

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

August 15, 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, Police Chief Eric Burris, Fire Chief Steve Kessler and Clerk of Council Janice Bates. Reporters Nancy Bowman, Cecilia Fox and Carla Ungerecht were also in attendance.

Guests signing the register include: May Clingan, Andrew Doviak and Zach Groom.

Invocation and Pledge of Allegiance

Mayor Hale gave the Prayer for Guidance. President Gibson led the Pledge of Allegiance.

Approval of Agenda

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

Minutes

8/1/16 Council Work Session

Mr. Kessler moved to approve the minutes of the August 1, 2016 Work Session. Mr. Owen seconded. Motion carried. Vote was 6-0-1; Ms. Arblaster abstained.

8/1/16 Council Meeting

Mr. Kessler moved to approve the minutes of the August 1, 2016 Council Meeting. Ms. Berbach seconded. Motion carried. Vote was 6-0-1; Ms. Arblaster abstained.

Presentations, Proclamations, & Awards

Police Chief Eric Burris reviewed the Mission Statement and Guiding Principles of the Tipp City Police Department.

Mayor Hale read a proclamation for Feed Ohio.

Ordinances (2nd Reading)

Modifying Code Sections 154.06(A)(4)(u) and 154.14(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).

City Manager's Comments: The proposed legislation increases the depth of a temporary pool from 18" to 24", which is consistent with the current building code. It also requires a 4' barrier around the pool. If the resident has an outdoor hot tub or spa with a lockable cover a 4' barrier is not required. This legislation provides consistency between regulatory agencies and corrects some grammatical errors.

Mr. Kessler introduced the ordinance and moved for its adoption. Motion carried 7-0. Ordinance 16-16 was declared adopted and President Gibson affixed his signature in witness thereto.

2016 Sidewalk Assessments

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.

City Manager's Comments: This legislation is brought before Council each year at the completion of the sidewalk program. The ordinance allows staff to send the final invoice to the property owners to which the owner will have 30 days to repay the costs of the improvements in full or spread the payments over ten years at 3.5% interest. Thirty-two properties were affected for a total cost of \$13,273.55. Improvements were made to properties on NW Sixth, Warner Drive, Columbine Circle and Latania Circle.

Mayor Hale introduced the ordinance and moved for its adoption. May Clingan of 23 Bowman Avenue approached the podium. Ms. Clingan stated there are areas within Tipp City that do not have sidewalks and inquired if the homeowners of those areas would be required to add curbs and sidewalks as well. Mr. Eggleston informed Ms. Clingan that each year staff reviews areas of the City noting damaged sidewalks and driveway approaches. Council then approves the program for the noted areas and the homeowner is assessed the costs of repairs. A vote was taken on the ordinance. Motion carried 7-0. Ordinance 17-16 was declared adopted and President Gibson affixed his signature in witness thereto.

Resolutions
Municipal & Contractor Sealing Products Contract

A resolution authorizing the City Manager to enter into a contract with Municipal & Contractor Sealing Products of Cincinnati, Ohio for the 2016 Sanitary Sewer Sliplining Project at a cost of \$355,571,50.

City Manager Comments: Upon review of the bids and performance of the bid specifications, staff had to reject the low bid with Advanced Rehabilitation Technology and award the bid to the next lowest bidder. The difference of \$6,186.35 where Advanced Rehabilitation Technology bid a product that was not part of the bid specification. Approximately \$200,000 of the sliplining comes from Tri-Cities the remaining comes from the City's sewer fund.

Mr. Kessler sponsored the resolution and moved for its adoption. Mr. Owen seconded. President Gibson inquired if the amount falls in line with the budgeted amount. Mr. Eggleston replied, "that is correct". Mr. Eggleston added the sliplining is the act of lining the sewer system to prevent infiltration. Finance Director John Green approached the podium and offered clarification on the funding sources. Mr. Green added, "This is part of that \$200,000 OPWC Grant that the City received, the money from TCA will be part of the matching funds. I just wanted to point out that we do have a \$200,000 OPWC grant that will pay 50% of the work that is completed". Mr. Merritt inquired which areas are being covered by the sliplining project. Mr. Green replied it is primarily Second Street and will rehab approximately 100 manholes to stop infiltration from coming into the manholes. Mr. Kessler inquired if this would be taking care of older areas of town, and this program will slowly taper off. Mr. Green replied every year we try to "camera a certain number of manholes and miles of sewer lines". We are on track to monitor all lines in a 5 year rotation. A vote

was taken on the motion. Motion passed 7-0. Resolution 20-16 was declared adopted and President Gibson affixed his signature in witness thereto.

