

TIPP CITY COUNCIL EXECUTIVE SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JANUARY 4, 2010

Executive Session

President Hale made a motion to go into Executive Session at 6:30 p.m. Motion was seconded by Mrs. Gillis and unanimously approved. Executive session adjourned at 6:45 p.m. on a motion by President Hale, seconded by Mr. Kessler and unanimously approved.

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JANUARY 4, 2010

Study Session

City Manager Jon Crusey opened the Study Session at 6:50 p.m. on this date.

Council members in attendance included John E. Kessler, Katie Black, Joe Gibson, Dolores Gillis, George Lovett, Bryan Budding, and Patrick Hale.

Others in attendance: Fire Chief Steve Kessler, Assistant City Manager Brad Vath, Police Chief Tom Davidson, Nancy Bowman, and Clerk of Council Cathy Ross.

Dilapidated Buildings

Mr. Vath informed Council that the City needs to enact code to allow the removal of dangerous and unsafe structures. With the creation of new code sections in Chapter 94, the City Engineer or his designee would be charged with the process. It would also require that notice be given to the property owner, via certified mail, and allow them 30 days to correct the problem. If the owner fails to comply, the City Manager can cause the structure to be removed or repaired using City Funds. The City would then bill the property owner and if it is unpaid, it will become an assessment/lien on the tax duplicate. Mr. Vath stated that a copy of the draft ordinance will be included in Council's next packet and requested that they get comments back to Mr. Crusey or himself by January 11th. The ordinance will be on the January 18th agenda.

ODNR Grant

Mr. Vath made Council aware of an available ODNR grant to be used to construct two bikeway linkages. The estimated cost is \$240,500 of which the grant would pay \$192,400. Mr. Vath noted that no monies are appropriated for this project in 2010, but construction wouldn't begin until 2011 if the City would receive the grant. Council requested that this be included on the January 18, 2010 agenda.

TFAC

Mr. Crusey reviewed with Council the rate history of the Tippecanoe Family Aquatic Center and recommended that an "Early Bird" offer be made this year to encourage pass sales. Council discussed how much of a discount should be offered and decided on a \$20 discount for family passes and a \$10 discount for the other types of passes available. The Early Bird offer will be available until April 30, 2010. Mr. Crusey then provided Council with a historical summary of income from the pool including attendance, daily fees, season passes, daily admission, and concessions. He noted that 55% of the income comes from daily admissions. A new Pool Closing Policy will begin with

the 2010 season and Mr. Crusey stated he would like to have this in place so that residents are aware of the new policy at the time they purchase their season pass. The new policy allows for the closing of the pool due to inclement weather, air temperature below 72° at the time of opening, less than 25 patrons at the pool during any one hour period, water contamination, or maintenance. Council agreed with the new pool closing policy and it will be included with information provided to purchasers.

Adjournment

The meeting was adjourned at 7:30 p.m.

Patrick Hale, President

Attest: _____
Cathy A. Ross, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

JANUARY 4, 2010

Council Meeting

Patrick Hale called to order the regular meeting of the Tipp City Council at 7:32 p.m. Roll call showed the following Councilmembers present: Patrick Hale, Katie Black, Dolores Gillis, Bryan Budding, Joseph Gibson, George H. Lovett, and John E. Kessler.

Others in attendance: Finance Director Richard Drennen, Utilities Director Mo Eichman, Assistant City Manager Brad Vath, Fire Chief Steve Kessler, Police Chief Tom Davidson, City Attorney Joseph P. Moore, and Clerk of Council Cathy Ross.

Guests signing the register included: Betty Gibson, Randy Gibson, Karen Gibson, Diana Gibson, Sarah Gibson, Emma Landess, Donald Landess, Sonia Gibson, Mike McFarland, Steven Chaney, Mel Kemmer, Peggy Gibson, Merle Gibson, Meredith Budding, Hannah Budding, Jake Bruening, Mary Smith, Amy Smith, Kelly Gillis, Jr., Matt Black, Belinda Dye, Mike Black, Pete Berbach, Leslie Budding, Scott Brownlee

Invocation and Pledge of Allegiance

Pastor Jeff Seekins of the Community Bible Church delivered the invocation and led the Pledge of Allegiance.

