

TIPP CITY WORK SESSION

TIPP CITY, MIAMI COUNTY, OHIO

June 15, 2015

Work Session

The work session began at 6:30 pm. The following Council members were present: President Joe Gibson, Katie Berbach, Dee Gillis, John Kessler and Mike McDermott. Also attending was City Manager Tim Eggleston, Assistant City Manager Brad Vath, Law Director David Caldwell, Finance Director John Green, Police Chief Eric Burris, Fire Chief Steve Kessler, Facilities/IT Manager Doug Arnold and Clerk of Council Janice Bates. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

Others in attendance include Craig Early and Mitch Toby from Choice One Engineering.

Weller Drive Traffic Studies

Craig Early and Mitch Toby of Choice One Engineering presented Council with two options in conducting a traffic study for Weller Drive (\$7,000) and the overall area (\$43,000). Craig Early stated that Weller Drive consists of a single left turn lane from Weller Drive onto Main Street (SR 571). The proposal is to determine if Weller can have two left turn lanes and a right turn lane. Choice One would collect traffic counts on the Weller Drive intersection. This data would be used to determine level of service for existing businesses and prepare a summary of the results/findings. Mr. Early added signal modification will be made if the study warrants.

President Gibson asked if there had been conversations about Menards and the section of Weller being one way. Mr. Early stated this would be part of the overall traffic impact study being proposed. The overall study will be used to determine the area roadway network for the entire area. Mr. Vath stated as clarification, this would update the study from 2007 when Menards first opened. Mr. Early stated the previous traffic study cited "significant congestion". The new study will determine the need if surrounding land develops. The study will include the 9 surrounding intersections. Daily counts will be conducted (Thursday – Saturday). The study will also include site generated traffic for undeveloped lots, analyze affected roads, determine the capacity and turn lane analysis of all studied intersections and analyze existing coordinated signal systems along W. Main and make recommendations accordingly. Mr. Early continued, "This is an analytical approach to plan for future roadways".

Mr. Eggleston inquired how the City can compensate. Mr. Early stated the City can perform traffic counts to determine what Menards is using. "Every property is different". Mr. McDermott stated with the addition of Kettering Orthopedic the traffic will increase, but they are scheduled patients with appointments. Ms. Gillis wondered if business owners would be upset with the change. President Gibson stated many will be pleased that Council is considering making that section two way. Ms. Gillis added she knows of other businesses who have decided not to locate into that area because of it being one way. She added this change might help to bring in more businesses to the area. Mr. McDermott asked about the traffic studies that were completed for the signals since 2007. Mr. Vath replied staff is currently working with ODOT and trying to get integrated timing and thus far have not been successful. Mr. Kessler commented he has always had a problem with Weller being one way.

Video at Swimming Pool
and Downtown

Mitch Toby commented this study will help best predict traffic flow. Mr. Gibson inquired if any liability issues exist. Mr. Caldwell stated in most instances the City would have immunity. President Gibson inquired of Council if there was an interest for Weller Drive remaining the same or becoming two way. Mr. Eggleston stated if Council wishes we could do the initial study for the turn lanes on Weller Drive. Mr. McDermott stated he liked the idea of phasing in the traffic studies with Weller Drive possibly this year and possibly looking at budgeting for the overall study in the following year. President Gibson added he has also heard of businesses reluctant to build in that area due to Weller Drive being one way. Council thanked Mr. Early and Mr. Toby for their presentation. Mr. Eggleston stated "We will let you know".

Mr. Eggleston stated he had received interest from a member of Council to streamline video feeds of the swimming pool onto the City website. Staff is looking for direction and information to see if this is something Council is interested in doing.