Ordinances
(1st Reading)
Bond Notes - \$1,455,000

An ordinance providing for the issuance and sale of notes in the maximum aggregate principal amount of \$1,455,000, in the anticipation of the issuance of bonds, for the purpose of paying the costs of various public infrastructure projects.

City Manager Comments: Every year we come to Council to reduce the City's debt. Funding covers the Main Street Improvements, S. Third Street Reconstruction, Fire Station Expansion/Improvements. The Finance Director has advised down \$351,000 worth of debt and financing the balance of \$1,455,000. We do receive a lower interest rate by having the short term loans.

Ms. Berbach introduced the ordinance.

AMP Solar Contract

An ordinance to approve the form and authorize the execution of a power sales contract with American Municipal Power, Inc. and taking other actions in connection therewith regarding participation in the AMP Solar Project II.

City Manager Comments: At a recent work session, Council discussed the possibility of purchasing 5MW of power from AMP on a solar project that they currently have going. This ordinance begins that process. Now with renewable energy certificates, investing in solar is more cost effective.

Mayor Hale introduced the ordinance.

Motions

A motion setting Beggar's Night in Tipp City.

City Manager Comments: Miami County Council has established Monday, October 31st as Beggar's Night.

Mr. Kessler moved to set Beggar's Night in Tipp City as Monday, October 31st from 6-8pm. Ms. Berbach seconded. Motion carried.

Miscellaneous

There were none.

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

May Clingan of 23 Bowman Avenue approached the podium. Ms. Clingan inquired of Council and the City Manager the intent of the water tower on Bowman Avenue. Ms. Clingan added the tower is a landmark for the City. Ms. Clingan added 5 years ago she was informed due to the building of the NAWA plant, there were not funds to paint the tower on Bowman. Ms. Clingan noted since that time both the Donn-Davis Way and Harmony Avenue towers have been painted. Ms. Clingan request rather than paying for expensive signs saying "Welcome to Tipp City", we consider painting the water tower and painting "Welcome to Tipp City" on the water tower. Ms. Clingan added she would rather see the tower to be painted, but if that is not possible, to demo it, but something needs to be done because it is an eyesore. "Consider that this is your town, and I know you want it to look as best as it can when people

**Councilmember
Comments**

come in, because we are selling Tipp City. Please consider what to do with it and do it". President Gibson stated there are plans, in subsequent budgets for the tower to be dismantled versus trying to paint it or save it. Mr. Eggleston stated "Staff had concerns and we conducted a water study to find out, if the tower went down, what we would have to do next. With the addition of Abbott and other businesses. We will basically have the system analyzed and tell us whether that tower should still be used. Initially it was \$500,000 to rehab the tower. Or is there another location for a tower for the system. Once that is completed, staff will come to Council with a presentation for a work session and go from there. The tower has the SCADA system installed". President Gibson asked if there were for the eyesore factor, a distinction be made between rehab to included interior work versus just simply painting it? Mr. Eggleston replied, that is not an option. "What has to happen is there are holes that have to be welded, ground down and everything has to be prepped before you can even paint it. It is in bad shape as far as those types of things, so we can't simply paint it then rehab it". Ms. Clingan inquired if the City was using the water from that tower. Mr. Eggleston replied, "as far as I know". Ms. Clingan asked if that water were safe to use. Mr. Eggleston replied it was. Ms. Clingan inquired the purposes of taking the tower down if it is still in use. Mr. Eggleston stated at the time when the new tower was built the Bowman Avenue tower was to be raised at that time. "One the study has been completed, we will provide a recommendation to Council".

Mr. Merritt thanked Chief Burriss for his presentation. "It seems we have let common sense take a back seat to other ways of thinking. I would encourage the people of Tipp City that if you have an encounter with the Police Department, let them win for the short time. It is counter-productive to be combative, it is counter-productive to be difficult. It could lead to things that are unfortunate. It just seems as though common sense is not governed in a lot of areas. I am encouraged to be able to read this (Police Department Guiding Principles) and know the Police provides a tremendous service".

Ms. Arblaster stated she had a great vacation with her children, but was sorry to have missed the activities in supporting the Police Department. MS. Arblaster reminded everyone school starts in a week and a half and to pay attention. "There are a lot of open houses and receptions going on...I am excited for my kids to go back and I am excited for them to have a fun school year".

Mr. Owen also thanked Chief Burriss for his presentation. "I want to thank the Police Department as a whole for their service to our community. Living here all of my days, our Police Department has been absolutely awesome. Always well respected". Mr. Owen wished all the kids the best of luck for this upcoming year. I wish our fall sports and activities the best of luck and good luck to the class of 2017 for their Senior year. Mr. Owen reminded everyone to use the pool before the end of the season.

