lower premium and the City sees a significantly lower premium. Each year since this we have had this plan, the City has contributed a portion of the City's savings back to the employee as an incentive to drive people in that direction. This results in cost savings to the City and reduces risk to the employee. The savings between the Core Plan and the HSA keep growing. Currently the City is contributing \$1,000 for the single plan and \$2,800 for the family plan. Mr. Green inquired if there was a benefit to increase those amounts to drive employees to the HSA plan. The City will save \$1,000 per family enrolled in that plan. Currently there are 11 employees on the plan and several of those are retirees. If this is not incentivized, we will be down to 8 employees on this plan next year. If we can move 10 employees to the direction of the HSA, the City will save \$10,000. If the City continues to contribute money into the HSA plan and we can say "Not only is the City saving money, but you are also saving \$500 on your premiums". Between the two initiatives, we can educate people to the HSA plan. Staff recommends moving to \$1,100 for the single and \$3,000 for the family plan. Mr. McDermott thanked Mr. Green on his work on this project. Mr. McDermott added he was in support of increasing the City's contribution by 10%. President Gibson agreed this is a good idea. Ms. Gillis suggested the City look into a single plus one plan. Mr. Green replied this would be difficult to do this year, but we can look into having this in place for next year. Council consensus was to increase the City's contribution.

Loud Vehicle Legislation

Police Chief Burris stated Council has been approached on several occasions about enacting legislation to curtail the noise coming from vehicles, in particular motorcycles. The Tipp City Code of Ordinances currently has four ordinances that reference noise from vehicles, but none of them place a specific decibel level limit on any vehicle. The current ordinances include; mufflers must be in good working order and in constant operation, mechanical exhaust braking systems (Jake Brake), cracking exhaust noises that is unusual to its normal operation and loud amplification systems. Chief Burris and Law Director Caldwell discussed options for a solution. First would be the use of additional signage. The pros for this option would be low cost, and would not require additional legislation, equipment or enforcement

measures. Cons include a method to measure to enforce problem vehicles. Chief Burris continued Section 4513.221 of the Ohio Revised Code allows municipalities to craft an ordinance that would set a maximum level for passenger cars and motorcycles. The pros for this option are the noise levels can be identified and enforced. This option however would require the purchase of extensive equipment. Each vehicle would require meters, calipers and cases. This totals in excess of \$1,000 per vehicle. Additionally each unit would need to be recalibrated on an annual basis. Not only are there a lot of equipment costs, but there are also training costs associated with this option. The third option includes a "distance based" ordinance. Neither Chief Burris nor Law Director Caldwell felt this was a viable option as this option is subjective and is dependent on ambient noise levels. Finally the fourth option is to enforce the Federal EPA Labeling of Motorcycles. In 1983 the EPA developed a program known as label matching. Every bike since 1982 will have a label match on the muffler. If the label on the muffler doesn't match, it would be illegal. Riders can purchase after-market exhaust systems. There are some currently being made that does meet requirements. However, they will also be stamped by the manufacturer. The pros to this option include no additional equipment, limited training and EPA limits are regulations currently exist. The con is this only applies to motorcycles and does not apply to any other vehicles. Mr. Kessler stated enforcement would be very difficult. Chief Burris agreed. President Gibson inquired how many calls the Police Department receives regarding noise complaints. Chief Burris stated other than Mr. Brown, there has not been any. Council discussed locations of signs. Chief Burris stated entrances to the City would be proper. Mr. Vath added 15 – 20 signs would be required. Chief Burris continued there are many times when motorcycles events are hosted within the City. Mr. Kessler stated he does not personally see an issue with the bikes. Mr. Vath suggested the Police Department use the existing ordinances and will revisit in one year. Mr. Owen stated if this were such an issue the City would be bombarded with complaints. Mr. Kessler stated he has a problem creating an ordinance on this issue, "It's creating too much government". President Gibson added, "Legislatively, I don't think there is a lot we can do". President Gibson added he would like to revisit this topic in one year.

