

**6:30 p.m. – STUDY SESSION**

- **Review Outstanding 2016 Budget Items**
- **Net Metering**
- **Council Rules**

# Agenda

## Tipp City City Council

7:30 p.m. Monday, November 2, 2015

### Tipp City Government Center

260 South Garber Drive

Tipp City, Ohio 45371-3116

1.	<b>Call to Order - Roll Call</b>	President Gibson
2.	<b>Prayer for Guidance, Pledge of Allegiance</b>	Father Marc Sherlock St. John the Baptist Catholic Church
3.	<b>Motion to Approve the Agenda</b>	President Gibson
4.	<b>Minutes</b> Minutes of the October 19, 2015 City Council Work Session Minutes of the October 19, 2015 City Council Meeting Minutes of the October 26, 2015 Operating Budget Work Session	President Gibson
5.	<b>Presentations, Proclamations, &amp; Awards</b> A. Diabetes Awareness Month Proclamation	Mayor Hale
6.	<b>Legislation</b>	Mr. Green
	<b>Ordinances</b> ( <i>second reading</i> )	
	<b>Resolutions</b> ( <i>one reading required</i> ) A. Resolution No: __-15: A resolution authorizing the City Manager to enter into a contract in the amount of \$228,750 per year with Dayton Pool Management, Inc. of Moraine, Ohio for the operations and management of the Tippecanoe Family Aquatic Center for calendar years 2016, 2017 and 2018.  Summary: Two proposals were received for the operations and management contract for the Tippecanoe Family Aquatic Center. This resolution authorizes the City Manager to execute a contract with Dayton Pool Management for the operation and management of the pool for the 2016, 2017 and 2018 seasons.  B. Resolution No: __-15 A resolution adopting the 2016-2020 Capital Improvement Plan for the City of Tipp City, Ohio.	Mr. Green

	<p>Summary: This resolution adopts the 2016-2020 Capital Improvement Plan for the City of Tipp City as reviewed by Council at its work sessions on September 28, 2015 and October 19, 2015.</p>	
	<p><b>Ordinances</b> <i>(first reading)</i></p> <p>A. Ordinance No: __-15: An ordinance amending Section 34.04 of the Tipp City Code of Ordinances relating to the compensation of the Director of Law.</p> <p>Summary: This ordinance amends the compensation for the Director of Law.</p> <p>B. Ordinance No: __-15: An ordinance modifying Code Section 154.05(C)(3)(a) and (b) regarding the boundaries of the Old Tippecanoe City Restoration and Architectural Overlay District.</p> <p>Summary: This ordinance would modify the boundaries of the Old Tippecanoe City Restoration and Architectural Overlay District.</p> <p>C. Ordinance No: __-15: An ordinance to amend the Zoning Code and the map attached thereto by changing the zoning of the western half of Inlot 44 located at 10 West Walnut Street from Community Center/Restoration District (CC/RA) to Community Center (CC) Zoning Classification.</p> <p>Summary: This ordinance would rezone the western half of Inlot 44 from Community Center/Restoration District to the requested Community Center.</p> <p>D. Ordinance No: __-15: An ordinance amending Chapter 37 Exhibit "B" of the Codified Ordinances of the City of Tipp City establishing pay and benefit schedules for Emergency Medical Services Personnel.</p> <p>Summary: This ordinance modifies the method of compensation for volunteer and non-permanent, part-time employees in the EMS Division.</p> <p>E. Ordinance No: __-15: An ordinance to enact Chapter 39.60 of the Codified Ordinances of the City of Tipp City regarding Municipal Income Tax.</p> <p>Summary: This ordinance amends Chapter 39.60 of the Tipp City Codified Ordinances to comply with amendments to the Ohio Revised Code setting statutory requirements for municipal income tax codes.</p> <p>F. Ordinance No: __-15: An ordinance repealing and amending sections 31.10 through 31.37 of the Codified Ordinances of the City of Tipp City concerning the Rules of City Council.</p> <p>Summary: This ordinance will allow for clarity on procedures and streamline the process when adopting legislation.</p>	Mr. Green
<b>7.</b>	<p><b>Motions</b></p> <p>A. A motion approving Council's 2016 meeting calendar.</p>	President Gibson
<b>8.</b>	<b>Miscellaneous</b>	Mr. Green
<b>9.</b>	<b>Citizen Comments on Items Not on the Agenda</b>	President Gibson
<b>10.</b>	<b>Comments of Councilmembers/City Manager</b>	President Gibson
<b>11.</b>	<b>Adjournment</b>	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.



