

TIPP CITY WORK SESSION

TIPP CITY, MIAMI COUNTY, OHIO

August 7, 2017

Executive Session

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

Mr. Kessler moved to excuse Ms. Arblaster. Mr. Owen seconded. Motion carried. President Gibson informed everyone Council will be entering Executive Session for the purpose of purchase of property to include all present members of Council, City Manager Eggleston and Law Director Freeman. Mr. Kessler moved to enter Executive Session. Mayor Hale seconded. Motion carried. Council entered Executive Session at 6:49 pm. Council returned from Executive Session at 7:00 pm. Mr. Kessler moved to return from Executive Session. Ms. Berbach seconded. Motion carried.

Work Session

The work session began at 7:00 pm. The following Council members were present: President Joe Gibson, Mayor Pat Hale, Katie Berbach, John Kessler, Tom Merritt and Matt Owen. Also attending was City Manager Tim Eggleston, Finance Director John Green, Law Director Jon Freeman, 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 Clerk of Council Janice Bates. Reporters Carla Ungerecht and Cecilia Fox were also in attendance.

Guests include Abby Bowling, Chris Passon and Steve Slanker.

Mid-Year Financial Review

Finance Director Green provided Council with the mid-year financial report. Mr. Green added income tax revenues are up for individual and payroll withholding and for businesses is down significantly. Mr. Green added the revenue for TFAC is above final revenue for the years 2013, 2014 and 2015 and approximately \$40,000 below 2016 figures with 18 days of revenue left in the 2017 season.

Mr. Green informed Council the City has been able to pay off \$924,080 in debt principle so far this year. Mr. Green added items of potential concern include: Law Department; litigation costs have been higher than anticipated, Electric Department; Unplanned retirement costs and backfilling the open position, purchased power costs are up 8% through June 30th and water supplies costs are up approximately \$75,000 due to increased consumption.

Mr. Green concluded the mid-year finances are positive overall. Major sources of revenues are on-target or differences are reasonably explained. Income tax receipts are tracking at budget through mid-year and increased in July. Several significant capital improvement projects underway and continued repayment of the City's debt obligations.

Electric Systems Study Update

Mr. Mack provided Council with an update on the City's Electric System. Mr. Mack informed Council all three substations are undergoing improvements and the final improvements will be completed in 2019. Mr. Mack added all upgrades are being designed for future growth and capacity. Mr. Mack also informed Council that currently the City only has one feed from DP&L. "This is

rare for a system of our size. In the upcoming CIP, staff will be looking at an additional feed from DP&L.” President Gibson stated he recalled this discussion previously and cost was a factor. Mr. Mack agreed stating the second feed is for additional “reliability and load”.

Adjournment

Meeting adjourned at 8:43 pm.

Joseph Gibson, President of Council

Attest: _____
Janice Bates, Clerk of Council

TIPP CITY COUNCIL MEETING

Council Meeting

TIPP CITY, MIAMI COUNTY, OHIO

August 7, 2017

The following Council Members answered roll call. President Joe Gibson, Mayor Pat Hale, 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, Finance Director John Green, Director of Municipal Services and Engineering John Donnelly, Deputy Director of Municipal Services & Engineering Eric Mack, Police Chief Eric Burris, Fire Chief Steve Kessler, Utilities Billing Supervisor Stacie Brown and Clerk of Council Janice Bates. Reporters Carla Ungerecht and Cecilia Fox were also in attendance.

Guests signing the register include: Chris Passon, Steve Slanker, Abby Bowling, Andrew Doviak, Noel McGinnis, Rachel Kuhn, Elizabeth Moorman, Gary Moorman, Kyle Aughe, Brent Ball, Erik Nordquist, Vonda Alberson, Robert [REDACTED].

Invocation and Pledge of Allegiance

Pastor Rachel Kuhn of Tipp City Church of the Nazarene 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. President Gibson moved to remove the approval of the minutes from the previous meeting Study Session as that meeting did not have a Study Session. Ms. Berbach seconded. A vote was taken on amending the agenda. Motion carried. A vote was taken on the amended agenda motion carried.

