

**6:30 p.m. – STUDY SESSION**

- **TFAC Year End Review**
- **MVRPC/ODOT- Funding/ Projects**
- **Kyle Park Maintenance/Improvements**

# Agenda

## Tipp City City Council

**7:30 p.m. Monday, September 21, 2015**

### Tipp City Government Center

**260 South Garber Drive**

**Tipp City, Ohio 45371-3116**

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| <b>1.</b> | <b>Call to Order - Roll Call</b>  | President Gibson   |
| <b>2.</b> | <b>Prayer for Guidance, Pledge of Allegiance</b>  | Pastor Daniel Fullen<br>Good Shepherd Church<br>the Brethren |
| <b>3.</b> | <b>Motion to Approve the Agenda</b>   | President Gibson   |
| <b>4.</b> | <b>Minutes</b><br>Minutes of the August 17, 2015 City Council Work Session<br>Minutes of the August 17, 2015 City Council Meeting   | President Gibson   |
| <b>5.</b> | <b>Presentations, Proclamations, &amp; Awards</b>   | Mayor Hale   |
| <b>6.</b> | <b>Legislation</b>  | Mr. Eggleston  |
|           | <p><b>Ordinances</b> <i>(second 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. (Introduced by Mr. Kessler)</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. (Introduced by Ms. Gillis)</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 adopting a revised codification of the Tipp City Municipal Code. (Introduced by President Gibson)</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</p> |  |

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|  | <p>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>   |                      |
|  | <p><b>Resolutions</b> <i>(one reading required)</i></p> <p>A. Resolution No: __-15: 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 Sanitary Sewer Rehabilitation Project.</p> <p>Summary: This resolution authorizes the City Manager to apply for OPWC funding for the Sanitary Sewer Rehabilitation Project.</p> <p>B. Resolution No: __-15: 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 for Tipp City, Ohio, for such fiscal year beginning January 1, 2016 and certifying such levies to the County Auditor.</p> <p>Summary: This resolution sets the rate for the City’s Property Tax Levy to be collected in 2016.</p> <p>C. Resolution No: __-15: A resolution authorizing the City Manager to execute agreements and/or contracts as required with the Ohio Department of Transportation (ODOT) for the State Route 571 micro-surfacing project PID No. 101059, MIA Micro FY2017 and granting consent to ODOT to perform the micro-surfacing within the corporate limits of Tipp City.</p> <p>Summary: This resolution authorizes the City Manager to sign and execute any agreements and contracts associated with this project and specifies Tipp City has no obligation for costs of this project.</p> <p>D. Resolution No: __-15: A resolution authorizing the City Manager to execute agreements and/or contracts as required with the Ohio Department of Transportation (ODOT) for the State Route 571 overlay project PID No. 100942, MIA SR 571 15.43 and granting consent to ODOT to perform the overlay within the corporate limits of Tipp City.</p> <p>Summary: This resolution authorizes the City Manager to sign and execute any agreements and contracts associated with this project and specifies Tipp City has no obligation for costs of this project.</p> <p>E. Resolution No: __-15: A resolution declaring personal property owned by the City of Tipp City to be surplus property and no longer useful in the general operation of the City.</p> <p>Summary: This resolution declares a 2001 Chevy Impala &amp; 2009 Ford Crown Victoria as surplus property and no longer useful in the general operation of the City.</p> | <p>Mr. Eggleston</p> |