Ms. Berbach also thanked the Police Department for their service. Ms. Berbach also thanked the Fire and EMS Departments for their dedication and service to the City.

Mr. Kessler had nothing additional.

Mayor Hale requested Council review the copy of the AMP Solar contract prior to the next reading. Mayor Hale stated (directed toward Chief Burris), "For many years, when Chief Davidson was here, he was beloved by our community, and you stepped into some very difficult shoes to fill. I think our community has been very blessed to have you step into those shoes. The changes that you have made, and I understand that it is the Police Department and everyone working together, but the changes that you have made from the top and across the board have helped to make that possible and I think are very crucial. Thank you very much".

President Gibson followed-up on that sentiment. "It has been a pleasure to work with you. We've seen improvements upon an already fine department. We thank you for that. We thank all law enforcement people in our town who protect us. They do a great job. They do it professionally. We hope the new folks continue in that tradition of excellence as well. To Mr. Merritt's points, it is unfortunate that police are in the spot that they are in nationally. I hope that never happens to us. I think I can speak for Council that you will always have our support, not only at budget time with equipment, but also in the discharge of your duties. In my own experience, any issues with the Police have always been dealt with professionally, pleasantly. All of your officers have been well trained and have handled every situation professionally and magnificently. Unfortunately we cannot keep your professional staff from having to endure a lot of stuff; hot weather tempers flaring. I know one of the first things that I was taught as a kid was "the police man is your friend, if your lost go see the police man" and when you get a little bit older and become more rambunctious, I was taught, "do whatever the cop tells you to do". Unfortunately whenever we see these issues and incidents on tv and on the news, there is always a defining moment where an individual doesn't do what the police tell them to do. You can tell that is right where things take a turn. Fair or not. You always wonder if they just laid down on the ground, let the cop cuff them for 20 minutes to let them straighten everything out. Lives would not be lost and riots wouldn't take place. As an attorney and an elected official and even as a citizen, I always stare at that stuff and wonder what if that person would have just done what the police officer told them to do. I think we are losing sight of that. I don't know why that is not being taught like it should be or how it used to be. Perhaps they just aren't listening, perhaps the environment and the media and the social media and so forth that that is not something you should do anymore. I teach my kids that and I think we should all teach that to our children and our grandchildren, nieces and nephews. The vast majority of the police are doing the right thing, doing their job, trying to take care of people, trying to protect people. You have mine and Council's gratitude and support on all those measures. Thank you!"

President Gibson reminded everyone, "We are in our summer schedule with our meeting calendars. We will not be having a meeting the first Monday in September because that is the Labor Day timeframe in our Council calendar

schedule and that calls for no meeting the first Monday in September. The next time we will be meeting will be the third Monday in September, which is September 19th. At the September timeframe and onward we have the Capital Improvement Plan and Operating Budget for the year 2017. I know the departments are working hard to get their information prepared in that September/October timeframe, so we appreciate their efforts as well. September also means the Mum Festival is coming. It is the last weekend in September. There is still time to volunteer to help the effort, to sponsor the Mum Festival to sponsor the Run and the parade as well. They have a FaceBook presence. Please consider supporting your local community. That's when Tipp City shines. If nothing else come and show your support. As Ms. Arblaster has stated school is starting and that exact date is Wednesday, August 24th. The pool is still open, but it does close prior to school opening. The last day for the pool is August 21st. The 21st is also Dog Day and that is the day the pool permits you to bring your pet to splash around a bit. Still going on is the Farmer's Market, which is held on Thursday evenings on Second Street.

**City Manager
Comments**

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, on the Time Warner Cable Chanel 5. You can also download tonight's meeting, and that of the School Board, Monroe Township Trustees meetings, or other local community events by logging onto kittv.org."

Mr. Eggleston informed everyone that CR25A is now open and the barrels have been removed. Mr. Eggleston added there is some restoration work that will be completed by November, but nothing that will close the road for any length of time.

Mr. Eggleston informed everyone he, Mr. Green, Mr. Donnelly and Mr. Mack each had received their Public Power Certification from AMP. "Upon completion of the 6 areas of study related to technical and regulatory aspects of the electric industry.

Mr. Eggleston thanked everyone for patronizing the pool this season.

Adjournment

Mr. Kessler moved to adjourn. Ms. Arblaster seconded. Motion carried. Meeting adjourned at 8:29 pm.

Joseph Gibson, President of Council

Attest: _____
Janice Bates, Clerk of Council



