

TIPP CITY WORK SESSION

TIPP CITY, MIAMI COUNTY, OHIO

July 17, 2017

Executive Session

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

Mr. Kessler moved to excuse Mayor Hale. Ms. Berbach seconded. Motion carried. President Gibson informed everyone Council will be entering Executive Session for the purpose of imminent litigation to include all present members of Council, City Manager Eggleston and Law Director Freeman. Ms. Berbach moved to enter Executive Session. Mr. Kessler seconded. Motion carried. Council entered Executive Session at 7:15 pm. Council returned from Executive Session at 7:37 pm. Mr. Kessler moved to return from Executive Session. Ms. Berbach seconded. Motion carried.

TIPP CITY COUNCIL MEETING

Council Meeting

TIPP CITY, MIAMI COUNTY, OHIO

July 17, 2017

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

City Staff in attendance include: City Manager Tim Eggleston, Law Director Jonathan B. Freeman, Assistant City Manager Brad Vath, Director of Municipal Services and Engineering John Donnelly, Police Chief Eric Burris, Fire Chief Steve Kessler and Acting Clerk of Council Dawn Gross. Reporters Nancy Bowman and Cecilia Fox were also in attendance.

Guests signing the register include: Andrew Doviak, Brent Ball, Tom Turchiano, Fred Harmon, JD Foust, Gary Moorman, Elizabeth Moorman, Stacie Brown, Gretta Kumpf, Tom Bolton, Sam Spano, Mashell Stith, Amy Blake, Nici McClurg, Scott George, Abby Bowling and Rachel Billups.

Invocation and Pledge of Allegiance

Pastor Rachel Billups of Ginghamburg United Methodist Church gave the prayer for guidance. President Gibson led the Pledge of Allegiance.

Approval of Agenda

Ms. Berbach moved to approve the agenda. Ms. Arblaster seconded. Motion carried.

**Minutes
6/19/17 Study Session**

Mr. Owen moved to approve the minutes of the June 19, 2017 Study Session. Ms. Arblaster seconded. Motion carried.

6/19/17 Council Meeting

Mr. Kessler moved to approve the minutes of the June 19, 2017 Council Meeting. Ms. Arblaster seconded. Motion carried.

**Presentations,
Proclamations, &
Awards**

There were none.

**Ordinances
(2nd Reading)**

Amending Code Section
154.11 (H)

An ordinance modifying Code Section 154.11 (H) regarding scoreboard signs.

City Manager Comments: The Planning Board has given a positive recommendation on this code modification. The School Board asked the Planning Board to look at provisions allowing for a scoreboard. Scoreboard signs shall be located on and be accessory to an athletic stadium actively used for athletic events. Scoreboard signs shall be permitted at City Park, Sponsorship and/or advertising on scoreboard signs is permitted. Changeable copy signage and/or electronic message centers on scoreboard signs is permitted. Instant replays and/or other non-static messages are permitted. Scoreboard signs shall have a maximum height of 35 feet. Scoreboard signs shall have a maximum area of 625 square feet. A photograph of the existing and proposed sign was provided.

Ms. Arblaster moved to approve the ordinance. Mr. Kessler stated he planned to vote against this ordinance because he feels like it “will be too much”. Adding, “I don’t see the need for the moving screen. In my opinion this whole stadium thing began with a safety issue and now we are putting all this fluff on the perimeter of it. From what I’ve seen of the scoreboard, I feel like it is a little much.” President Gibson made note of Mayor Hale’s support of this ordinance and regretted not being able to attend this meeting to discuss and vote on the measure. President Gibson stated he echoes Mayor Hale’s sentiment “I think this is something that needs to be done now that we are working on the stadium, we might as well do what we need to do. As our schools and community grows, it is necessary to have something like this and to be more state-of-the-art. The Planning Board did approve this after careful scrutiny as well.” Mr. Merritt questioned if this were a “stand alone issue” or if in conjunction with the stadium.