Mr. Owen stated he understood the idea of cameras on Main Street, but was curious for the need of streamlined video of the pool. President Gibson stated this could inform residents of rain or if the pool is closed. Mr. Kessler noted there are oftentimes when several employees are gathered around the front desk. Adding if the phone is ringing, they need to answer it. "We have a contract with them they need to perform the duties of the contract". President Gibson added the videos would permit people to see weather conditions, the crowd at the pool, watch swim meets and to see if the pool is open or closed. Mr. Kessler stated we have had a pool for over 40 years without a video feed and he is against it. Ms. Berbach agreed stating she is against the idea of a camera at the pool. Ms. Gillis suggested workers at the pool post pool closures on social media. Mr. McDermott stated if front desk workers are there, then they need to answer the phone. Adding if not enough people are at the pool or weather conditions close the pool, a camera will fix that. It was asked if the City has capabilities to do this. Doug Arnold replied there are currently cameras at the pool; however they are internal security cameras. "We would need a public camera if Council chooses to move in this direction". Mr. McDermott stated this could also be used as a marketing tool for the pool. Mr. Eggleston stated staff could get a sample photograph for Council review.

Ms. Berbach stated she is not interested. "This is Big Brother. This is just down right creepy! We shouldn't inflict this on our residents". Mr. Owen inquired of Mr. Caldwell if the City would "be walking into a liability". Mr. Caldwell replied in public venues people have no expectation of privacy. However, if Council chooses to use this as a marketing tool, we would then need to notify attendees and get signed releases. Ms. Berbach stated she got rid of her video baby monitor because people can hack into the feed. "This is just creepy! To think that someone can just log in and watch me is creepy. The whole idea just gives me chills"! Mr. McDermott stated that isn't the intent. Especially if it cannot be determined who the image is. Mr. Kessler stated he agreed with Ms. Berbach. "This is Big Brother and we have a contract with Dayton Pool and they need to answer the phones. If they can't, then maybe we need a contract with a new company who will do the job". Ms. Gillis stated if there are more people like Katie, we could potentially lose business. President Gibson inquired of Mr. Eggleston to research costs for a camera to

be included Downtown. Ms. Gillis stated she is willing to hold off. President Gibson asked Mr. Eggleston to look for camera options for Downtown, but not the pool. Ms. Berbach stated she is not in favor of cameras being at the pool or Downtown. Mr. Owen added he was ok with cameras being Downtown, but not at the pool. Ms. Berbach stated this is quaint Tipp City and that does not include video feeds. President Gibson suggested this shouldn't move forward at all. Mr. Owen and Ms. Gillis agreed. Council agreed for not moving forward with either option.

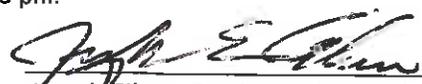
OPWC Updates

As requested by Council at their June 1st Study Session, Mr. Vath reviewed detailed options for renovations of the Maple Hill Road/Bridge. Mr. Vath indicated the Maple Hill Bridge is currently rated 3P. The sufficiency rating is 16.2 compared to Hathaway which is rated at 96.9. Mr. Vath continued the Maple Hill Bridge is "at the end of its life". Ms. Gillis asked if the Township was aware. Mr. Vath replied staff has spoken with the Trustees and they are okay with the closure. Mr. Vath reviewed repair options. Option 1 is the replacement of the Maple Hill Bridge. This is included in the 5-year CIP with \$23,600 budgeted in 2017 for design and \$262,400 for construction and repaving for a total of \$340,600. Fifty percent of this project would be OPWC funded. Option 2 is the bridge realignment. This project is not currently in the 5-year CIP. This option would relocate the Maple Hill Bridge to Kyle Park Drive for a total of \$1,070,000. As part of this option, it is proposed to add 28' road with 10' bikeway from Hyatt to the Railroad tracks. This option would require right-of-way acquisition from two property owners. The water and sewer easements already exist. The preliminary costs for both options are as follows: Option 1 – Bridge only would be approximately \$340,600. The City would apply for an OPWC grant up to 50% or \$170,300. Option 2 consists of realigning the road and reconstructing the bridge. Total cost for this option is \$1,070,000. The City would apply for OPWC grants up to 50% or \$535,000. President Gibson inquired if the Township has weighed in. Mr. Vath replied there is no opposition by the trustees. Ms. Berbach asked if staff had spoken to property owners. Mr. Vath stated not yet. Adding utility easements already exist on the Gay property. This would be adding a roadway on top. "Although this would not be an ODOT project, we would follow the standard acquisition process as we did for CR25A". Staff needs Council's direction as the application deadline window is getting shorter. Mr. Kessler stated he is not in favor of spending \$2 million dollars for a "glorified" entrance into a park that is only used 7 months of the year. Mr. Kessler added he prefers keeping the road and bridge the way they currently are. Ms. Gillis and Ms. Berbach agreed to keep the bridge and road as is. Mr. Owen stated "I like the idea of connecting to Kyle, if the Gays are okay then then okay. Otherwise if they are not in support, fix the bridge". Ms. Berbach asked the Chiefs in attendance their preference. Chief Kessler stated he liked the idea of the new road with a bike path for kids to get to the park. Chief Burris agreed stating he also liked the idea of the new road. President Gibson stated he would prefer to keep the bridge as is. Mr. Owen agreed.