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|     | <p><b>Ordinances</b> <i>(first reading)</i></p> <p>A. Ordinance No: __-15: An ordinance amending Chapter 37 of the Codified Ordinances of the City of Tipp City for all City Employees not covered by a Collective Bargaining Agreement.</p> <p>Summary: This ordinance amends Chapter 37 of the Codified Ordinances for the City of Tipp City to include the addition of new positions, revised definitions and removal of language no longer applicable.</p> <p>B. Ordinance No: __-15: An ordinance amending 2015 appropriations, authorizing advance of funds, and modifying the annual operating budget as a result of this action.</p> <p>Summary: This ordinance approves an increase of estimated revenues (all funds) by \$312,223 and an increase in appropriations (all funds) in the amount of \$1,398,714 for unanticipated events that have occurred during the course of the City's 2015 fiscal year requiring appropriation to comply with State and local budgetary codes.</p> <p>C. Ordinance No: __-15: An ordinance amending code section 71.01 pertaining to display of motor vehicle license plates or validation stickers and/or registration.</p> <p>Summary: This ordinance will amend Tipp City Ordinance §71.01 to comport with State law by reducing the penalty stated in §71.01 (E)(2) for violation of §71.01(B) to a minor misdemeanor.</p> | Mr. Eggleston    |
| 7.  | <p><b>Motions</b></p> <p>A. A motion setting the Public Hearing date for the Solar Code Modification Ordinance.</p> <p>B. A motion authorizing the Police Chief and City Manager to sign the temporary alcohol permit application for the October 17, 2015 HarvestFest and authorizing the City Manager to enter into an agreement with the Downtown Tipp City Partnership.</p>   | President Gibson |
| 8.  | <b>Miscellaneous</b>  | Mr. Eggleston    |
| 9.  | <b>Citizen Comments on Items Not on the Agenda</b>  | President Gibson |
| 10. | <b>Comments of Councilmembers/City Manager</b>  | President Gibson |
| 11. | <b>Adjournment</b>  | President Gibson |

***Executive Session – Purchase or Sale of Property***

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.



September 18, 2015

The Honorable President Gibson &  
City Council Members

**MEETINGS/EVENTS**

|                                    |         |                      |
|------------------------------------|---------|----------------------|
| Monday, September 21 <sup>st</sup> | 6:30 pm | Work Session         |
| Monday, September 21 <sup>st</sup> | 7:30 pm | City Council Meeting |
| Monday, September 28 <sup>th</sup> | 3:00 pm | CIP Workshop         |

**STUDY SESSION**

- A. **TFAC End of Year Review** - See attached PowerPoint –
- B. **MVRPC/ODOT – Funding & Projects** – See attached PowerPoint
- C. **Kyle Park Maintenance/Improvements**

**AGENDA**

**PRESENTATIONS, PROCLAMATIONS, & AWARDS** – None

**ORDINANCES** (second reading)

- A. **Sale of Notes** –Staff works with our bond counsel to issue short-term bonds each year to take advantage of the low interest rates. This practice is preferred for smaller amounts of debt obligations such as those projects described in the ordinance. This ordinance will reissue notes in the total amount of \$1,806,000 for three existing projects: South Third Street Reconstruction (\$341,000), costs of renovating, expanding, equipping and furnishing the City’s Fire Station (\$1,220,000) and Main Street Improvements (\$245,000). **Staff is recommending adoption of the ordinance.**
- B. **Modifying Code Section Table 154.04-5** – This ordinance would 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 recommending adoption of the ordinance.**
- C. **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 recommending adoption of the ordinance.**

**RESOLUTIONS** (require one reading)

**A. OPWC Grant** – This resolution authorizes the City Manager to submit the final application to District 11 of the Ohio Public Works Commission (OPWC) for funding consideration to rehabilitate 1,300’ of 12” and 300’ of 15” sanitary sewers by slip lining the sewers on South 2<sup>nd</sup> and Elm Streets to reduce water infiltration. This project also includes performing 12 point repairs and the lining/rehabilitation of 77 sanitary sewer manholes.

If this project is selected for funding by OPWC, construction would commence after July 1, 2016.

**B. Accepting 2016 Tax Rates** – This resolution accepts the amounts, division and rates as submitted by the Miami County Budget Commission. Being accepted are the 10-mill inside (unvoted) property tax levy which has been in place since approximately 1920. The City has received the same 1.4 mills of property tax since that time which generates approximately \$360,000 for the City’s General Fund.