Swearing In of New Members

Judge Mel Kemmer was present and swore in the newly elected members of Council: Katelyn Black, Bryan Budding, Joseph Gibson, and Patrick Hale.

Election of Council President

Mr. Hale made a motion to open the nominations for Council President, seconded by Mr. Kessler and unanimously approved. Ms. Black nominated Mr. Hale. Mr. Hale made a motion to close the nominations, seconded by Mrs. Gillis and unanimously approved. Mr. Hale was elected President by a 6-0 vote; Mr. Hale abstained.

Election of Mayor

President Hale made a motion to open the nominations for Mayor. Motion was seconded by Mr. Kessler and unanimously approved. President Hale nominated Mrs. Gillis. President Hale moved to close the nominations, seconded by Mr. Budding and unanimously approved. Mrs. Gillis was elected Mayor by a 6-0 vote; Mrs. Gillis abstained.

Approval of Agenda Approval

Mr. Kessler made a motion to approve the agenda, seconded by Mr. Gibson and unanimously approved.

Adoption of Minutes

President Hale made a motion to approve the minutes of the December 21, 2009 Study Session. Motion was seconded by Mr. Lovett and approved with a 6-0 vote; Ms. Black abstained.

Mr. Kessler moved to approve the minutes of the December 21, 2009 Council meeting, seconded by Mayor Gillis and approved with a 6-0 vote; Ms. Black abstained.

Presentations, Proclamations, and Awards

There were none.

**Ordinances
(Second Reading)**

Ordinance 1-10
Chapter 37

The following ordinances were presented to City Council for adoption.

An ordinance amending Chapter 37 of the Codified Ordinances of the City of Tipp City for all City employees not covered by a collective bargaining agreement.

Clerk of Council Summary: This amendment modifies the tuition reimbursement provisions for Chapter 37 employees.

City Manager Comments: Mr. Crusey stated that given the changes Council made in the budget and appropriations, Council would need to amend this ordinance to eliminate the Superintendent of Parks and Superintendent of Streets and the creation of a new position of Public Service Superintendent, but keeping the tuition reimbursement provisions.

There being no further discussion, Mr. Kessler sponsored this ordinance and moved for its adoption. Motion was seconded by Mr. Lovett and passed with a 7-0 vote. Ordinance 1-10 was declared passed.

Ordinance 2-10
Sale of Notes
\$1,400,000

An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$1,400,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of improving the municipal waterworks system by constructing a water storage tower and acquiring related real estate and interests therein and preparing the site therefore, together with all necessary appurtenances thereto.

Clerk of Council Summary: This legislation authorizes the issuance of bond anticipation notes in an amount not to exceed \$1,400,000 to finance certain costs associated with the Water Storage Tower project.

City Manager Comments: The adoption of this ordinance would authorize the Finance Director to issue \$1,400,000 worth of notes for the City's share of the construction of a new 1 million gallon water tower on Success Circle. Following the construction of the new water tower additional notes will be issued for the renovation of the existing 1 million gallon water tower. The demolition of the Bowman Avenue water tower will be paid for directly from the Water Fund. At the conclusion of this project bonds will be issued for the long-term financing of the debt. The City has been awarded a \$700,000 Ohio Public Works Commission (OPWC) grant, \$75,000 in OPWC loan assistance, and a \$425,000 20-year, 0% interest loan to assist in the financing of this project.

There being no further discussion, Mayor Gillis sponsored this ordinance and moved for its adoption. Motion was seconded by Mr. Kessler and passed with a 7-0 vote. Ordinance 2-10 was declared passed and President Hale affixed his signature in witness thereto. .

Ordinance 3-10
Sale of Notes \$1,250,000

An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$1,250,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of acquiring and installing an advanced metering system to be used in connection with the municipal electric and water utilities, together with all necessary appurtenances thereto.

Clerk of Council Summary: This legislation authorizes the issuance of bond anticipation notes in an amount not to exceed \$1,250,000 to finance certain costs associated with the Advanced Metering System project.

