

TIPP CITY COUNCIL

TIPP CITY, MIAMI COUNTY, OHIO

NOVEMBER 1, 2010

Call to Order

President Hale called the meeting to order at 6:30pm. The following Council members were present: President Patrick Hale, Katie Black, Bryan Budding, Joseph Gibson, Mayor Dolores Gillis, George Lovett and John Kessler.

Also attending was: City Manager Jon Crusey, Finance Director John Green, Assistant City Manager Brad Vath, Assistant Director of Utilities Christy Butera, City Engineer Scott Vagedes, Chief Tom Davidson, Fire Chief Steve Kessler, Law Director Joe Moore, and acting Clerk of Council Marilyn Fennell. Also attending were reporters Nancy Bowman and Mike McDermott. Those signing in were Steven Chaney and Sonya Lyons.

Executive Session

President Hale moved to go into Executive Session for Personnel Issues/Negotiations. Ms. Black seconded the motion and the motion passed unanimously.

Meeting

Following the Executive Session, President Hale called the meeting to order at 7:31pm. The prayer for guidance was given by Mayor Gillis and President Hale lead the Pledge of Allegiance.

**Amendment to Agenda
Agenda Approval**

President Hale moved to amend the agenda, to add under Legislation, Ordinances, First Reading, Item A, an ordinance to amend Code §34.20, Compensation to the Director of Law. Mr. Kessler seconded the motion and it passed unanimously. Mr. Kessler then moved to approve the amended agenda and Mr. Budding seconded the motion. The motion passed unanimously.

**Adoption of Minutes
Study Session 10-18-10**

Mayor Gillis moved to approve the minutes of the October 18, 2010 Study Session as presented. Motion seconded by Mr. Gibson and passed unanimously.

Council Meeting 10-18-10

Mr. Budding moved to approve the minutes of the October 18, 2010 Council meeting. Motion was seconded by Mr. Kessler and unanimously approved.

CIP Workshop 10-25-10

Mr. Kessler moved to approve the minutes of the October 25, 2010 Capital Improvement Budget Workshop. Mr. Budding seconded the motion and unanimously approved.

**Presentations,
Proclamations, &
Awards**

There were none.

**Ordinances (Second
Reading)
Ordinance 19-10
Appropriations & Budget
modifications**

An ordinance increasing appropriations in the General Fund (\$46,680), Street Fund (\$30,000), Capital Improvement Fund (\$63,000), Parks Capital Improvement Fund (\$4,000), and Clean Ohio Grant Fund (\$21,671) and modifying the annual operating budget as result of this action.

Clerk of Council Summary: This ordinance authorizes supplemental appropriations due to increased costs for income tax refunds, unanticipated retirement expenses, equipment purchased through a donation from a local civic group, and increased costs for grant and construction projects.

City Manager Comments: This ordinance would increase 2010 appropriations by \$165,351 in the following funds:

+ \$46,680 General Fund- These funds are necessary to cover larger than expected income tax refunds to corporations; a donation from the Tipp City Rotary for the acquisition of defibrillators for the Police Department; and unanticipated retirement expenses.

+ \$30,000 Street Fund- Unanticipated expenses related to the retirement of the Street Superintendent.

+ \$63,000 Capital Improvement Reserve Fund- Additional appropriations necessary due to the cost of the Hartman Avenue Reconstruction Project exceeding budgeted amounts; and larger than expected income tax refunds.

+ \$ 4,000 Parks Capital Improvement Fund- Larger than anticipated income tax refunds.

+ \$21,671 Clean Ohio Grant Fund- Related to additional funding received from the State of Ohio for the acquisition of the Senseman property in late 2009. This appropriation is necessary to reimburse the Water Fund for costs related to this project.