JD Foust, Athletic Director for Tippecanoe High School Approached the podium. “I believe that the scoreboard is a staple in the overall project. Proportionately with the development of the new stadium, despite if we build a new stadium, we need a new scoreboard. I do think with the electronic scoreboard and the advertising for that, plays a big role into the overall project of the stadium.” Mr. Merritt agreed. Adding, “If the stadium does not get built, is this a stand-alone issue?” Mr. Foust replied, “If the stadium is not built, this could be something that we will still upgrade. Even if the stadium doesn’t happen, the scoreboard is something that we could still move forward with.” President Gibson inquired if the new scoreboard will stand in the same location as the current scoreboard. Mr. Foust replied that was his hope. Adding this is being privately funded and the committee is being mindful of those funds.

Sam Spano of 7979 Cliffwood Drive approached the podium. Mr. Spano applauded staff and the Planning Board for looking into this item. “Thank you for taking a look at this and recognizing the need for an additional zoning. The stadium in the park has been a fixture in this community for over 75 years. To be honest, it is in need of some renovation. The stadium has been a “hot topic” for nearly 20+ years. The renovation that we are talking about is not out of character for a high school stadium. The community wants a new/renovated stadium. You may recall the last School Board and Council Meet the Candidate nights, the stadium was a topic of discussion for both candidate nights. The community wanted to hear the plans for that stadium.

We have taken some action. The School Administration and the City have been working diligently on a plan to renovate the stadium and to keep those "Friday Night Lights at City Park". The Community Action Group has been busy working on the fundraising efforts to make the stadium a reality with no new taxes. There is a lot of momentum and this project is gaining a lot of steam. Every stadium needs a scoreboard. The specifications of this ordinance are very consistent with scoreboards at stadiums of a similar size. The scoreboard being proposed is also consistent with other high school stadiums in the area. Especially those that have been constructed or renovated in the last 5-10 years. As part of the GWOK, the stadium with its planned amenities are standard and not a luxury. This is not a professional sports scoreboard. It is a scoreboard for Tipp City football that we all can be proud of. As an Ohio High School Official, I have the opportunity to be in many stadiums in the area. The size of the stadium and specifically the scoreboard will not be out of character in a stadium environment. Hopefully, you recognize and have had an opportunity to see some of the stadiums and scoreboards that I have seen. This scoreboard is probably going to generate 20% of the revenue that will be needed to build the stadium. It is a key piece to our building. It is time for this Council to take action and approve this ordinance and ensure one of the last pieces of the puzzle is to be put in place to make the stadium a reality. Please vote to approve this ordinance and to make this district proud and in-line with other athletic venues in the area."

Dr. Gretta Kumpf, Superintendent of Tippecanoe Village Exempted School District approached the podium. Dr. Kumpf stated that she remains very excited about "our students and community", the City of Tipp City as well as Tipp Pride in working together in this cooperative venture to create this stadium. "The new scoreboard adds a variety of new features, enhances the sports viewers experience. It serves as an auxiliary function to the field and stadium. It allows us to use current technology, be easily seen by all participants as well as all of those in the stands. It will also allow us to recognize young athletes as they are announced as well as band members highlighting their performances, as well as other student awards and recognitions and accomplishments. The stadium is a long awaited project that is gaining momentum and it is at an exciting point right now. It is wonderful seeing the community and numerous people being part of recent fundraising activities. We want to construct a stadium that we all can be proud of. As an asset to our schools, students and the community as a whole.

