

Agenda

Tipp City City Council

7:30 p.m. Monday, August 17, 2015

Tipp City Government Center

260 South Garber Drive

Tipp City, Ohio 45371-3116

1.	Call to Order - Roll Call	President Gibson
2.	Prayer for Guidance, Pledge of Allegiance	Pastor Dan Glover Tipp United Methodist Church
3.	Motion to Approve the Agenda	President Gibson
4.	Minutes Minutes of the August 3, 2015 City Council Work Session Minutes of the August 3, 2015 City Council Meeting	President Gibson
5.	Presentations, Proclamations, & Awards A. Feed Ohio Proclamation	Mayor Hale
6.	Legislation	Mr. Eggleston
	Ordinances (<i>second reading</i>) A. Ordinance No: __-15: An ordinance to amend the zoning code and the map attached thereto by changing the zoning of +/- 1.619 acres (Inlot 4158) located at 3311 South CR25A from HB (Highway Business) interim zoning to HB (Highway Business) zoning classification. (Introduced by Mr. Kessler) Summary: This ordinance rezones the property located at 3311 South CR25A from the interim highway business zoning classification to highway business zoning classification.	
	Resolutions (<i>one reading required</i>) A. Resolution No: __-15: A resolution authorizing the City Manager to enter into an agreement with R.B. Jergens Contractors Inc. for the South County Road 25A Reconstruction, Phase 1 Project in an amount of \$3,395,327.71 and declaring an emergency. Summary: Six bids were received for the South CR25A Reconstruction, Phase 1 Project with R. B. Jergens Contractors, Inc. of Vandalia, Ohio submitting the lowest and best bid. B. Resolution No: __-15: A resolution authorizing and directing the City Manager to enter into a contract with the law office of the Miami County Public Defender.	Mr. Eggleston

	<p>Summary: This resolution authorizes a contract with the Miami County Public Defender to pay for the legal defense of indigent persons charged with jailable offenses under municipal ordinances.</p>	
	<p>Ordinances <i>(first reading)</i></p> <p>A. Ordinance No: __-15: An ordinance providing for the issuance and sale of notes in the maximum aggregate principal amount of \$1,806,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of various public infrastructure projects.</p> <p>Summary: This ordinance authorizes the issuance of bond anticipation notes in an amount not to exceed \$1,806,000 to supplement a portion of the costs of improving South Third Street, costs of renovating, expanding, equipping and furnishing the City's fire station and the costs of improving Main Street.</p> <p>B. Ordinance No: __-15: An ordinance modifying Code Section Table 154.04-5 of principally permitted uses of the Tipp City, Ohio Code of Ordinances.</p> <p>Summary: This ordinance modifies the Code to allow for Fraternal, Charitable and Service Oriented Clubs as a "permitted with standards" within the Light Industrial District Zoning Classification.</p> <p>C. Ordinance No: __-15: An ordinance amending Chapter 37 Exhibit "A" of the Codified Ordinances of the City of Tipp City establishing pay and benefit schedules for all City employees not covered by a collective bargaining agreement and declaring an emergency.</p> <p>Summary: This ordinance makes changes to Chapter 37 of the Codified Ordinances relating to employees not covered by a collective bargaining agreement including new positions not previously covered in Chapter 37.</p> <p>D. Ordinance No: __-15: An ordinance adopting a revised codification of the Tipp City Municipal Code.</p> <p>Summary: This ordinance enacts and adopts a supplement to the Tipp City Municipal Code by updating the Code with all ordinances of a general and permanent nature approved by Council from January 1, 2014 – December 31, 2014 including any changes to the Ohio Revised Code and Ohio Constitution which impact the Code of the City of Tipp City.</p>	Mr. Eggleston
7.	<p>Motions</p> <p>A. Setting Beggar's Night in Tipp City</p>	President Gibson
8.	Miscellaneous	Mr. Eggleston
9.	Citizen Comments on Items Not on the Agenda	President Gibson
10.	Comments of Councilmembers/City Manager	President Gibson
11.	Adjournment	President Gibson

Council welcomes the comments and input of the public during the Council meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council meeting or Public Hearing.

Any citizen who wishes to address Council must first seek recognition from the President of Council. Upon recognition by the President, the speaker should approach the podium, state their name and make their comments. Speakers should not leave the podium to approach Councilmembers without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to individuals at the podium to prevent any potential confusion or disruption.



August 17, 2015

The Honorable President Gibson &
City Council Members

MEETINGS/EVENTS

Monday, August 17 th	6:45 pm	Work Session
Monday, August 17 th	7:30 pm	City Council Meeting

STUDY SESSION

A. Chapter 37 – Revisions and updates.

AGENDA

PRESENTATIONS, PROCLAMATIONS, & AWARDS –

A. Feed Ohio Proclamation - Mayor Hale will present this proclamation to Gerry Wyen of Needy Baskets and Yuji Sato of Feed Ohio. Feed Ohio is sponsoring a food drive from August 24 to September 14 to support local food banks and pantries who help feed the needy.

ORDINANCES (second reading)

A. Gulf/Starfire Rezoning – When a property is annexed into the City, it is given a temporary zoning designation of the zone in which the property is located. The Planning Board is then responsible for reviewing the zoning designation and passing a recommendation on to Council for consideration. The Planning Board at their July 12th meeting, approved a recommendation to change the temporary zoning designation of Highway Business for the property, to a permanent one. At their July 20th Council meeting, council passed a motion to set a public hearing for August 17th to hear public comment for the Rezoning of the Gulf/Starfire property at 3311 S. CR25A to Highway Business (HB). Staff is asking Council to approve the zoning change upon hearing public comments regarding the same.

