

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

January 20, 2015

Council Meeting

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

Mayor Hale moved to excuse President Gibson. Ms. Berbach seconded. Motion carried.

City Staff in attendance include: City Manager Tim Eggleston, Law Director David Caldwell, Assistant City Manager Brad Vath, Finance Director John Green, Utilities Director Christy Butera, Police Chief Eric Burris and Clerk of Council Janice Bates.

Guests signing the register include: Thomas Chaney and Dennis Propes. Reporter Cecilia Fox was also in attendance.

Invocation and Pledge of Allegiance

Mayor Hale gave the Prayer for Guidance and led the Pledge of Allegiance.

Approval of Agenda

Mr. Owen moved to approve the agenda. Mr. Kessler seconded. Motion carried.

Minutes

1/5/15 Work Session

Mr. Kessler moved to approve the minutes of the January 5, 2015 Pre-Meeting Work Session. Ms. Berbach seconded. Motion passed 6-0.

1/5/15 Council Meeting

Mr. Kessler moved to approve the minutes of the January 5, 2015 Council Meeting. Ms. Berbach seconded. Motion passed 6-0.

Presentations, Proclamations, & Awards

Dennis Propes of the Miami County Public Health gave a brief presentation to Council and introduced himself as the new Health Commissioner.

Ordinances

(2nd Reading)

There were none.

Resolutions

Electric Utility Center Contract – Westerheide Construction

A resolution authorizing the City Manager to enter into a contract with Westerheide Construction of Sidney, Ohio for the construction of the Electric Utility Center at a cost of \$2,348,400.

City Manager Comments: Eight bids were received for this project with base prices ranging from \$2,345,000 - \$2,983,000. Westerheide Construction of Sidney, Ohio was the low bidder on the project. Their proposal of \$2,348,000 includes \$3,400 alternate for bi-parting gates is within budgeted funds for this project.

Mr. Kessler sponsored the resolution and moved for its adoption. Ms. Berbach seconded. Motion passed 6-0. Resolution 2-15 was declared adopted and Mayor Hale affixed his signature in witness thereto.

Miami County HAZ-MAT
Memorandum of
Understanding

A resolution approving the City's financial participation in the Miami County Hazardous Materials (HAZ-MAT) program under the auspices of the Miami County Emergency Management Agency (EMA) and authorizing the City Manager to execute a memorandum of understanding with the Miami County Commission and the Cities of Piqua and Troy governing such participation.

City Manager Comments: The City of Tipp City has participated in Miami County's Hazardous Materials Program, administered by the County Emergency Management Agency (EMA) since at least 2007. This has been an MOU that has been signed every three years. There has been a slight increase of the costs to Tipp City. The cities of Tipp City, Troy and Piqua participate to fund a part-time Hazardous Materials Coordinator position. This individual goes out and inspects the manufacturing facilities, list the hazardous products and help train our staff. This is a relatively low cost at less than \$4,000 per year.

Ms. Berbach sponsored the resolution and moved for its adoption. Ms. Gillis seconded. Motion passed 6-0. Resolution 3-15 was declared adopted and Mayor Hale affixed his signature in witness thereto.

**Ordinances
(1st Reading)**
Modifying Code Section
Table 154.04-5

An ordinance modifying code section table 154.04-5 of principally permitted uses of the Tipp City, Ohio Code of Ordinances.

City Manager Comments: This ordinance would modify the zoning code to permit fraternal, charitable, and service oriented clubs as a "permitted with standards" use within the Conservation District zoning classification. This modification is required principally to permit the Tipp City Seniors Inc. to pursue placement of a facility on property currently zoned as a Conservation District.

Mr. Kessler introduced the ordinance.

Repealing §41.09 and
§41.99 of the Tipp City
Code

An ordinance repealing §41.09 and §41.99 of the Tipp City Code of Ordinances pertaining to smoking prohibitions within the Tipp City Government Center due to pre-emption by the State of Ohio smoking prohibitions.

City Manager Comments: This ordinance repeals §41.09 and §41.99 of the Tipp City Code which restricted smoking within the Government Center but permitted smoking in the vestibule area. The Ohio Revised Code has been updated subsequent to the Tipp City ordinances and includes more stringent regulations against smoking in public spaces. Repealing the City code will place the City in compliance with the Ohio Revised Code.

Mr. McDermott introduced the ordinance.

Amending §31.27 of the
Tipp City Code

An ordinance amending §31.27 of the Tipp City Code of Ordinances pertaining to smoking, eating and drinking prohibitions within the Tipp City Government Center due to pre-emption by the State of Ohio smoking prohibitions.