Minutes
7/17/17 Council Meeting

Ms. Berbach moved to approve the minutes of the August 7, 2017 Council Meeting. Mr. Merritt seconded. Motion carried. Vote was 5-0-1; Mayor Hale abstained.

Presentations, Proclamations, & Awards

There were none.

Ordinances
(2nd 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 Waste Management contract was for a three year period with two one-year extensions. 2017 was the final year of that extension. The City was required to re-bid for refuse pick-up. The City received two bids; one from Waste Management and one from Rumpke. With Rumpke of Ohio providing the lowest bid for the entire three years.

Mr. Kessler moved to approve the ordinance. Mr. Owen confirmed the proposed services will not be changing. Mr. Eggleston replied that was correct. Mr. Eggleston added alley pick-up remains in this contract. Mr. Merritt stated,

"As far back as I can remember, we have had Waste Management, and this is a big deal. People are passionate about their trash." Mr. Merritt added he had spoken with Rumpke earlier in the day to clarify something he had heard regarding the Rumpke drivers not getting out of the trucks to collect items not in the toter. Mr. Merritt stated the "circumstances the trash is collected, despite not being in the toter.... The concerns that I had were addressed, answered in a way that allows me to support the legislation. I am comfortable with it." Mr. Vath approached the podium and confirmed that Waste Management had been with Tipp City since at least 1987 adding, "I can't speak prior to that."

Mayor Hale requested the representatives from Rumpke provide additional information to Council. Kyle Aughe and Brent Ball approached the podium. Mr. Aughe informed Council that Mr. Ball is the Regional Municipal Sales representative. Mr. Aughe added, "We have worked transitions with many communities over the years, and we do a lot of your neighboring communities; Vandalia, City of Troy, Union Township, Laura, Ludlow Falls and a number of other communities in Miami County. We also provide subscription service, individual one-on-one contract service throughout all of the Townships throughout Miami County. We have a very big presence in Miami County. We are very proactive in recycling. We are the leader in recycling. We have a regional recycling plant that handles all of the residential recycleables for about a 40 mile circumference from this area. We accept recycleables even from our competitors, who have moved away from recycling. You will be dealing with a proactive recycling company. The transition period is always the question that people have. It is something that we pride ourselves on to make it as seamless as possible. That's with good communication via multiple platforms, direct mail pieces, ads in the newspaper; things to get the message out in a number of different ways. As mentioned earlier, the service is identical, and we hear you loud and clear, that you have had good solid service for a number of years. We know the bar is set high, but we have no concerns that we can hit those expectations. I would encourage you to reach out to any of your neighboring communities that we service and get a feel for the type of service we deliver and how we do things." Mr. Aughe continued there is some confusion because some communities have a completely automated service and the residents are limited to the amount of trash in the container. "By far the majority of communities have the program which you will have, which is unlimited. We will pick up the container and if there is extra trash, our drivers will get out of the truck. This is not an automated program, so there should not be any concerns of us leaving your trash. With an unlimited contract, we recognize that if it is out there, we need to take it." Mr. Kessler inquired if the elimination of alley pick-up would have affected the bid. Mr. Aughe stated alleys always bring challenges. Mr. Ball stated, many older communities have alley pick-up and they (Rumpke) understands the need. Mr. Kessler added, he is "all for not having alley pick-up at this current time because of the potential damage to properties". Mr. Aughe commented, "The way the contract was bid and proposed specified alley pick-up and to service the alleys". Mr. Kessler stated that is the only reason he will not support this resolution at this time.

Abby Bowling of 861 Hawthorne approached the podium. Ms. Bowling asked for clarification regarding co-mingled recycling. President Gibson stated the yard waste can now be included with the other garbage. Ms. Bowling inquired if 6 bags were the limit for yard waste. Mr. Eggleston confirmed that

was correct. Ms. Bowling also inquired if bulk pick-up would still be available with this new contract. Mr. Eggleston replied, "Nothing has changed from what you have now other than the provider." Mr. Bowling inquired about the dumpster rates included in the ordinance. Mr. Eggleston stated those rates are for business owners. Mr. Eggleston added the contract also includes a "Tipp City Clean-Up" for a date in April. That would be an opportunity for the residents to put-out other/large items.

