

TIPP CITY STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

MAY 17, 2010

Study Session

The Study Session began at 6:30 p.m. The following Councilmembers were present: President Patrick Hale, Katie Black, Bryan Budding, Joseph Gibson, Mayor Dolores Gillis, John Kessler, and George H. Lovett.

Also attending was: City Manager Jon Crusey, Fire Chief Steve Kessler, Utilities Director Mo Eichman, Assistant Utilities Director Christy Butera, Finance Director Richard Drennen, Mike McFarland, Dave Heckler, Tina Davis, Doug Lohnes, Jim McGary, Pat Turnbull, Ron Widener, Clerk of Council Cathy Ross, and reporters Nancy Bowman and Marilyn McConahay.

**Miami County Facility
Planning Area Request**

City Manager Crusey reviewed Miami County's request to amend the Tri-Cities Facility Planning Area (FPA) with the attached Powerpoint presentation. Pat Turnbull, Miami County Sanitary Engineer, then reviewed the history of FPA's specifically how it relates to Phoneton, Brandt, and Huber Heights and informed Council that Miami County would like to become the Designated Management Authority (DMA) for all of Huber Heights and wish to become part of TCA. Clark County, New Carlisle, and Bethel all support the County's proposal.

Dave Heckler, General Manager of Tri-Cities North Regional Wastewater Authority, stated that growth patterns/flows have been planned through 2027. TCA believes that the plan in place keeps options open down the road, and while they would like to be part of solution with Phoneton, TCA has to protect the interests of its member cities.

Miami County Commissioner Ron Widener stated that the County has been unable to reach an agreement with Huber Heights and assured Council that the County is not looking to be in the sanitary sewer/water business. He stated that the issues are EPA issues and that the County is trying to solve the sanitary sewer issues.

City Manager Crusey stated that this does not require action by Council, but he will keep them up to date on negotiations. The issue is that if the County receives a FPA, there could be an issue with Huber Heights wanting to grow north and not being able to, and would affect Tipp City growing east. This could set a precedent to stall/stop cities growth. Mr. Crusey informed Council that if an agreement is not met, the decision will then fall upon the Mayor. Mayor Gillis stated that the Great Dayton Area Managers Association has suggested that a no vote. The County has requested a 60 day extension from MVRPC and a decision should be reached within the next few weeks.

Intervening User Fee

Mrs. Butera updated Council on the Lightner Road Intervening User Agreement with the attached Powerpoint presentation. City Manager Crusey stated that an ordinance will be on the next Council Agenda for intervening user fees for NAWA to establish intervening user fees for Lightner Road. Mrs. Butera added that this affects about a dozen properties and is not an assessment; owners only pay the fee if they want to tap into water.

Financial Update

Mr. Drennen reviewed with Council the 2010 Financial Update (attached).

The Study Session adjourned at 7:32 p.m.

Patrick Hale, President

Attest: _____
Cathy Ross, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

MAY 17, 2010

Council Meeting

President Patrick Hale called to order the regular meeting of the Tipp City Council at 7:34 p.m. The following Councilmembers were present: President Patrick Hale, Katie Black, Bryan Budding, Joseph Gibson, Mayor Dolores Gillis, George H. Lovett, and John E. Kessler.

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

Guests signing the register included: Abby Street, Zach Wertz, Alex Davis, Steven Chaney, Chris Farmer, Chelsea Layman, Mark Mabelitini, Greg Johnson, Morgan Hallard, Jeremiah Skow, Aaron Price, Phillip Schaefer, Bryan Cramer, John Berbach, Virginia Oliss, Michael Thomas, Scott Brownlee, Eric Seger, Sonya Lyons, Benjamin Seryai, Tina Davis, Larry Jordan, Doug Lohnes, Mark Springer, Reporters Marilyn McConahay, Mike McDermott, and Nancy Bowman.

Invocation and Pledge of Allegiance

Pastor Chris Farmer from the Tipp City United Methodist Church delivered the invocation and President Hale led the Pledge of Allegiance.

Approval of Agenda Amendment

President Hale made a motion to amend the agenda to add a Study Session after the Council meeting. Motion was seconded by Mr. Lovett and unanimously approved. President Hale made a motion, seconded by Mr. Lovett to approve the amended agenda. Motion was approved with a 6-1 vote; Mr. Budding voted no.

Adoption of Minutes Council Meeting

Mayor Gillis made a motion to approve the minutes of the May 3, 2010 Pre-Meeting Study Session. Motion was seconded by Mr. Budding and unanimously approved.

Mr. Budding made a motion to approve the minutes of the May 3, 2010 Council Meeting. Mr. Gibson seconded the motion. Mr. Lovett noted one correction to page 66, third paragraph, 5th line should say Mr. Lovett rather than Mr. Eichman. The minutes as amended were unanimously approved.

Presentations, Proclamations, and Awards

There were none.

Ordinances (Second Reading)

There were none.

Resolutions (one reading required)

There were none.

Ordinances (First Reading)

President Hale sponsored an ordinance amending Sections 154.101(A) & 154.107(D) of the Tipp City, Ohio Code of Ordinances to modify: the

Sign Code

maximum allowable area and height of ground (interstate) signs, definition of interstate sign location, and variance procedure.

Clerk of Council Summary: This ordinance modifies “interstate” signage requirements.

