

**MINUTES  
PIQUA CITY COMMISSION  
MONDAY, APRIL 7, 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, and Terry. Absent: None.

**REGULAR CITY COMMISSION MEETING**

**APPROVAL OF MINUTES**

Moved by Commissioner Fess, seconded by Commissioner Terry, that the minutes of the March 3, 2008 Regular City Commission Meeting and the Piqua City Commission Work Session of March 10, 2008 be approved. Voice vote, Aye: Terry, Martin, Vogt, Hudson, and Fess. Nay: None. Motion carried unanimously.

**ORD. NO. 7-08**  
**(1st Reading)**

An Ordinance amending Section 94.20 of the Piqua Code, relating to Community Swimming Pool fees

Commissioner Fess stated she had several telephone calls concerning raising the fees at the swimming pool and would like to table this ordinance at this time.

Mayor Hudson stated he would like to review this at the next City Commission Worksession in May.

City Manager Enderle stated it would be late August before the final budget would be ready for Commission approval.

Commissioner Vogt asked how the swimming pool fees compared to other communities surrounding Piqua?

Public Works Director, Tom Zechman stated the swimming pool fees are close and even a little below the Sidney, Troy, and Tipp City pool fees.

The increase in revenue would be most significant in the Group Rental fees, and after hours rentals said City Manager Enderle. At this time the pool does not break even each year.

Commissioner Fess stated she is concerned about raising the fees before we know the whole picture.

Finance Director Holtzapple stated the city had to transfer over \$60,000 from city funds to cover expenses last year.

City Manager Enderle stated the pools will be ok for the 2008 season but should consider raising fees for next year.

Commissioner Vogt stated that the city has hired a new Recreation Director and maybe he will have some direction for new programs and ways to increase revenue.

Commissioner Terry voiced her concern over raising the fees, and the fees that disabled citizens and caregivers must pay to utilize the swimming pool.

Commissioner Martin asked how long the pool was being used for therapy?

Michele Herndon, representing Riverside of Miami County and the Board of Mental Retardation and Developmental Disabilities, stated the pool is used for about an hour to an hour and a half for rehabilitation therapy once a week.

There was discussion on the rate currently charged for the disabled citizen, and the caregiver now and in the future.

Commissioner Martin would like to see the client only have to pay the after 5:00 fee and caregiver not have to pay to give help and support to the client.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that the Ordinance be tabled. Voice vote, Aye: Martin, Fess, Terry, Vogt, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 7-08 tabled.

**ORD. NO. 8-08**  
**(1st Reading)**

An Ordinance enacting and adopting a supplement to the Code of Ordinances for the City of Piqua

Commissioner Vogt inquired as to the amount that we pay now for this service.

City Manager Enderle stated the resolution is only approving the service at this time.

Commissioner Fess asked to have the resolution explained.

Law Director Stacy Wall explained the reason for the resolution, stating they were only approving the service not the payment or contract for the service at this time. These are code supplements that are done on a quarterly basis to update the City of Piqua Code Books after passage of new legislation.

Commissioner Vogt inquired if the process could be done in house to save money.

City Manager Enderle stated no, it is too time consuming of a project to do in house, it makes more sense to send out like we have been doing,

Moved by Commissioner Terry, seconded by Commissioner Martin, that Ordinance No. 8-08 be given a first reading. Voice vote, Aye: Martin, Terry, Hudson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No.8-08 be given a first reading.

**ORD. NO. 9-08**  
**(1<sup>st</sup> Reading)**

An Ordinance repealing Schedule A of Chapter 33 of the Piqua code and adopting a new Schedule A of Chapter 33 of the Piqua Code, relating to wages of Certain Municipal Employees

Commissioner Fess stated she would like to table Ordinance No. 9-08 until after the Work Study session on May 12, 2008.

Moved by Commissioner Vogt, seconded by Commissioner Fess, to table Ordinance No. 9-08 until after the May 12, 2008, Work Study Session in order to discuss the 3% pay increase. Roll call, Aye: Fess, Vogt, and Martin. Nay: Terry and Hudson. Motion carried on a 3-2 vote to table Ordinance No. 9-08 until after the May 12, 2008 Work Study Session.

**ORD. NO. 10-08**  
**(Emergency)**

An Emergency Ordinance amending Section 50.07 of the Piqua Code, relating to refuse collection

Commissioner Vogt voiced his concern over Ordinance No. 10-08 stating it was his idea to increase the fee for Spring Cleanup, but not do it the day it begins, and further stated he is not in favor of it at this time.

