

**TIPP CITY WORK SESSION**

**TIPP CITY, MIAMI COUNTY, OHIO**

**July 18, 2016**

**Work Session**

The work session began at 6:30 pm. The following Council members were present: President Joe Gibson, Mayor Pat Hale, Carrie Arblaster, Katie Berbach, John Kessler, Tom Merritt and Matt Owen. Also attending was City Manager Tim Eggleston, Finance Director John Green, Interim Law Director Kevin Lantz, Director of Municipal Services John Donnelly, Deputy Director of Municipal Services Eric Mack, Police Chief Eric Burris, Fire Chief Steve Kessler and Acting Clerk of Council Kelly Rowlands. Reporters Carla Ungerecht and Cecilia Fox were also in attendance.

Guests include Harry Phillips and Dr. Gretta Kumpf.

**Mid-Year Financial Update**

Finance Director Green provided Council with the mid-year financial report stating "We are in pretty good shape". Mr. Green added income tax revenues are up over 5% from last year. "This is a 2.5% increase from what was projected". The City's portion of state local government funds continue to decline. This is down approximately \$13,000. The anticipated total local government fund is around \$240,000, compared to \$550,000 or more five years ago. Mr. Green added TFAC is having "a fantastic year" financially speaking. The facility was closed 14 out of the first 30 days of the season due to weather in 2015. This year, the facility has only been closed two days due to rain. Last year, the pool receipts were \$260,000 for the year. This year receipts are currently at \$246,000 with another month to go. Mr. Green added concessions at the Aquatic Center are also having a very successful year.

Mr. Green informed Council the Electric fund is down compared to last year due to the timing of the billing cycle. Income in both the water and sewer funds are increased compared to last year, primarily due to Abbott's second production line. Mr. Green also stated fuel costs are lower than projected. Mr. Green added the City has been able to pay off \$855,000 in debt principle so far this year. Mayor Hale thanked Mr. Green for paying down the debt principle.

**AMP Solar Projects**

Mr. Harry Phillips of AMP Ohio (American Municipal Power) and the newest solar offerings. Mr. Phillips discussed AMP projects with NextEra Solar. Together, they will be constructing and operating solar sites which AMP will purchase power. Mr. Phillips encouraged Council to participate in purchasing power from this project to increase its power portfolio at a level of approximately 5% of the City's energy supply.

Mr. Mack added another community also reviewed this project's financial outlook and found, "this was the best of the solar options financially." Mr. Eggleston added staff reviewed other options and was determined there would be no savings if the solar were generated in Tipp City or in another location. Council concurred and supported staff's recommendation in adding solar to the portfolio.

**Adjournment**

Meeting adjourned at 7:23 pm.

\_\_\_\_\_  
Joseph Gibson, President of Council

Attest: \_\_\_\_\_  
Janice Bates, Clerk of Council

**TIPP CITY COUNCIL MEETING**

**TIPP CITY, MIAMI COUNTY, OHIO**

**July 18, 2016**

**Council Meeting**

The following Council Members answered roll call. President Joe Gibson, Mayor Pat Hale, Carrie Arblaster, Katie Berbach, John Kessler, Tom Merritt and Matt Owen.

City Staff in attendance include: City Manager Tim Eggleston, Interim Law Director Kevin Lantz, Assistant City Manager Brad Vath, Finance Director John Green, Director of Municipal Services and Engineering John Donnelly, Deputy Director of Municipal Services and Engineering Eric Mack, Police Chief Eric Burris, Fire Chief Steve Kessler and Acting Clerk of Council Kelly Rowlands. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

Guests signing the register include: Carla Ungerecht, Andrew Doviak, and Mike Martin

**Invocation and Pledge of Allegiance**

Pastor Mike Martin from Ginghamburg United Methodist Church gave the Prayer for Guidance. President Gibson led the Pledge of Allegiance.

**Approval of Agenda**

Mr. Kessler moved to approve the agenda. Ms. Berbach seconded. Motion carried.

**Minutes**

6/20/16 Council Work Session

Ms. Berbach moved to approve the minutes of the June 20, 2016 Work Session. Mr. Owen seconded. Motion carried.

6/20/16 Council Meeting

Mr. Owen moved to approve the minutes of the June 20, 2016 Council Meeting. Ms. Berbach seconded.