RESOLUTIONS (require one reading)

A. R.B. Jergens Contract – Staff is asking that this resolution be passed as an **emergency measure** in authorizing the City Manager to enter into a contract with R.B. Jergens of Vandalia, Ohio for the South County Road 25A Reconstruction, Phase 1 Project. Phase 1 is from 571 to Michaels Road. Six bids were received and publicly opened and read aloud on July 15, 2015. They were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>Add Alternate</u>
R.B. Jergens	\$3,392,852.96	\$8,750.00
Milcon Construction	\$3,410,784.18	\$10,450.00
Double J. Construction	\$3,660,852.60	\$8,800.00
Brumbaugh Construction	\$3,867,618.00	\$9,118.00

John J. Jurgensen	\$4,239,900.00	\$8,500.00
L.J. Deweese	\$4,337,745.75	\$9,020.00

Staff is asking Council to pass the resolution as an emergency measure and award the contract to R.B. Jergens Contractors, Inc. of Vandalia, Ohio in the amount of \$3,392,852.96 and authorize the City Manager to sign the same.

- B. 2016 Public Defender Contract** – This is an annual resolution authorizing the City Manager to enter into a contract with the Miami County Public Defender Office to meet the City’s obligation to provide legal services to the City’s indigent citizens. This is a one year contract for \$4,068.23 which is the same amount paid last year. Staff is asking that this resolution be adopted.

ORDINANCES (first reading)

- A. Sale of Notes** – This ordinance will reissue notes in the amount of \$1,806,000 for three existing projects: South Third Street Reconstruction, costs of renovating, expanding, equipping and furnishing the City’s Fire Station and Main Street Improvements. The required “Supplemental Fiscal Officer’s Certificate” has been provided for City Council’s review prior to acting upon the note ordinance. Because the debt for the Roselyn Subdivision project was initially borrowed in November, 2012 and the project has not yet been completed, there are federal restrictions governing when these funds had to be expended and the amount of time the notes could be outstanding pending project completion. The City’s Bond Counsel has advised there may be issues with reissuing the debt for this project with the new engineer’s estimate which is significantly higher than the 2012 funding levels. His advice was to pay the Rosalyn note in full at this time and adopt a new note ordinance for this project when the City “rolls over” the City’s other debt issue in February 2016. A memo from Finance Director Green is included. Staff is asking that this ordinance be introduced for a second reading.
- B. Modifying Code Section Table 154.04-5** – This ordinance is to modify the zoning code to permit fraternal, charitable, and service oriented clubs as a “permitted with standards” use within the Light Industrial District zoning classification. This modification is required principally to permit the Tipp City Seniors Inc. to pursue placement of a new facility on property currently zoned as a Light Industrial District. Staff is asking that this ordinance be introduced for a second reading.
- C. Chapter 37 Pay Ordinance** - This ordinance makes changes to Chapter 37 of the Codified Ordinances relating to employees not covered by a collective bargaining agreement including positions which are new or have a different title than previously covered. Those positions include Director of Municipal Services and Engineering, Deputy Director of Municipal Services and Engineering and Human Resources Generalist. Staff is asking that the ordinance be passed as an emergency measure.
- D. Code Update** – The adoption of this ordinance would approve the codification of legislation that has been passed by City Council from January 1, 2014 to December 31, 2015. Codification involves placing laws in a code in a systematic order. Section 4.17(B) of the Tipp City Charter requires that Council periodically “provide for the preparation of a general codification of all ordinances and resolutions having the force and effect of law.” This process is typically performed annually or bi-annually depending on the volume of legislation required to be codified. Staff is asking that this ordinance be introduced for a second reading.

MOTIONS

- A. **2015 Beggars Night** - The Miami County Council has set Thursday, October 29th, 2015, for Beggars Night in Miami County. A motion by City Council adopting October 29th, 2015 as Beggars Night in Tipp City's corporate limits would be appropriate.

MISCELLANEOUS – None

Informational Items

Retiring Employees – Just a reminder Marie Hellman from our Finance Department will be retiring August 28th and George Wells from our Electric Department will be retiring September 1. Brandon Flora, Mr. Well's replacement began August 3rd. Currently, Ms. Hellman's position is being advertised. The posting closes August 28th. Once the posting has closed, staff will review resumes and conduct interviews.

CIP and Budget Workshop Schedule for 2016 – Mark your calendars.

September 28th – Capital Improvement Program Workshop starting at 3:00 pm

October 26th – Operating Budget Workshop starting at 3:00 pm

Dayton Business Journal – Another win for the Miami Valley Region. Union City was able to land a P&G Distribution Center. This means more job opportunity for our young residents to find employment where they live. 800 to 1,400 jobs according to the article. The article makes a few good points on confidentiality and having a site that is shovel ready.

Restoration Board Vacancy – The Restoration & Architectural Board of Review has received a resignation letter from one of its members. The term of this newly vacated position expires December 31, 2017. The Clerk of Council will begin advertising for this unexpired term.

City Manager's meetings for the month

August 18 – Downtown Tipp City Partnership

August 19 - Rotary

August 20 – Mayors and Managers Monthly Meeting

August 26 - Rotary

August 27 – Tri Cities North Board Meeting

August 27 – NAWA Meeting

August 31 – Tri Agency Meeting (School Board to host)

*Attachment(s):
Water Department Monthly Report
Dayton Business Journal Article
Letter from Ohio Magazine*