Adjournment

Meeting adjourned at 7:43 pm.

Attest: 
Kimberly Patterson
Janice Bates, Clerk of Council
KIMBERLY PATTERSON
ACTING CLERK


Joseph Gibson, President of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

June 15, 2015

Council Meeting

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

President Gibson moved to excuse Mayor Hale. Mr. Kessler 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, Police Chief Eric Burris, Fire Chief Steve Kessler, Facilities/IT Manager Doug Arnold and Clerk of Council Janice Bates.

Guests signing the register include: Gordon Pittenger, Andrew Thornbury, and Rev. Gary Boggs. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

Invocation and Pledge of Allegiance

Reverend Gary Boggs from First 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. Ms. Berbach seconded. President Gibson moved to amend the agenda under Section 5 – Presentations, Proclamations and Awards from Mayor Hale to Mr. Owen in the Mayor's absence. Ms. Gillis seconded. Motion carried. President Gibson moved to approve the amended agenda. Mr. Owen seconded. Motion carried.

Minutes

6/1/15 Pre Meeting Work Session

Ms. Berbach moved to approve the minutes of the June 1, 2015 Pre-Meeting Work Session. Mr. Owen seconded. Motion carried.

6/1/15 Council Meeting

Mr. McDermott moved to approve the minutes of the June 1, 2015 Council Meeting. Ms. Gillis seconded. Motion carried.

Presentations, Proclamations, & Awards

Mr. Owen made a Presentation for the upcoming Tipp City 175th Anniversary Celebration and festivities.

Ordinances (2nd Reading)

Amending Zoning Code Map – Kinna Drive

An ordinance to amend the zoning code and map attached thereto by changing the zoning of +/- 4.831 acres (all of Inlots #4104 & 4105) located on Kinna Drive from Highway Business (HB) to Light Industrial (LI) Zoning Classification.

City Manager Comments: At the May 18th Council Meeting, Council set the Public Hearing for June 15th to hear public comments on the rezoning of lots 4104 and 4105 located on Kinna Drive from their current Highway Business (HB) to Light Industrial (LI) designation. At the June 1st Council Meeting, Council introduced the ordinance for its first reading, upon hearing public comments, staff recommends Council adopt the ordinance as written.

Mr. Kessler introduced the ordinance and moved for its adoption. Motion passed 6-0. Ordinance 29-15 was declared adopted and President Gibson affixed his signature in witness thereto.

Design Standards for Streets

An ordinance modifying code section 155.04 (F)(8)(E), Tables 155.04-1 and 155.04-3 of the Tipp City Code of Ordinances regarding design standards for streets.

City Manager Comments: With the changes to the Tipp City Engineering Design Standards, staff need to modify Subdivision control pertaining to street grades, minimum pavement width and curb radius. Staff has asked Council to adopt the ordinance as written.

Mr. McDermott introduced the ordinance and moved for its adoption. Motion passed 6-0. Ordinance 30-15 was declared adopted and President Gibson affixed his signature in witness thereto.

Resolutions
Purchase truck for Parks Department

A resolution authorizing the City Manager to purchase one truck for the Parks Department from Collection Buick, through the State of Ohio Purchasing Plan at a cost not to exceed \$30,000 and declaring personal property owned by the City of Tipp City to be declared surplus property and no longer useful in the general operation of the City.