6/30/16 Special Council Meeting

Mr. Kessler moved to approve the minutes of the June 30, 2016 Special Council Meeting. Mr. Owen seconded.

**Presentations, Proclamations, & Awards**

There were none.

**Ordinances (2<sup>nd</sup> Reading)**

There were none.

**Resolutions**

A resolution authorizing the City Manager to enter into a contract with Meyers Controlled Power, LLC of North Canton, Ohio for the purchase of a Power Control Room for Substation #3 at a cost of \$553,527.

City Manager Comments: After going through the bidding process, our consultant has reviewed the bids. Staff is asking Meyers Controlled Power, LLC be awarded the bid. Powercon Corp. was the apparent low bidder but did not want to provide required documents as part of the bid process. Therefore, we wish to move forward with the next lowest bid.

Mr. Kessler sponsored the resolution and moved for its adoption. Mayor Hale seconded. President Gibson inquired if this expense was already

**Ordinances  
(1<sup>st</sup> Reading)**  
Waste Management  
Contract

accounted for in the budget. Mr. Green approached the podium. Mr. Green stated, the entire budget for the project is \$2.4 million dollars and that includes money for a new transmission line, 69KB line to substation #3. It also includes a transformer which Council has already approved and required a 4 month lead time. This transformer was around \$400,000.” Mr. Green added Substation #3 is by the water tower behind Menards. Mr. Green stated this project was part of the CIP improvements that were approved two years ago. Ms. Arblaster added she was pleased this was an Ohio company and she was glad that “our money was going to support a company in Ohio”. Motion passed 5-0. Resolution 16-16 was declared adopted and President Gibson affixed his signature in witness thereto.

An ordinance to authorize the extension of a franchise, approval of a permit and the execution of a contract with Waste Management of Ohio, Inc. for the collection & disposal of solid waste, recycleables, and yard waste from residential properties pursuant to §55.12 of the Codified Ordinances of Tipp City, Ohio for a one year period commencing on October 1, 2016.

City Manager’s Comments: This is the final one-year extension for the contract. Next year, we will need to bid out these services. Standard rate will be \$20.93, low volume rate of \$13.64, one yard container will be \$22, the two yard container will be \$31, four yard container will be \$58.78, a six yard container will be \$91.56 and an eight yard container at \$116.41. President Gibson inquired if these figures were reflective of the reduction of the tipping fees with Miami County. Mr. Eggleston replied it was.

Mr. Kessler inquired if this contract could be modified. President Gibson stated the measure needed a sponsor first. Mr. Kessler added, it cannot be discussed until it comes back for the second reading. “I wonder if we can table this until the proposals I’ve made in Study Sessions are in the contract we will be voting on. If we do the reading and then take it out at the next meeting, it will need to come back for another reading”. President Gibson stated, “I believe, we have a public hearing and that subjects it to any modifications or proposed amendments would be...” Mr. Kessler stated we are changing the contract and we would need to contact the company first, or if we change it at the second reading, then we need to go back all over again with the first reading and start all over again. President Gibson stated that is a question of us negotiating that contract and amend it. Interim Law Director Lantz stated, “If they are in agreement, with going with the second reading, I believe we can. Otherwise, I agree with you that we would have to go back”. President Gibson stated in theory, we could have the first reading with the contract in its current state, and if there are issues to be raised, there would be time for us to approach Waste Management with any proposed changes in anticipation of what we might do at the next meeting. Mr. Kessler added, we still need to sponsor it before we can discuss the contract. “This isn’t really the public reading”. President Gibson stated, “this is the first reading of the contract as proposed. If we wish to amend anything, it is always at the second meeting as a result of the public hearing and the second reading and discussion that we

have. If you wish to eliminate a certain provision in the contract, we would propose the contract and propose the reading of the ordinance tonight. And if there is any changes, you can move to make those at our second reading. In anticipating that, those provisions can be presented to Waste Management, requesting changes be made within the contract.

Mayor Hale introduced the ordinance.