Abby Bowling of 861 Hawthore Drive approached the podium. Ms. Bowling inquired of the scoreboard sponsorship information. "In original documents, I have received it was indicated there would be four static signs. Therefore on the scoreboard, are we dividing "Bob's Lock and Key" in half and "Federalist Fitness" in half to get the four static signs? Also, on the information I have they say there are small package signs, and there are eight of those. Are those on the bottom being divided into eights? Additionally, on the package information that I have, it states "additional sponsorship package, video advertising/advertisement on the video board will run at each school event at the stadium". Mr. Foust returned to the podium to respond to Ms. Bowling's questions. "The scoreboard will be 25'x 25'; the advertisements that you see could be divided into different sizes within that. We can make as many advertisements as we want. If we have more businesses that want part of that scoreboard, we can divide into sizes to do so. The size of the scoreboard is not

going to change overall, but the size of each individual advertisement can change.” Mr. Foust added the information Ms. Bowling has has been updated since the initial meeting discussing the scoreboard. “Additionally, the advertisements will be scrolling advertisements, as we can get more advertisers on that screen rather than static. Those will be scrolling at certain seconds. Obviously the static advertisements will be more expensive because their advertisements will be up the whole game, whereas the others will be on a scroll. The main big screen is going to strictly be the players and achievements of our schools.” Ms. Arblaster inquired if the static advertisers will be able to be changed annually. Mr. Foust replied those could be changed annually, but they are looking at 2-4 year contracts and can be changed as the contract expires.

Scott George of the Tipp Pride Association approached the podium. Mr. George informed Council the next Tipp Pride meeting is being scheduled for August 22nd. At this meeting additional information will be disseminated to the community. “Ultimately those packages aren’t going to be finalized until we find out what happens tonight.”

Ms. Bowling returned to the podium. “I urge Council to vote no on this ordinance based on its content and also the precedent that it is setting.”

A vote was taken on the motion. Motion carried. Vote was 5-1. Mr. Kessler voted no. Ordinance 11-17 was declared adopted and President Gibson affixed his signature in witness thereto.

Resolutions
Insituform Technologies,
LLC Contract

A resolution authorizing the City Manager to enter into a contract with Insituform Technologies of Lebanon, Ohio for the 2017 Sanitary Sewer Sliplining Project at a cost of \$68,775.

City Manager Comments: Five bids were received for this project with Insituform being the lowest bid at \$68,775. This is our annual slip lining project.

Mr. Kessler moved to approve the resolution. Ms. Berbach seconded. Motion carried. Resolution 22-17 was declared adopted and President Gibson affixed his signature in witness thereto.

Ordinances
(1st Reading)
Rumpke of Ohio, Inc.
Refuse Contract

An ordinance to authorize a franchise, approval of a permit and the execution of a contract with Rumpke of Ohio, Inc. for the collection and disposal of solid waste, recycleables, and yard waste from residential properties pursuant to Section 55.12 of the Codified Ordinances of Tipp City, Ohio for a three year period commencing on October 1, 2017.

City Manager Comments: The City received two bids; one from Waste Management and one from Rumpke. With Rumpke of Ohio providing the lowest bid.

Mr. Kessler introduced the ordinance.

Modifying Code Sections
55.29 & 55.30

An ordinance modifying Code Section 55.29 & 55.30 of the Tipp City, Ohio Code of Ordinances.

Regal Beloit America –
Final Plat

City Manager Comments: This ordinance would amend Sections 55.29 and 55.30 of the Tipp City Code pertaining to refuse collection fees. The ordinance needs to be completed in conjunction with the ordinance authorizing the City Manager to sign the contract with Rumpke of Ohio, Inc. President Gibson confirmed this is companion legislation to the previous ordinance. Mr. Eggleston stated that was correct.

Mr. Kessler introduced the ordinance.

An ordinance approving the final plat for the Regal Beloit America, Inc. subdivision and accepting the dedication of public right of way on North Third Street.

City Manager Comments: Mr. Eggleston deferred to Mr. Vath for additional comment. Mr. Vath approached the podium. "As Council will recall, we worked with a company known as Gateway to locate a plastics manufacturing firm here in Tipp City. Gateway has been working with Regal Belot who owns the property where Gateway would like to put their manufacturing facility. In order to do this, there needs to be a lot split, which is where Gateway will be located. During the survey process, a small section of North Third Street was not wide enough according to our thoroughfare plans. An additional 5' is needed to be dedicated right-of-way. Normally, this would be done by the City Planner and the City Engineer signing off on a replat, but because there is right-of-way dedication involved, it requires the full subdivision process. The Planning Board did make a favorable recommendation on this proposed replat to create the two lots and to also dedicate the additional 5' of right-of-way on North Third Street.

