TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO MARCH 19, 2007

Roll Call

President William D. Beagle called to order the regular meeting of the Tipp City Council at 7:31 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, Law Director Joseph P. Moore, Finance Director Richard Drennen, Assistant City Manager Bradley C. Vath, EMS Chief Mark Senseman, City Engineer Scott Vagedes, Fire Chief Steve Kessler, *Tipp Herald* reporter Mike Kelly, and Clerk of Council Misty Cheshire.

Citizens signing the register included: Mike McDermott, Mike McFarland, Susan N. Smith, John Monroe, Mary Bernhardt, Doug Lohnes, Ken Putnam, Bob Steggeman, Jake Roberts, Todd Stocker, Rick Skinner, John Borchers, Matt Dungan, Kevin Price, Andrew Chaney, Anthony Miller, Phillip Baldwin, Don Chaney, Doug Trent, David and Nancy Imler, Jane and Jeanette Baldwin and Rev. Gary Boggs.

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. Ochs moved, seconded by Mayor Lovett, to adopt the minutes of the March 5, 2007 Pre-Meeting Study Session. The motion carried with a vote of 6-0. Mr. Evans abstained due to absence.

President Beagle moved to adopt the minutes of the March 5, 2007 City Council Meeting, seconded by Mayor Lovett. The motion carried with a vote of 6-0. Mr. Evans abstained.

Mr. Hale moved, seconded by Mr. Mains, to adopt the minutes of the March 5 Post Meeting Study Session. The motion carried with a vote of 6-0. Mr. Evans abstained.

Presentations, Proclamations, & Awards

Red Cross Month

Mayor Lovett proclaimed the month of March American Red Cross Month. Susan Smith, Northern Miami Valley Chapter of the American Red Cross, accepted the proclamation and encouraged citizens to contribute to the Red Cross.

Tony Imler Retirement

Mr. Collinsworth, Mayor Lovett, and Chief Kessler presented plaques to retiring firefighter Tony Imler in recognition of his 33 years of service to the Tipp City Fire Department. Mr. Imler asked City Council to show new and veteran firefighters that the City values their volunteer service by providing them with some sort of retirement benefit.

Oath of Office

Mayor Lovett administered the oath of office to three new firefighters: Matt Dungan, Phillip Baldwin, and Anthony Miller.

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Resolutions (One Reading Required)

The following resolutions were presented to City Council for adoption.

Resolution 11-07 Streetscape Construction Admin. & Inspection Contract

Resolution 11-07: A resolution of necessity for improvements on W. Main Street for the Streetscape Project from Tippecanoe Drive East to Hyatt Street by widening, reconstructing and repaving W. Main Street and constructing curb & gutter, sidewalk, and approaches where necessary.

Clerk of Council Summary: This legislation fulfills requirements of the Ohio Revised Code to outline the scope of a project and to provide notice of the City's intent to assess property owners for various public improvements.

City Manager Report: Mr. Collinsworth noted that cost estimates for the expected assessments have been prepared and provided to property owners. He noted that due to the timing of construction and the County Auditor deadlines for certifying assessments, any unpaid assessments would not be seen on the tax bills until 2009.

There being no further discussion, Mr. Ochs sponsored this resolution and moved for its adoption, seconded by Mr. Evans. The motion unanimously carried. Resolution 11-07 was declared passed and President Beagle affixed his signature in witness thereto.

Resolution 12-07 Resolution of Necessity – Main Street Streetscape

Resolution 12-07: A resolution authorizing the City Manager to enter into an agreement with QCI, Inc. for construction administration, inspection & material testing services for the Main Street Streetscape Phase 2 project in the amount of $49,340.

Clerk of Council Summary: Five proposals were received for this project, with the lowest and best proposal coming from QCI of Westerville, Ohio in the amount of $49,340.

City Manager Report: Mr. Collinsworth noted that due to the size and scope of this project and in order to met ODOT requirements the City chose to hire a construction administration and inspection firm for the Main Street Streetscape Project. Five firms submitted proposals. Upon review, staff recommended the contract be awarded to QCI, Inc. of Westerville, Ohio at a cost of $49,340.

There being no further discussion, Mrs. Blakey sponsored this resolution and moved for its adoption, seconded by Mr. Hale. The motion unanimously carried. Resolution 12-07 was declared passed and President Beagle affixed his signature in witness thereto.

Ordinances (first reading)

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.

Sewer Rate Ordinance

Mrs. Blakey sponsored 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.

Motions

Ag. District Renewal

Mrs. Blakey moved to schedule a public hearing on April 2, 2007 for the renewal of an agricultural district located at 474 W. State Route 571, seconded by Mr. Hale. The motion unanimously carried.

Schedule Public Hearing – Church of the Nazarene Rezoning

President Beagle moved to schedule a public hearing on April 16, 2007 to consider a request submitted by the Tipp City Church of the Nazarene, 1221 West Main Street, to rezone 8.67 acres from OS, Office Service, to HS, Highway Service, seconded by Mr. Evans. The motion carried with a vote of 7-0.

Schedule Public Hearing – Donn Davis Way Rezoning

Mr. Evans moved to schedule a public hearing on May 7, 2007 to consider a request submitted by Berry Logan Properties, LLC to rezone 11.3 acres on East Kessler Cowlesville Road and Donn Davis Way from I-1, Light Industrial, to HS, Highway Service, seconded by Mr. Mains. The motion unanimously carried.

Tax Incentive Review Council Recommendation

Mr. Collinsworth noted that the City's Tax Incentive Review Council (TIRC) met on Thursday, March 8th to consider the annual reports and status of existing tax incentive agreements for Transfreight/Brett Properties. The TIRC recommended that the incentive package be continued if all the Personal Property Taxes are paid by noon on March 27th, 2007. If those taxes are not paid, then the incentive package will be suspended for calendar year 2007 (tax year 2006).

Mr. Mains moved to approve the recommendations of the Tax Incentive Review Committee, seconded by Mr. Hale. The motion carried with a vote of 6-1. Mrs. Blakey cast the dissenting vote.

Miscellaneous

Agricultural District Renewal

President Beagle opened the public hearing. Law Director Moore 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 3401 S. Peters Road, containing 81.2 acres, owned by Maxine L. Loring. Staff expressed no objections to the renewal.

There being no other comments, President Beagle closed the public hearing and moved to approve the agricultural district renewal as submitted, seconded by Mr. Evans. The motion carried with a vote of 7-0.

Citizen Comments

There were no citizen comments on items not on the agenda.

Council Member Comments

Mayor Lovett reported that he attended the Annual American Public Power Association (APPA) conference in Washington D. C. last week. He met with Representative John Boehner's Energy Aide to express the City's concerns and needs to continue to provide reliable, low cost public power to the citizens of Tipp City.

President Beagle noted that he and Mr. Collinsworth met with the Tipp City Seniors Inc. to discuss the upcoming Capital Improvement Levy. He thanked the group for their hospitality.

City Manger Comments

Mr. Collinsworth noted that the City has marked the roadway to show how the barricades will be staggered on Burnside Drive and the Township installed signage to direct construction traffic. Controlled burning of the Lost Creek Prairie will be done by the City in the next few weeks. In conclusion, Mr. Collinsworth congratulated DARE Officer Dan Rittenhouse on the completion of this first DARE class graduation.

Adjournment

There being no further business, it was moved by Mayor Lovett, seconded by Mr. Ochs, that the meeting be adjourned. The motion unanimously carried. President Beagle declared the meeting adjourned at 8:14 p.m.

William D. Beagle, President of Council

Attest: Misty Cheshire

Misty Cheshire, Clerk of Council