President Gibson inquired of Mr. Lantz if it were appropriate to yield the floor to additional comments, or if it were appropriate to address the topic at the end of the meeting under public comments? Mr. Lantz stated, "In my opinion, it would be more appropriate under public hearing". President Gibson clarified, this would be the second hearing. "In anticipation of that, is it appropriate for him to make those comments now with the legislation being newly introduced, or should he just wait and hold those comments until the end of the meeting tonight?" Mr. Lantz replied Mr. Kessler's comments should be held until the end of the meeting tonight.

Amending Code Section  
55.29

An ordinance modifying Code Section 55.29 of the Tipp City, Ohio Code of Ordinances.

City Manager's Comments: This ordinance will modify the fees in our current code. We will replace section 55.29 regarding the reduction in tipping fees and once the determination has been made on the previous ordinance, then we will return with another updating ordinance. President Gibson verified this is companion legislation to the previous ordinance. Mr. Eggleston replied that was correct.

Mr. Kessler introduced the ordinance.

Codification of 2015  
Ordinances

An ordinance adopting a revised codification of the Tipp City Municipal Code.

City Manager's Comments: This ordinance authorizes the Clerk to submit all legislation that was passed in 2015 to get online and updated. President Gibson confirmed this is something that is completed yearly. Mr. Eggleston replied, "Depending on the amount of legislation, we might go every six months or annually".

Ms. Berbach introduced the ordinance.

Right-of-Way Dedication

An ordinance authorizing and directing the Assistant City Manager to file the annexation petition for City owned property (ROW) with the Miami County Commissioners.

City Manager's Comments: Due to all of the right-of-way that was

acquired on CR25A, the City is going to move forward with the annexation to “clean-up” the right-of-way and bring it into the City. When it comes to City services, eliminating any ambiguity.

Mr. Owen introduced the ordinance.

**Motions**

There were none.

**Miscellaneous**

There were none.

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

There were none.

**Councilmember  
Comments**

Mr. Merritt reported he attended the 4<sup>th</sup> of July event, adding it was “very well done”. Mr. Merritt made a brief comment of the latest events around the nation and country. Including the events in Baton Rouge and Paris (Nice). Mr. Merritt wished to thank the Police Department and stated he supports our law enforcement. “I know a lot of police officers and I see what goes on, in the media and the way that things are portrayed. I wish there were some answers. I look at this and think our culture is really in trouble.” Mr. Merritt added, there are people who are praying for the police department and who are trying to convey to our youth what is to be respectful of law enforcement, what a great job that they do.

Mr. Kessler reminded everyone to remain safe during the excessive heat. “Keep hydrated and cool and be careful while working out in the heat”. Mr. Kessler added he wished to discuss the Waste Management pick-up, adding he would like to eliminate alley pick-up. “This was still included in the current contract, and I would ask this to be modified by our second reading. If we cannot get the alley pick-up eliminated due to personal property that lines the alley, I cannot support the contract. However, I know Waste Management trucks are large and we are not widening our alley ways. President Gibson asked Mr. Kessler to elaborate on the destruction of property in the alleys. Mr. Kessler stated on 6<sup>th</sup> Street, north of Main on either side near the funeral home. The trucks are pulling up the dirt, damaging the asphalt on another resident’s driveway and have nearly destroyed two telephone poles. There is a lot of rutting going on near Liberty Commons. Mr. Kessler stated all recycling is completed curb side, so all trash collection can be curb side. Damaging of personal property is the issue for me. Mr. Eggleston stated in discussions with Waste Management the elimination of alley pick-up is a Council decision. At that time, Council wanted to look further into it. “If that is something Council wishes to do, I am 99% sure they (Waste Management) will be agreeable. As it does create issues for them. As you’ve stated, the alleys just aren’t conducive for the oversized trucks.” President Gibson stated if Council members are so inclined, I believe we can eliminate this provision for the public hearing. That also allows for the public to address Council stating they wish to keep alley pick-up. Mr. Eggleston stated if someone cannot physically move their trash

receptacles, they should contact Waste Management letting them know they are unable to move their trash to the front of their property. Mr. Vath approached the podium. Mr. Vath stated the Exhibit A that was provided in Council's meeting materials is the current proposed one-year contract for Waste Management. "It is a contract promulgated by the City and is attached as an exhibit to the legislation. Just to clarify, there is no discussion in there about alleys. If it is the consensus of Council, we can add a sentence that alley pick-up is not included for this particular contract period".

