

## TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

APRIL 2, 2007

**Roll Call**

President William D. Beagle called to order the regular meeting of the Tipp City Council at 7:32 p.m. Roll call showed the following Council Members present: Rick Mains, Jr., Vickie K. Blakey, Donald H. Ochs, William D. Beagle, Mayor George H. Lovett, Tim Evans, and Patrick Hale.

In attendance: City Manager David A. Collinsworth, Acting Law Director Brian Huelsman, Assistant City Manager Bradley C. Vath, City Engineer Scott Vagedes, Fire Chief Steve Kessler, Utilities Director M. J. Eichman, Police Chief Tom Davidson, Electric Lineman Ron Siney, *Dayton Daily News* reporter Nancy Bowman, *Tipp Herald* reporter Mike Kelly, and Clerk of Council Misty Cheshire.

Citizens signing the register included: DeDe Mott, Ken Wilson, Jake Roberts, Joseph Kourne, Ruth Safreed, and Autumn Richo.

**Invocation and Pledge of Allegiance**

Mayor Lovett delivered the invocation. President Beagle led the Pledge of Allegiance.

**Approval of Agenda**

Mr. Ochs moved, seconded by Mr. Hale, to approve the agenda. The motion carried.

**Adoption of Minutes**

Mr. Evans moved to adopt the minutes of the March 19, 2007 City Council Meeting, seconded by Mr. Ochs. The motion carried with a vote of 7-0.

**Presentations & Awards**

Ron Siney Retirement

Mr. Collinsworth, Mayor Lovett, and Mr. Eichman, presented a plaque to retiring Electric Lineman Ron Siney for his 22 years of service to the City.

Paving Award

Ken Wilson from Barrett Paving presented a plaque to the City of Tipp City from Flexible Pavements of Ohio for quality paving on North Hyatt Street.

**Ordinances**

(Second Reading and Public Hearing)

Ordinance 15-07

Sewer Rate Ordinance

The following ordinance was presented to City Council for second reading and public hearing.

Ordinance 15-07: An ordinance amending Chapter 52.02 of the Codified Ordinance pertaining to the sewer base rate charge.

Clerk of Council Summary: This resolution authorizes changes in the City's sewer rate schedule to provide for rate increases in 2007, 2008, and 2009 to meet the operating needs of the City's sewer system. Base sewer rates were last increased in 1987.

City Manager Report: Mr. Collinsworth noted that the City's rate from Tri-Cities Regional Wastewater Authority (TCA) would not change. He estimated that the average customer using 7,000 gallons of water per month would experience a \$2.10 per month increase in 2007, 2008, and 2009. Customers receiving a minimum bill will experience a \$0.90 per month increase in the same sequence.

There being no additional comments, Mrs. Blakey sponsored this ordinance and moved for its adoption, seconded Mr. Mains. The motion unanimously carried. Ordinance 15-07 was declared passed and President Beagle affixed his signature in witness thereto.

**Ordinances  
(first reading)**  
Nazarene Church  
Rezoning

The following ordinance was presented to City Council for first reading. The second reading and public hearing will occur at the April 2, 2007 meeting.

Mr. Evans sponsored an ordinance to amend the zoning code and the map attached thereto by changing the zoning of +/- 8.665 acres (all of Inlot #2136) located north of West Main Street and West of Weller Drive, Office Service (OS) to Highway Service (HS) zoning classification.

Clerk of Council Summary: The Planning Board reviewed and recommended a zoning designation change from Office Service (OS) to Highway Service (HS) for the Tipp City Church of the Nazarene Property located at 1221 West Main Street.

City Manager Report: Mr. Collinsworth noted that the Tipp City Church of the Nazarene at 1221 West Main Street had requested a rezoning of their 8.67 acre tract (Inlot 2136) from Office Service (OS) to Highway Service (HS). The Planning Board held a public hearing on this request at their March 13 meeting and recommended approval of this rezoning.

Mrs. Blakey asked if the Church had stated why they wanted to change the zoning designation of the property. Mr. Collinsworth replied that the zoning change would maximize the value of the property and would provide the church more latitude and greater ability to market the property if so desired. He stated that he did not want to imply that the church intended to relocate the congregation.

**Motions**  
Liquor Permit  
Renewals

Mr. Mains moved to not request a public hearing for any/or all liquor license renewals in the City, seconded by Mr. Hale. The motion carried with a vote of 7-0.

Set Public Hearing  
BZA Appeal 02-07

Mr. Hale moved to schedule a public hearing on April 16<sup>th</sup> to consider an appeal of a Board of Zoning Appeals decision that denied a sign variance for the Antique and Artisan Show, seconded by Mr. Evans. The motion carried with a vote of 7-0.

Civil Service  
Commission  
Appointment

President Beagle moved to reappoint John A. Miller to the Civil Service Commission for a term expiring April 5, 2013, seconded by Mr. Mains. The motion unanimously carried.

Dog Park Donation

Mayor Lovett moved to accept a \$750 donation from Novartis Animal Health of Greensboro, North Carolina and a \$1,000 donation from the Tipp City Foundation for the City's Dog Park, seconded by Mr. Ochs. The motion carried.