Summer Sewer Rates

Mr. Vath stated staff has discussed with Council Summer Sewer Rates on February 21, 2012, February 3, 2014 and March 3, 2014 and this will be a recap and review of what has previously been discussed. Finance Director Green reviewed the attached PowerPoint with Council. Mr. Green continued if Council elects to use a summer sewer credit staff will be requesting a rate increase in the next few years. Rates are set based on what it takes to run the Sewer Fund under the current mechanism. Mayor Hale inquired what that increase would look like. Mr. Green replied this is currently unknown as we need a year or two to see the second meter that was put in. Mayor Hale asked Ms. Butera if at this time we (the City) are requiring people to put in a second dedicated line. Ms. Butera replied if we had residents re-plumb; they would be responsible for buying a new meter and have an inspection fee. The potential exists where someone can try to cheat the system as opposed to them being connected at the main. However, if they are connected at the main, that is another tap on our main that could cause potential problems.

Karen Jackson thanked Council for reviewing this matter. Ms. Jackson suggested having a minimum average of all customers. "I believe if more people in town knew about this situation, you would pack the house. The

idea that this only concerns a few people is not true. I think it is misleading to say it only affects a small number". Ms. Jackson also suggested the City take the highest usage during the winter instead of the average. She added in her research she noted other cities count for four months of usage rather than six months like Tipp City. Ms. Jackson added the City stating a rate increase will be needed without looking at actual figures seems pretty premature. Mr. Green replied this is looking at current usage and revenues as of today, those figures are factual based on last winter. Ms. Jackson added, "There is a really simple 4th option that is being ignored here. What if you don't go with 17,000? What if that figure was reduced to 8,000 or 10,000? That is still double what you have said over half of your customers use. That would be so simple. It wouldn't require a second meter". Mike Jackson inquired what would be necessary to lower the maximum. Ms. Butera replied when you have a water meter in your home, that is what we are billing your water and sewer consumption on. If we choose any number to lower it to, and by dictating that number, our sewer fund will get less money than it gets now. If we choose this option, it would require a sewer rate increase. Over half of our customers are minimum users. Mr. Jackson stated he is now responsible for paying someone's sewer rates when he's not using that sewer. Mr. Jackson continued he understands this is a profit center and suggested as a means to cut costs Ms. Butera no longer have a City vehicle. Mr. Green stated without the second meter the City has no idea where that water is going in your house. Mr. Jackson added the City of Troy charges its residents \$250 to install a second meter. Ms. Butera replied to purchase the meter it is \$200, an inspection rate would also be required and established at a nominal fee of \$100, the installation of a backflow preventer totaling another couple hundred dollars and finally plumber fees to do the second tap or to re-plumb the residence. Mr. Green added this is merely an average. Mr. Jackson inquired why the City cannot lower the maximum usage for deduct. Adding this is simple, and fair. Mr. Green stated this is a decision for Council. Mr. Jackson stated Mr. Green spent 45 minutes persuading Council for the second meter. Mr. Green replied without the second meter, the City has no idea where or how the water is being used. President Gibson asked for an analysis of the figures if it were to be lowered.

Pat Langley of 735 Baneberry Court stated he would like to see Council committed to doing something. Mr. Langley added he is paying for a service he is not getting. Mr. Langley continued "You want me to solve the problem that the Council should be looking at. You want me to be the solution to a Council issue. I think a lot of us agree that there is an equity in this situation. So, let's do something about it. I don't know if the solutions presented are the only solutions. There may be others. I would like to see a commitment to doing something about it. Whether that means putting some people together to look at other options". Mayor Hale stated he agrees with the logic, adding "Don't be surprised on the backend there isn't enough sewer revenue for us to be able to take care of our sewers and repair them around the City as a whole if we have to increase rates to make that". Ms. Jackson replied that would be a fair way to do it. "Everybody pays for what they use".