Mr. Kessler sponsored the ordinance and moved for its adoption. Mr. Budding seconded the motion. President Hale asked for any questions. Mr. Gibson asked about the donation from the Tipp City Rotary for the defibrillators as he did not understand how that was now an expense for the City. Mr. Crusey explained that a check was provided by the Rotary, that was deposited, defibrillators purchased but now the money has to be placed in the Police account to cover operating costs. It would be a re-appropriation back to the Police Department. Mr. Gibson also asked about the larger than expected cost due to the retirement in the Street Department. Mr. Crusey explained there was no anticipation of that retirement and those monies would be used to pay out unused vacation and a percentage of unused sick leave. The money was not appropriated at the beginning of the year due to it being unknown that the Superintendent was retiring.

There being no further questions, the motion was voted upon and declared passed and President Hale affixed his signature in witness thereto.

An ordinance approving the replat of Inlot 3933 of the Rosewood Planned Residential Development Subdivision.

Clerk of Council Summary: The Planning Board recommended approval at their October 12, 2010 meeting and recommends to Council the approval of the proposed Rosewood Creek replat of Inlot 3933 including the removal of the 45' sight line easement, located in Phase 1.

City Manager Comments: This replat removes a sight-line easement from Inlot 3933 in Phase 1 of Rosewood Creek Subdivision. The sight-line easement dates back to early renditions of the subdivision whereby the developer proposed lots and/or an access drive along Peters Road. However, the final development plan established only one 12+ acre lot. Choice One Engineering, on behalf of the developer, has completed an intersection sight-line and stopping distance analysis for this section of Peters Road and determined that the sight-line easement was not necessary.

Ordinance 20-10

Rosewood Creek Replat
Inlot 3933

**Ordinances
(First Reading)**

Mr. Lovett sponsored this ordinance and moved for its adoption. Mr. Kessler seconded the motion. The motion passed unanimously and President Hale affixed his signature in witness thereto.

An ordinance amending Section 34.20 of the Tipp City Code relating to compensation of the Director of Law.

City Manager's Comments: Per the Charter, the Law Director is appointed by the Manager with the confirmation of the City Council and this appointment would be for 2011 at the same rate as his contract for 2010.

Mr. Kessler sponsored this ordinance.

Resolutions
(one reading required)
Resolution 42 -10
AMP approval, Solar
Energy Generation

A resolution to approve the form and authorize the execution of a Solar Energy Schedule with American Municipal Power, Inc. and taking other actions in connection therewith regarding Solar Electric Generation.

Clerk of Council Summary: This resolution authorizes the City Manager to enter into a Master Service Agreement with American Municipal Power, Inc. for Solar Energy.

City Manager's Comments: This ordinance authorizes the Utility Director to enter in to a Standard Solar Energy Schedule with American Municipal Power (AMP) for the provision up to 1,800 kW of reliable, economic, renewable "green energy" for term beginning September 1, 2010 and ending no later than December 31, 2041. The energy cost is \$85.00/MWh (\$0.085/kWh) with an annual escalator of 2%. This ordinance also declares the City's desire to be considered as a potential site for the future location of Solar Facilities. AMP has entered into a Master Solar Energy Power Purchase and Sale Agreement with Standard Energy, LLC for the purchase of up to 300 MW of solar capacity. The City would receive a pro-rata share of its request should AMP member communities commit to more than the 300 MW contracted by AMP.

Mr. Lovett sponsored this resolution and moved for its adoption. President Hale seconded the motion. Motion passed 7-0 and was declared adopted and President Hale affixed his signature in witness thereto.

Motions

There were no Motions.

Citizen Comments

There were no comments from Citizens on items not on the agenda.

**Councilmember
Comments**

Mayor Gillis said she had a wonderful Halloween and urged all to vote on Tuesday.

Mr. Lovett said he attended the OMEA convention in Columbus, (Ohio Municipal Electric Association). He said there was an extensive briefing on upcoming State and Federal legislation under speculation due to the upcoming elections. He said it was a good opportunity to touch base with similarly situated folks around the state and share our misery and hopes. Mr. Eichman and Mrs. Butera were also in attendance. There was nothing new or radical this time.

Mr. Budding urged all to vote tomorrow.