Stacie Brown, Utilities Billing Supervisor for the City approached the podium. Ms. Brown clarified that the dumpsters are for "multi-family dwellings". Those are set-up for the property owner who has multiple dwellings in the unit, they can opt for the curbside rather than curb side service.

Noel McGinnis of 112 N. 7th Street approached the podium. Mr. McGinnis informed Council within the past year, there have been numerous ruts created in the lot adjacent to his property. "It is a matter of the driver not paying attention." Mr. McGinnis added he wouldn't be opposed to bringing the trash and recycling to the curb for collection.

President Gibson stated if Rumpke will be providing the same service as was previously being provided by Waste Management, at a lower cost he would support the measure. A vote was taken on the motion. Motion carried. Vote was 5-1. Mr. Kessler voted no. Ordinance 12-17 was declared adopted and President Gibson affixed his signature in witness thereto.

Modifying Code Sections
55.29 & 55.30

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

City Manager Comments: This is companion ordinance to the previous ordinance which updates the code to reflect the rates.

Mr. Kessler moved to approve the ordinance. Motion carried. Ordinance 13-17 was declared adopted and President Gibson affixed his signature in witness thereto.

Regal Beloit America –
Final Plat

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: As stated by Mr. Vath at the last Council meeting, Gateway has been working with Regal Beloit who owns the property where Gateway would like to put their manufacturing facility. In order to do this, a lot split is required where Gateway would 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 proposal and staff is asking for approval of this ordinance.

Amending 2017
Appropriations

Mayor Hale moved to approve the ordinance. Motion carried. Ordinance 14-17 was declared adopted and President Gibson affixed his signature in witness thereto.

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

City Manager Comments: Due to increased litigation costs, wages and project engineering, Council is being asked to amend the budget by an additional \$386,164 to cover these unanticipated expenses. Staff is asking the ordinance be adopted.

Ms. Berbach moved to approve the ordinance.

Abby Bowling of 861 Hawthorne Drive approached the podium. Ms. Bowling requested information regarding Miami Valley Risk Management Association. John Green, Finance Director approached the podium. Mr. Green explained, "There are certain pieces of the litigation that are defended by MVRMA and there are certain things that are not defended by MVRMA. There are cases that have nothing to do with what is covered by MVRMA." Ms. Bowling inquired if there are certain cases covered and certain that are not. Mr. Green stated that was correct. Mr. Green added, there are cases currently in litigation that has nothing to do with property or liability insurance. It has to be a property claim, or a liability claim. "Of the cases we have before us, even the one big case with Talismanic, there are certain claims that will not be covered by the Miami Valley Risk Management Association. Those are things that they do cover, but we also have two other law suits at this time that have nothing to do with property or liability insurance and the City still has to defend or pursue collections". A vote was taken on the motion. Motion carried. Ordinance 15-17 was declared adopted and President Gibson affixed his signature in witness thereto.

Resolutions
Finrock Construction
Agreement

A resolution authorizing the City Manager to enter into a contract with Finrock Construction of Covington, Ohio for the Weller Drive Project at a cost of \$124,000.

City Manager Comments: This is the final process for the removal of the bump on Weller Drive. Under the ORC, a contract cannot be awarded 110% over the engineer's estimate. Therefore the project estimate had to be revised and the project rebid. This is a result of that rebidding.

Mr. Kessler moved to approve the resolution. Ms. Berbach seconded. Motion carried. Resolution 23-17 was declared adopted and President Gibson affixed his signature in witness thereto.

Carpenter Marty
Engineering Design
Agreement

A resolution authorizing the City Manager to enter into an agreement with Carpenter Marty Transportation for the Engineering Design of the CR25A Roadway Addition of a Turn Lane Project at a total cost of \$242,461.

City Manager Comments: Staff has reviewed the RFP's submitted for this project and Carpenter Marty Transportation submitted the most favorable, economical and have the most experience. Staff is requesting Council approve this resolution.