City Manager Comments: City Council, at its April 5, 2010 meeting, adopted a motion directing the Planning Board to review the sign code pertaining to highway signs and requesting that they come back to Council with a recommendation pertaining to those signs. The Planning Board conducted a public hearing and adopted a motion at its May 11, 2010 meeting recommending that Council amend the regulations pertaining to highway signs to increase the maximum sign area of a highway sign from 120 square feet per sign face to 250 square feet per sign face and increase the maximum height of a highway sign from 40 feet in height to 70 feet in height, with a maximum height variance of 20%. Furthermore, the Planning Board recommended that the locations in which highway signs are permitted be expanded from those properties “with frontage abutting” I-75 right-of-way, including the exit/entrance ramps, to those properties “within 660’ of” I-75 right-of-way, including the exit/entrance ramps.

President Hale made a motion to table the ordinance, seconded by Mr. Kessler. Mr. Gibson asked when this ordinance would be brought back to Council. President Hale stated that he would expect this ordinance to be brought back at the next Council Meeting. Roll call vote was taken: Mr. Gibson, Ms. Black, and Mr. Budding voted no; Mr. Lovett, Mayor Gillis, President Hale, and Mr. Kessler voted yes. The motion was tabled.

Motions

Annexation Agreement

Mr. Kessler made a motion to authorize the City Manager to enter into an Annexation and Service Agreement for 4140 Tipp-Cowlesville Road. Motion was seconded by Mr. Budding and unanimously approved.

Rotary Donation

Mr. Kessler made a motion to accept a \$1,000 donation for the purchase of five trees in Kyle Park from the Tipp City Rotary Club. Motion was seconded by Mr. Lovett and unanimously approved.

Mark Mabelitini, President of Tipp City Rotary, presented a check in the amount of \$1,000 from the Tipp City Rotary to purchase trees in Kyle Park in honor of past Presidents of Rotary.

Citizen Comments

There were none.

**Councilmember
Comments**

Ms. Black reminded everyone that the Downtown Tipp City Partnership meeting would be held on Tuesday, May 18th at 9 a.m. at the Tipp Monroe Community Services Building.

Mr. Gibson stated that he was not comfortable with Council going into a study session after the meeting as some business owners may have wanted to come to this meeting or study session. He noted that he will be proposing additional changes to the code that was proposed by the Planning Board and encouraged interested parties to stay for the Study Session.

Mr. Lovett congratulated Officers Bayse and Creech for completing the

Tri County Crisis Intervention Academy which enables police officers to better respond to crises because of advanced training in addressing mental health issues. He noted that this training is sponsored by the Tri County Board of Recovery and Mental Health and reported that Officers Graham, Black, Soutar, Michel, and Perilman have also completed the program. Mr. Lovett offered his congratulations to all including Police Chief Tom Davidson.

Mayor Gillis reported that she presented a proclamation in honor of Poppy Days to the American Legion Auxiliary. She reminded citizens that the Business Showcase, sponsored by the Chamber of Commerce, will be held on May 23rd from 3-7 p.m. at the Avenue with 72 businesses participating including 13 food vendors. The event is free to the public. Mayor Gillis also announced that An Evening with the Mayor will be held on June 17th at 7 p.m. at the Tipp City Library and encouraged residents to attend.

President Hale noted that no action will be taken on the proposed changes to the sign code for three weeks, so businesses may attend upcoming Council meetings if they wish to take part in discussion. Interested parties may also contact Council members via telephone or email. President Hale invited residents to attend the retirement reception for Street Superintendent Bob Steggemann and Electric Foreman Don Zerkel on May 24th at the Government Center from 4-5:30 p.m.

City Manager Comments

City Manager Crusey noted that he researched the right-turn on red issue that was brought up at a previous meeting and informed Council that the ordinance prohibits right turn on red. Mr. Crusey also informed Council that the ordinance does not permit a no right turn on red from southbound Hyatt to west bound Main Street so the ordinance needs to be amended or the signs need to be removed. Mr. Crusey requested direction from Council on whether do an engineering study, change the ordinance, or leave it as it is. Council requested more information as to the cost of the engineering estimate before any decisions are made.

City Manager Crusey noted that the refuse contract expires at the end of September. Tipp City has the option for a one year renewal, but Mr. Crusey recommends putting this item out to bid independently. President Hale asked if there was a benefit to bidding independently. Mr. Crusey explained that Tipp City is responsible for billing and collecting residential fees, while Waste Management handles the billing for the Village of West Milton and their default rate is very high. This means that Tipp City picks up part of the cost, but if the City is acting independently, the company is guaranteed to receive their money which should lower the rates.

Mr. Budding stated that he would like to see some type of opt-out provision added so that residents could dispose of their trash however they see fit. He added the city should enforce the laws in place against dumping, etc. instead of requiring all citizens to pay for trash service which they may not want.

After a lengthy discussion, it was determined that the majority of Council preferred the contract remain the same and Mr. Crusey will put out the bid specs.

City Manager Crusey informed Council that the MVRPC notified the City that additional stimulus funds might be available for the Streetscape project. This is currently being investigated and Mr. Crusey will update Council in the future.

Adjournment

The meeting was adjourned at 8:05 p.m. on a motion by Ms. Black, seconded by Mr. Budding, and unanimously approved.

Patrick Hale, President

Attest: _____
Cathy Ross, Clerk of Council