Commissioner Fess voiced her concerns over the increase at this time stating there does not seem to be a large number of citizens using it this year. She stated she has seen a large amount of concrete out and she is not in favor of the city picking that up. Maybe the neighborhood associations could look into a better way of disposing of materials on a more regular basis, said Mrs. Fess.

Commissioner Fess also voiced concern over the size of cans being used for refuse pickup.

Health & Sanitation Director, Amy Welker, explained the size of container and the weight is not to be over seventy-five pounds.

Commissioner Martin asked about raising the fees for commercial haulers?

Mayor Hudson stated Spring Cleanup is a great service to the citizens of Piqua, but putting out whole sidewalks or patios, buildings, and whole trees is something we should look at. Mayor Hudson stated we should ask citizens for input on this for next year.

Commissioner Terry voiced her concern over the raise in fees for all citizens, senior citizens usually do not have things to put out for Spring Cleanup and should not have to pay for it. There are citizens that are abusing the service stated Commissioner Terry.

Commissioner Vogt stated he has spoken to the Refuse crew and they are ahead of the schedule so far this year.

Commissioner Fess stated we are trying to find revenue, but so are the citizens trying to balance their budgets, and asked that we be cautious in raising rates.

Moved by Commissioner Fess, seconded by Commissioner Martin, that Ordinance No. 10-08 be tabled. Voice vote, Aye; Fess, Martin, Vogt, Hudson, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 10-08 be given a first reading.

**ORD. NO. 11-08**  
**(1<sup>st</sup> Reading)**

An Ordinance adopting and implementing Section 91.11 Tow Administrative and Storage Fees for impounded vehicles at City facilities

City Manager Enderle explained the need for the storage area and fees.

Police Chief Willcox further explained the reason for the ordinance and the location of the storage lot.

Commissioner Vogt inquired if other cities had impound lots and if they charged fees.

Chief Willcox stated yes, other cities do have larger impound areas.

Mayor Hudson asked where the impound lot is located in the City of Piqua?

Chief Willcox stated the impound lot is located at the Street Department on City property.

Commissioner Terry stated she is favor of charging impound fees.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that Ordinance No. 11-08 be given a first reading. Voice vote, Aye: Terry, Hudson, Martin, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 11-08 be given a first reading.

**RES. NO. R-44-08**

A Resolution authorizing the City of Piqua to file an application to the State of Ohio, Department of Development to support an application for assistance under the Ohio Job Ready Sites program

Commissioner Fess asked if there is a particular site being reserved or considered at this time?

Development Project Manager, Bill Lutz, explained how the process would work, and the criteria that is involved.

There was discussion of how the project would be completed.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-44-08 be adopted. Voice vote, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-44-08 adopted.

**RES. NO. R-45-08**

A Resolution authorizing the City Manager to enter into an agreement with the Miami County Park District for the design-build construction of a 3-mile section of bike trail from Lock 9 Park to Peterson Road

Mayor Hudson stated this project was approved last year correct?

Tom Zechman stated yes, it is a two-year grant and this is the last piece before the contract.

Commissioner Vogt stated this area is south of the Wastewater Treatment Plant and will be completed by the City of Piqua.

Mayor Hudson stated the total cost of the project was \$600,000 and the City would be responsible for up to \$80,000.

Tom Zechman explained where the bike trail would be located.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-45-08 be adopted. Voice vote, Aye: Fess, Vogt, Martin, Terry, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-45-08 adopted.

**RES. NO. R-46-08**

A Resolution of Appreciation for the public service of Patricia E. Motter as a City Employee

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-46-08 be adopted. Voice vote, Aye: Martin, Terry, Hudson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-46-08 adopted.

**RES. NO. R-47-08**

A Resolution of Appreciation for the public service of Michael T. Heffelfinger as a City Employee

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-47-08 be adopted. Voice vote, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-47-08 adopted.

**RES. NO. R-48-08**

A Resolution of Appreciation for the public service of Richard Callison as a City Employee

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-48-08 be adopted. Voice vote, Aye: Martin, Terry, Hudson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-48-08 adopted.

**RES. NO. R-49-08**

A Resolution approving the Fiscal-Year 2008 Community Housing Improvement Program application

Commissioner Fess voiced concern over discrepancies in the previous Resolution, but the revised Resolution that is being considered tonight has them corrected.

City Manager Enderle explained the reason for the changes in the resolution.

