

**TIPP CITY WORK SESSION**

**TIPP CITY, MIAMI COUNTY, OHIO**

**September 15, 2014**

**Ambulance Display**

The new ambulance was on display for Council Members to view beginning at 6:15 pm.

**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, Mike McDermott and Matt Owen. Also attending was: Acting City Manager Brad Vath, Finance Director John Green, Utilities Director Christy Butera, Law Director David Caldwell, Police Chief Eric Burris, Fire Chief Steve Kessler and Clerk of Council Janice Bates. Reporter Nancy Bowman was also in attendance.

No other persons were in attendance.

**MAP-21 STP Project – 5<sup>th</sup> Lane on CR25A**

Acting City Manager Vath reviewed the attached PowerPoint with Council. Mr. Vath continued the project under consideration would be the widening of CR25A from 4 lanes to 5 lanes from SpringMeade northerly to southbound I-75 ramps. This would include the upgrade of two traffic signals on CR25A (at Meijer and Kessler-Cowlesville intersections). This would also require right-of-way from up to four property owners. The anticipated preliminary cost estimate is \$1,250,000. Up to 80% would be federally funded; or \$1,000,000. The minimum local contribution would be \$250,000. This project is not currently programmed within the next five years.

Mr. Vath recommend submission of the STP funding application for SFY2020 for the CR25A 5<sup>th</sup> Lane Project at an estimated cost of \$1,250,000. Mr. Vath continued the application deadline is October 9<sup>th</sup>. A resolution to submit the application would be on the October 6<sup>th</sup> agenda. Staff would then submit the application to MVRPC by October 9<sup>th</sup>. If this project is approved staff would amend the 5-year CIP in 2019 or 2020.

Ms. Gillis stated she was in support of staff completing the application as it is truly an economic development item. President Gibson agreed, adding a fifth lane would be a benefit. Mr. Owen stated he also supported staff completing the application and agreed with Ms. Gillis in considering this project an economic development benefit. Staff will have the required resolution for Council consideration at the October 6<sup>th</sup> meeting, assuming staff has time to prepare the application.

**Strategic Plan Follow-Up**

Mr. Vath reviewed the attached Strategic Plan draft with Council. After reviewing the draft plan, Mr. Vath requested Council provide feedback/comments to staff by Friday, September 19<sup>th</sup>. Mr. Vath added staff can work through the suggestions and comments with Tony Collins. He will review via email as his contract is now over.

**2014 TFAC End of Year Review and 2015 Season Discussion**

Mr. Green reviewed the attached PowerPoint with Council. Mr. Green continued, "This was one of the coolest summers. The Aquatic Center was closed about the same number of days as last year but the majority of closures were half days. Attendance was 24,077 which is well below projected attendance rates. Total revenue was \$247,925 and \$105,000 was transferred

from the General Fund. Operating expenses totaled \$353,784 to include our contract with Dayton Pool Management, utilities, concession supplies and other pool operation expenses. The operating subsidy was \$105,859 for the 2014 operating year, which is approximately 30% of our operating expenses (receipts). Swim lesson participation was down to 171 participants from 271 in 2013 and only 42 dogs participated in the dog days event on the last day of operation from 60 in 2013. Mr. Green stated that Tipp City is not alone, other communities experienced the same low attendance numbers at their pools too.