**C. ODOT SR 571 Micro-Surfacing Project** – This resolution authorizes the City Manager to enter into an agreement and/or contract with the Ohio Department of Transportation to resurface the existing pavement on State Route 571 with a double course application of micro-surfacing (straight line mileage 7.18 to 13.40) more or less within the City of Tipp City. The City has no financial obligation for any costs associated with this project.

**D. ODOT SR 571 Overlay Project** – This resolution authorizes the City Manager to enter into an agreement and/or contract with the Ohio Department of Transportation for the overlay of State Route 571 (straight line mileage 15.43 to 16.91) more or less with a portion within the City of Tipp City. The City has no financial obligation for this project.

**E. Surplus Property** - This resolution declares a 2001 Chevy Impala (VIN# 2G1WF55KX19323097) & 2009 Ford Crown Victoria (VIN# 2FAHP71V79X135434) as surplus property and authorizes the City Manager to dispose of these vehicles by public sale or auction to the highest bidder, to trade-in, or dispose of in the most cost-beneficial means as determined by the City Manager.

**ORDINANCES** (first reading)

**A. Amending Chapter 37** – This ordinance amends Chapter 37 of the Codified Ordinances for the City of Tipp City to include the addition of new positions, revised definitions and removal of language no longer applicable.

**B. Supplemental Appropriation** – The adoption of this ordinance would amend the 2015 appropriations as detailed below:

**Estimated revenue amendments:**

| Fund                | Fund | Supplemental Revenue |
|---------------------|------|----------------------|
| Pool Fund           | 202  | (20,000)             |
| Fieldstone TIF Fund | 220  | 68,723               |
| CIP Fund            | 417  | 335,000              |
| Parks CIP Fund      | 420  | 3,500                |
| Electric Fund       | 605  | 225,000              |
| Water Fund          | 608  | (200,000)            |
| Sewer Fund          | 620  | (100,000)            |

**Supplemental Appropriations:**

| Fund                | Expense (Department) | Expense Code | Description      | Supplemental Appropriations |
|---------------------|----------------------|--------------|------------------|-----------------------------|
| General Fund        | 101.1010             | 51           | Salary and Wages | \$ 7,500                    |
|                     | 101.1020             | 51           | Salary and Wages | 331                         |
|                     | 101.1070             | 51           | Salary and Wages | 5,000                       |
|                     | 101.1090             | 51           | Salary and Wages | 5,000                       |
|                     | 101.1100             | 51           | Salary and Wages | 1,500                       |
|                     | 101.2110             | 51           | Salary and Wages | 42,500                      |
|                     | 101.2130             | 51           | Salary and Wages | 13,150                      |
|                     | 101.3150             | 51           | Salary and Wages | 9,500                       |
|                     | 101.4180             | 51           | Salary and Wages | 2,500                       |
|                     | 101.1010             | 52-59        | Other Expenses   | 2,000                       |
|                     | 101.1040             | 52-59        | Other Expenses   | 4,000                       |
|                     | 101.1100             | 52-59        | Other Expenses   | 5,000                       |
|                     | 101.2130             | 52-59        | Other Expenses   | 11,000                      |
|                     | 101.6200             | 52-59        | Other Expenses   | 10,000                      |
| Pool Fund           | 202.4210             | 52-59        | Other Expenses   | (25,000)                    |
| Street Fund         | 203.3220             | 51           | Salary and Wages | 12,000                      |
| Municipal Road Fund | 205.3240             | 51           | Salary and Wages | 5,000                       |