David Wirth of 715 Columbine Court stated the whole issue is one of fairness and the other is a matter of usage. Mr. Wirth continued he will pay for what he uses, adding why should he have to pay for it to go into the sewer when it doesn't. Ms. Berbach commented, "The only way to know 100% what has been used by the irrigation system is to put in that second meter".

Mr. Wirth stated Ms. Berbach's point was well taken and the second meter would be the perfect solution in terms of accountability. Mr. Wirth then questioned if this is the perfect solution for the community. Ms. Berbach suggested this is then something we look at differently. Mr. Jackson stated if Troy can do it for \$250, he would like Tipp City to be able to do the same. Mr. McDermott commented the billing structure within Tipp City has not been changed in 100 years. Mr. McDermott continued staff is not trying to change Council's mind or mold their decisions. Mr. Jackson replied that staff is in fact trying to persuade Council into a certain decision which is based on faulty assumptions. President Gibson stated the reason for the presentation for staff to put forth their perspective and for the residents to present theirs. "It is not to have them go first to change our minds or mold us". President Gibson continued, "I myself am responsive to the lowering of the threshold if that makes it a simpler formula that is something we should explore". President Gibson asked staff to provide information about the 8,000 gallon threshold. Mr. Green replied from the February 2014 discussion a 10,000 gallon threshold was discussed. At that meeting staff stated there will be between 250 and 275 accounts. Mr. Green continued our ordinance specifies a six month window and Ms. Jackson suggests we shorten that to four. By putting the six month window, previous staff and Council tried to hit the building cycle at the beginning at the end. President Gibson stated he would like to modify the system to accommodate the meters. Mr. Jackson commented he does not want to subsidize everyone's bill. President Gibson stated he would like to see the formulas from 6,000 gallon – 12,000 gallon usage as well as exploring the costs of a second meter and installation.

Adjournment

Meeting adjourned at 8:15 pm.

Joseph Gibson, President of Council

Attest: _____
Janice Bates, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

May 5, 2014

Council Meeting

City Staff in attendance include: Acting City Manager Brad Vath, Law Director David Caldwell, Finance Director John Green, Utilities Director Christy Butera, Police Chief Eric Burris, Fire Chief Steve Kessler and Acting Clerk of Council Kimberly Patterson.

Guests signing the register include: Thomas Chaney, Robert Ryan, Rev. John Hughes, Marie Hughes, Donna J. Warner, Linda Dorsey, Carol Wernicke, Georgia Bayman, David Werts, Nick Mikel, Sam Werts, Hannah Randall, Colin Glouser, Alex Dahle, Christian League, Gordon Pittenger, Cody Saylor, Sarah Harmer, Andrea Regelski, Jennifer Korleski, Hallie Bottles and Lauren Johnson. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

Invocation and Pledge of Allegiance

Reverend John Hughes from Skyview Wesleyan Church gave the Prayer for Guidance. President Gibson led the Pledge of Allegiance.

Minutes
5/5/14 Council Meeting

Ms. Berbach moved to approve the minutes of the May 5, 2014 Council Meeting. Ms. Gillis seconded. Motion passed 6-0-1. Mr. Kessler abstained.

Presentations, Proclamations, & Awards

Mayor Hale presented a Proclamation to Georgia Bayman and David Werts for their service on the America In Bloom Committee.

Ordinances
(2nd Reading)
Waste Management Contract

An ordinance to authorize the extension of a franchise, approval of a permit and the execution of a contract with Waste Management of Ohio, Inc. for the collection & disposal of solid waste, recyclables, and yard waste from residential properties pursuant to Section 55.12 of the codified ordinances of Tipp City, Ohio for a one year period commencing on October 1, 2014.