Mr. Gibson reminded all that the proceedings are being rebroadcast on Channel 5 on the Time-Warner system. There is new equipment and upgrades and programming being used. He also asked all to vote on Tuesday.

Ms. Black said there would be a Downtown Partnership meeting on November 16 on the second floor of the Tipp Monroe Community Services building at 9am. Beggars Night was very busy and she also urged all to vote.

Mr. Crusey said income tax receipts are up 8%, \$23,000 for October. Year-to-date, the City is up 2 ¼% or almost \$66,000 from last year. But we have to remember that last year was a terrible year. We are still on pace with 2004 income tax collections. Compared to 2005-2008, we are still several hundreds of thousands dollars behind for those years. This is 8 consecutive months of positive collections compared to last year.

Adjournment- Study Session followed

President Hale announced a brief recess and that Council would be moving into a Study Session with another Executive Session to follow. (7:50pm)

Patrick Hale, President

Attest: _____
Marilyn Fennell, Acting Clerk of Council

Study Session

TIPP CITY POST-MEETING STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

NOVEMBER 1, 2010

Study Session began at 7:52pm. In attendance were President Hale, Mayor Gillis, Mr. Budding, Mr. Kessler, Mr. Lovett, Ms. Black, Mr. Gibson, City Manager Jon Crusey, Assistant City Manager Brad Vath, Finance Director John Green, City Engineer Scott Vagedes, Assistant Utility Director Christy Butera, Fire Chief Steve Kessler, Law Director Joe Moore, reporters-Nancy Bowman, Joyell Nevins, and Mike McDermott.

CIP Budget Changes

Mr. Crusey wished to review the matters for the CIP, discussed on Monday, October 25. There has been no further information on auxiliary power units for the Police Department. The Fire Department had a correction of \$8,800 for SCBA removed from 2015. The Parks Dept switched the 1994 and 1996 pickups. For the TFAC, the Leisure Pool sand filter will be replaced this fall-removing \$6,000 from the CIP. The Competition Pool sand filter is to be replaced in 2011, the Spray Ground sand filter to be replaced in 2012. The Street Department has made an inquiry to the City of Dayton regarding trackless leaf machines. The Electric Department had a correction- Exit #69 improvements have been moved from 2013 to 2012 to coincide with Street Dept. budget. The Electric Utility Center concept plan and cost estimate will be evaluated during the first half of 2011. A mid-year report will be made to Council. Also for the Electric Dept, the 1-Ton Tree Truck-a heavier vehicle would create problems so we will stay with a 1-Ton. Substation #4/Alternate

Feed handout will be distributed in the Friday letter. The Water/Sewer Dept.- the backhoe has been moved from 2011 to 2013. \$5,000 will be placed in the operating budget for replacement of tires. The Downtown Utilities- No conclusion yet. The Water line replacement will be \$100,000 for design, \$775,000 for construction costs. The Debt Service over 20 years would be \$77,000 annually. There would need to be a 5% base rate increase to cover debt payment so for the average customer at 6,000 gallons a month that would be \$1.49/month (\$17.82 annually). For the Sewer line replacement, about the same cost but a 14% rate increase would be needed which would be 14% increase, same average customer the cost would be \$1.40 a month (\$16.80 annually). So to do the water and sewer it would cost annually about \$35.00 annually for each household to cover the cost of the downtown utility replacement. He asked if it was Council's desire to move forward with this 2012 project. Design would need to take place in 2011. The street would not be reconstructed, just an overlay, no storm sewer added. Ms. Black asked for an estimate if the road was reconstructed. Mr. Vath said about \$2.5 Million. Mr. Lovett said we had to turn down a \$1.2 Million grant. It makes sense to do it all at one time. Mr. Budding said he would like to see what the "smart" meters do for the rates. Mr. Crusey said the sewer fund is in bad shape over the next 5 years. Mr. Kessler asked about a storm water assessments. Mr. Crusey said that possibility is out there. Mr. Kessler said that would be a source of revenue to assist with the costs. Mr. Crusey said the storm water fee could only be used for the storm water portion. There still wouldn't be the funds to rebuild the road. Mr. Gibson asked if everything could be pushed back a year. Mr. Crusey said it could be done, as there is nothing critical. Mrs. Butera said each year is different. We have had significant breaks in different parts of town and the mains are very old in the downtown. Mr. Crusey said if we wait until it is really bad then if it is an emergency then the funds would not be there. Mr. Vath said grant funding would have to be moved back 3 years because you get out of the queue. Mr. Gibson said he didn't like raising the rates 128%. Mr. Crusey said to do this project it would be a 14% increase to handle the debt for this project. Mrs. Butera said this is a small amount of the increase that is needed for other projects. Mr. Crusey said the increase over the 5-year period is about \$33.00 a month at 18%.