Mr. Vath stated we need to look toward 2015. It costs a lot of money to keep the pool open during low attendance because a party has been booked. This prevents the pool from closing. Birthday parties are not huge revenue stream and we lose money if we can't close due to weather. We need to create new criteria for pool rentals. Mayor Hale asked the number of days the pool was open in the 2014 season. Mr. Vath replied 77 days. Mayor Hale asked if the City manages Dayton Pool Management. "To provide follow-up with what they are doing and if low attendance can eliminate staff". Mr. Green replied staff does meet with Dayton Pool Management on a monthly basis. Mayor Hale asked if the contract states the City will receive a refund if they (DPM and TFAC) are running partially staffed. Mayor Hale continued, "We should get that money back. It is convenient for them to remain fully staffed and get \$3,200 from the City". Mr. Green said the current contract with Dayton Pool Management expired November 1, 2012 with (3) one-year renewals. Mr. Green added, "If we can "buy" another year with Dayton Pool Management; we could address Council's concerns". Mr. Vath added there is not staff time to complete the Request For Qualifications (RFQ) at this time. Mr. Green continued we really need a local company to manage the pool and Dayton Pool Management manages other local pools and can move guards if necessary so we don't have to close due to lack of guards. President Gibson inquired if the current rates could be locked in. Mr. Green replied the number of days the pool will be open in 2015 will be 84. This is the same as the 2013-2014 season. President Gibson stated "I think we should move forward". Mr. Vath stated staff will meet with Dayton Pool Management and address Council's concerns. Mr. Vath continued Council can consider upgrades to the pool such as a lazy river or other feature to get people interested. Mr. Owen stated he was okay with the additional one-year extension. Ms. Gillis stated she was also okay with the one year contract extension with Dayton Pool Management but would also like to have Mayor Hale's concerns addressed as well.

Discussion also included a potential rate increase. Concern was raised if rates are increased, season pass sales will decrease. Mayor Hale suggested reducing the season pass rate for \$199 for families. Mr. McDermott agreed stating, "The pre-season pass holder is looking for value". Mr. Green stated we (the City) also need to stress the 70° requirement for the pool to be open. President Gibson suggested the City post to the Facebook account when the pool has been closed. Ms. Berbach suggested the City create a TFAC Facebook presence for such notifications. Mr. Vath replied City staff did post some of the pool closures, but due to being understaffed and overworked we have missed sending some notifications. Mr. Vath stated we will do better at making those notifications as well.

**Adjournment**

Meeting adjourned at 7:39 pm.

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

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

**TIPP CITY COUNCIL MEETING**

**TIPP CITY, MIAMI COUNTY, OHIO**

**September 15, 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 Clerk of Council Janice Bates

Guests signing the register include: Thomas Chaney, Thomas Funderburg, Michael Whitby, Larry Brown, Sue Sutton, William Sutton and Karen Jackson. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

The regular Tipp City City Council Meeting began at 7:40 pm.

**Roll Call**

The following Council Members answered roll call. President Joe Gibson, Mayor Pat Hale, Katie Berbach, Dee Gillis, Mike McDermott and Matt Owen. President Gibson moved to excuse Mr. Kessler. Ms. Berbach seconded. Motion carried.

**Invocation and Pledge of Allegiance**

Pastor Jeff Seekins from Community Bible Church gave the Prayer for Guidance. President Gibson led the Pledge of Allegiance.

**Minutes**

8/18/14 Pre-Meeting Study Session

Ms. Berbach moved to approve the minutes of the August 18, 2014 Pre-Meeting Study Session. Mr. Owen seconded. Motion passed 6-0.

8/18/14 Council Meeting

Mr. Owen moved to approve the minutes of the August 18, 2014 Council Meeting. Ms. Berbach seconded. Motion passed 6-0.

9/8/14 Special Council Meeting

Mr. Owen moved to approve the minutes of the September 8, 2014 Special Council Meeting. Ms. Berbach seconded. Ms. Gillis moved to amend the minutes to include the names of all Council Members in attendance. Mayor Hale seconded. Motion carried. Ms. Berbach moved to approve the amended minutes. Mr. McDermott seconded. Motion passed 6-0.

**Presentations, Proclamations, & Awards**

Mayor Hale presented a Proclamation to the City of Troy for their Bicentennial celebration. Mr. Funderburg addressed Council and thanked them for the Proclamation.

**Ordinances**

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

Bond Anticipation Notes  
- \$2,686,000

An ordinance providing for the issuance and sale of notes in the maximum aggregate amount of \$2,686,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of various public infrastructure projects.

