

**7:00 p.m. – Study Session**

- **Old Electric Building Discussion**

# Agenda

## Tipp City City Council

7:30 p.m. Monday, August 1, 2016

**Tipp City Government Center**

**260 South Garber Drive**

**Tipp City, Ohio 45371-3116**

1.	<b>Call to Order - Roll Call</b> - Mr. Kessler moved to excuse Ms. Arblaster. Mayor Hale seconded. Motion carried.	President Gibson
2.	<b>Prayer for Guidance, Pledge of Allegiance</b>	Pastor Ron Reynolds Tipp City Church of the Nazarene Mayor Hale
3.	<b>Motion to Approve the Agenda</b>	President Gibson
4.	<b>Minutes</b> Minutes of the July 18, 2016 City Council Work Session Minutes of the July 18, 2016 City Council Meeting	President Gibson Approved 6-0 Approved 6-0
5.	<b>Presentations, Proclamations, &amp; Awards</b> A. Swearing in new Police Officer – Brianna Smith B. DTCP – Quarterly Report by Heather Dorsten	Mayor Hale
6.	<b>Legislation</b>	
	<b>Ordinances (second reading)</b> A. Ordinance No: 11-16: 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. (Introduced by Mayor Hale) Summary: This ordinance authorizes the City Manager to execute a one-year contract extension for mandatory refuse and recycling collection in the City of Tipp City. B. Ordinance No: 12-16: An ordinance modifying Code Section 55.29 of the Tipp City, Ohio Code of Ordinances. (Introduced by Mr. Kessler) Summary: This ordinance amends the refuse collection fee reflecting the current contract with Waste Management Inc. C. Ordinance No: 13-16: An ordinance adopting a revised codification of the Tipp City Municipal Code. (Introduced by Ms. Berbach)	Mr. Eggleston Passed 5-1; Mr. Kessler voted no  Passed 6-0  Passed 6-0

	<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, 2015 – December 31, 2015 including any changes to the Ohio Revised Code and Ohio Constitution which impact the Code of the City of Tipp City.</p> <p>D. Ordinance No: <b>14-16</b>: An ordinance authorizing and directing the Assistant City Manager to file the annexation petition for City owned property (ROW) with the Miami County Commissioners. (Introduced by Mr. Owen)</p> <p>Summary: A total of +/-4.478 acres of dedicated right-of-way will be annexed into the corporate limits of the City of Tipp City.</p>	<p>Passed 6-0</p>
	<p><b>Resolutions</b> (<i>one reading required</i>)</p> <p>A. Resolution No: <b>17-16</b>: A resolution to authorize and ratify an agreement for the deposit of active, inactive and interim funds of the municipality of Tipp City pursuant to declaration of depositories therefore.</p> <p>Summary: This resolution designates authorized depositories for municipal funds for a period from August 19, 2016 to August 18, 2021.</p> <p>B. Resolution No: <b>18-16</b>: A resolution to authorize a license agreement with BSquared LLC, DBA Barefoot Canoes, Inc. of Tipp City for the use of certain municipal property known as the canoe livery pursuant to the terms and conditions as defined in said agreement as Exhibit "A".</p> <p>Summary: This two year license agreement will permit the operation of a canoe livery, rental of canoes and related equipment and the sale of certain items outlined in the agreement. Barefoot Canoes original license agreement was established in 1990.</p> <p>C. Resolution No: <b>19-16</b>: A resolution settling claim, authorizing the Finance Director to distribute funds, and authorizing the Interim Law Director to negotiate final terms of settlement.</p> <p>Summary: This resolution authorizes the City of Tipp City to purchase the real property located at 274 Miles Avenue for the amount of \$128,000 and authorizes the Interim Law Director to negotiate final terms of the settlement.</p>	<p>Mr. Eggleston Passed 6-0</p> <p>Passed 6-0</p> <p>Passed 6-0</p>
	<p><b>Ordinances</b> (<i>first reading</i>)</p> <p>A. Ordinance No: <b>15-16</b>: An ordinance imposing a moratorium for a period of one hundred and eighty (180) days on the granting of any permit allowing retail dispensaries, cultivators, or any processors of medical marijuana within the City of Tipp City, Ohio and declaring an emergency.</p> <p>Summary: This emergency ordinance imposes a moratorium on the permits for the establishment of retail dispensaries, cultivators, and processors of medical marijuana to preserve the public peace, health, safety, and welfare of the citizens of Tipp City, Ohio.</p> <p>B. Ordinance No: <b>__-16</b>: An ordinance modifying code sections §154.06(A)(4)(u) and §154.14(B) of the Tipp City, Ohio Code of Ordinances regarding swimming pools, hot tubs, and spas (outdoor).</p>	<p>Mr. Eggleston Passed 6-0</p> <p>Introduced by Mr. Kessler</p>

	<p>Summary: This ordinance will amend inconsistencies between the definition of swimming pools, hot tubs and outdoor spas and the associated Code requirements, namely different water depths.</p> <p>C. Ordinance No: __:16: An ordinance levying special assessments for the construction of curbs, gutters, sidewalks and driveway approaches in conjunction with the 2016 sidewalk improvement project within the City of Tipp City, Ohio.</p> <p>Summary: This ordinance authorizes the levying of sidewalk, curb, gutters and driveway approaches in conjunction with the 2016 Sidewalk Improvement Program.</p>	<p>Introduced by Mayor Hale</p>
<b>7.</b>	<p><b>Motions</b></p> <p>A. A motion authorizing the Police Chief and City Manager to sign the temporary alcohol permit application for the Tipp City Area Arts Council Show and Reception and authorizing the City Manager to enter into an agreement with the Tipp City Area Arts Council.</p>	<p>President Gibson</p> <p>Approved 6-0</p>
<b>8.</b>	<p><b>Miscellaneous</b></p>	<p>Mr. Eggleston</p>
<b>9.</b>	<p><b>Citizen Comments on Items Not on the Agenda</b></p>	<p>President Gibson</p>
<b>10.</b>	<p><b>Comments of Councilmembers/City Manager</b></p>	<p>President Gibson</p>
<b>11.</b>	<p><b>Adjournment</b> – The regular Council meeting ended at 8:48 pm. Council entered Executive Session at 9:00 pm. Council returned from Executive Session at 9:26 pm. Meeting adjourned at 9:27 pm.</p>	<p>President Gibson</p>

### ***Executive Session – Pending Litigation***

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.