City Manager Comments: The vehicle being replaced is a 1998 Ford Ranger with 63,419 miles. It was scheduled to be replaced in the 2015 CIP Budget. The funding for this vehicle comes from the capital improvement reserve fund. This price does not include decals. This resolution also declares existing vehicle as surplus property and allows the Manager to dispose the vehicle per City policy. We are asking this resolution be adopted.

Ms. Berbach sponsored the resolution and moved for its adoption. Mr. Owen seconded. President Gibson inquired the intended plan for the surplus property. Mr. Eggleston replied this vehicle will be placed on Gov.deals. Motion passed 6-0. Resolution 31-15 was declared adopted and President Gibson affixed his signature in witness thereto.

Purchase truck for Streets Department

A resolution authorizing the City Manager to purchase one truck for the Street Department from Collection Buick, through the State of Ohio Purchasing Plan at a cost not to exceed \$33,000 and declaring personal property owned by the City of Tipp City to be declared surplus property and no longer useful in the general operation of the City.

City Manager Comments: The vehicle being replaced is a 2003 Ford F250 with 77,320 miles as surplus property. It is under the 2015 Capital Improvement Plan. The funding comes from the Capital Improvement Reserve Fund. The price does not include the decals. The resolution allows the Manager to dispose of the property per City policy. We are asking that this resolution be adopted.

Mr. McDermott sponsored the resolution and moved for its adoption. Ms. Gillis seconded. Motion passed 6-0. Resolution 32-15 was declared adopted and President Gibson affixed his signature in witness thereto.

Purchase utility tractor for Parks Department

A resolution authorizing the City Manager to purchase one utility tractor for the Parks Department from Koenig Equipment, Inc., through the State of Ohio Purchasing Plan at a cost not to exceed \$35,000 and declaring

personal property owned by the City of Tipp City to be declared surplus property and no longer useful in the general operation of the City.

City Manager Comments: The tractor being replaced has 2717 hours. This vehicle was budgeted to be replaced this year in the Capital Improvement Plan. The funding comes from the Capital Improvement Reserve Fund. The resolution also declares a tractor as surplus property and allows the Manager to dispose of property per City policy. This item will also be listed on Gov.deals. Staff is asking for the adoption of the resolution.

Ms. Berbach sponsored the resolution and moved for its adoption. Mr. Owen seconded. Motion passed 6-0. Resolution 33-15 was declared adopted and President Gibson affixed his signature in witness thereto.

Resolution of Necessity

A resolution of necessity for improvement on various streets upon the addresses attached to replace sidewalk, curb and gutter, and driveway approaches where necessary.

City Manager Comments: Due to the bids coming in higher than estimated for the 2015 assessment program, staff had to pair the project down to be able to stay within the appropriation as approved by Council in this year's budget. We will be rebidding the project with modifications. This resolution allows the City to notify the property owners of the revised assessments conforms to the ORC and administrative policy that we have in place. If said property owners fail to repair the sidewalk, curb and gutter or driveway approaches specified in the attached list, the City is authorized the make the needed repairs and levy the cost against the property owner's record. Staff is recommending this resolution be adopted.

Mr. Owen sponsored the resolution and moved for its adoption. Ms. Berbach seconded. President Gibson provided for record the streets involved to include Lantana Court, Stonecrest Drive, N. Garber Drive, N. Westedge Drive, N. Bowman Avenue, Warner Drive, N. Tippecanoe Drive, N. Third Street and Parkwood Drive. Mr. McDermott asked what caused the budget to be so far off of the bid. Mr. Eggleston replied material costs. Motion passed 6-0. Resolution 34-15 was declared adopted and President Gibson affixed his signature in witness thereto.

Nuisance Abatement
426 N. Fifth Street

A resolution authorizing the City Manager to utilize the equitable powers of the common pleas court of Miami County, Ohio in order to abate uncorrected violations of Section §94.44.

