

**MINUTES
PIQUA CITY COMMISSION
APRIL 6, 2009
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

Commissioner Martin stated he would like to make a correction to the Minutes of March 16, 2009, Regular City Commission Meeting stating on page 2, the name of Jamie Sykes should be spelled Jamie Seitz, and be corrected in all the places his name appears in the paragraph. Moved by Commissioner Terry, seconded by Commissioner Fess, that the minutes of the March 16, 2009 Regular City Commission Meeting and the Piqua City Commission Work Session be approved as amended. Voice vote, Aye: Terry, Vogt, Martin, Hudson, and Fess. Nay: None. Motion carried unanimously.

Mayor Hudson asked that Resolution No. R-29-09 be moved up at this time.

RES. NO. R-29-09

A Resolution of Appreciation for the Public Service of Andre H. Burner, Jr. as a City Employee

Mayor Hudson read the Resolution of Appreciation and presented it to Mr. Burner.

Mr. Burner thanked the Mayor and Commission for the resolution and reflected on his almost thirty-two years with the City of Piqua.

All of the Commissioners expressed their appreciation to Mr. Burner and his dedication and the professionalism he has shown over the years representing the City of Piqua.

Public Comment

No one came forward to speak for or against Resolution No. R-29-09.

Moved by Commissioner Martin, seconded by Commissioner Fess, that Resolution No. R-29-09 be adopted. Voice vote, Aye: Hudson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-29-09 adopted.

ORD. NO. 2-09
(2nd Reading)

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

Public Comment

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

Moved by Commissioner Terry, seconded by Commissioner Vogt, to give Ordinance No. 2-09 a second reading. Voice vote, Aye: Terry, Vogt, Hudson, Fess, and Martin. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 2-09 be given a second reading.

Moved by Commissioner Vogt, seconded by Commissioner Terry, to bring Resolution No. R-25-09 back to the table for consideration. Voice vote, Aye: Hudson, Martin, Vogt, Terry, and Fess. Nay, None. Motion carried unanimously.

RES. NO. R-25-09
(Tabled 3-2-2009)
(Tabled 3-16-2009-Amended)

A Resolution authorizing the City Manager to enter into all necessary agreements with the Fort Piqua Redevelopment Corporation relating to the Fort Piqua Hotel Redevelopment Project

Commissioners asked numerous questions concerning the construction fees, the loan from the local citizens to the project, how the money that was appropriated in 2008 was going to be used, the conditions of the lease agreement with Toon P. Wiggins, and the amount of tax credits that would be used. Law Director Stacy Wall gave a brief explanation of how the amount of money the city was obligated to for the project would be used, and the terms of the lease agreement with Toon P. Wiggins. Finance Director Cynthia Holtzapple gave a brief overview of the expenses to date and where the funds are to be borrowed from to complete the project. City Manager Enderle further explained the City needs a total of \$960,000 to complete the project. Tuttle Construction Co. has agreed to complete the project within 90 days from the start of the construction, said City Manager Enderle.

Commissioner Fess voiced her concern over the financing stating she has not been able to understand the financing as it keeps changing. Commissioner Fess further stated she would like to have more time to read over the information, and the copy of the loan agreement with the citizens group that was provided just before the meeting before making her decision.

Public Comment

Jamie Seitz, W. North Street, voiced his concern over the fact he did not receive specific information that he had requested from the Commissioners, and several other issues he had with the possible tenant for the restaurant space.

Jim Hiegel, Gordon Street, voiced his concern over the lease agreement with Brother's of Piqua Inc. citing several issues he had with the lease agreement.

Lorna Swisher, MainStreet Piqua Director, stated on behalf of the MainStreet Board of Trustees she asked the Commission to move forward to complete the project at this time.

Kris Lee, W. High Street, stated he is in favor of completing the project, and feels it needs to be done at this time. Mr. Lee feels it would be good for the community.

Commissioner Martin stated he would abstain from voting citing he is employed by Hartzell Propeller, and three of the five citizens involved in the loan agreement are his employers.

Commissioner Vogt stated he believes the city is between a rock and hard place on the issue of financing the project. The actual figures have been lowered, and after Finance Director Holtzapple explained the financing in a lengthy discussion with the commissioners, he feels the project should go forward.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-25-09 be adopted, as amended. Roll call, Aye: Hudson, Vogt, and Terry. Nay: Fess. Commissioner Martin abstained. Motion carried on a 3-1 vote with 1abstainment. Mayor Hudson stated Resolution No. R-25-09 was adopted as amended.

RES. NO. R-28-09

A Resolution authorizing the City Manager to enter into a loan agreement with a group of citizens relating to the Fort Piqua Hotel Redevelopment Project to assist with funding

City Manager Enderle gave a brief overview of the loan agreement between the City of Piqua and the five city residents involved with the loan agreement to the City.

Several questions were asked in regards to the repayment of the loan from the citizens group.

Public Comment

Jamie Seitz, W. North Street, voiced his concern over the amount of money being put into the Piqua Plaza project.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-28-09 be adopted. Roll call, Aye: Terry, Hudson, and Vogt. Nay: Fess. Commissioner Martin abstained due his employment. Motion carried 3-1 with 1 abstainment. Mayor Hudson then declared Resolution No. R-28-09 adopted on a 3-1 vote with 1 abstainment.

RES. NO. R-30-09

A Resolution authorizing the purchase of property located at 533-535 W. High Street, Miami County, Ohio

Public Comment

No one came forward to speak for or against Resolution No. R-30-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-30-09 be adopted. Voice vote, Aye: Hudson, Martin, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-30-09 adopted.