**Miscellaneous**  
Agricultural District  
Renewal

President Beagle opened the public hearing. Acting Law Director Huelsman swore in those citizens wishing to testify during the public hearing.

Mr. Collinsworth noted that under §929.02 of the Ohio Revised Code owners of farmland in Ohio can apply to have their property classified as an Agricultural District which provides certain benefits to those property owners if they actively farm the land. The request before City Council concerns the renewal of an existing Agricultural District located at 474 W. State Route 571, containing 94.13 acres, owned by Wilma Mohr. Staff expressed no objections to the renewal.

Mr. Mains noted that he had a conflict of interest and would not participate in the discussion or vote for this renewal.

There being no other comments, President Beagle closed the public hearing. Mayor Lovett moved to approve the agricultural district renewal as submitted, seconded by Mr. Ochs. The motion carried with a vote of 6-0. Mr. Mains abstained from the vote.

#### Citizen Comments

Joseph Kourne, 1537 Beaver Creek Lane, Kettering, OH, asked God to watch over the troops overseas and bring them home safely. He encouraged everyone to support the military. Mr. Kourne offered his condolences to the Merritt family on the loss of their daughter.

Mayor Lovett stated that he appreciated Mr. Kourne's comments and was aware of the fact that Mr. Kourne attended City Council Meetings in several other communities. Mr. Kourne noted that he attended meetings in 17 different communities. Mayor Lovett pointed out that cities like Tipp City were powerless to enact legislation to achieve the goals Mr. Kourne has expressed in previous meetings.

#### Council Member Comments

Mrs. Blakey asked when the cones in front of Mrs. Taylor's house would be removed. Mr. Vagedes stated that a backup had occurred at this location due to an abandoned tile that was removed. He stated that the City was considering running a storm sewer lateral down the back of the curb to the catch basin. Mr. Vagedes stated that contractors estimated the cost of the repairs to be in the range of \$4,500 to \$5,000. He noted that the City's Park crews would make the repairs within the next 4 weeks. Mrs. Blakey asked if the City would incur the cost for the repairs. Mr. Vagedes confirmed the City would pay for the repairs.

Mrs. Blakey requested an update on the signage for downtown Tipp City. She noted that Aullwood Audobon Center has a sign that allows for metal pieces to hang from the bottom of the sign to attach additional signage to advertise special events and wondered if that would be an option for Tipp City. Mr. Vath stated that the signs being investigated by Tipp City were trail blazer signs to be located on I-75 both north and south of Exit 68. He stated that the City would not have the availability to hang anything down on the I-75 signs. Mr. Vath stated that it has been his experience that ODOT didn't like anything hanging from the bottom of their signs. Mr. Vath noted that once the City finalized the new logo signs would be ordered.

Mr. Hale requested that Mr. Vagedes provide an update on the status of the Veteran's Memorial Park. Mr. Vagedes stated that the site grading plan was complete. The gazebo had been submitted to the Miami County building department, foundation approval has been received but the City was waiting on approval of the truss and electrical

plan. He noted that the irrigation plan has been received and needs some changes. Mr. Vagedes stated that based upon the current funds something would have to be left out. He stated that once foundation, walls, grading, irrigation, and underground lighting installed the pavers could be installed. Mr. Vagedes hoped to have the gazebo foundation installed in April and hopefully be able to begin installing pavers in June. He noted that he didn't have any contractors on board yet.

**City Manger  
Comments**

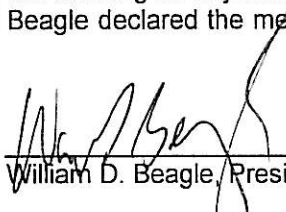
Mr. Collinsworth reported that U.S. Transportation Secretary Mary E. Peters toured the Meijer Distribution Center and held a press conference today. Secretary Peters wanted to learn first-hand how traffic tie-ups are impacting the ability of local businesses to ship their products to market and outline how the Department's congestion initiative could help fight gridlock. Mr. Collinsworth and Council Members attended the event. He thanked Tipp Chamber Director Matt Owen for his part in organizing the event.

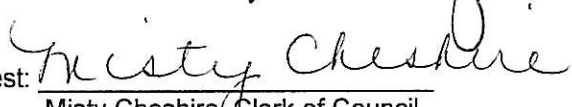
Mr. Collinsworth advised the public that S. Hyatt Street, south of Evanston Road, would be under construction in April and May. He noted that this section of roadway would only be closed from 8 a.m. – 4 p.m. During that time traffic will be rerouted.

Mr. Collinsworth reminded citizens that City Income Taxes were due April 16<sup>th</sup>. He then thanked Brian Huelsman for filling in for Law Director Joseph Moore.

**Adjournment**

There being no further business, it was moved by Mr. Ochs, seconded by Mayor Lovett, that the meeting be adjourned. The motion unanimously carried. President Beagle declared the meeting adjourned at 8:20 p.m.

  
\_\_\_\_\_  
William D. Beagle, President of Council

Attest:   
\_\_\_\_\_  
Misty Cheshire, Clerk of Council