Mr. Kessler also added he would like to discuss the football stadium. "We as a City need to look a little harder for the arguments that parking is an issue. This is a non-issue. They had 4,000-5,000 people at the park for the concert; parking was not an issue. There are several potential donors of materials and funding. They are serious donations to keep it where it is at. Several people have approached me. It would cost a lot less money than it would to build a new stadium. I think this is something we as a City need to pursue. It is our property. I know the school isn't overly thrilled to have it there. Most of their arguments are non-issues. Parking is not an issue. It can't be an issue if we seat 5,000 people for a concert. They are parking on the streets, they are parking at the park. This would be no different for a football game. With slight differences in design changes, it could be done where it is at with a lot less cost than building a new stadium. We have been avoiding this because it is a "school thing"; but it is also our property, and part of what makes this town unique. I think we need to be considerate and get the community involved."

Ms. Arblaster echoed Mr. Kessler's concerns regarding the Waste Management contract. Ms. Arblaster added, "The 4<sup>th</sup> of July was fantastic, thank you to the companies and businesses who supported that this year. Additionally, I would like to congratulate the Chamber and the Downtown Partnership on the new bike racks. They look fantastic."

Mr. Owen thanked everyone for coming to the Celebration in the Park which led to the fireworks display. We had over 1,000 people in attendance. Our vendors were fantastic. The fireworks were spectacular. The entertainment was great. I certainly want to thank Liz Sonnanstine and Will Roberts for participating and getting that organized. It was a fun event and it was great to see everyone out there. Hopefully, we can plan to continue that in the future. I've had citizens approach me and ask if they could support it financially in anyway in the future. Mr. Owen also reminded everyone we have a great pool and aquatic center. "I know we reviewed the budget update today, and received some good news on our aquatic center. Concession sales are up. It is a great asset to our community. If you haven't had a chance to get out and enjoy it, please visit because it is a great part of our community.

Ms. Berbach had nothing additional.

Mayor Hale shared an article with Mr. Kessler that he pulled from the 2015 MVRPC annual report. Adding it is a CSX railroad bridge in Miami County at Eldean Road, where they raised the bridge and lowered the road. Mayor Hale shared information with Council regarding his recent trip to Washington D.C. and the APPA annual fly-in. Mayor Hale passed out a list of representatives and two senators that he met with or their staff. Main things that were discussed include topics from each office. Including tax-exempt municipal bonds, Build America bonds, Municipal Financial caucus. This is a new thing that stated on March 1. It is a bipartisan caucus, there is no deterrent for them signing, we are trying to get them involved. Mayor Hale stated he also included all of the white papers concerning various topics, background, APPA's position. It will give you a better idea on some of the topics we've talked about. These white papers are the topics which the APPA is currently talking to people about. Mayor Hale commented he also attended the 4<sup>th</sup> of July event and enjoyed that as well as the Art in the Park event. Mayor Hale informed everyone he also participated in the Hope Over Heroin event along with Mayor Beamish from Troy and the Vice-Mayor of Piqua who each spoke on the crisis. Mayor Hale stated he had received an email from Jolene Thompson from AMP-OMEA discussing grid security and the vulnerability of the substations, the tens of thousands of substations around the United States and how vulnerable we are to terrorist acts. Someone even a few hundred yards away with a high powered rifle and the damage that can be done. The fact that we could be without power for days, weeks, months. How long does it take? How do we acquire the large pieces of equipment to get them in to make repairs? This is just something to add to our vigilance list as a community and as a Council. This is something we should be at least somewhat concerned about.

President Gibson stated as a follow-up Council heard from the Finance Director in the Study Session on the City's mid-year financial report. "I wanted to thank him and all of the staff for putting those numbers together. We thank you for that. Thank you for keeping a watch over the City's finances and managing them. The management of the City's money, the tax payer's money is a crucial function of the City. It is one of the most important things for the City to do in this job of delivering services. The City is pleased that we have favorable information at this point in time and we are in the position that we are in. It is no small measure that your efforts, wise investments, manager of the money and manager of the budget. I think it bears repeating that it is a tough decision to make, not only of this Council, but previous Council members, which are causing things where they are now, which at this point is favorable. If you couple that with the awards and recognition that our Finance people have gotten from the Auditor, Treasurer and other folks, It is a good situation to be in. That our numbers are accurate and are pretty good right now. We thank you for that. Well done. My compliments to you and everyone for that.