City Manager Comments: This ordinance authorizes the Finance Director to issue \$1,250,000 worth of notes for the city's share of the AMI project. At the conclusion of the project, bonds will be issued for the long term financing of the debt. The city has been awarded a \$600,000 OPWC 0% interest loan for the water meter portion of this project.

There being no further discussion, President Hale sponsored this amended ordinance and moved for its adoption. Motion was seconded by Mr. Kessler.

Mr. Budding asked what the rebuild schedule is or if the City would continually be buying new meters. Mr. Eichman stated that the battery life on the meters is 10 years and noted that the City does rebuild water meters, but not electric meters. He stated that rebuilding of the new meters is possible, but it won't be known if it is more advantageous to rebuild or replace until that time. The City will be replacing batteries every 10 years. Mr. Budding asked if the meters we have now are rebuildable. Mr. Eichman stated that 70% of current water meters are 10 years old or older and 80% of the electric meters are 10 years old or older. Mr. Budding stated that we are expecting the biggest savings to come from the water meters and asked how much the City will pay for the meters, including interest, over the life of the project. Mr. Drennen stated that one year notes are currently selling for .62%-.9% percent interest rate and he doesn't intend to go out 20 years, but will instead be looking at 10-15 years. Interest rates on 10 year bonds are in the 3.30%-3.50% range. Mr. Drennen noted that the debt service payments for the electric portion of the project are currently built into the electric rates. There will be a 10-15 year payback on the bonds. Mr. Drennen informed Council that the water portion (\$600,000) is a 20 year 0% loan so it makes sense to take the full 20 years to pay it back.

Mr. Budding asked if it is going to be on a local network or on the world wide web. Mr. Eichman stated that the system would be using the City's local fiber optic network, not the world wide web and noted that it is a secured system from within. Individual homeowners will be able to look at their own usage through our computers. This system has been installed in a number of utilities throughout the country and it is a proven system.

Mr. Gibson questioned if the City is purchasing meters that will last 10 years but taking 20 years to pay off the debt. Mr. Eichman stated that the batteries will last 10 years, the meters will last longer. Mr. Crusey reminded Council that it is 20 year zero percent interest loan; 10-15 years on the bonds.

Mr. Lovett asked Mr. Eichman to explain the St. Clairesville project. Mr. Eichman stated that St. Clairesville implemented this system and experienced payback in 7 years for the whole system. He added that the intent of installing new meters is to get accurate readings and the revenues of those enterprise funds are directly related to what those meters are reading. He noted that old meters slow down over time and that Tipp City's estimated payback is 7 years.

Mr. Lovett stated that the City will be doing a pilot program and if this pilot doesn't go right, he believes there is a termination for cause. Mr. Eichman stated that he anticipates normal start-up problems, which is part of the reason for the pilot, to make sure our system is working correctly before the whole city is implemented. Mr. Lovett stated this project is part of the Electric fund which is separate than the general fund, the electric fund is alive, healthy and doing well. He asked what could be the ramifications for the system and our citizens if the City doesn't maintain it over time. Mr. Eichman replied that the viability is dependent on a well-maintained system, and the city utility staff is charged with maintaining the system. Mr. Eichman noted that this is not a new project, it has been considered for a number of years. He added that it is paramount that the City maintains the system to survive as a utility and that the City is in a very enviable situation because the electric rates of citizens are 25%-30% below neighboring utilities. Water rates are on par with any of the surrounding systems and the City has maintained that position with the addition of the new water plant. Mr. Eichman stated that the metering system will give the City a lot more flexibility in efficiency and use of that system, a lot more flexibility to citizens to actually look at their own usage and adjust it accordingly.

Mr. Budding asked if the City knows how much power we buy and how much we use. Mr. Eichman stated that we bill for about 90% of the power we purchase, with 10% being lost in metering, transmission lines, etc. He added that this number will be reduced by making sure everyone's meter is accurate.

Roll call vote was taken and the motion passed with a 6-1 vote. Mr. Budding voted no. Ordinance 3-10 was declared passed and President Hale affixed his signature in witness thereto.

Resolutions
(One Reading Required)
Resolution 1-10
Annexation Petition

A resolution authorizing the City Manager to sign the annexation petition for City property (117.7 acres) and to enter into an annexation agreement for 130.319 acres south of SR571 with the Board of Trustees of Monroe Township, Miami County, Ohio.