	<p>Ms. Berbach moved to approve the resolution. Mr. Owen seconded. Motion carried. Resolution 24-17 was declared adopted and President Gibson affixed his signature in witness thereto.</p>
<p>Surplus Property – Drug Seizure Vehicle</p>	<p>A resolution declaring personal property owned by the City of Tipp City to be surplus property and no longer useful in the general operation of the City.</p>
	<p>City Manager Comments: Staff is asking Council to allow the City Manager to dispose of a green 1996 Chevy Caprice as surplus property. The vehicle came to us via a drug trafficking arrest. The vehicle will be placed on Govdeals. There is a split between the City and the County for these proceeds.</p>
	<p>Mr. Kessler moved to approve the resolution. Ms. Berbach seconded. Motion carried. Resolution 25-17 was declared adopted and President Gibson affixed his signature in witness thereto.</p>
<p>Adventures on the Great Miami Franchise Agreement</p>	<p>A resolution to authorize a license agreement with Adventures on the Great Miami for the use of certain municipal property known as the boat ramp and parking pursuant to the terms and conditions as defined in said agreement attached as Exhibit “A”.</p>
	<p>City Manager Comments: This agreement will commence September 1, 2017 and will expire August 31, 2019. Staff is asking Council to pass this on-going agreement.</p>
	<p>Mr. Merritt moved to approve the resolution. Mr. Owen seconded. Motion carried. Resolution 26-17 was declared adopted and President Gibson affixed his signature in witness thereto.</p>
<p>Ordinances (1st Reading)</p>	<p>There were none.</p>
<p>Motions Setting Beggar’s Night</p>	<p>A motion setting Beggar’s Night in Tipp City.</p>
	<p>Mayor Hale moved to set Beggar’s Night as Tuesday, October 31st from 6:00 pm – 8:00 pm. Ms. Berbach seconded. Motion carried.</p>
<p>Providing Legal Services up to \$3,600</p>	<p>A motion providing for legal services rendered on behalf of the City Manager up to \$3,600.</p>
	<p>City Manager Comments: As result of legal representation in Federal Litigation, the City Manager has incurred costs for representation. As such, the City has a legal obligation pursuant to the ORC 2744.07 to provide a defense. Therefore it is asked the City approve payment of said legal fees incurred by the City Manager up to \$3,600.</p>
	<p>Mr. Kessler moved to approve. Mayor Hale seconded. Motion carried.</p>
<p>Miscellaneous</p>	<p>There were none.</p>
<p>Citizen Comments on Items not on the Agenda</p>	<p>Chris Passon of 620 West Main Street approached the podium. Mr. Passon spoke of a zoning issue and current upkeep of his residence. Mr. Passon informed Council he received a notice from the Miami County Clerk of Courts</p>

**Councilmember
Comments**

for violations of his property. Mr. Passon inquired of Mr. Freeman the status of the case and the necessity of it being filed in the first place. Mr. Freeman stated, "I won't comment on pending matters before the court." Mr. Passon inquired if Mr. Spring followed proper protocol when filing this complaint. Mr. Freeman stated, "All channels are proper when filed with the courts."

Steve Slanker at 203 N. Third Street approached the podium. Mr. Slanker provided Council with alternatives solution to the overpass currently being designed. Mr. Slanker stated he has met with Pulsari Technologies and they could put in a system of lasers and cameras to identify stopped trains on the tracks, which would report back to a computer the crossings that are blocked. Mr. Slanker believes this system would be an alternative solution to the railroad crossing being blocked by trains and the design of an overpass.

Mr. Merritt thanked Mr.'s Green and Mack for their presentations at the Study Session. Mr. Merritt also thanked the residents for making their presentations as well. Mr. Merritt welcomed Rumpke to the "Tipp City Team". "You have some very big shoes to fill. We've been happy with what we've had, but we are very optimistic about the future. Welcome aboard."

Mr. Owen thanked City staff for the mid-year financial update and the electrical systems update. Mr. Owen also welcomed Rumpke to the City. "As Mr. Merritt referred to, you have some very big shoes to fill. My request is to listen to what our citizens have to say and take care of them. If you take care of them, we will be good. I am sure that will happen. You have a good reputation. I did my homework on you as well." Mr. Owen also thanked Tipp Pride for the great stadium design. Mr. Owen informed everyone soccer has begun.

