

**TIPP CITY STUDY SESSION**

**TIPP CITY, MIAMI COUNTY, OHIO**

**JUNE 21, 2010**

**Study Session**

The Study Session began at 6:32 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, Assistant City Manager Brad Vath, Utilities Director Mo Eichman, Assistant Utilities Director Christy Butera, City Engineer Scott Vagedes, Finance Director John Green, outgoing Finance Director Dick Drennen, Utility Billing Supervisor Stacie Brown, Mike McFarland, Scott Brownlee, Acting Clerk of Council Marilyn Fennell, and reporters Nancy Bowman, Mike McDermott, and Marilyn McConahay.

**NAWA Update**

Mr. Crusey introduced Mr. Eichman for an update on the NAWA Master Plan. Mr. Eichman stated a water service boundary feasibility study had been done by LJB, Inc. This was to explore the expansion options for the system that serves Tipp City and Vandalia. The study is based on the land area that can be served hydraulically by each of the systems and the available capacity of the NAWA plant. The study included the current capacity of 5.5 million gallons per day (MGD) and the upgrade that would raise the treatment capacity to 7.0 MGD. There was also an analysis of the ultimate water demand from the proposed service area. Mr. Eichman said the premise of the study was to identify where future system expansion could occur based on the hydraulic restriction and the available water production capacity of the NAWA plant.

The current capacity is 5.5 Mill gallons per day (GPD). The Average Day Demand for 2008 was ~~993,463,000~~ 2,714,400 GPD gallons for total plant production ~~993,463,000 gallons, with an average of 2,714,400 GPD~~ which was approximately ½ of the plant's treatment capacity in 2008. The Average Day Demand-Peak: Peak usage month in 2008- 3,879,000 GPD, Peak usage day of 2008- 4,798,000 GPD. According to the Ten States Standard, a system including the water source and treatment facilities shall be designed for the maximum day demand at the design year. Based on that one day, our plant capacity should be around 4.798 MGD. The treatment capacity available for additional development within the Tipp City and Vandalia systems is the difference between the plant's rated capacity and the recorded or projected maximum day demand. Mr. Eichman stated the plant's capacity is 5.5 MGD minus the 4.8 MGD experienced in 2008 leaves 700,000 MGD available for system expansion. Currently that would be 87% of the capacity based on the One Day Peak. With treatment plant capacity upgrade to 7.0 MGD, the capacity available for future development is 2.2 MGD. Mr. Eichman continued that meant that when the plant was built without blowing out any walls, we can add another softening train and a grain sand filter to get to the 7 Million Gallons a Day. That is anticipated for future expansion.

Mr. Eichman said when LJB studied the usage of the land area, they based it on Equivalent Single Family Units (ESFU). ~~If that is ESFU's are~~ based on typical patterns in the area, residential is usage is 2.18 ESFU/acre. Commercial, Office, and Industrial use is more as was shown on the slide. A water system

should be able to maintain a minimum water pressure during all normal demand conditions of 40 pounds per square inch (psi). That is equivalent to 92 feet of pressure head and you may lose up to 15 feet of pipe friction or head loss in a system's distribution piping.

Tipp City's overflow elevation is at 1,040 minus the 92 feet minus the 15 feet = 933 feet MSL. The interstate is about 900 feet above sea level and the well field is 800 feet. Vandalia is higher, at 1,124 MSL minus 92 feet minus 15 feet = 1,017 feet MSL (for a service area). This means that the Tipp City water system cannot effectively serve ground elevations above about 930 feet and Vandalia cannot serve ground elevations above 1,015 feet, without pumping.

Mr. Eichman continued to show maps that included expansion area that are available. The area west of I-75 contains about 2,250 acres of which 1,450 acres are undeveloped and this area can be served without pumping. The area to the south is higher than 930 feet but lower than 1,015 thus this area could be served off of the transmission main that extends along Evanston Road and N. Dixie Drive. He said if the area available for system expansion was divided equally between Tipp City and Vandalia, each could serve an additional 320 acres with the present treatment capacity and 1,000 acres if the plant were expanded to 7.0 MGD. Thus, neither community can totally serve the entirety of the land areas. The study also included Vandalia's expansion area but that was not included in this evening's report. Mr. Eichman said there is a significant amount of land that lies between Tipp City and Vandalia which could easily develop along the routing of the Vandalia transmission main.

The next slide showed the undeveloped land within the Tipp City/Miami County Service area. That area contains 5,280 acres. Presuming there is a development mix of 60% residential, 15% commercial and 25% office/industrial, the next table showed the ESFU's and average daily flow requirements. The estimated average daily water demand for the 5,280 acres is 4.20 MGD. The Max Day to average day to average day demand ratio for the NAWA service area was found to be about 1.78. Thus the design capacity for the treatment plant for this estimated flow should be  $4.20 \text{ MGD} \times 1.78 = 7.48 \text{ MGD}$ . That is just for Tipp City/Miami County.

To summarize, if we combine these figures for the two service areas with current water usage within the Tipp City and Vandalia systems, we arrive at an ultimate design capacity for the water treatment facility of:

5.50 MGD (current water treatment capacity)  
 -0.70 MGD (current excess treatment capacity)  
 +7.48 MGD (est. full development usage within Tipp City/Miami Co. service area)  
+7.57 MGD (est. full development usage within Vandalia/Montg. Co. service area)  
 19.85 MGD

Mr. Eichman said they wanted to present this report to show that when the plant was built, obviously, there were costs to be considered and we did built in some extra capacity but not a whole lot. If there is a lot of development in the future, the Council could see what will happen. The treatment plant will not be big enough. Mr. Crusey added that the current capacity would allow for 640 acres expansion. He also said there is no credit being given for water in the air. Our average day flow compared to our peak day, there is a huge difference. Shortly we will have 2 million gallons in the air

and Vandalia has 2 million gallons in the air plus what is in the distribution system. Mr. Eichman asked should NAWA be looking at expansion within the future? That was the purpose of the study and it is obvious that depending on what the development is there may be a requirement for the expansion. In lieu of creating new capacity, we could go to odd/even watering days so that we don't reach that water capacity. Mr. Crusey said another issue was the Monroe Twp. Trustees asking about waterline extensions to serve some of their residents. This study was to get an idea as to the service area available and if we can extend lines out to the Township. Mr. Eichman said the water could also be pumped to areas beyond those identified.

Mr. Kessler asked how many wells would need to be added. Mr. Eichman said that would be another factor. We have two new wells, the last one is awaiting EPA okay as it is ready to go. Mr. Kessler asked if the aquifer would handle the extra pumping. We would need to expand to the north and to Honey Creek. Mr. Kessler asked if the aquifer near Piqua/Sidney would be affected. Mr. Eichman said Piqua does not use the aquifer; they use surface water and a small amount of well water. Sidney is well beyond this aquifer.

Mr. Eichman asked for further questions. Mr. Crusey said if we look at the average day demand versus the peak day, the difference is about 2 million gallons a day. That does make a big difference on our plant. Mrs. Butera said if we had a couple of peak days in a row then there could be a problem. Mr. Crusey said the last two summers have not been so hot but a hot summer could experience a new peak. Mr. Eichman said this report was not to alarm the Council but to inform you of the situation now. Expansion is to be based on the Peak Day number. Mr. Crusey said if either community attracts a high utility user, we could be talking about expansion plans sooner than anticipated. It could be five to ten years. Mr. Eichman thinks it would be development driven and should monies be set aside.

Mr. Budding said utility revenue could go up when the new meters are installed. Mr. Crusey said that is why we are waiting to see what happens after they are in use. Mr. Eichman said the accurate meter readings may bring in more revenue and the actual gallons pumped will be available. If users see their usage, behaviors may modify on that usage. Mr. Crusey said typically the peak day is in the summer with lawn watering.

Township Trustee Martin English said once Council has answered their own questions, they will be ready to sit down and get some of the Township's questions answered.

#### **Horton Avenue Waterline**

Mr. Eichman also had a report on a situation discovered while working on Horton Avenue. He explained that 10-15 years ago when S. Hyatt Street was worked on. The City had not planned on replacing the waterline. During that excavation on S. Hyatt it was discovered that there was an old 4" water main. There was a 4" lateral found in the Horton Avenue excavation and it was connected to the main line on S. Hyatt. The water had to be shut down for a couple of days but it was taken care of. The line was cast iron with leaded joints. The City tests for lead and copper in our water system and we have good results but these joints can be a potential problem. He, Mrs. Butera, and Mr. Vagedes consulted with Mike Coate of Coate Construction and he has supplied a quote to put in a new line from Rohrer, down Horton to Hyatt

Street. An 8" line would be installed. The old 4" line on Hyatt Street may have problems when it is being rolled on by equipment and it is probably 100 years old. Mr. Eichman feared the city would finish up the Horton Street project and that main would break and the new reconstruction would need to be dug up. The cost is a little over \$59,000 and that compares to other bids for the Hartman project. Staff recommends that this work be done now to avoid future problems. There are monies in the Water Department budget to get the job done as identified in his memo to Council. Mr. Eichman recommended the line be replaced and it will not adversely affect their schedule. It may add a week or two to the completion. This work can be done without shutting off anyone's water by putting in some valves in the existing water lines, run this new main parallel to the old line and do the taps, test it all, and still service the existing customers. Then each customer can be switched over one at a time.

Mr. Crusey asked Mr. Eichman to explain a leaded joint. Mr. Eichman said years ago, cast iron pipe was used with joints sealed with lead. Today ductile pipe with gasketed joints is used. Lead is not permitted to be used today by the EPA.

Mr. Gibson asked if this matter needed action tonight. Mr. Crusey said Council should take action if they wish to move forward with the work. He said a motion would be appropriate. The line services residents on Horton and Broadway. Mayor Gillis reminded all there is only one meeting in July so a decision should be made this evening so as not to delay the project further. Mr. Lovett said the quote compared to the line item on the Hartman project. Mr. Eichman said that was correct. Mr. Vagedes said he compared it to the low bid and the lowest 5 bidders on the Hartman project. Mr. Lovett asked if residents could still get in after work hours. Mr. Vagedes said that was correct, property owners still have access overnight. Mr. Kessler added this is the time to take care of this so that the new work would not need to be dug up to do a repair at a later date. Mr. Crusey said a motion authorizing the change order is needed at tonight's meeting if Council is in consensus.

OPWC

Mr. Crusey said Mr. Vath had information on the Ohio Public Works Commission grants. Mr. Vath said every July the committee considers the applications submitted for grant funding. This commission began in 1988 with a statewide bond initiative to generate grant monies for roads, bridges, water, sanitary sewer and storm sewer projects. The bond issue was renewed in 1997 and again in 2006. Tipp City is in District 11 which runs through about \$10,000,000 a year. Some of the past projects include Streetscape from Tippecanoe to Hyatt, N. Hyatt St. improvement from Comanche to the Prill property and in Round 22 is the traffic signal coordination from CR 25A to Hyatt Street. The current projects are Round 23-Water Tower, Round 24-Water Meter ARM/AMI (Loan only), and Round 24- Streetscape Intersections at Tippecanoe, Hyatt, Garber, and I-75 ramps.

Mr. Vath continued that we are working on a 3-year pipeline. The current year, Round 25, we withdrew the downtown Streetscape project due to budget and the economy problems. Round 26 is a Downtown Utilities Project with a \$2,150,000 estimate with a \$400,000 grant from OPWC. He said what needed to be discussed this evening was Round 27 for a project for July 2013. The project needs to be submitted [in](#) July 2010. The City doesn't have the matching funds to do street projects so we have proposed a waterline and

sanitary sewer replacement project for Judith, Michael and Earl Court. The point total is 63 on this project. That point total is important because we are competing with 8 other counties and hundreds of other projects. The other project is not in the 5-year Capital Improvement Program but the work is needed and it is a waterline replacement project on Westedge Drive. This is a \$600,000 project with a \$280,000 OPWC grant applied for. If ODWA monies are used there are additional points for the project. The total point count is estimated to be 68 points. Both projects are for 2013. Mr. Crusey asked where the point count needed to be to be funded. Mr. Vath replied around 70-72 range.

Mr. Lovett asked if the Westedge project was in the 5-Year plan. Mr. Vath said it was not in the Capital Improvement Project Plan. Mr. Eichman said the Westedge project would increase the fire flow and move the pressure relief valve to the Service Center. Service Center.

Mr. Vath said he recommended the Westedge project. He said the City needs the points plus there are the other benefits described by Mr. Eichman. Mr. Vath said it was Council's choice. He needs to have the applications in by July 19<sup>th</sup> to the sub-committee. Mr. Vath said they try to have one project submitted by each community due to limited funds. Each community is able to apply for one grant and they can also apply for a loan if they wish.

Mr. Lovett said it couldn't hurt to submit an application for the Westedge project. Mr. Vath said he would move forward with that application.

Mr. Crusey said due to the shortness of time,— the Advantage Sharing Program (ASP) which will be discussed at the next study session.

Mr. Gibson wished to speak to the request for the replacement of the Payroll Clerk position that will be vacant at the end of July due to the retirement of Kathy Gray. Her duties were provided by the Finance Department report. Mr. Drennen and Mr. Green were available for questions. Mr. Gibson asked if the job could be divided amongst the remaining employees and Mr. Budding asked if a temporary service could be used. Mr. Green said he would have to pull someone from one of the other positions if this position is not filled. If a person is pulled from Utility Billing that would decrease customer service at the window and if a person is pulled from Income Tax then there are less resources dedicated to income tax collections. Mr. Drennen said there are two persons in the tax department collecting 7,500 active tax accounts. He added that the Utility billing persons are paid under Utilities.

There was some further discussion with the Finance Directors and Council. It was determined that this position needs to be filled. If the position is filled internally, there will be a need to come back to Council to possibly fill that position vacated. Mr. Crusey said he wanted to remind Council that out of the General Fund, there are 15 non-safety people paid, therefore there is not an abundance of persons paid out of the General Fund.

## Adjournment

The Study Session adjourned at 7:37p.m.

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Patrick Hale, President

Attest: \_\_\_\_\_  
Marilyn Fennell, Acting Clerk of Council

**TIPP CITY COUNCIL MEETING**

**Council Meeting**

**TIPP CITY, MIAMI COUNTY, OHIO**

**JUNE 21, 2010**

President Patrick Hale called to order the regular meeting of the Tipp City Council at 7:38 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, outgoing Finance Director Richard Drennen, Finance Director John Green, City Engineer Scott Vagedes, Utilities Director Mo Eichman, City Law Director Joseph P. Moore, and Acting Clerk of Council Marilyn Fennell.

**Invocation and Pledge of Allegiance**

Guests signing the register included: Mike McFarland, Steven Chaney, Pastor Daniel Fullen, Matt Owen, Steve Staub, Susan Drennen, John Berbach, Sonya Lyons, and Scott Brownlee. Reporters Marilyn McConahay, Mike McDermott, and Nancy Bowman.

**Approval of Agenda**

Pastor Daniel Fullen of the Good Shepherd Church of the Brethren delivered the invocation and President Hale led the Pledge of Allegiance.

**Adoption of Minutes**  
Pre-Meeting Study Session

President Hale thanked Mrs. Fennell for filling in for Mrs. Ross tonight and then made a motion to amend the agenda by adding Motion C- a motion to authorize the City Manager to proceed with the waterline replacement as part of the Horton Avenue reconstruction project. Motion was seconded by Mr. Budding and unanimously approved. Mr. Budding moved to accept the amended agenda. Ms. Black seconded the motion and it passed unanimously.

**Council Meeting**

Mr. Budding made a motion to approve the minutes of the June 7, 2010 Pre-Meeting Study Session. Mr. Lovett amended page 64, first full paragraph, 5<sup>th</sup> line from bottom: strike "changes in color or content as proposed by Mr. Gibson" and replace with "variances". Motion was seconded by Mr. Lovett and unanimously approved.

**Presentations, Proclamations, and Awards**

Mayor Gillis made a motion to approve the minutes of the June 7, 2010 Council Meeting. Mr. Kessler seconded the motion. The minutes were unanimously approved.

**Ordinances (Second Reading)**  
Ordinance 09-10  
Sign Code

Mr. Crusey introduced the new Electric Forman, Jerry Gee to Council. He replaced recently retired Don Zerkel. He has been with the city for 16 years.

An ordinance amending sections 154.101(A) & 154.107(D) of the Tipp City, Ohio Code of Ordinance to modify: the 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's Comments: The Planning Board conducted a Public Hearing and adopted a motion at its May 11, 2010 meeting recommending that City 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 to increase the maximum height of a highway sign from 40' in height to 70' in height with a maximum height variance of 20%. Furthermore Planning Board recommended that the location of which highway signs are permitted be expanded from those properties with frontage along I-75 to those properties within 660' of I-75 right-of-way, including the exit/entrance ramps. Council subsequently discussed the Planning Board's recommendations during pre-meeting study sessions on May 17 and June 7. This ordinance adopts the Planning Board's recommendations, except that the attached maps will identify those properties eligible for a highway sign in lieu of the 660' boundary.

Mayor Gillis sponsored the ordinance and moved for its adoption. Mr. Kessler seconded the motion. President Hale asked for comments. Mr. Gibson asked if this amendment goes far enough. He did not think it did. There has been considerable discussion regarding additional variances and he believed there should be more. He thought there should be more flexibility in the sign code and that should include variances. He was afraid that the City was acting out of fear, fear of litigation or fear of something else rather than work with the City. He appreciated those Council members wanting to protect the City from future court actions. He asked if the amendment went far enough. He said he had heard pro and con regarding this ordinance amendment on whether it goes far enough. He said he would welcome any other comments from the public or business leaders. He said there will be other provisions in the code to be looked at throughout the summer and if we do not establish a variance procedure tonight, we do need to liberalize the sign code a great deal in order to attract the businesses that we need without raising taxes or cutting employment. Mr. Gibson said perhaps this issue can be revisited.

Matt Owen, Tipp City Chamber and Downtown Partnership, commended Council and Planning Board for taking a look at the current sign code regarding the highway signs. The forum held in April was informative and the topic of variances was discussed. He thought the 20% height variance was commendable. He said there is still some concern out there in the business community of the variances that have to do with the actual square footage, 250 square feet is quite large and it will be in an issue with the City in the future. As far as the future is concerned, he thought the City was stepping in the right direction. It is important for us to be "business friendly" in the future. He thought it was making a great step and appreciated the work done. Mr. Hale asked what he meant that the square footage would be an issue for us in the future. Mr. Owen said anytime you have businesses that need something done, they are going to react to it and they will come to Council and if it doesn't apply to what they need they are going to ask for it to be amended and changed. Mr. Owen thought the 250 square feet may get us by for the near future and he thought it was a good step forward but there may be a business in the future that will have some requirements that may be beyond the 250 square feet. The Council may have to take a look at it. The feedback from businesses along the I-75 corridor is that this is a good step in the right

direction. He said he is taking Mr. Gibson's comments and time will tell.

Mr. Steve Staub, 849 Stonehenge Drive, came forward. He has lived in Tipp City for about 18 years and he has spoken to Council a few times when he had concerns. He said that the changes being made tonight are a good thing. He commended Council on that action but he agreed with Mr. Gibson that it does not go far enough. He thought there were already variances as Menards has 8 signs, including signs that say, "loading and out". Are those not variances? The Arts Council wanted to put up a mural downtown but it doesn't work with the sign code. Variances are needed for that. He gave an example of Franklin, Ohio which has murals all over the town. He said he would like to see murals in our town. Mr. Staub said that won't happen due to the sign code.

Ordinance 10-10  
Intervening User fees

There were no further comments. President Hale called for a vote. The ordinance passed 7-0. Ordinance 09-10 was declared passed and President Hale affixed his signature in witness thereto.

An ordinance establishing intervening user fees for a 12" waterline extension on Lightner Road, Tipp City, Miami County, Ohio. (sponsored by President Hale)

Clerk of Council Summary: This ordinance establishes intervening user fees for properties in Miami County connecting to the Lightner Road waterline extension.

City Manager Comments: This ordinance if adopted would create intervening user fees for properties along the north side of Lightner Road in Miami County to connect to the recently constructed water main along Lightner Road. This water main was jointly funded by the City of Tipp City and the City of Vandalia. The intervening user fees established by this ordinance are \$53.50 per linear foot of property frontage.

Ordinance 11-10  
Special Assessments for  
curbs, gutters, sidewalks  
and driveway  
approaches

President Hale sponsored the ordinance and moved for its adoption. Mr. Lovett seconded the motion. Ordinance 10-10 passed 7-0 and President Hale affixed his signature in witness thereto.

An ordinance levying special assessments for the construction of curbs, gutters, sidewalks, and driveway approaches in various locations within the City of Tipp City, Ohio. (sponsored by Mr. Kessler)

Clerk of Council Summary: This ordinance authorizes the levying of sidewalk, curb, gutter, and driveway approach special assessments for certain property owners throughout the City of Tipp City.

City Manager Comments: The adoption of this ordinance would levy special assessments for the construction of curb, gutter, and sidewalks completed as part of the 2009 sidewalk program. City Council previously adopted Resolution 31-09 declaring it necessary to construct said curbs, gutters and sidewalks. Affected property owners were sent an estimate prior to construction and an invoice following construction. The assessments set forth in this ordinance are due by the property owner within thirty (30) days after its passage, or, at the option of the property owner, assessed in ten (10) annual installments with an annual interest rate of 3.5%. Otherwise,

**Resolutions**  
(one reading required)  
Resolution 29-10  
Intent to appropriate  
temporary and  
permanent easements

uncollected assessments will be certified to the County Auditor to be placed on the tax duplicate. Presently, 8 property owners are on the assessment list at a total of \$2,622.27.

Mr. Kessler sponsored the Ordinance and moved for its adoption. Mr. Budding seconded the motion. Ordinance 11-10 passed 7-0 and President Hale affixed his signature in witness thereto.

A Resolution declaring the intent of the municipality of Tipp City, Ohio to appropriate certain property inside the corporation limits.

Clerk of Council Summary: This resolution declares the City's intent to appropriate temporary and permanent easements for streetscape.

City Manager Comments: The adoption of this resolution declares the City's intent to acquire by appropriation temporary and permanent easements from private property owners for the construction of the next phase of the streetscape project. Chapter 719 of the Ohio Revised Code authorizes municipal corporations to appropriate real estate within its corporate limits for the opening, widening, straightening, changing the grade of, and extending streets. Temporary and permanent easements totaling 0.064 acres are proposed to be appropriated from nine private property owners for the construction of the streetscape project along Main Street at the intersections of Garber, Tippecanoe, and Hyatt. The City attempted to acquire the necessary easements from the private property owners through negotiations. To date, three property owners have signed easements; however, ODOT is now requiring the mortgage holders to sign a release before the easements can be recorded. Unfortunately, due to the time constraints of the grant programs funding the streetscape improvements the City must now take action to appropriate the easements or risk losing its grant funding. This resolution is the first step in the appropriation process with an ordinance authorizing the appropriations also on this evening's agenda.

Mr. Kessler sponsored the resolution and moved for its adoption. Mr. Lovett seconded the motion. Mr. Gibson asked for a clarification on the property owners that have signed off. Mr. Crusey said three residents have signed their easements although we are waiting for the mortgage releases. The City is dealing with some corporations, Speedway, BP Oil, and Shell, some of the larger corporations that may have the property tied up with other property mortgages. Mr. Gibson said the action being taken is mainly based on the timing involved. Mr. Crusey said it is more a timing issue having to get the easements in place by the end of this month or risk losing our grant funding from the Department of Transportation.

**Ordinances**  
**(First Reading)**  
Intent to appropriate  
permanent and  
temporary easements

There was no further discussion. Resolution 29-10 passed 6-1. Mr. Budding voted no. The resolution was declared passed and President Hale affixed signature in witness thereto.

Mr. Kessler sponsored an ordinance directing appropriations to proceed to appropriate permanent and temporary easements on certain described properties inside the corporation limits and declaring an emergency.

Clerk of Council Summary: This ordinance authorizes the appropriation

of temporary and permanent easements from nine property owners for streetscape.

City Manager comments: This ordinance, if adopted, would direct the Law Director to file petitions for the appropriation of temporary and permanent easements totaling 0.064 acres from nine property owners for the construction of the next phase of streetscape along Main Street at the intersections of Garber, Tippecanoe and Hyatt. The properties have been appraised by an ODOT approved consultant at a total value of \$31,280. The affected property owners were previously notified and offers made. To date, three property owners have signed easements; however ODOT is now requiring the mortgage holders to sign a release before the easements can be recorded. Unfortunately, due to the time constraints of the grant programs funding the streetscape improvements, the City must now take action to appropriate the easements or risk losing its grant funding. Following the adoption of this ordinance the Law Director will file the necessary petitions and deposit the specified amounts with the Court of Common Pleas, which will allow the streetscape project to proceed immediately. This legislation contains emergency language so that the ordinance will become effective upon adoption by Council at the second reading in order to meet ODOT's funding deadline so as not to risk the grant funding for this project. An emergency ordinance requires a vote of not less than two-thirds of the members of the Council per Section 4.15 of the City Charter.

**Motions**

Payroll Clerk Position

Mr. Lovett moved to fill the position of Payroll Clerk in the Finance Department. President Hale seconded the motion and it passed 6-1. Mr. Kessler voted no.

Set Public Hearing Date-rezoning

President Hale moved to set a public hearing for permanent rezoning of Inlots 4099, 4100 and 4101 on East Main Street to Conservation District/Flood Hazard/Well Field Protection (CD/FA/WP) for August 16, 2010. Mayor Gillis seconded the motion and it passed unanimously.

Horton Avenue water line replacement

Mr. Kessler moved to proceed with the water line replacement as part of the Horton Avenue reconstruction project. Mr. Budding seconded the motion. Motion passed unanimously.

**Miscellaneous**

**Citizen Comments**

There was none.

**Councilmember Comments**

Matt Owen invited the Council members to attend the Antique and Artisan Show on June 26, 2010 in downtown Tipp City. There will be many vendors, entertainment, and the time is 9:00am to 5:00pm.

President Hale thanked Mrs. Fennell for filling in for Mrs. Ross. He thanked Dick Drennen for his 30 years of service to the City and again welcomed John Green as the new Finance Director. He also thanked the Planning Board for their efforts on the Sign Code amendment. President Hale said he appreciated their attendance at the study sessions and meetings.

Mayor Gillis announced that today is the first day of summer. She reminded all that the America In Bloom judges will be in at the end of the month. She encouraged all to attend the Fourth of July fireworks and the Antique/Artisan Show.

Mr. Lovett said he would not be in attendance at the next Council meeting as he will be attending the American Municipal Power Planning Council. He told Mr. Drennen it won't be the same without him and when Mr. Drennen started with the City, he was a senior in high school and Jimmy Carter was President. The City has had a good "run" with him and he has done an excellent job for the City. The return on investments has been superb and the City has been recognized for awards. Mr. Lovett wished him the best.

Mr. Budding invited all that would be watching the broadcast on television to make themselves heard at the meetings.

Mr. Gibson thanked the Planning Board for their work on the sign code and for the citizens that spoke. He wanted the business community to know that the issue of the sign code is not over. It is a step in the right direction and he looked forward to working with the Planning Board and the business community and staff on an overhaul on the regulatory scheme of the City, which was a goal, set by Council for this term. He encouraged all to stay in touch. The proceedings are being recorded by KIT-TV and will be broadcast on the Time-Warner station.

Ms. Black congratulated Mr. Drennen on his retirement and thanked him for his service. Welcome to Mr. Green, congratulations to the electric foreman and this weekend she will be working the Downtown City Partnership booth at the Artisan's show on Saturday. She agreed with Mr. Gibson that the sign code amendment has been a great start but more work needs to be done regarding variances.

Mr. Crusey said he has had several opportunities to thank Mr. Drennen recently. This is his final City Council meeting and he recently stated he has attended over 800 Council meetings. Mr. Crusey thanked him for his years of service and he will be sorely missed. It is difficult to find words to describe what he has done for the City. We appreciate his 30 years of service. There was a Refuse and Recycling Pre-Bid meeting this morning and there were 3 contractors in attendance. Bids will be opened on July 7. The Aquatic Center is doing well with the warm weather and is exceeding last year's revenues. Revenue projections will be reported at the next meeting.

Mr. Budding had raised questions about right-turns-on-red at Park Avenue and Hyatt Street a few meetings ago. Mr. Crusey said right turns on red can be established with an engineering study. The cost of an engineering traffic study of both intersections would be \$4,980. The question to Council is whether they wish to authorize such a study. Mr. Budding asked why an engineering study is needed. Mr. Crusey said the Ohio Revised Code says that if you place limitations on right-turns-on-red then that has to be done with an engineering study. He thought the restrictions could be removed with no study, but to establish right-turn-on-red restrictions, you need the study. Mr. Gibson confirmed that we have a 24-hour No Turn on Red restriction on both intersections. Mr. Crusey said that was correct. Mr. Crusey said these intersections are in the school zone areas, they are there for a reason so he didn't think we would want to totally lift that restriction. If the hours can be limited, it will require a study. Mr. Gibson asked when the restriction was established and was there a study done at that time. Mr. Crusey said he did

**City Manager Comments**

**Adjournment**

not know when it was established. The ordinance may have that information. Mr. Eichman said it may have been when there was an ODOT project done on Hyatt St. from Walnut south to Barbara Drive. Mr. Crusey added that the southbound traffic on Hyatt turning west onto Main Street is not included in the ordinance, even though there is a sign up there. Mayor Gillis said she couldn't see spending the money on the study at this time. President Hale agreed with her. Mr. Vagedes said he would be reluctant to take any signs down without a study due to sight-distance issues as well as truck turning radiuses as well as the school issue.

The meeting was adjourned at 8:24 p.m. on a motion by Mr. Gibson, seconded by Ms. Black, and unanimously approved.

\_\_\_\_\_  
Patrick Hale, President

Attest: \_\_\_\_\_  
Marilyn Fennell, Acting Clerk of Council