Clerk of Council Summary: The agreement covers the terms and conditions for this annexation, for the property which is adjacent to Tipp City's corporate limits on the west, north, and south sides.

City Manager Comments: The adoption of this resolution would authorize the City Manager to sign an annexation petition for the +/- 117.7 acres of land recently purchased by the City along with +/- 12.619 acres retained by the Senseman's. The City, via its Law Director, would act as the agent for this annexation petition. The land is located along the south side of Main Street just east of the current corporate limits. This resolution also authorizes the City Manager to enter into an Annexation Agreement with the Monroe Township Trustees for the +/- 130.291 acres proposed to be annexed.

There being no further discussion, Mayor Gillis sponsored this resolution and moved for its adoption. Motion was seconded by President Hale and unanimously approved. Resolution 1-10 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 2-10

A resolution authorizing the City Manager to accept the Miami County

Debris Management
Plan

Debris Management Plan under the 2009 Emergency Operations Plan
(Resolution 09-11-1961) for the City of Tipp City.

Clerk of Council Summary: This resolution authorizes the City Manager to participate in the Miami County Debris Management Plan

City Manager Comments: This resolution, if adopted, would authorize the City Manager to join and participate in the Miami County Debris Management Plan (DMP). The Miami County Emergency Management Agency (EMA) has created a countywide DMP to address Federal Emergency Management Agency (FEMA) requirements in order to be eligible for federal reimbursement for qualifying disasters. The county's DMP has been approved by the Miami County Commissioners, OEPA, and Ohio EMA and preliminary approval has been received from FEMA. If the City chooses not to participate in the county plan then we would have to create our own separate plan.

There being no further discussion, Mr. Kessler sponsored this resolution and moved for its adoption. Motion was seconded by Mr. Lovett and unanimously approved. Resolution 2-10 was declared passed and President Hale affixed his signature in witness thereto.

Board Appointments

President Hale opened the nominations for three appointments to the Board of Tax Appeals for one year terms ending December 31, 2010, seconded by Mr. Kessler and unanimously approved. Mr. Lovett nominated Robert Blakey, President Hale nominated Patti Berbach, and President Hale nominated Andrew Venters. Mr. Lovett moved to close the nominations, seconded by Mayor Gillis. The motion unanimously carried. A roll call vote was taken and Robert Blakey, Patti Berbach, and Andrew Venters were appointed to the Board.

President Hale opened the nominations for one appointment to the Board of Zoning Appeals for a three year term ending on December 31, 2012. Mr. Lovett seconded the motion. The motion unanimously carried. Mr. Lovett nominated Andrew Venters. There being no other nominations, President Hale moved to close the nominations, seconded by Mr. Lovett. The motion unanimously carried. A roll call vote was taken and Mr. Venters was appointed to the BZA.

President Hale moved to open the nominations for one appointment to the Building Standards Board of Review for a partial term ending March 31, 2012. Motion was seconded by Mr. Lovett and unanimously approved. President Hale nominated Edward Reed. Mr. Lovett moved to close the nominations, seconded by Ms. Black and unanimously approved. Roll call vote was taken and Mr. Reed was appointed to the Building Standards Board of Review.

President Hale moved to open the nominations to make one appointment to the Cable Access Commission for a partial term ending April 30, 2010. Motion was seconded by Mayor Gillis and unanimously approved. Mr. Kessler nominated Wendy Bauder. Mr. Lovett moved to close the nominations, seconded by Ms. Black and unanimously approved. Wendy

Bauder was appointed to the Cable Access Commission.

President Hale moved to open the nominations to make an appointment to the Parks Advisory Board for a term expiring on December 31, 2013. Mr. Budding seconded the nomination and it was unanimously approved. Mr. Lovett nominated Pamela Hale. Ms. Black moved to close the nominations, seconded by Mr. Kessler and approved 7-0. Pamela Hale was reappointed to the Parks Advisory Board

President Hale moved to open the nominations to make two appointments to the Restoration and Architectural Board of Review for three year terms ending on December 31, 2012. Ms. Black seconded the nominations and it was unanimously approved. President Hale nominated Rodney Kidwell and Mr. Kessler nominated Mark Mabelitini. President Hale moved to close the nominations, seconded by Mr. Lovett and unanimously approved. Rodney Kidwell and Mark Mabelitini were reappointed to the Restoration and Architectural Board of Review.