Ms. Arblaster introduced the ordinance.

Amending 2017
Appropriations

An ordinance amending 2017 appropriations, authorizing an advance of funds, and modifying the annual operating budget.

City Manager Comments: Mr. Green has prepared an amendment to the supplemental appropriations to the budget to include the following:

General Fund	Salary and Wages	25,000
	Other Expenses	25,000
	Other Expenses	150,000
Capital Improvement Fund	Other Expenses	160,000
Electric Fund	Other Expenses	20,000
	Salary and Wages	75,000
Water Fund	Other Expenses	77,500

Water Replacement Improvement Fund	Other Expenses	21,091
Police Donation Fund	Other Expenses	146
Medical Reimbursement Fund	Other Expenses	4,427

Ms. Berbach introduced the ordinance.

Motions

There were none.

Miscellaneous

There were none.

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

Abby Bowling of 861 Hawthorne Drive approached the podium. Ms. Bowling inquired the difference between Imminent and Pending Litigation as it relates to Executive Session. Law Director Freeman replied, "Pending Litigation is something that is on-going." Ms. Bowling inquired if this were something that had already been filed and in court. Mr. Freeman replied that was correct. "Imminent Litigation is a situation where one might arise, and discussion would be required with regard to." Ms. Bowling also inquired about the Open Meetings Act and when the City is to notify when a quorum of Council Members might be present at a meeting. Ms. Bowling inquired if the City should make notice of Council Members attending Tipp Pride Meetings. Mr. Eggleston stated, "Tipp Pride is not an appointing or sub-committee of Council as a whole and notification is not required." Ms. Bowling asked, "Can we say that your three members that belong to Tipp Pride would qualify?" Mr. Eggleston replied, "I do not believe so." Ms. Bowling inquired, "Why not?" Mr. Eggleston stated, "They are not appointment members of Tipp Pride. Council did not appoint members to Tipp Pride." Ms. Bowling stated according to minutes, they asked to be appointed. Mr. Eggleston stated, they wanted to be and actually appointed. "There is a difference between wanting to be on a committee and actually being appointed. No one was appointed to a committee." President Gibson added, "If Council would have taken formal action to officially vote those three people to be liaisons or representatives of Council at the Tipp Pride Organization that would then open up all of those regulations. And that did not happen. Any Council Member who attends the Tipp Pride meetings, goes as an interested citizen more than any capacity as a Council Member. I think that is the distinction that the City Manager is trying to draw. That there was no formal action where City Council voted these folks to go to that meeting. Like Miami County Council, or Downtown Tipp City Partnership, or the Community Reinvestment Board. If we have four members on the Partnership, then there is advance notice of the meeting and all the provisions kick in with the Open Meetings Act. In this capacity, there was never formal action by Council to appoint Council Members on Tipp Pride." Mr. Eggleston added, "Tipp Pride asked, but there was no action by Council." Mr. Owen stated, "In my first meeting with Tipp Pride, I alerted them that this could be a conflict of interest and I immediately resigned from any further discussion with them and participation in any of those meetings."

**Councilmember
Comments**

Mr. Merritt had nothing additional.

Ms. Arblaster reminded everyone to be careful while in Kyle Park with all of the activities ramping back up.