|                                    |          |       |                  |         |
|------------------------------------|----------|-------|------------------|---------|
| Fieldstone TIF Fund                | 220.3280 | 52-59 | Other Expenses   | 68,723  |
| Capital Improvement Fund           | 417.7100 | 52-59 | Other Expenses   | 335,000 |
| Parks Capital Improvement Fund     | 420.7105 | 52-59 | Other Expenses   | 6,000   |
| Electric Fund                      | 605.5270 | 51    | Salary and Wages | 24,000  |
|                                    | 605.5270 | 52-59 | Other Expenses   | 300,000 |
| Water Fund                         | 608.5290 | 51    | Salary and Wages | 4,500   |
|                                    | 608.5290 | 52-59 | Other Expenses   | 200,000 |
|                                    | 608.5300 | 51    | Salary and Wages | 5,000   |
|                                    | 608.5305 | 52-59 | Other Expenses   | 20,000  |
| Water Replacement Improvement Fund | 609.7420 | 52-59 | Other Expenses   | 163,000 |
| Sewer Fund                         | 620.5310 | 52-59 | Other Expenses   | 160,000 |
| Police Donation Fund               | 824.6530 | 52-59 | Other Expenses   | 1,510   |

- C. Amending the Penalty for Traffic Code §71.01, Failure to File Annual Vehicle Registration** – The City of Tipp City Ordinance §71.01, failure to file annual vehicle registration is presently a 4<sup>th</sup> degree misdemeanor. This Ordinance is based on State of Ohio R.C. §4503.11, failure to file annual vehicle registration. The State of Ohio recently enacted an amended version of R.C. §4503.11 reducing the penalty from a 4<sup>th</sup> degree misdemeanor to a minor misdemeanor. Because the City of Tipp City Ordinance §71.01 conflicts with the amended State statute, the Ordinance is likewise being amended to reduce the penalty for any violation of R.C. §4503.11 to a minor misdemeanor. This ordinance will comport with State law by reducing the penalty stated in §71.01 (E)(2).

## MOTIONS

- A. Setting Public Hearing Date** – At the September 8, 2015 Planning Board Meeting, the Board recommended an amendment to Code §154.03 (C)(4)(e) to Council. City council was notified of the Planning Board’s recommendation via email on September 15, 2015 by the Clerk of Council. The proposed code amendment ordinance would be introduced at the October 5, 2015 meeting. A motion setting October 19, 2015 as the public hearing date, which corresponds to the 2<sup>nd</sup> reading of the proposed ordinance would be appropriate.
- B. HarvestFest - The Downtown Tipp City Partnership** is planning the 9<sup>th</sup> annual HarvestFest (Night of the Rocking Dead) on Saturday, October 17<sup>th</sup>, 2015 from 6 p.m. to 11 p.m. on Main Street between Second and Third Streets. Attached is a copy of the agreement that has previously been entered into between the City and the Partnership. This agreement outlines the conditions of the street closure, including insurance, hold

harmless/indemnification language, hours of operation, etc. The Partnership will also sell beer and wine at the event which requires them to obtain a Temporary Liquor License from the Division of Liquor Control. A motion from Council is necessary to authorize the City Manager to enter into an agreement with the Partnership for HarvestFest and to authorize the City Manager and Chief of Police to sign the temporary alcohol permit application

**MISCELLANEOUS – None**

**Informational Items**

**CIP and Budget Workshop Schedule for 2016**

September 28<sup>th</sup> – Capital Improvement Program Workshop starting at 3:00 pm

October 26<sup>th</sup> – Operating Budget Workshop starting at 3:00 pm

**City Manager’s meetings for the month**

September 23 – Rotary

September 23 – 911 Board Meeting

September 24 – Tri Cities North Board Meeting

September 24 - NAWA Meeting

September 25 – Dayton Area Managers Association Meeting

September 28 – CIP Meeting (begins at 3:00 pm in Council Chambers)

September 29 – AMP Conference

September 30 – Rotary

*Attachments:*

*Water Department Monthly Report*

*Upper Valley Medical Center Emergency Department Groundbreaking Invitation*

*Miami Valley Communications Council Birthday Celebration Invitation*