President Hale opened the nominations to appoint three council members plus three staff members to the Economic Development Committee for one year terms ending December 31, 2010, seconded by Mr. Lovett and unanimously approved. President Hale nominated Mr. Kessler, Mr. Lovett nominated Mayor Gillis, Mayor Gillis nominated Bryan Budding, Mr. Lovett nominated Jon Crusey, President Hale nominated Mr. Drennen, Ms. Black nominated Mr. Vath. Mr. Lovett moved to close the nominations, seconded by President Hale. A roll call vote was taken and Mr. Kessler, Mayor Gillis, Mr. Budding, Mr. Crusey, Mr. Drennen, and Mr. Vath were appointed to the Committee.

President Hale opened the nominations to make appointments for the Miami Valley Regional Planning Commission as a representative (Council member) and alternate (Council member or staff) for one year terms ending on December 31, 2010. Ms. Black seconded the motion and it was unanimously approved. President Hale nominated Mayor Gillis as the representative and Mr. Lovett nominated President Hale as the alternate. Mr. Lovett moved to close the nominations, seconded by President Hale. The motion unanimously carried. A roll call vote was taken and Mayor Gillis was appointed representative and President Hale was appointed as an alternate for this Committee.

President Hale opened the nominations to make appointments for the Miami Valley Regional Planning Commission's Technical Advisory Committee as a representative (Staff) and alternate (Staff) for one year terms ending on December 31, 2010. Mayor Gillis seconded the motion and it was unanimously approved. Ms. Black nominated Scott Vagedes as the representative and Mayor Gillis nominated Mr. Vath as the alternate. Mr. Lovett moved to close the nominations, seconded by President Hale. The motion unanimously carried. A roll call vote was taken and Mr. Vagedes was appointed representative and Mr. Vath was appointed as an alternate for this Committee.

President Hale opened the nominations to appoint two Council Members to the Tipp City Volunteer Firemen's Dependent Board for a one year term ending on December 31, 2010. Ms. Black seconded the motion and it

was unanimously approved. President Hale nominated Mr. Lovett and Mayor Gillis nominated Mr. Budding. President Hale moved to close the nominations, seconded by Mr. Lovett. The motion unanimously carried. A roll call vote was taken and Mr. Lovett and Mr. Budding were appointed to this Board.

President Hale opened the nominations to appoint one Council Member as representative and one as alternate to the Tipp-Monroe Community Services, Inc. Advisory Board for one year terms expiring on December 31, 2010. Mr. Budding seconded the motion and it was unanimously approved. Mr. Gibson nominated Mr. Kessler to serve as the representative and Ms. Black nominated Mr. Gibson to serve as the alternate. Mr. Lovett moved to close the nominations, seconded by President Hale. The motion unanimously carried. A roll call vote was taken and Mr. Kessler was appointed representative and Mr. Gibson was appointed as an alternate for this Board.

President Hale opened the nominations to make two appointments to the Tipp City Tax Incentive Review Council for one year terms ending on December 31, 2010, seconded by Mayor Gillis and unanimously approved. President Hale nominated Mr. Vath and Mr. Lovett nominated Mr. Drennen. Mr. Lovett moved to close the nominations, seconded by President Hale. The motion unanimously carried. A roll call vote was taken and Mr. Vath and Mr. Drennen were appointed to this Council.

President Hale opened the nominations to appoint all Council Members plus four staff members to the Tipp Improvement Corporation Board for one year terms ending on December 31, 2010, seconded by Ms. Black and unanimously approved. President Hale nominated Mr. Crusey, Ms. Black nominated Mr. Moore, Mr. Lovett nominated Mr. Drennen, Mayor Gillis nominated Mr. Eichman and all Councilmembers and moved to close the nominations, seconded by President Hale. The motion unanimously carried. A roll call vote was taken and all City Council Members, Mr. Moore, Mr. Eichman, Mr. Crusey, and Mr. Drennen were appointed to this Board.