October 30, 2015

The Honorable President Gibson &  
City Council Members

**MEETINGS/EVENTS**

Monday, November 2 <sup>nd</sup>	6:30 pm	Work Session
Monday, November 2 <sup>nd</sup>	7:30 pm	City Council Meeting

**STUDY SESSION**

- A. Review Outstanding 2016 Budget Items
- B. Net Metering
- C. Council Rules

**AGENDA**

**PRESENTATIONS, PROCLAMATIONS, & AWARDS**

- A. **Diabetes Awareness Month Proclamation** – Mayor Hale will read a proclamation for diabetes awareness month.

**ORDINANCES** (second reading)

None

**RESOLUTIONS** (require one reading)

- A. **Tippecanoe Family Aquatic Center Contract** – The current contract with Dayton Pool Management expired this year. As directed by Council, a Request for Proposals was prepared and sent to companies that provided pool management services. Two Requests for Proposals were received for the management and operation of the aquatic center on October 9<sup>th</sup>. They are as follows:

**Dayton Pool Management:**

2016: \$228,750  
2017: \$228,750  
2018: \$228,750

**Swim Safe Pool Management:**

2016: \$241,500  
2017: \$244,500  
2018: \$246,500

Dayton Pool Management has professionally managed and operated the aquatic center since its opening in 2005. The adoption of this resolution authorizes the City Manager to enter into a contract with Dayton Pool Management, Inc. of Moraine, Ohio in the amount of \$228,000 for the management and operation of the Tippecanoe Family Aquatic Center for the 2016, 2017 and 2018 seasons. The contract also allows for three one-year extensions if the city decides to choose to extend the contract.

- B. 2016 - 2020 Capital Improvement Plan** - This resolution adopts the 2016-2020 Capital Improvement Plan for the City of Tipp City. Per Section 7.07(B) of the Charter “the Council by ordinance or resolution shall adopt the capital program with or without amendment after the public hearing.” The capital plan was submitted to Council on September 4, 2015 and Council conducted a public hearing/workshop session for the purpose of reviewing the 5-Year CIP on September 28<sup>th</sup>. A subsequent Study Session was conducted on October 19<sup>th</sup> to review outstanding items following the September 28<sup>th</sup> session.

**ORDINANCES** (first reading)

- A. Law Director Compensation**– This ordinance authorizes a 4% increase in the Law Director’s salary from \$42,312 to \$44,004. The Law Director has served the City for four years and has received three cost of living adjustments to his annual compensation but no merit increases since being hired in January, 2012.
- B. Code Modification to the boundaries of the Historic District** – The Restoration District was originally formed in 1974 with the passage of Ordinance 46-74. The purpose of the Restoration District is to preserve and maintain the unique character of historical Tippecanoe City that serves as a visible reminder of the history of the city. It is also the purpose of the district to stabilize and improve property values within the Old Tippecanoe Restoration District by protecting the historical character and architectural details of structures within the district, minimizing the demolition of historical structures and encouraging new buildings and developments to be harmonious with the existing historic architecture.