City Manager Comments: This ordinance would issue notes for the following projects: Main Street Improvements, Roselyn Improvements (water/sewer project), South Third Street Reconstruction, and the Fire Station Improvements. The required "Supplemental Fiscal Officer's Certificate" which estimates useful life and shows maximum term has been provide to Council prior to acting upon the note ordinance. This year the City has retired \$350,000 of the principal from last year's note ordinance.

President Gibson stated Mr. Kessler introduced this legislation previously and in his absence called for another Council Member to step forward and sponsor and introduce this measure. Mr. McDermott introduced this measure. Motion passed 6-0. Ordinance 19-14 was declared adopted and President Gibson affixed his signature in witness thereto.

**Resolutions**

OPWC Grant – CR25A  
(Michaels to Evanston  
Road Project)

A resolution authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required for the CR25A Project (Michaels to Evanston Roads).

City Manager Comments: This resolution authorizes the submission of an application to the Ohio Public Works Commission for funding of the CR25A Reconstruction Project. This grant is scheduled for State Fiscal Year 2017, this project involves the widening of CR25A from the current 2-lane configuration to a 5-lane configuration to match the profile of CR25A north of SR571 (West Main Street). All of the required right-of-way acquisitions for this project are being done as part of Phase 1 which is SR571 to Michaels Road. It should be noted this is a large project with over \$3,050,000 expenditure. We have already received an ODOT grant in the amount of \$2,650,000. We would be applying for a \$400,000 grant through the Ohio Public Works Commission to augment the already existing grant we have from ODOT. The balance which is approximately \$210,000 which would be paid for out of the Tipp City Electric Fund. Council previously adopted Resolution 27-11 authorizing the City Manager to file an application with the Ohio Department of Transportation (PID 93245).

Ms. Berbach sponsored the resolution and moved for its adoption. Mr. Owen seconded. Motion passed 6-0. Resolution 41-14 was declared adopted and President Gibson affixed his signature in witness thereto.

Accepting 2015 Tax  
Rates

A resolution accepting the amounts and tax rates as determined by the Miami County Budget Commission, authorizing the regular statutory tax levies authorized and allowed by law thereby for the Municipality of Tipp City, Ohio, for such fiscal year beginning January 1, 2015 and certifying such levies to the County Auditor.

City Manager Comments: The Miami County Budget Commission has approved Tipp City's authorized "inside" millage property tax rate of 1.4 mills for 2015. Inside millage refers to the 10 mill property tax limitation that can be established without voter approval. Various taxing units may seek to levy taxes on the same property, but the total amount of unvoted taxes actually levied may not exceed ten mills. The Miami County Budget Commission is responsible for considering tax budgets submitted by the various taxing units and determining the amounts of taxes each taxing unit may levy. Inside millage is not rolled back like voter approved millage to account for increases in property valuation. This revenue source will generate an estimated \$360,000 in FY 2014 revenues. The City receives less than \$0.28 of every property tax dollar collected. This is an annual requirement that must be completed by October 1<sup>st</sup>.

Acting City Manager –  
John Green

Mr. McDermott sponsored the resolution and moved for its adoption. Mr. Owen seconded. Motion passed 6-0. Resolution 42-14 was declared adopted and President Gibson affixed his signature in witness thereto.

A resolution appointing and establishing compensation for the position of Acting City Manager pursuant to Tipp City Charter Section 5.07.

City Manager Comments: This resolution names Finance Director John Green as the Acting City Manager as of 12:01 a.m. on October 16<sup>th</sup>, 2014 and establishes additional compensation for these duties at \$675.00 per pay bi-weekly period. Council had previously adopted Resolution 16-14, which appointed Bradley Vath as Acting City Manager from April 19<sup>th</sup> until October 15<sup>th</sup>, 2014. There is a possibility that a new City Manager will not be selected and will be in office by October 16<sup>th</sup>, and the Charter Section 5.07 establishes a 6-month time frame for the Acting City Manager. This will provide Mr. Green with additional experience undertaking the duties of Acting City Manager.