Mr. Kessler asked if there were any lead lines in the downtown. Mr. Vagedes said they may be some soldered/galvanized lines. Mrs. Butera said not on the city side of the line, maybe on the property owner's side up to the curb stop. Mr. Kessler asked how soon would we have information with the new meters. Mrs. Butera said the pilot area should be done in the first quarter which will give an idea on the residential side. Mr. Budding said we will need to see those figures. Mr. Kessler said this is something that we have to do and there is grant money coming in. Mr. Crusey said he would bring back figures after the first quarter of next year. Mayor Gillis asked how did our sewer rates compare with other communities. Mr. Crusey said he could get a copy of the 66-community survey to Council. He thought we were in the bottom third of the rates.

Mr. Crusey asked if there were any other comments on the 5-year Plan. There were none.

Township Water Service

The next topic was water service to Monroe Township. Mr. Eichman had given a presentation several months ago on the capacity of the NAWA

facility. The Trustees are interested in water service to the Township. Is Council willing to provide water and will the City require annexation? Mr. Eichman's report showed an excess capacity of 0.7 Million Gallon a Day (MGD). The capacity can be expanded to 7.0 MGD with an excess capacity of 2.2 MGD. With the amount of vacant land in Tipp City (residential and commercial) the capacity would be 903,640 MGD. The capacity of the existing residential lots (603 lots) in Monroe Twp. would be 168,840 MGD which would probably occur over a matter of time. The Township and those property owners would need to decide how to pay for this extension of service.

Mr. Crusey said the City has the capacity to service those existing residential households and they would occur faster as those lots are already developed. This could require expansion of NAWA sooner rather than later. That cost would be shared with the customers. Mayor Gillis asked what would be the amount received from those 600 customers. Mr. Green said 600 lots x \$30 a month= \$18,000. Mr. Crusey said the ordinance is currently at a 50% surcharge for those properties outside the corporate limit.

Council members would like to further discuss the matter with the Township Trustees, at the next Tri-Agency meeting. Mr. Crusey said if we require annexation, that brings the aspect of more streets to maintain and we don't have the funds to maintain what we already have. There are also some strategic reasons to annex areas. Expansion of the plant was discussed. Mrs. Butera said when the plant reaches 90% capacity, they are required to pursue expansion and that is a joint venture with Vandalia. Mayor Gillis said the Township is going to pursue water service from somewhere. It was agreed that before the Tri-Agency meeting there will be a meeting with the Trustees.

Street Lighting

Mrs. Butera asked the Council to view the three different street lights that have been installed in the rear parking lot. The three varieties were an Induction, a High-Pressure Sodium, and LED light. Council members asked several questions regarding the lights and asked for some cost figures. The inductive light was the most popular.

Council moved back to the Council room. At 8:50pm President Hale moved to go into Executive Session for discussion of personnel matters. Mr. Lovett seconded the motion and motion passed unanimously.

Adjournment

Following the Executive Session, City Council meeting was adjourned on a motion by Mr. Kessler, seconded by Mr. Budding and unanimously approved at 9:13p.m.

Patrick Hale, President

Attest: _____
Marilyn Fennell, Clerk of Council