President Hale opened the nominations to appoint one Council Member to the Tipp-Monroe Education Fund DARE Advisory Board for a one year term ending on December 31, 2010; motion was seconded by Mr. Lovett and unanimously approved. President Hale nominated Ms. Black. Mr. Lovett moved to close the nominations, seconded by President Hale. The motion carried. A roll call vote was taken and Ms. Black was appointed to this Board.

President Hale opened the nominations to appoint one Council Member as a representative to the OMEA board and one staff member as an alternate for one year terms ending December 31, 2010. Mayor Gillis seconded the motion and it was unanimously passed. President Hale nominated Mr. Lovett as the representative and Mayor Gillis nominated M. J. Eichman as the alternate and moved to close the nominations, seconded by Ms. Black. The motion unanimously carried. A roll call vote was taken and Mr. Lovett was appointed representative and Mr. Eichman was appointed as an alternate for this Board.

President Hale opened the nominations to appoint one Council Member and one staff representative to the Downtown Tipp City Partnership for one year terms ending December 31, 2010. Mr. Budding seconded the

motion which unanimously carried. Mr. Gibson nominated Ms. Black as the City Council representative and Mayor Gillis nominated Mr. Crusey as the City representative. President Hale moved to close the nominations, seconded by Mr. Gibson. The motion unanimously carried. A roll call vote was taken and Ms. Black and Mr. Crusey were appointed to this Board.

President Hale opened the nominations to appoint one Council Member to the Miami County Council, seconded by Mr. Lovett and unanimously approved. Ms. Black nominated President Hale. President Hale moved to close the nominations, seconded by Mayor Gillis. The motion unanimously carried. A roll call vote was taken with President Hale being appointed to this Council.

Citizen Comments

There were none.

**Councilmember
Comments**

Mr. Lovett welcomed new councilmembers and congratulated Mrs. Gillis and President Hale on their election to leadership.

Mayor Gillis thanked fellow councilmembers for their confidence in electing her as Mayor and stated that she will try to serve with the dignity and respect the City deserves.

Ms. Black congratulated new councilmembers and thanked citizens for voting for her and wished everyone Happy Holidays.

Mr. Budding thanked everyone who voted in November. He thanked Councilmembers and Staff for their assistance during the transition and thanked his family for their support. He stated that every decision he makes will be what he believes will be in the best interest of the City.

Mr. Gibson thanked citizens of Tipp City for electing him to Council and thanked Council and Staff for the good transition and the warm welcome. He thanked his family for supporting him through this campaign. Mr. Gibson noted that we live in a difficult economic time and stated that there will be tough decisions to make and he hopes that we won't have to raise taxes. He will do everything he can to be a wise steward of the City's money. Mr. Gibson then congratulated Mayor Gillis and President Hale and noted that proceedings will be broadcast on KIT-TV, Channel 5 all week. He reminded everyone of upcoming meetings and informed the audience that there are still board openings available and encouraged residents to get involved.

Mr. Kessler welcomed new members to Council and congratulated Mayor Gillis and President Hale.

President Hale congratulated Mayor Gillis and stated that he looks forward to working with new Councilmembers. He added that the City has a challenging budget, but is blessed to have the community involved and have City staff who are trying to keep the dollars down. President Hale thanked citizens who volunteered to serve on Boards; and noted that there are still a number of other openings.

City Manager Comments

Mr. Crusey thanked the residents who were appointed to Boards and Commissions tonight and asked residents to consider applying for the

remainder of the Board openings. He then recognized Mr. Drennen and his staff for receiving the Certificate of Achievement in Excellence for Financial Reporting and noted that this is the 9th year in a row the Finance Department has received this award which is the highest level of recognition. Mr. Crusey then thanked who donated a ballistic and stab proof vest for our police canine Gitta.

Adjournment

The meeting was adjourned at 9:15 p.m. on a motion by President Hale, seconded by Ms. Black and unanimously approved.

Patrick Hale, President

Attest: _____
Cathy Ross, Clerk of Council

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