General Maintenance  
ODOT License  
Agreement

Ms. Gillis sponsored the resolution and moved for its adoption. Mayor Hale seconded. President Gibson thanked both Mr. Vath and Mr. Green and appreciate their help. Motion passed 6-0. Resolution 43-14 was declared adopted and President Gibson affixed his signature in witness thereto.

A resolution authorizing the City Manager to execute an agreement with the Ohio Department of Transportation (ODOT) for a General License for maintenance purposes.

City Manager Comments: This resolution authorizes the City Manager to execute a General License for Maintenance Purposes for work within State right-of-ways, and eliminates the need for the City to file individual permits. All new utility installations will require a separate permit however. This master agreement has the potential to reduce our paperwork with ODOT.

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

Mayor Hale sponsored the resolution and moved for its adoption. Mr. Owen seconded. Motion passed 6-0. Resolution 44-14 was declared adopted and President Gibson affixed his signature in witness thereto.

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

City Manager Comments: This ordinance will appropriate \$800,000 for construction related expenses for the proposed Electric Utility Service Center to be located at 601 North Third Street. Several add alternates/deducts will be included within the bid along with performing value engineering with the construction contractor to provide options at the time of bid award.

Modifying Code Sections  
§§36.016, 36.041 and  
112.02

Mr. Owen introduced the ordinance.

An ordinance modifying code sections 36.016, 36.041 and 112.02 of the Tipp City, Ohio Code of Ordinances regarding references to Chapters 153 and 154.

City Manager Comments: This ordinance will correct reference errors to the existing code created when the new Chapters 154 & 155 were adopted.

The corrections proposed in this ordinance will now refer to the correct sections in the new Chapters 154 & 155 and primarily deal with the appeal process.

President Gibson introduced the ordinance.

**Motions**

Right-of-Way  
Encroachment at 15  
South 2<sup>nd</sup> Street

A motion authorizing a right-of-way encroachment at 15 South 2<sup>nd</sup> Street.

City Manager Comments: Harrison's is requesting Council approval to allow for the replacement of one awning (previously Harrison's on Second) at 15 South 2<sup>nd</sup> Street, which will now say "Pink Ribbon Girls." The new awning will be 7' above the sidewalk, and the same size as the previous awning. The Restoration Board reviewed Harrison's proposal at their August 26<sup>th</sup> meeting and granted a Certificate of Appropriateness for the awning relocation.

Ms. Gillis moved to approve the motion. Ms. Berbach seconded. Motion passed 6-0.

Right-of-Way  
Encroachment at 106  
East Main Street

A motion authorizing a right-of-way encroachment at 106 East Main Street.

City Manager Comments: Harrison's is requesting Council approval to allow the moving of one awnings previously used at the 15 South 2<sup>nd</sup> Street to above the kitchen doorway on Second Street. The relocated awning will be 7'6" above the sidewalk. The Restoration Board approved Harrison's proposal at their August 26<sup>th</sup> meeting and granted a Certificate of Appropriateness for the awning relocation.

Ms. Berbach moved to approve the motion. Ms. Gillis seconded. Motion passed 6-0.

**Miscellaneous**

There were none.

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

Larry Brown of 6650 S. Tipp-Cowlesville approached the podium. Mr. Brown stated he wanted to talk to Council once again about the excessive vehicle noise especially motorcycle noise. Mr. Brown thanked Council for holding a Study Session on this topic earlier this summer. Mr. Brown asked if there had been "positive progress on the issue". Mr. Brown continued by reading excerpts from the Independent Voice August 2005 issue. The Independent Voice conducted a survey regarding various aspects of the City. "The one that was most interesting... *Should the Police Department crack down on motorcycles and vehicles with manipulated mufflers?* 100% of the people polled said yes. Many people wrote in comments for other indications that this was an important issue to them. This was nearly 10 years ago. And it has been over 2 years since I have addressed City Council with that issue. It seems like it is taking a long time to address an issue with residents". Mr. Brown continued "It is unsettling, unpleasant and it interrupts your train of thought. It interrupts the calmness of a nice day. We should take a stand against excessive noise". Mr. Brown asked how many Police contacts were made in the previous four months and what results they had. President Gibson replied Council held a Study Session on this topic with specifics on how many calls were made the last number of years. President Gibson continued staff can provide