Brian Land, the property owner of 10 West Walnut Street, has requested to remove the property from the Historic Restoration District. This request requires two legislative actions. 1). An ordinance to amend Chapter 154, which defines the Historic Restoration District, and 2). An ordinance to rezone the western half of Inlot 44 from the current Community Center/Restoration District designation to just Community Center. The Restoration Board met on September 22, 2015 and reviewed the requested Zoning Code and Zoning Map amendment and forwarded a **negative** recommendation to the Planning Board and to City Council.

The Planning Board, set a public hearing for October 13<sup>th</sup>. At this meeting, the Planning Board reviewed the request in accordance with their regulation, the Comprehensive Master Development Plan, and the recommendation of the Restoration Board and forwarded a **negative** recommendation to City Council regarding this request.

It is the opinion of staff that the proposed amendment is not consistent with the comprehensive plan. Removal of property from the historic district is an otherwise solid block (N. Third to N. Second and E. Walnut to Main) of properties that are all within the historic district degrades the function and character of the historic district as a whole. **Staff agrees with the negative recommendations made by the Restoration Board and Planning Board for the property at 10 West Walnut Street.**

Also note, in accordance with Code Section 154.03(C)(4)(e)(iii), “In the event City Council denies or modifies the recommendation (NEGATIVE) of the Planning Board, it shall do so by no less than a 2/3 vote of the members present of City Council, with a minimum of four votes”. Thus, the minimum 2/3 vote would apply since there is a negative recommendation.

- C. Amending the Zoning Code Map** – This is the required second piece of legislation for the above.

- D. Amending Chapter 37 Exhibit B** – The Affordable Care Act (ACA) requires the City of Tipp City to offer health insurance to all employees that average in excess of 30 hours worked per week. The volunteer employees of the EMS Division currently receive hourly on-call pay as an incentive to carry a pager and to be available in an on-call status to respond to medical emergencies. This ordinance changes the method of compensation for volunteer and non-permanent, part-time employees and will provide (“paid on-call”) personnel a bi-weekly stipend of \$50. This stipend is to ensure volunteer staff availability and will not apply to permanent part-time employees of the Division.
- E. Municipal Income Tax** – The General Assembly has determined that it is necessary and appropriate to comprehensively review and amend Chapter 718 of the Ohio Revised Code, setting forth statutory requirements for municipal income tax codes in Ohio. Specifically, the General Assembly enacted House Bill 5 in December 2014, and mandated that municipal income tax codes be amended by January 1, 2016 such that any income or withholding tax is “levied in accordance with the provisions and limitations specified in [Chapter 718]”. This ordinance amends Chapter 39.06 of the Tipp City Codified Ordinances to comply with amendments to the Ohio Revised Code setting statutory requirements for municipal income tax codes.
- F. Council Rules** – At the October 5<sup>th</sup> work session, Council President Gibson passed out suggested changes to the Council Rules that are deemed necessary to comply with the City Charter and changes in Ohio Law. The modifications will allow for clarity on procedures and streamline the process when adopting legislation.

## **MOTIONS**

- A. 2016 Council Calendar** – Attached for Council’s consideration is a “draft” Council calendar for 2016. In observance of Martin Luther King, Jr. Day the second meeting in January is proposed for Tuesday, January 19<sup>th</sup> as has been done the previous four years.

## **MISCELLANEOUS – None**

### **Informational Items**

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

November 1 - 4 – Leadership Academy, Williamsburg, Virginia

November 5 – MVRPC Board Meeting

November 5 – Miami County Managers Lunch

November 9 – Dayton Managers Roundtable

November 9 – Parks Board Meeting

November 10 – Planning Board Meeting

November 11 – Government Offices Closed – Veterans Day

November 12 – Economic Development Forum

November 12 – Boards and Commissions Appreciation Dinner – American Legion

November 16 – Council Meeting

November 18 – Rotary

November 19 – Mayors and Managers Monthly Meeting

November 25 – Rotary

November 25 – 911 Board Meeting

November 26 – Government Offices Closed – Thanksgiving Holiday

November 30 – Tri-Agency Meeting – Township to host