Commissioner Terry inquired as to who would be eligible for these services?

Development Project Manager, Bill Lutz, explained the services that would be available and who would be eligible for them.

Commissioner Fess inquired as to how the citizens were chosen to receive this help?

Mr. Lutz explained how citizens were chosen and what type of services they would receive.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-49-08 be adopted. Voice vote: Aye: Terry, Fess, Martin, Vogt, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-49-08 adopted.

**RES. NO. R-50-08**

A Resolution awarding a contract to Barrett Paving Materials Inc, for the 2008 Street Resurfacing program

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-50-08 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-50-08 adopted.

**RES. NO. R-51-08**

A Resolution awarding a contract to L. J. DeWeese Co., Inc. for the 2008 Sidewalk ADA Compliance Program

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-51-08 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-51-08 adopted.

**RES. NO. R-52-08**

A Resolution awarding a contract to Zachrick Leasing, Inc. for the Shawnee Storm Water Pumping Station Improvements Project

Moved by Commissioner Fess, seconded by Commissioner Vogt, that Resolution No. R-52-08 be adopted. Roll call, Aye: Terry, Hudson, Fess, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-52-08 adopted.

**RES. NO. R-53-08**

A Resolution appointing two members to the Civil Citation Appeal Board

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-53-08 be adopted. Voice vote, Aye: Martin, Hudson, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-53-08 adopted.

**RES. NO. R-54-08**

A Resolution objecting to the renewal of liquor permit #9646690 held by Peggy S. William, DBA Paul's Bar 204 North Main Street, Piqua, Ohio

Commissioner Fess inquired as to the reason for the Resolution objecting to the renewal of the liquor permit.

Law Director Stacy Wall explained the reason the city is objecting to the renewal of the liquor permit for Paul's Bar.

Mayor Hudson asked what recourse if any the owner of Paul's Bar had.

Ms. Wall explained the objection to the liquor license is related to the location of the bar, not the owner or the business itself. It will be on the November ballot, and only the voters in that precinct will be able to vote on it.

Commissioner Martin asked what if the voters do not want a dry location at this location?

Ms. Wall explained what the process would be if it was voted on not to be a dry location. Commissioner Fess asked if the City would have the opportunity to object to a new liquor license at a later date?

Ms. Wall stated yes, voters are only deciding whether the location should be dry or not.

Commissioner Martin asked if the property were to be sold would the liquor license transfer to the new owner?

Ms. Wall stated no, the new owner would have to apply for a transfer, and the city would be notified of that transfer and have the option to object at that time.

Ms. Wall encouraged the City Commission to adopt Resolution No. R-54-08 due the circumstances surrounding the closing of Paul's Bar.

Roy Howard, Spiker Road, voiced his opinion on the Paul's Bar closing.

Commissioner Terry stated there has been a court judgement against the bar.

City Manager Enderle stated it was declared a nuisance and the court ordered it shut down.

Moved by Commissioner Terry, seconded by Commissioner Fess, that Resolution No. R-54-08 be adopted. Voice vote, Aye: Hudson, Martin, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-54-08 adopted.

**PROCLAMATIONS: Month of April 2008:**

**Fair Housing Month  
Poppy Days**

**Monthly Reports – February 2008 were accepted.**

**Public Comments**

Jim Cline, 725 Clark Avenue, voiced his opinion on several issues including the pay increases for city employees, and the possible layoffs of Police and Fire Personnel.

City Manager Enderle asked Mr. Cline to come into his office and he would discuss the changes and further stated that at this time there will be no Police Officers let go.

Mr. Cline also voiced his opinion about the \$80,000 being spent on the bike path and asked if it could not be spent in another fund better at this time.

Commissioner Terry responded to Mr. Clines comment and explained the reason for the money being put toward the bike path at this time.

Chuck Starrett, Demming Road, made a suggestion that more information be added to the minutes, but did not need to be word for word, but it is only a suggestion.

Roy Howard, Spiker Road, voiced his concern over not having reduced rates for low-income families at the swimming pool.

Alex Shinall, Boy Scout Troop 76, inquired about the transit system services in Piqua, and when we fill potholes in the city streets.

City Manager Enderle explained how the transit services were provided within the city, and stated the potholes are being repaired at this time.

Adam Wendle, Troop 76 inquired about upgrading the restaurants and businesses in town, and also asked if and when the city may get a skate park.

City Manager Enderle explained how the Economic Development Department worked with the businesses and restaurants to expand into the Piqua area. And due to the current financial situation a skate park is not feasible at this time, but may be possible with grant monies.

Bill Shinall, 1612 New Haven Road, voiced his concern over the traffic flow through the city, and asked if it would be possible to have a traffic light installed at Clark and McKinley Avenues.

Mr. Shinall also voiced concern over the increase in refuse rates for the Spring Cleanup, and the money being spent on the Hotel Project out of the General Fund.

City Manager Enderle explained the city would get money back when the Hotel Project is completed from grants and lease money. Also money will come in from the Historic State Tax Credits and this will all go back into the General Fund, said Mr. Enderle.

Commissioner Vogt stated he had driven through the city and there are still several homes in need of attention, but that there have been a considerable number of homes repaired and cleaned up. The city is looking better every day, keep up the good work stated Commissioner Vogt

Commissioner Vogt stated Ed Fry and his staff of Piqua Lumber would be more than happy to assist citizens on how to do repairs to their homes. Also Mr. Vogt spoke to Home Depot about the possibility of having Home Repair Seminars for citizens to attend. Both of the businesses have a list of contractors on file to assist homeowners.

Commissioner Vogt congratulated Pat Motter, Mike Heffelfinger, and Rick Callison on their retirement and wished them well.

Commissioner Martin stated the Southview Neighborhood Association would be holding their meeting on Thursday, April 17<sup>th</sup>, and the Shawnee Neighborhood Association would be holding their meeting on Saturday, April 19, 2008.

Commissioner Martin inquired about the status of the large hole next to Paul's bar on Main Street.

City Manager Enderle stated he has spoken to the property owner and it should be repaired by the end of the month.

Commissioner Martin asked if there were new requirements this year on filing City Income Tax?

Finance Director Cindy Holtzapple stated the city is asking for a copy of the 1040 returns in order to complete the City Income Tax forms.

Commissioner Martin asked if the Hotel Project is on budget?

Tom Zechman, stated pretty much so, and explained what has been spent and how. More information will be available for the Commission to see at the Work Study Session in May. There have been some unforeseen expenditures, and they will cover them in the Work Study Session in May.

Commissioner Martin complimented the Piqua Police Department on their recent Accreditation Status.

Commissioner Fess stated the Miami Valley Centre Mall was a very happening place when the "Deal or No Deal" crew came to Piqua to hold auditions for their show. Commissioner Fess congratulated Peggy Henthorn and her staff on hosting the event with over 6,000 attendees.

Commissioner Fess cited there is still a lot of debris in yards and reminded citizens to get out and pick up their yards.

Commissioner Fess stated she has heard from citizens that they are afraid to contact their Commissioners to express complaints. Mrs. Fess encouraged citizens to not be afraid to contact the Commissioners to express their complaints of problems.

Commissioner Terry stated she participated in the Martin Luther King Walk, and had the pleasure of hearing an eight-year student recite the "I Have A Dream Speech" by heart.

Commissioner Terry stated the North view Neighborhood Association would hold their meeting on Tuesday, April 22, at 6:30 P.M. at Wilder School, and invited citizens to attend.

Commissioner Terry thanked all the volunteers who serve on the Boards & Committees for the City of Piqua.

Commissioner Terry congratulated Pat Motter, Mike Heffelfinger, and Rick Callison for the thirty years of service each of them provided to the City of Piqua. That is a combined total of ninety-years (90) of service all together to the City of Piqua, said Commissioner Terry.

City Manager Enderle stated the City is accepting nominations for the Residence Pride Awards and explained the criteria. Applications may be picked up in the City Managers office, or at the front

counter in the Municipal Government Complex and on the City of Piqua web page and the Piqua Chamber of Commerce.

Mayor Hudson congratulated Larry Hamilton on the Martin Luther King March, and Police Chief Wayne Willcox on the Police Departments Accreditation.

Mayor Hudson stated he rode with Street Department employees doing plowing on March 8<sup>th</sup>, one of the larger snowfalls. I was very impressed on how they handled working around the cars and curbs and other obstacles they encounter while clearing the city streets, said Mayor Hudson.

Mayor Hudson inquired as how much the City of Piqua has invested in the Hotel Project to date?

City Manager Enderle stated he would be able to give a better figure at the Work Study Session in May.

Finance Director Holtzapple stated roughly the City of Piqua has invested about five million dollars so far.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 9:40 P.M. Voice vote, Aye: Fess, Hudson, 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