the minutes to Mr. Brown of that meeting. Mr. Brown replied that wasn't exactly his question. Mr. Brown asked in the time since the Study Session (the last four months) how many contacts have been made and what have been the responses to those? Mr. Vath stated "Chief Burris would have to go back and look at the records and he can make contact with you and report back to you and share that information with Council. We don't have that information in front of us this evening. Mr. Brown inquired if there has been progress at this time. Mr. Vath replied he is aware that the Chief has met with the officers and has had discussions with the officers about enforcement. President Gibson added there was not a heavy amount of calls and the other issue is a matter of enforcement.

Chief Burris approached the podium. Chief Burris continued, "At the time, I believe it was Council's direction was for me to go back and then review the existing ordinances that deal with excessive vehicle noise. That is what I have done and I have told them (the officers) that we will aggressively enforce. There was discussion about adding new ordinances and at Council's direction reviewed what we already have." President Gibson added it was also discussed to put additional signage up and that was not the direction Council wanted to go. Chief Burris continued this was something we plan to follow-up on in one year with evaluation next May. Mr. Brown suggested three actions be taken: signage; "Noise annoys" or "You are now entering the quiet zone", have Police Officers talk to the motorcyclists, and third would be for the City to issue press releases saying we (Council) want to reduce noise and are eliciting corporation of motorists. Mr. Brown asked if Council would commit to doing any of the three actions. Mr. Vath replied what Council had directed staff what to do Chief Burris is doing. Taking a look at the existing ordinances and City Council committed to getting back together to review where things stood within one year which would be May of 2015. We will have additional information and will report back at that time. Mr. Brown replied "That is a long way to go without taking other steps to make the situation less grieves. I appreciate that step, but I think without people knowing what we are trying to create, we aren't going to see much movement". Mr. Vath replied the Chief is talking with the officers and staff will circle back with Council in one year to discuss the progress that has been made. President Gibson added in discussions with the Chief, there have been added stepped up enforcement activities. Chief Burris added, "We do not have an ordinance that specifically addresses motorcycles. We talked about maybe using label matching ordinance that would meet EPA guidelines but at this point, we do not have that option. All of our ordinances cover all vehicles not just motorcycles". President Gibson added it is complaint driven. Chief Burris agreed.

Sue Sutton of 520 Whispering Pines approached the podium. Ms. Sutton informed Council her backyard backs up to S. Hyatt Street. She continued in agreement with Mr. Brown that when motorcycles go through, she and her husband have to stop their conversation so they can continue after the bikers have ridden through. Ms. Sutton continued, "I was raised by a grandmother who said be considerate of others. And when they come roaring through, I'm sure they weren't ever taught that". Ms. Sutton requested Council give all of the help that can be given. She added, "I love Tipp City it is a precious town, but sometimes I should have some rights also". Ms. Sutton continued her second concern is "the sad looking streets". Ms. Sutton informed Council she does a lot of walking around town and has noticed in