City Manager Comments: This resolution authorizes the Manager to work with the Law Director and the Common Pleas court to abate the various nuisances at 426 N. Fifth Street. Based on the City's inability to notify the property owner of violations through the postal service as required by ordinance. Staff is asking Council to authorize this action by approval of this resolution being presented tonight.

Mr. Owen sponsored the resolution and moved for its adoption. President Gibson seconded. President Gibson inquired if this is a noxious weed problem or a trash problem. Mr. Eggleston replied it is debris in the yard. Mr. Spring included photos of the violations. There has been numerous times the

City tried to serve the property owner and those letters came back unclaimed. Ms. Gillis inquired if the property was vacant. Mr. Eggleston replied it is. Ms. Gillis asked if the repairs, or clean-up costs would be charged to the property owners taxes. Mr. Eggleston replied that was correct. President Gibson inquired if this is in response to a neighbor who has made the complaint. Mr. Eggleston stated that was also correct. Mr. McDermott asked if we are positive no-one lives there and it is not currently occupied. Mr. McDermott requested staff knock on the door and physically serve them with the notification. "Are we certain that no one actually lives there"? Mr. Eggleston stated we will try and knock tomorrow. Mr. Owen asked if this has been an on-going issue. Mr. Eggleston stated "According to Mr. Vath's memo, on March 18th the City received the complaint regarding the accumulation of trash, and junk on the property inspection on the same date confirmed the complaint. Based on the inspection on March 18th a violation notice was set via USPS to clean up the property by April 1st. Subsequent inspections conducted on April 2nd which no clean-up of the property had been performed. Accordingly, a second notice was sent to clean up the property by April 16th. Inspection was conducted on April 20th and it was noted that no clean-up of the property had been performed. Consequently on April 20th, formal minor misdemeanor charges were filed with the Municipal Court. On May 19th, the two original violations (from 3-19 and 4-2) were returned to Tipp City as "Moved/Left No Address, Unable to Forward". President Gibson stated this has been an ongoing issue at least since March. Mr. Owen inquired if staff has confirmed this is a violation. Mr. Eggleston replied it is. "Unfortunately, this is the route you have to go to get the correction done. If we have to get it cleaned up, that will be an assessment against the property". Motion passed 6-0. Resolution 35-15 was declared adopted and President Gibson affixed his signature in witness thereto.

**Ordinances
(1st Reading)
Amending Chapter 38**

An ordinance amending Chapter 38 Collective Bargaining of the Codified Ordinances of the City of Tipp City for all City Employees covered by a Collective Bargaining Agreement.

City Manager Comments: The current ordinance needed to be updated to conform to State law. The original ordinance was passed in 1975. Our labor attorney has reviewed and approves the changes being presented tonight. Staff asks Council to approve this first reading.

Mr. Kessler introduced the ordinance.

Motions

There were none.

Miscellaneous

There were none.

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

There were none.

**Councilmember
Comments**

Ms. Gillis had nothing additional.

Mr. Owen had nothing additional.

Ms. Berbach invited everyone to participate in an event that will be held at the Pleasant Hill VFW. Guns and Ribbons is a memorial to Belinda Prewitt even for her stepmother who passed from breast cancer. Donations from the event go to Pink Ribbon Girls and Hospice of Dayton. Last year \$7,000 was donated to Pink Ribbon Girls and \$1,000 to Hospice of Dayton. This year we have increased our goals and would like to donate \$10,000 to Pink Ribbon Girls and \$1,000 to Hospice of Dayton. There will be a rifle competition during the day and after party in the evening. Mrs. Ohio and Jr. Miss Ohio will be in attendance. There will be food and beer trucks available as well. On Sunday June 20th the range can be rented for \$25 for 4 hours. Admission for Guns and Ribbons is \$10.00 which is a donation for the cause. The fee gets you into all events including the concert in the evening.

Mr. Kessler thanked the Fire, EMS and Police Departments for their participation in the Voss Honda Safety City over the weekend. They gave away several hundred bike helmets to kids.