City Manager Comments: This ordinance amends §31.27 of the Tipp

Modifying §55.29 and §55.30 of the Tipp City Code

City Code which makes reference to §41.09 and §41.99.

Ms. Berbach introduced the ordinance.

An ordinance modifying code sections §55.29 and §55.30 of the Tipp City, Ohio Code of Ordinances and declaring an emergency.

City Manager Comments: This ordinance would amend §55.29 and §55.30 of the Tipp City Code pertaining to refuse collection fees and declaring an emergency for the immediate reduction of fees prior to the next billing cycle. The Miami County Commissioners have adopted legislation reducing the tipping fee at the County Transfer Station. In accordance with the City's contract with Waste Management, this tipping fee reduction is to be passed through to the City on the monthly refuse disposal bills. Likewise, the City wishes to pass the tipping fee reduction along to the residents using the refuse collection service. This ordinance reduces the refuse collection rate by \$0.39 per residential unit per month.

Ms. Gillis introduced the ordinance and moved for its adoption. Mayor Hale added since this is an emergency ordinance, 5 votes for passage would be required. A vote was taken on the motion. Motion carried 6-0. Ordinance 2-15 was declared adopted and Mayor Hale affixed his signature in witness thereto.

Motions
2014 Employee
Attendance Awards

A motion granting attendance awards to employees who used 8 hours or less of sick leave in 2014.

City Manager Comments: Annually, Council has provided City employees an incentive for attendance and non-use of sick leave. Employees with zero sick leave usage during the previous year are awarded \$100 and employees with 8 hours or less of sick leave usage are recognized with a \$50 award. During 2014, 6 employees used 0 sick leave hours and 3 employees used 8 hours or less for a total incentive of \$750.

Ms. Berbach moved to approve the attendance awards. Ms. Gillis seconded. Motion carried.

Appointment to the
Miami County Board of
Health

A motion to make one appointment to the Miami County Board of Health for a five year term expiring March 31, 2020. Mayor Hale nominated Joanna Pittenger. Ms. Berbach seconded. A vote was taken on Ms. Pittenger's nomination. Her appointment was unanimous.

Miscellaneous

There were none.

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

There were none.

**Councilmember
Comments**

Mr. Kessler had nothing additional.

Mr. McDermott stated it was nice to vote on an ordinance that will give money back to the residents.

Ms. Gillis welcomed the new Health Commissioner to the community. Ms. Gillis added she hoped everyone is enjoying this great weather.

Mr. Owen had nothing additional.

Ms. Berbach has nothing additional.

Mayor Hale stated he Mr. Owen and President Gibson attended the ribbon cutting for Studio 14 at 115 W. Main last week. Anytime we have a new business open in our community it is a good thing. This is a fine arts business. They also have specialty made jewelry. Congratulations to Evelyn Staub and the Trimbach's. Mayor Hale encouraged everyone to take the opportunity to walk through the building. Mayor Hale also congratulated Mr. Eggleston on his achieving his ICMA certification. Mayor Hale also congratulated Ms. Bates on achieving her Certified Clerk Designation. Mayor Hale asked Mr. Green to explain the recent email Council received from the State Auditors regarding their audit process. Mr. Green stated it is an engagement letter which is basically their contract with the City. This letter states what the auditors will be doing on our behalf. The cost is going to be \$31,350 which is approximately \$4,000 less than the private company has charged the last four years.

**City Manager
Comments**

Mr. Eggleston stated Tipp Monroe Community Services along with the Tipp City Police Department will be hosting a program on fraud defense for senior citizens. This will be held on February 5th from 7:00 – 8:00 pm at the Tipp City Library. Reservations are required. The Tipp City Police Department will also be hosting a RAD (Rape Awareness Defense Class) a women's self-defense class. This class is for ages 12 and up. This will be a physical program and appropriate attire needs to be worn. This class will take place at the Zion Lutheran Church, registration is due by March 30th. Also on Saturday February 5th is Art for the Heart sponsored by the Tipp City Arts Council. This will also be held at the Zion Lutheran Church. At this event, you can purchase the works of local artisans.

Mr. Eggleston also informed everyone he and Ms. Gillis attended the MVRPC meeting where a presentation was made on a campaign to change the perception of Dayton as one from despair to one which reflects growth, opportunity and positivity in the City and the region.

Adjournment

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

Meeting adjourned at 7:55 pm.

Joseph Gibson, President of Council

Attest: _____
Janice Bates, Clerk of Council