Mr. Owen thanked the Tipp Pride Organization for all of the work they have done. "I thank the School System for stepping up and partnering on this. JD, great job on all of the research that you done. I know that this has been a busy summer for you. That was a great proposal we got on the scoreboard. That is where my blood, sweat and tears are. I have said this publically many times, I will put the stadium where the community wants it. Whether it be down at the park or whether it be by the high school. Obviously my first choice is where my blood, sweat and tears are. I have a lot of memories there, but more so, I think it is a great place for our town. As JD mentioned, a lot of folks will go downtown and will eat, walk to the game and I think that makes our town unique. I appreciate all of the work that is being done by the committee. Many of them have investments in our school system for many years. Their kids have either gone through or are currently in the school system. I appreciate all that you are doing as well. Gretta, thanks so much for your stepping up and many members on the Board of Education as well." Mr. Owen added select soccer practices will be starting soon and will be going on at Kyle Park, it's busy and hopefully that is good for our commerce and hopefully that is good for both our Downtown and Uptown businesses.

Ms. Berbach informed everyone practices for SAY soccer will begin July 19th. Ms. Berbach also reminded everyone of the Children's Art Adventure that will be held at Tipp City Park on August 5 for ages 3 – 12 from 10:00 am – 2:00 pm. Ms. Berbach also asked everyone to be mindful of their neighbors during the heat and just to look out for one another.

Mr. Kessler added, the American Legion has offered their location to the Children's Art Adventure organizers in the event of rain.

President Gibson thanked Mayor Hale for protecting our interests where the electric cooperatives are concerned. President Gibson also thanked all the people who came to the meeting to discuss the sign question. "Not only those for the issue, but also those against. The dialogue is always a good thing. I want to be sure everyone has the opportunity to speak their minds. Sometimes you might learn something from the other side. Questions get raised, issues are presented that maybe Tipp Pride can take a listen to issue X, Y and Z and maybe the folks that might be against it might see that it might not be as bad as they may think it's going to be. There is always an opportunity when you hear one another on the opposing sides. As our opening prayer said, "There is always stuff to learn and we can listen respectfully" to remain polite and to keep the information flow going in both directions. Please keep the questions coming. That is what we are all here for as well. I think Ms. Bowling's questions were good and anyone who has a question regarding the agenda, the format, the meetings, minutes etc., don't hesitate to come forward either with Council and or staff one on one or bring it up here at a Council Meeting.

President Gibson stated he Art's in the Park event this past weekend. It was a "great celebration". We had a ton of vendors, the weather was great. There was a ton of stuff to see and do. I congratulate those who put that on. Congratulations to the Arts Council.

President Gibson thanked everyone for the 4th of July Fireworks celebration. "The first responders did well by clearing the traffic, thank you to all who attended and a special thanks to the sponsors.

President Gibson reminded everyone the Mum Festival will be the last weekend in September. "Sponsorship opportunities are available at various levels of commitment. If nothing else, please come. This is a great time for the City to shine." President Gibson also reminded everyone the budget meetings will be held in September and October. Staff is currently working on putting together the budget for 2018. We are looking at changing the date of our workshops. There has been a suggestion that we have our work sessions on a Saturday instead of during the week. I know staff may or may not want to do that and I don't know if Council Members want to do that to accommodate work schedules and so forth. That has been suggested and I would welcome both the input from Council Members, Departments and citizens alike if that is a better time frame. It is still scheduled as a "during the week kind of thing"; but if it is necessary to change it, I am certainly open to that.

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 Spectrum Channel 5 of the cable lineup. You can also download videos of this meeting, all other City Council meetings, meetings of Monroe Township Trustees and the School Board and other community events by logging onto kittv.org."

**City Manager
Comments**

Mr. Eggleston informed everyone that Phase II of CR25A is tentatively going to begin on August 14th. This is a 90 day project for the first portion.

Mr. Eggleston informed everyone the fleet of Explorers for the Police Department are not affected but as a safety measure, carbon monoxide detectors have been purchased and placed in each vehicle.

Ms. Berbach moved to adjourn. Ms. Arblaster seconded. Motion carried.

Adjournment

Meeting adjourned at 8:43 pm.

Joseph Gibson, President of Council

Attest: _____
Janice Bates, Clerk of Council