Mr. Kessler stated the reason for his no vote on the ordinance for Rumpke was due to the alley pick-up. Mr. Kessler welcomed Rumpke to the community. Mr. Kessler thanked Chief Burriss for his work on the "abandoned train" that blocked an intersection for 36 hours.

Ms. Berbach added soccer season is in full swing. "We have over 1,000 kids signed up in both the SAY and select programs." Ms. Berbach informed everyone she attended the recent Art in the Park event and it was "fantastic". Ms. Berbach congratulated Ms. Bates for being elected as the Vice President of the Ohio Municipal Clerks Association. "Congratulations to her, that's huge, because next year she is going to be President. Congratulations to her, that is a huge honor and it takes a lot to get up there."

Mayor Hale stated he also attended the unveiling of the stadium design. "I am quite excited about the whole process. Thrilled by the fact that it is going to be Downtown at the Park." Mayor Hale informed everyone he attended the American Public Power Association Fly-In in Washington DC and participated in various meetings at several congressional offices. "We discussed municipal bonds and House Bill 3043 – the bill that expedites the licensing and relicensing of hydro-electric plants. All of the meetings went very well". Mayor Hale informed everyone the Hope Over Heroin event will be held this weekend in Piqua. All of the Mayors in Miami County will be participating in that. "It is a bad thing in the United States as a whole, and recently on the news that Montgomery County is the worst county in the United States for the

heroin epidemic. That is just in our back yard and something we need to be constantly aware of.” Mayor Hale also wished Ms. Bates congratulations. “You have worked so hard at that in the short period of time that you have been here and have progressed amazingly fast. Congratulations for that.”

President Gibson also thanked Mr. Green and all of the finance staff in their presentation of the mid-year review. “We appreciate all of your efforts and all of the information you have provided”. President Gibson informed everyone that Council was canvassed for the consideration of moving the CIP and Budget Workshops to Saturday; it appears as though this is not feasible at this time. So that move is not happening at this time. The budget meeting however will be moved to Monday, October 30th. This meeting is open to the public and previous budgets are posted online. The CIP meeting will be held on September 25th beginning at 3:00 pm.

President Gibson continued, “The trash vote, I think had a lot of research done by all members of Council. I compliment everyone for all of their thoughts and efforts on that. Again, Waste Management had a pretty good reputation. I hope you guys can live up to that. For me, if you provide the same level of service, and you do it in the same manner as which we’ve had before, but it is a better rate and is a cost savings. We appreciate all of the information you have provided. We thank you for coming tonight.

President Gibson also congratulated Janice. “She is and has been elected as Vice President of the Ohio Municipal Clerks Association. This is no small feat. It goes to the quality of people we have working here. Congratulations on that. As Mayor Hale said, you have put a lot of work into that and this and we greatly appreciate all of your efforts, congratulations and continued success on that.”

President Gibson added he was also with Mr. Hale at the unveiling of the new stadium design. “We are excited about that. One thing I’ve neglected to comment on is the economic impact the stadium has on the Downtown and surrounding areas. I know there is a lot of controversy about that; maybe there will be an increase in traffic, but there will also be a plus to that. If they moved it closer to the campus, attendees would get off exit 69 go to the events and games and get back on the highway and leave and not have the opportunity to see the beautiful City we have. At least this way, we have a bit of a flow into the Downtown. We hope that Tipp Pride has smashing success in fundraising and in getting that project off the ground and completed.”

President Gibson reminded everyone the Mum Festival will be the last full weekend in September. Christmas in the Village will be coming up in December. President Gibson informed everyone Tipp-Monroe Community Services is currently collecting school supplies for local school children.

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 ODOT has cleaned up the intersection of Kessler-Cowlesville Road.

Mr. Eggleston informed everyone he attended the initial feral cat meeting. There are areas within the City that has colonies. A few of the residents affected attended this meeting. This is an issue that needs to be addressed. If you have an issue, please contact the City Manager, as we will begin mapping the areas affected.

Adjournment

Ms. Berbach moved to adjourn. Mr. Kessler seconded. Motion carried.

Meeting adjourned at 9:08 pm.

Joseph Gibson, President of Council

Attest: _____
Janice Bates, Clerk of Council