RES. NO. R-31-09

A Resolution authorizing the City Manager or designee to seek funding on behalf of the City of Piqua for land acquisition, well field exploration and drilling, as well as for planning, design and construction of the City of Piqua's water facility

There was discussion of the need for well field exploration and the possible use of stimulus money if available, the possible location of the new plant, and the amount of money needed to build the water plant.

Mayor Hudson asked if was still possible to work with Sidney on the project. City Manager Enderle stated no, they are to far ahead of us at this time on this process.

Public Comment

No one came forward to speak for or against Resolution No. 31-09.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-31-09 be adopted. Voice vote, Aye: Hudson, Martin, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-31-09 adopted.

RES. NO. R- 32-09

A Resolution requesting authorization to issue a purchase order to Advanced Control Systems for; SCADA (Supervisory Control and Data Acquisition) system hardware & software upgrades, and integration services at the Power System

Public Comment

No one came forward to speak for or against Resolution No. R-32-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-32-09 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-32-09 adopted.

RES. NO. R-33-09

A Resolution appointing a Charter Review Committee

Public Comment

Chuck Starrett, Demming Road voiced his concern over several issues and flaws he feels are in the Charter at this time, and asked if it would be possible to have an audiotape of the Charter Review meetings.

City Manager Enderle stated the Charter Review meetings are open to the public, and will be posted on the web site and in the newspaper.

Commissioner Fess asked if Mr. Starrett could make a list of his concerns and give to one of the committee members for review. City Manager Enderle further stated citizens should provide a list of their concerns and present the list to the Law Director for review.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-33-09 be adopted. Voice vote, Aye: Martin, Fess, Hudson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-33-09 adopted.

Other

Monthly Reports – February 2009

Monthly Reports for February 2009 were accepted.

Public Comment

Jim Hiegel, Gordon Street, voiced his concern over the use of his private driveway by the Police Department for checking radar on cars coming into town.

Earl Wagoner, New Haven Rd. representing the Southwest Neighborhood Association stated the group picked up 30 bags of trash from Mainer Avenue to the east side, and voiced concern over the dumping that is going on in the city.

City Manager Enderle stated he would look into the dumping issue and thanked the Southwest Neighborhood Association for their efforts.

Mayor Hudson asked how many citizens participated in the neighborhood cleanup? Mr. Wagoner stated there were about 10-12 citizens who participated in the cleanup.

Jim Cline, Clark Avenue, voiced his opinion on the Piqua Plaza Project.

Ruth Koon, Park Avenue, stated she has been involved with Piqua Plaza Project for twelve years and would like to see it move forward at this time. She also voiced her concerns about the need for window coverings, washing of the windows, and awnings for the first floor windows to keep the sun out.

Jim Seitz, W. North Street, voiced his concern about not receiving information he had requested previously, and asked that the Commissioners and the City Manager follow through when a citizen asked for information.

City Manager Enderle stated he did email Mr. Seitz with the information he requested the next day after the request, and was sorry he did not receive it. Mr. Seitz asked if he could get a copy of the specifications for the project, and what the cost would be. City Manager Enderle stated yes, he could have a copy of the specifications, and the fee for the copy would be \$176.

Commissioner Martin inquired about the punch list for the work that needed to be done on the Piqua Plaza project. Bob Graeser, Project Manager stated he is working on the punch list and has a meeting next week with Tuttle Construction to finalize the plans.

Commissioner Fess thanked Mrs. Koon for her comments on the Piqua Plaza Project.

Commissioner Fess also explained her reasons for her no vote on Resolution No. R-25-09 and R-28-09. Commissioner Fess stated she felt she needed to understand it better and was concerned about putting the city into debt. Commissioner Fess stated the offer by the citizens is very generous but she wanted to read the loan agreement before making any decision.

Commissioner Terry announced the Piqua Parks & Recreation Department will offer a Tennis Program for 5-10 year olds this year with a meeting to be held on April 21, at 7:00 P.M. in the Commission Chambers. Information may be obtained by contacting Rob Stanford, Director of the Parks & Recreation Department at 937-778-2085.

Commissioner Terry announced the North Parks Neighborhood Associations next meeting will be held on April 16, at 7:00 P.M. at Wilder School on Nicklin Avenue. The Association will be selling mulch on April 18th at the Wilder building as a fundraiser this year.

Commissioner Terry stated she received a letter from residents on Broadway about absentee property owners in their area and the tenants causing problems. Commissioner Terry asked if that would be something the P.O I.N.T. Organization could look into and address.

Commissioner Terry also congratulated Mr. Burner on his retirement stating she knows he will still be involved with the city in a very positive way.

Commissioner Terry inquired about the Health Department Monthly Report and what it means when it is stated a legal notice has been issued for a property with a nuisance, and if there is a deadline for the work to be completed?

Law Director Wall explained there is a deadline for the work to be completed before any legal action is taken. City Manager Enderle stated he would look into it.

Mayor Hudson stated Scott Phillips, producer of the American Woodshop in Piqua, and host of the show just started shooting his 16th season and is featuring the Piqua Plaza this season on his show which will be airing in September. Mr. Phillips has donated two wood tables he made to the Piqua Plaza.

Law Director Wall gave a brief overview of the Press Conference held on April 6, 2009 concerning the work on the demolition of the old Piqua Memorial Hospital building.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn into Executive Session at 9:25 P.M. to prepare for and review negotiations on compensation or other terms and conditions of employment for City personnel. Voice vote, Aye: Vogt, Martin, Hudson, Terry, and Fess. Nay: None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Fess, to adjourn from the Executive Session at 9:50 P.M. Voice vote, Aye: Vogt, Martin, Hudson, Terry, and Fess. Nay: None.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION