



**MINUTES  
PIQUA CITY COMMISSION/WASHINGTON TOWNSHIP  
MONDAY, JANUARY 5, 2008  
7:30 P.M.**

Piqua City Commission met at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Hudson called the meeting to order. Also present were Commissioners Martin, Vogt, Fess, Terry and Washington Township Trustees McMaken, Hiegel, and Holfinger. Absent: None.

**JOINT MEETING WITH WASHINGTON TOWNSHIP TRUSTEES**

**RES. NO. R-1-09**

A Resolution reappointing a member to the Board of Forest Hill Union Cemetery

Public Comment

No one came forward to speak for or against Resolution No. R-1-09.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-1-09 be adopted. Voice vote, Aye: Holfinger, McMaken, Hiegel, Martin, Hudson, Terry, Vogt. Nay: None. Commissioner Fess abstained due to her appointment. Motion carried unanimously.

Trustee Hiegel asked several questions concerning the cost of heating the mausoleum and in particular the area where the controls are for the carillon. City Manager Enderle explained what has been done so far as to secure the mausoleum, citing there still are other repairs that need to be done in the future. Trustee Hiegel further stated a small heater could be installed in the control room for the carillon and the whole building could be kept at a lower temperature.

Moved by Trustee Hiegel, seconded by Commissioner Vogt, to adjourn from the Joint Meeting with Washington Township Trustees at 7:40 P.M. Voice vote, Aye: Holfinger, McMaken, Hiegel, Terry, Vogt, Fess, Martin, and Hudson. Nay: None. Motion carried unanimously.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**WASHINGTON TOWNSHIP TRUSTEES**

\_\_\_\_\_  
James A. Hiegel

\_\_\_\_\_  
Edward F. McMaken

\_\_\_\_\_  
Paul S. Holfinger

## REGULAR CITY COMMISSION MEETING

### APPROVAL OF MINUTES

Moved by Commissioner Terry, seconded by Commissioner Vogt, that the minutes of the December 8, Piqua City Commission Work Session and the December 15, 2008 Regular City Commission Meeting be approved. Voice vote, Aye: Terry, Martin, Fess, Vogt, and Hudson. Nay: None. Motion carried unanimously.

### ORD. NO. 37-08

An Ordinance amending Section 94.21 of the Piqua Code, relating to fees for use of Park Facilities

#### Public Comment

No one came forward to speak for or against Ordinance No. 37-08.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that the rule requiring Ordinance No. 37-08 be read fully and distinctly on three separate days be suspended. Voice vote, Aye, Fess, Hudson, Martin, Vogt, and Terry. Nay. None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 37-08 be adopted. Voice vote, Aye: Terry, Martin, Fess, Hudson and Vogt. Nay, None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 37-08 adopted.

### ORD. NO. 38-08

An Ordinance amending Sections 94.01 and 94.02 of the Piqua Code, relating to Green Fees and Full-Season membership for the Municipal Golf Course

#### Public Comment

No one came forward to speak for or against Ordinance No. 38-08.

Moved by Commissioner Terry, seconded by Commissioner Martin, that the rule requiring Ordinance No. 38-08 be read fully and distinctly on three separate days be suspended. Voice vote, Aye: Vogt, Martin, Hudson, Terry, and Fess. Nay, None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Ordinance No. 38-08 be adopted. Voice vote, Aye: Hudson, Fess, Martin, Terry, and Vogt. Nay, None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 38-08 adopted.

### ORD. NO. 1-09

An Ordinance authorizing the issuance of a principal amount not to exceed \$400,000 of fire truck acquisition general obligation bonds of the City of Piqua, County of Miami, Ohio and declaring an emergency

#### Public Comment

No one came forward to speak for or against Ordinance No. 1-09.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that the rule requiring Ordinance No. 1-09 be read fully and distinctly on three separate days be suspended. Voice vote, Aye: Martin, Fess, Hudson, Vogt, and Terry. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Ordinance 1-09 be adopted. Roll call, Aye: Martin, Terry, Hudson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 1-09 adopted.

**RES. No. R-2-09**

A Resolution authorizing the City Purchasing Analyst to advertise for bids to make certain purchases during the 2009 year

Public Comment

No one came forward to speak for or against Resolution No. 2-09.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that Resolution No. R-2-09 be adopted. Voice vote, Aye: Martin, Fess, Hudson, Vogt, and Terry. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-2-09 adopted.

**Res. No. R-3-09**

A Resolution authorizing purchase orders to Huron Lime, Chemical Services, Univar USA and the City of Dayton for the 2009 purchase of various water treatment chemicals

Public Comment

No one came forward to speak for or against Resolution No. 3-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-3-09 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-3-09 adopted.

**RES. No. R-4-09**

A Resolution authorizing a contract addendum with Bollinger Enterprises to provide Administrative Services for the FY 2006 Community Housing Improvement program

Public Comment

No one came forward to speak for or against Resolution No. R-4-09.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-4-09 be adopted. Voice vote, Aye: Fess, Terry, Hudson, Martin, and Vogt. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-4-09 adopted.

**RES. No. R-5-09**

A Resolution appointing Thomas D. Hudson to the Grow Piqua Now Board

Public Comment

No one came forward to speak for or against Resolution No. R-5-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-5-09 be adopted. Voice vote, Aye: Martin. Vogt, Hudson, Terry, and Fess. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-5-09 adopted.

**RES. No. R-6-09**

A Resolution nominating Amy Havenar to the Governing Board of the Piqua Improvement Corporation

**Public Comment**

No one came forward to speak for or against Resolution No. R-6-09.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-6-09 be adopted. Voice vote, Aye: Vogt, Martin, Fess, Terry, and Hudson. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-6-09 adopted.

**OTHER**

Monthly Reports for November 2008

Monthly Reports for the month of November 2009 were accepted.

**PUBLIC COMMENT**

Valerie Mullikin, Caldwell Street, voiced her concerns over several potholes in the streets, and of tree roots from the boulevards pushing up into the streets in the 800 and 900 blocks of Camp Street. Ms. Mullikin also voiced concern over the status of the property located at 624 Park Avenue, the old Piqua Memorial Hospital.

Commissioner Fess asked if someone could give an update on the demolition status of the old Piqua Memorial Hospital. City Manager Enderle gave a brief update on the progress of the demolition and further stated the project has had a stop work order placed on it by the Regional Air Pollution Control at this time due to an asbestos problem. Health & Sanitation Director Amy Welker stated they are waiting on environmental testing to be done soon.

Brad Boehringer, 128 Mound Street, stated he is a member of the Tree Committee and would be glad to speak with Ms. Mulligan after the meeting about the tree roots in the street.

Mr. Boehringer inquired as to the status of the North Park Neighborhood Association meetings. Commissioner Terry stated there has been a change in the presidency, and at this time the meetings have been suspended until further notice. Mr. Boehringer offered a challenge to all citizens, neighborhood associations, and the city government to work together for the greater cause in 2009.

Mike Perando, Third Street, thanked the sponsors of the Christmas Lighting Contest held in the Shawnee Neighborhood in December. Mr. Perando also voiced his concern about a row of trees that have been cut down along the railroad right-of-way in Shawnee, and further stated there is an open culvert in the area where the trees were removed. City Engineer Amy Havenar explained the reason the trees were removed and said she would check on the open culvert. There was also discussion of possibly placing a light on the flagpole in Rowen Park in Shawnee.

Luke Bolin, Ann Street, voiced his concern over the work being done at the old Piqua Memorial Hospital building.

Commissioner Vogt stated he would like to see citizens be pro-active on their home repairs. Commissioner Vogt also reminded citizens to check their smoke alarms, and not overload the outlets in their homes in light of the recent fire on Miami Street.

Commissioner Martin inquired if it would be possible to install LED lights in the streetlights to save money. City Manager Enderle stated he would speak to Bill Sommer about that, but it would be a long-term project.

Commissioner Fess congratulated Police Chief Jamison on his recent appointment, and thanked all who sent cards and well wishes during her recent illness.

Commissioner Terry thanked the citizens who live in the area of the old Piqua Memorial Medical Center building for their patience and understanding during the demolition of the buildings. There are so many nice homes in the area and encouraged them to continue to keep the maintenance up on their homes while keeping an eye on the demolition project.

Commissioner Terry stated the YWCA will be sponsoring a Martin Luther King Celebration on Monday, January 19, 2008 from 11:00 to 12:00 noon at the YWCA, and it is free and open to the public.

City Manager Enderle reminded citizens that applications are still available for the openings on the various Boards and Committees for 2009.

Mayor Hudson thanked Mr. Perando for bringing his concerns to the Commission.

Mayor Hudson inquired as to the status of the various different road signs within the city. City Engineer Amy Havenar explained the signs would be replaced with the new design as needed. Mayor Hudson also asked what the status is on the traffic study on College Street. Ms. Havenar stated the study is in the process of being reviewed at this time and should come to the Commission soon.

Mayor Hudson stated on the front page of the Piqua Daily Call on January 5, 2009 there was an article on the movie that is being made on the life of William Pitsenbarger.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 8:20 P.M. Voice vote, Aye: Hudson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-7-09**

**A RESOLUTION AUTHORIZING A PURCHASE ORDER  
TO MIAMI VALLEY RISK MANAGEMENT  
ASSOCIATION FOR PURCHASE OF INSURANCE**

WHEREAS, on January 22, 2002, this Commission passed Resolution No. R-16-02 awarding a contract to Miami Valley Risk Management Association, Inc. for the purpose of entering into a risk management pool for property and liability insurance; and

WHEREAS, it is the desire of the City of Piqua to continue participation in the risk management pool in calendar year 2009 through the Miami Valley Risk Management Association; and

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: A purchase order is hereby authorized for a not to exceed amount of \$266,852.00 to Miami Valley Risk Management Association for property and liability insurance.

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasure in payment for said services in the not to exceed amount of \$266,852.00

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-8-09**

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO CONTRACT WITH THE MIAMI COUNTY PUBLIC  
DEFENDER COMMISSION**

WHEREAS, the City recognizes its responsibility to provide legal services to indigents charged with loss-of-liberty offenses under the Piqua Code; and

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: The proposed contract by and between the City of Piqua and the Miami County Public Defender Commission is hereby approved;

SEC. 2: The Finance Director is hereby authorized and directed to draw three warrants on the appropriate account of the city treasury in the total amount of \$20,341.13 consisting of three installments according to Section 2 of said contract;

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

CONTRACT FOR COUNTY PUBLIC DEFENDER SERVICES  
TO MUNICIPAL CORPORATIONS

AGREEMENT

THIS AGREEMENT entered into between the Miami County Public Defender Commission hereinafter called the "Commission" and the City of Piqua, Ohio, hereinafter called the "City".

WHEREAS, the City recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with loss of liberty offense in its Municipal Court; and

WHEREAS, the City in furtherance of the execution of its legal responsibilities, desires that the legal services of the Commission be delivered to the City's indigent citizens and others so situated:

NOW THEREFORE, the parties do mutually agree to bind themselves as follows:

1. Scope of Work.

The Commission shall in a satisfactory and proper manner under the terms and conditions contained herein, perform the following services:

Provide legal counsel to indigent persons charged with loss of liberty offenses under, by or through, the Codified Ordinances of the City of Piqua, Ohio and the Ohio Revised Code. The within representation shall include such cases filed in the Miami County Municipal Court, and/or Miami County Common Pleas Court, and Miami County Juvenile Court.

2. Compensation.

The City shall pay to the Commission a sum not to exceed Twenty Thousand Three Hundred Forty One Dollars and Thirteen Cents (\$20,341.13), which shall constitute full and complete payment for all the Commission's services during the term of this contract. Said sum shall be paid in the following manner: One Third of this contract, to wit, Six Thousand Seven Hundred Eighty Dollars and Thirty Seven Cents (\$6,780.37) shall be paid upon the execution of this contract; thereafter Commission shall be paid the balance in two equal payments of one third of the contract price, the first of said payments at the expiration of the first four (4) months of the term of this contract in the amount of Six Thousand Seven Hundred Eighty Dollars and Thirty Eight Cents (\$6780.38), and the second at the expiration of the first eight (8) months of this contract

in the same amount of Six Thousand Seven Hundred Eighty Dollars and Thirty Eight Cents (\$6780.38).

3. Term of Service.

The duration of this contract shall be for one (1) year commencing January 1, 2009, and shall terminate on December 31, 2009.

4. Non-Assignments.

The Commission shall not assign all or any part of this Agreement without the prior written consent of the City, which consent shall not be unreasonably withheld.

5. Termination.

If the Commission shall fail to fulfill in a reasonable timely and proper manner its obligations under this Agreement, or if the Commission shall substantially violate any of the covenants, agreements or stipulations of this Agreement, the City shall thereupon have the right to terminate this Agreement by giving written notice to the Commission of such termination and specifying an effective date thereof at least sixty (60) days before the effective date of said termination. Termination by the City shall not constitute a waiver of any other right or remedy it may have at law or in equity for breach of this Agreement by the Commission.

6. Amendments.

All amendments to this Agreement agreed upon by the parties shall be in writing and made a part of this Agreement.

7. Anti-Discrimination.

There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against any application for such employment because of race, color, religion, sex or national origin. This provision shall apply to but not be limited to, employment, upgrading, demotion or transfer, recruitment or recruitment advertising, lay-off or termination, raises of pay or other forms of compensation, and selection for training including apprenticeship. The Commission shall insert a similar provision in any sub-contract for services covered by this Agreement.

8. Conflicts.

Commission covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner with the performance of services required under this Agreement. No members of, nor delegates to, the Congress of the United States of America, and no resident Commissioner shall share in any part hereof or any benefits to arise herefrom.

9. Indigent Eligibility Standards

In determining the indigent status of all individuals receiving representation pursuant to this agreement, all applicable standards of indigency and other rules and standards established by the Ohio Public Defender Commission and the Ohio Public Defender will be followed.

10. Verification of Contract Amount

Payment by the municipality, whether by contractual amount or a fee schedule, does not exceed the fee schedule in effect and adopted by the county commissioners of the said herein county wherein the municipal corporation is located.

IN WITNESS WHEREOF, the Parties have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

APPROVED AS TO FORM:

MIAMI COUNTY PUBLIC  
DEFENDER ASSOCIATION

BY \_\_\_\_\_  
OHIO PUBLIC DEFENDER  
COMMISSION

BY \_\_\_\_\_  
THOMAS COCHRAN  
CHAIRMAN

CITY OF PIQUA, OHIO

BY \_\_\_\_\_

**RESOLUTION NO. R-9-09**

**A RESOLUTION OF APPRECIATION FOR  
THE PUBLIC SERVICE OF GARY CONNELL  
AS A CITY EMPLOYEE**

WHEREAS, Gary Connell has retired as Fire Chief in the Fire Department; and

WHEREAS, his retirement follows over 33 years of faithful and dedicated service to the City and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, all members elected thereto concurring, that:

SEC. 1: In recognition and appreciation of the service of Gary Connell as Fire Chief, this Commission tenders its unanimous and respectful tribute by this Resolution, which shall be a matter of public and permanent record;

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-10-09**

**A RESOLUTION OF APPRECIATION FOR  
THE PUBLIC SERVICE OF TONI FRANCIS  
AS A CITY EMPLOYEE**

WHEREAS, Toni Francis has retired as Account Clerk II in the Finance Department; and

WHEREAS, her retirement follows 30 years of faithful and dedicated service to the City and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, all members elected thereto concurring, that:

SEC. 1: In recognition and appreciation of the service of Toni Francis as Account Clerk II, this Commission tenders its unanimous and respectful tribute by this Resolution, which shall be a matter of public and permanent record;

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-11-09**

**A RESOLUTION OF APPRECIATION FOR  
THE PUBLIC SERVICE OF MARY KING  
AS A CITY EMPLOYEE**

WHEREAS, Mary King has retired as Administrative Secretary in the Power Distribution Department; and

WHEREAS, her retirement follows 30 years of faithful and dedicated service to the City and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, all members elected thereto concurring, that:

SEC. 1: In recognition and appreciation of the service of Mary King as Administrative Secretary, this Commission tenders its unanimous and respectful tribute by this Resolution, which shall be a matter of public and permanent record;

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-12-09**

**A RESOLUTION OF APPRECIATION FOR THE  
PUBLIC SERVICE OF JAMES MONTGOMERY  
AS A CITY EMPLOYEE**

WHEREAS, James Montgomery has retired as Equipment Operator II in the Street Department; and

WHEREAS, his retirement follows 13 years of faithful and dedicated service to the City and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, all members elected thereto concurring, that:

SEC. 1: In recognition and appreciation of the service of James Montgomery as Equipment Operator II, this Commission tenders its unanimous and respectful tribute by this Resolution, which shall be a matter of public and permanent record;

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-13-09**

**A RESOLUTION REAPPOINTING A MEMBER AND  
AN ALTERNATE MEMBER AND APPOINTING AN  
ADDITIONAL ALTERNATE MEMBER TO THE  
MIAMI VALLEY REGIONAL PLANNING COMMISSION**

BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: William Vogt is hereby reappointed as a member and Harry Bumgarner is hereby reappointed as an alternate member of the Miami Valley Regional Planning Commission for a one-year term to expire March 1, 2010 or until their successors are confirmed and qualified.

SEC. 2: Christopher Schmiesing is hereby appointed as an alternate member of the Miami Valley Regional Planning Commission for a one-year term to expire March 1, 2010 or until his successor is confirmed and qualified.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-14-09**

**A RESOLUTION APPOINTING A MEMBER TO THE BOARD  
OF ZONING APPEALS AS THE PLANNING COMMISSION  
REPRESENTATIVE**

BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: Jean Franz is hereby appointed as a member of the Board of Zoning Appeals as the Planning Commission representative for a one-year term to expire on January 31, 2010 or until her successor is confirmed and qualified;

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

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THOMAS D. HUDSON, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CLERK OF COMMISSION