**Councilmember  
Comments**

Cottonwood, Springhill and various number of streets, the grass and weeds and grasses growing in the curb lawn is awful. "Our City streets look sad". Years ago the City street sweeper would come through on a regular basis. Ms. Sutton requested Council look at the City streets and notice all of the plants growing up, it is sad looking. Ms. Sutton requested Council to help the City to be beautiful. President Gibson asked if Ms. Sutton is aware of certain areas to let staff know. Ms. Sutton replied "All of Cottonwood and Springhill and there are many streets with a tremendous amount of green plants growing along the curbs". Mr. McDermott asked if the City has cut back on spraying costs along the curb lines. Mr. Vath replied there are new regulations regarding chemicals and where we can apply them, how we can apply them within public right-of-ways because of storm water runoff. Mr. Vath added next year the City has a street sweeper that will be purchased to replace the current sweeper. "We probably have not been as aggressive with street cleaning as we have been in prior years. Hopefully when we get the street sweeper next year, we can increase the attention to that detail". Mr. Vath stated we can do enforcement with specific areas when a complaint is made. We don't have staff or manpower to look at those on a daily basis. But we do follow-up when we get complaints and we address those complaints.

Ms. Gillis stated she is enjoying the nice Fall weather and hoped everyone else was too.

Mr. Owen had nothing additional.

Ms. Berbach wished Troy a Happy Birthday.

Mr. McDermott had nothing additional.

Mayor Hale reminded everyone the Mum Festival is over a week away. The car show will be on Friday night and the parade will be Saturday morning. Mayor Hale encouraged everyone to attend and enjoy the festival. Mayor Hale also thanked the taxpayers for Tipp City for the new ambulance that was on display this evening. "It is a wonderful looking unit and I appreciate the tax payers of Tipp City supporting the need for us to continue to make these replacements for our City services and to help our community and to keep our citizens safe".

President Gibson echoed Mayor Hale's sentiments in regard to the Mum Festival. President Gibson continued this is the last formal meeting of Council before the Mum Festival, which is the last weekend in September. President Gibson stated he hoped everyone could come and enjoy the festival. It is not too late to volunteer for the effort or to come forward with a sponsorship as well. After this will be HarvestFest on October 18<sup>th</sup>. This event is sponsored by the Downtown Tipp City Partnership. The Seventh Street Band will be there. This is guaranteed to be a wonderful performance time great time. These two events really give Tipp City a moment to shine and we hope everyone can attend those. President Gibson also wished Troy a happy birthday in their celebration of 200 year. President Gibson added Tipp City is right behind them and in 2015, Tipp City will be 175 years old. There are meetings and efforts underway to celebrate that fact to honor the City's existence for 175 years. President Gibson reminded everyone these proceedings have been recorded and will be rebroadcast on the local cable

**City Manager  
Comments**

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. Vath informed everyone the City has completed the City's annual repaving program. Paving is continuing by ODOT who is working on and nearly finished with SR 571. Paving is also being finished up on CR25A adjacent to Meijer and on Kessler-Cowlesville Road.

Mr. Vath also was pleased to announce that Tipp City was named the best community to live in by the Dayton Business Journal. Mr. Vath continued he attended a press release session that Frontier was hosting who is sponsoring "America's Best Communities". They are looking at awarding up to \$3 million dollars for the first place community in their service territory. There are approximately 27 states in their service territory and the population base they are looking at is around 280 communities. Chamber of Commerce CEO, Liz Sonnanstine was also in attendance and we have started some discussion to see if there is some traction in Tipp City forming a group and to submit an application for that particular competition.

Mr. Vath concluded by stating W. Dow Street has been completed. This was a project that was used by local income tax dollars that were voted on by the residents and tax payers of Tipp City. There is a vast improvement on that particular street and we are pleased how it came out.

Mr. Vath informed everyone there is a shortage of salt for the upcoming winter. There is a very limited supply of salt that is available for municipalities. We are working through the purchasing group that we participate with to obtain as much salt as possible. There are going to be dramatic changes in how all communities handle snow removal, ice removal and salting. Internally, we are working with staff to see how we can address this. The supply is very short and the costs are very high and we are going to need to make significant snow and ice removal changes this winter.

**Adjournment**

Ms. Berbach moved to adjourn. Mr. McDermott seconded. Motion carried.

Meeting adjourned at 8:42 pm.

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Joseph Gibson, President of Council

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