Mr. McDermott stated his comment was in regard to all of the street projects going on throughout town. "I understand it not only helps to beautify our City, keeping our roads safe to drive on, but it also has the unintended temporary consequences of inconveniencing business owners and motorists. I do feel your pain, but hopefully in a month once the orange cones are gone, we will have our town back".

President Gibson followed up on Ms. Berbach's comments regarding the Guns and Ribbons event. "It is a most worthy event. It is a lot of fun. It is a wonderful time for a great cause. "The Antique and Artisan Show is this coming Saturday. This is where Main Street becomes a sting of antique booths. You can find just about anything you can imagine. Our vendors do a great job in showing some unique stuff. Including the newest, the Iron Dog. President Gibson also wished congratulations to our latest chapter in music, music, music in the City of Tipp City. This would be the Canal Music Fest which took place over the past weekend. Notwithstanding blistering humidity and monsoon type conditions, the band sounded great, we had a humongous crowd. We even had our Municipal Manager assisting in the adult beverage booth. It went off without a hitch and it was a wonderful time. Congratulations to the Arts Council and JJ Slanker in particular for all of her efforts. Thanks to the sponsors and the Police and Fire Departments for keeping everyone safe. Hats off to the Canal Music Fest for making it another successful and wonderful time. Speaking of music, we have another free concert upcoming. Beginning with the 4th of July weekend as Mr. Owen indicated, we have two different bands on Saturday July 4th at Kyle Park free of charge. Flyers are posted and available for additional information. After that on July 18th is the Miyelo Music Festival where there are scores of music as well. This will also be a wonderful time for us in Downtown Tipp City".

President Gibson informed everyone that the rules of Council and the budget are currently being worked on. "We are still working for you, there is a lot going on fun-wise and we are still trying to work for you work-wise. Stay in touch and be in touch". President Gibson reminded everyone these proceedings have been recorded for rebroadcast over the next two weeks on our local cable access station. This area it is channel 5 of the Time Warner cable lineup. Council Meetings and Monroe Township Meetings and School

**City Manager
Comments**

Board Meetings can be viewed by logging on to either the City's website or kittv.org. President Gibson informed everyone prior to adjourning, Council will be entering Executive Session. Council will adjourn for a brief 10 minute recess prior to entering Executive Session.

Mr. Eggleston expressed condolences to the William York family for their loss.

Mr. Eggleston also informed everyone in discussions with Waste Management regarding alley pick-up upon review of the initial bid an error was made and they cannot duplicate the same savings of \$0.50 per month if the alley pick-ups were eliminated. This does not negate the possible savings to the City of maintenance costs due to heavy equipment driving down the alleys for trash pick-up. This could be discussed at a later date if Council wishes to entertain the possibility of the elimination of alley pick-up of trash.

For the first 21 days of operation it appears the revenues at the Aquatic Center are up, concession sales are also up and usage is also up. Dayton Pool Management is working with Dominos pizza to get pizza in the concessions. Mr. Eggleston thanked the community for supporting the facility.

On May 8th Penske Logistics announced it has successfully completed its planned acquisition of Transfreight North America. Mr. Vath and I met with Hank Wilder on a retention visit. He believes the merger is not expected to impact Tipp City in a negative way. In fact Mr. Wilder was very positive about the merger. You may possibly be hearing more about this merger in the news in the coming week.

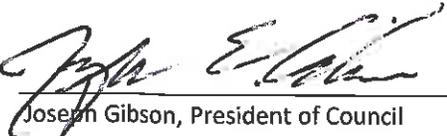
Adjournment

President Gibson informed everyone Council would be entering Executive Session for the purposes of personnel to consider the appointment and compensation of a public employee to include all members of Council after a 10 minute recess. Ms. Berbach moved to enter into Executive Session. Mr. Kessler seconded. Motion carried. Council entered Executive Session at 8:40 pm.

Mr. Kessler moved to return from Executive Session. Ms. Berbach seconded. Motion carried. Council returned from Executive Session at 8:59 pm.

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

Meeting adjourned at 9:00 pm.


Joseph Gibson, President of Council

Attest: 
Janice Bates, Clerk of Council
KIMBERLY PATTERSON, ACTING CLERK