President Gibson added "We had a wonderful 4<sup>th</sup> of July celebration. Thanks does lend itself to Liz Sonnanstine, Will Roberts and of course Matt Owen our Council Member. We appreciate all that happened. We had a good crowd. The weather cooperated, eventually. We had a fabulous fireworks display. I also want to thank all of the folks who stepped forward to help donate, those private donations that were provided to help defray the City and Township's costs". President Gibson added the Arts in the Park event also was



a huge success. It was a wonderful time. Hats off to the Tipp City Arts Council. "In follow-up to Mr. Kessler's and Ms. Arblaster's points, we would love to hear from the citizens regarding the trash pick-up program. The alley pick-up has been an issue for some time now. Some folks think it's great, and a vital luxury they have. But it is indeed a luxury. Perhaps we need to rethink this because of cost and the potential problems that it is causing. Collateral damage to property, trees, etc. If you think that we are going in the wrong direction on this and we should keep the alley pick-up, please let us know. If you think that we don't need that anymore or if it is a huge problem, let us know that as well. That is up for a final vote at the next meeting. If you want to let your voice be heard on this concept of alley pick-up with the garbage, please let a Council Member know". President Gibson informed everyone the Christmas in the Village committee has formed and have begun planning for this years' event. There is a Facebook presence if you wish to become involved. President Gibson reminded everyone that the Tipp City Mum Festival "is just under two months away". That is scheduled for the end of September. "A lot of the activities do take place in August. The beauty pageant, registration for vendors for booths etc. If you would like to participate in some of the events, start looking around. Check them out on Facebook or their website as well. It's your town...enjoy it. President Gibson reminded everyone "These proceedings have been recorded and will be rebroadcast over the next two weeks on the local cable access station. In this area, it is Chanel 5 of the Time Warner Cable lineup. You can download City Council meetings, Township Trustees meetings, School Board meetings, and other local functions by going onto the KIT TV website, kittv.org. There is a link on the City's website as well. And with that I thank Council Members and the people of Tipp City for their time and attention."

**City Manager  
Comments**

Mr. Eggleston informed everyone that *Travel Magazine* had an article regarding the 10 most charming Villages and Small Cities to visit in Ohio. "They invited 100 travel writers, photographers, and select professionals in the mid-western state they considered most appealing. Tipp City made the top 10".

On June 8, Governor Kasich signed HB 523 regarding medical marijuana into law. It has been recommended that local jurisdictions become a drug-free workplace. On October 10, 2015, Council designated Tipp City as a drug-free workplace. Special provisions in Chapter 37, section 37.50; so we have that portion already taken care of.

Mr. Eggleston informed everyone that CR25A is now open for two lane traffic. Mr. Eggleston also reminded everyone the CIP workshop is scheduled for Monday, September 26, beginning at 3:00 pm. Staff will present the draft CIP to the Planning Commission at their September 13 regular meeting. The Operating Budget Workshop is scheduled for Monday, October 24 also beginning at 3:00 pm.

President Gibson thanked Kelly Rowlands for stepping in for Janice Bates, who is currently attending training.

**Adjournment**

President Gibson informed everyone it was necessary for Council to enter Executive Session for the purpose of Compensation of a Public Employee and Economic Development to include all members of Council, City Manager Tim Eggleston and Assistant City Manager Brad Vath and Interim Law Director Kevin Lantz for the Economic Development portion.

Mr. Kessler moved to enter Executive Session after 10 minute break. Ms. Arblaster seconded. Council entered Executive Session at 8:19 pm.

Mr. Vath and Mr. Lantz left Executive Session at 8:55 pm.

Mr. Kessler moved to return from Executive Session. Mayor Hale seconded. Motion carried. Council returned from Executive Session at 9:24 pm.

Mr. Kessler moved to adjourn. Mr. Owen seconded. Motion carried. Meeting adjourned at 9:25 pm.

\_\_\_\_\_  
Joseph Gibson, President of Council

Attest: \_\_\_\_\_  
Janice Bates, Clerk of Council