City Manager Comments: This is a one (1) year extension with Waste Management Inc. for mandatory residential refuse & recycling collection in Tipp City. Ordinance 13-10 authorized a four (4) year contract and allows for three one (1) year extensions. At their April 21, 2014 Study Session Council reviewed the proposed 2% increase contract extension and concurred it was in the best interest of the City to move forward with the one (1) year extension. The cost for toters, yard waste bags and low volume bags remains the same. This contract would take effect on October 1, 2014.

Ms. Gillis sponsored the ordinance and moved for its adoption. Mr. McDermott seconded. Motion passed 7-0. Ordinance 12-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Resolutions
Fireworks Contract with Monroe Township

A resolution authorizing the City Manager to enter into a contract with Monroe Township, Miami County, Ohio to cooperate on the annual Independence Day Fireworks Program.

City Manager Comments: This resolution will authorize the City Manager to execute a two (2) year agreement with Pyrotechnic for the community's annual Independence Day fireworks display at a cost of \$15,400

per year. Both Monroe Township and the City jointly sponsor this display and will be acting on companion legislation this evening. The rain date would be July 5th for 2014.

Mayor Hale sponsored the resolution and moved for its adoption. Ms. Berbach seconded. Motion passed 7-0. Resolution 22-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Alternative Tax Document

A resolution finding that the Council of the City of Tipp City has reviewed the submissions to be made to the Budget Commission of Miami County, Ohio, and authorized by said Commission for the Fiscal Year 2015, in relation to the alternative tax document format provided in Ohio Revised Code 5705.281 and approves the same.

City Manager Comments: This resolution will authorize the Finance Director to submit the alternate format tax budget for FY 2015 to the Miami County Budget Commission. The alternative tax document serves the same purpose as the traditional tax budget being: 1) requests City's share of the General Property tax of 1.4 mills, 2) determines the City's share of the Local Government Fund, and 3) files the estimated receipts with the County Budget Commission.

Mr. McDermott sponsored the resolution and moved for its adoption. Ms. Gillis seconded. Motion passed 7-0. Resolution 23-14 was declared adopted and President Gibson affixed his signature in witness thereto.

John R. Jurgensen Contract – CR25A & Kessler-Cowlesville Roads

A resolution authorizing the City Manager to enter into a contract with John R. Jurgensen Co. of Springfield, Ohio for the Co. Rd. 25A & Kessler Cowlesville Road Resurfacing Project at a cost of \$799,112.

City Manager Comments: This resolution with John R. Jurgensen Company of Springfield for the repaving of CR25A (Donn Davis Way to Commerce Park) and West Kessler-Cowlesville Road (CR25A to western corporate limit), being +/-13,100 feet in length. This \$799,112 project will be funded with a \$344,000 ODOT/MVRPC grant (40%), \$340,000 OPWC grant (39.5%), \$40,000 from the Miami County Engineer, \$40,000 from the Monroe Township Trustees, and the balance from the City Capital Improvement Reserve & Water Funds. Replacing all the signage and installing a new fire hydrant are also included in the scope of this project. Work will not commence until after July 1, 2014 to meet OPWC funding requirements.

Mr. Owen sponsored the resolution and moved for its adoption. Ms. Berbach seconded. Motion passed 7-0. Resolution 24-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Tipp-Monroe Community Services 2014 Contract

A resolution authorizing the City Manager of Tipp City, Ohio to enter into a contract with the Tipp-Monroe Community Services, Inc. for the provision of various recreational programs for the year 2014 at a cost of \$17,700.

City Manager Comments: The adoption of this resolution would authorize the City Manager to execute a contract with Tipp Monroe Community Services, Inc. for the recreational and social services programs for

Tipp City during the calendar year of 2014. The terms of the agreement are identical to the agreements authorized from 2009 to 2013, and include a base cost of \$17,700 and a potential additional \$1,000 for the "Mobile Meals" program.

Ms. Gillis sponsored the resolution and moved for its adoption. Ms. Berbach seconded. Motion passed 7-0. Resolution 25-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Double Jay Construction
Contract – Drop Turn
Lane

A resolution authorizing the City Manager to enter into a contract with Double Jay Construction of Englewood, Ohio for the CR25A right turn drop lane to Donn Davis Way Project at a cost of \$57,093.00.

City Manager Comments: This resolution will authorize the City Manager to enter into a contract with Double Jay Construction for the addition of a drop right turn lane on South CR25A at Donn Davis Way for \$57,093. Double Jay was the lowest and best bidder of the three bids received on May 13th. This turn lane is needed to facilitate movement of traffic from northbound CR25A onto DDW, which is often problematic during the High School drop off/pick up times. Adequate funds for this project exist in the Capital Improvement Reserve Fund. This project is slated to be completed prior to July 1, so that the repaving of South CR25A can create a uniform driving surface.

Mr. McDermott sponsored the resolution and moved for its adoption. Mayor Hale seconded. Motion passed 7-0. Resolution 26-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Choice One Contract –
CR25A Design Phase 2

A resolution authorizing the City Manager to enter into an agreement with Choice One Engineering Corporation for the engineering design and construction assistance for the Co. Rd. 25A, Phase 2 reconstruction project at a total cost of \$173,488.

City Manager Comments: This resolution will authorize the City Manager to execute a contract with Choice One Engineering for Phase 2 of the CR25A construction project (Michaels Road to Evanston Road). Five statements of qualifications were reviewed by the City, and Choice One is being recommended for this engineering contract. The negotiated cost for design services is \$173,488 (6.6% of estimated construction costs) well below the budgeted \$210,000 figure. Choice One completed the CR25A Phase 1 plans (SR571 to Michaels Road), and has worked on numerous other projects for Tipp City. Construction of Phase 2 is anticipated in 2017.

Ms. Berbach sponsored the resolution and moved for its adoption. Mr. Owen seconded. Motion passed 7-0. Resolution 27-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Ordinances
(1st Reading)
Amending 2014
Appropriations

An ordinance amending 2014 appropriations and modifying the Annual Operating Budget as a result of this action.

City Manager's Comments: This ordinance will appropriate \$657,500 of additional monies needed for the operation of the City due to the retirement of employees, purchase power cost, cash surety paid to the city, and amends our estimated revenue by \$75,000 for the cash surety paid to the

city. Two mid-year retirements and two resignations occurred in 2014 which were unanticipated and unbudgeted. The Developer of Cedar Grove posted cash surety for the off-site utilities work, and the unusually cold winter season increased the cost of purchased power.

Ms. Gillis sponsored the ordinance.

Amending Code Section 37.52 (A) relating to Part-Time Employees Compensation

An ordinance amending Code Section 37.52 (A) of Tipp City Code relating to compensation of certain part time employees and declaring an emergency.

City Manager's Comments: This ordinance will amend Code Section 37.52 (A) by increasing the maximum hourly wage for part-time employees to \$30/hour from \$28/hour, and creates a pay range for "Professional Engineer." The wages for part-time employees has not been increased since 2005, and the City needs to employ a part-time Professional Engineer (Acting City Engineer) to help during the transition while a new City Engineer is hired. This Emergency Ordinance requires five affirmative votes to be adopted and would become effective immediately upon its passage.

Mr. Kessler sponsored the ordinance and moved for its adoption as an emergency. Ms. Berbach seconded. Motion passed 7-0. Ordinance 13-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Motions

There were none.

Miscellaneous

There were none.

Citizen Comments on Items not on the Agenda

There were none.

Councilmember Comments

Ms. Gillis stated Kim did an excellent job covering for Janice while she was out. Ms. Gillis also congratulated Georgia Bayman and Dave Werts and the America In Bloom Committee. Ms. Gillis stated she was pleased to be part of the recent What A Girl Wants Fashion Show on Saturday adding she is sad to hear it was the last year for the event. Ms. Gillis encouraged everyone to remember Memorial Day and to thank those who have given for our freedom.

Mr. Owen hoped the recent Strawberry Soccer Invitational helped Downtown merchants. Mr. Owen also reminded everyone that FC Tippecanoe Select Soccer will be holding try-outs on May 27th and 28th sign-ups can be made at www.fctippecanoe.com

Ms. Berbach also congratulated Dave and Georgia and the rest of the America In Bloom committee for all of their work throughout the community. Ms. Berbach also reminded everyone that soccer registrations for City league is now closed. Guns and Ribbons Riffle Competition will be held on June 14th to raise money for breast cancer awareness. Funds will be donated to Pink Ribbon Girls and Hospice of Dayton.

Mr. Kessler invited volunteers to help place flags at the cemetery on Saturday. Mr. Kessler also thanked the Police and EMS Departments for their assistance during two 5K races on Saturday, May 10th.

Mr. McDermott agreed with Mr. Kessler and reminded everyone about the Memorial Day ceremony at the cemetery. Mr. McDermott thanked the students who were waiting patiently for the meeting to begin while Council was still in the Study Session and apologized for the delay. We wanted to make sure everyone's voice in Tipp City was heard.

Mayor Hale also thanked the students and everyone else who waited during the extended Study Session. Mayor Hale also thanked Kim for sitting in while Janice was in training. Mayor Hale also thanked Georgia Bayman and Dave Werts for all of their hard work and dedication they have given to the community. Mayor Hale also thanked Mike Jackson and the other concerned residents who spoke to Council expressing their concerns. Mayor Hale thanked Scott Vagedes for all his years of service to the community. Mayor Hale continued he always appreciated Mr. Vagedes' time and efforts.

President Gibson also thanked Scott Vagedes for all of his help. Adding it has been a pleasure and wished Mr. Vagedes the best of luck in his retirement. President Gibson also congratulated and thanked Dave Werts and Georgia Bayman with their involvement in the community. President Gibson apologized to everyone that the Study Session ran over but we wanted to ensure everyone was heard. President Gibson also thanked Kimberly for her assistance in filling in while Janice was at training. President Gibson added as a follow-up of Ms. Gillis' comments, the What A Girl Wants Fashion Show for a Cure was a smashing success. Hats off to our Police and Fire Departments for keeping everyone safe and maintaining order. Hats off to Kelly and Ellen and everyone involved, our thanks and congratulations. Coming up is the Canal Music Fest on June 14th sponsored by the Arts Council. This years' free concert will be Hotel California. President Gibson reminded everyone these proceedings have been recorded and will be rebroadcast on the local cable access station. In this area it is Channel 5 of the Time Warner lineup. You can also log onto your computer at www.kittv.org

**City Manager
Comments**

Mr. Vath informed everyone in late May/early June the residents will be receiving a phone call from SDS Research. A telephone survey about our municipal electric system. We are trying to ascertain customer satisfaction, customer comments and customer suggestions through that survey.

Mr. Vath also commented on Mr. Vagedes' retirement and stated he is aware Mr. Vagedes didn't want any fanfare regarding his departure. Mr. Vath added he has worked with Scott since 2001 and wanted to share a few comments. Scott began as a Professional Engineer in 1975 in Montgomery County Engineer's Department, Tri-City Engineering and owned his own Engineering Company known as Scott Engineering. He began working for the City in 2000 as the City Engineer/Service Director. "I can say that Scott is a very detailed to attention oriented person. I think this is why the community has progressed and looks great because Scott's attention for detail and making sure things are done right. I will miss his unique and interesting sense of humor and wit that he displays at the office, he's a good friend and he had done a fantastic job for the City".

Adjournment

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

Meeting adjourned at 8:51 pm.

Joseph Gibson, President of Council

Attest: _____
Janice Bates, Clerk of Council



