

**MINUTES
PIQUA CITY COMMISSION
JUNE 15, 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, Fess, Vogt, and Terry. Absent: None.

Mayor Hudson read a Proclamation in honor of William M. McCulloch.

City Manager Enderle introduced William B. Murphy, the new Economic Development Director/Assistant City Manager.

REGULAR CITY COMMISSION MEETING

APPROVAL OF MINUTES

Moved by Commissioner Terry, seconded by Commissioner Fess, that the minutes of the June 1, 2009 Regular City Commission Meeting be approved. Voice vote, Aye: Hudson, Terry, Vogt, Martin, and Fess. Nay: None. Motion carried unanimously.

ORD. NO. 6-09

An Ordinance amending Section 33.15 (B) relating to Police and Fire Supervisors

City Manager Enderle explained the changes that occurred within the contract.

Public Comment

Bill Hogston, President of the Piqua Firefighters Union stated the fire union has signed the agreement.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that the rule requiring Ordinance No. 6-09 be read fully and distinctly on three separate days be suspended. Voice vote, Aye: Martin, Hudson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

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

ORD. NO. 7-09

An Ordinance levying a five-dollar municipal tax on motor vehicle license

City Manager Enderle gave a brief explanation on the five-dollar tax fee stating this item was included as part of the Long Range Financial Plan approved by the City Commission on November 3, 2008.

There was discussion on the amount of money generated by the current five-dollar tax, and the anticipated amount with the new five-dollar tax fee. Commissioner Vogt voiced his opinion on Ordinance No. 7-09 stating he felt it should be given three readings so citizens would have a chance to voice their comments. City Manager Enderle gave a brief explanation on reason for the July 1st deadline, and further stated if not passed it would have an impact on the 2009 budget. Commissioner Terry asked if the new fee funds would be specifically earmarked for street repairs. Finance Director Cynthia Holtzapple stated the funds are earmarked for street maintenance, and further stated there were five occasions for public comment to be received during the work sessions that were held previously.

Commissioner Martin also stated he felt Ordinance No.7-09 be give three readings to get public comments. City Manager Enderle stated this is budgeted in 2009, and if there is a revenue shortfall that means something will have to go. Mr. Enderle further stated this was discussed in the City Commission meeting where the long-range financial plan was adopted and budget hearings where it was talked about, a budget resolution that was public hearing; there was quite a lot of opportunity to voice concerns.

Commissioner Fess stated she agreed with the other two Commissioners about giving Ordinance No. 7-09 three readings. This is something that the Commission agreed to previously and she has received several calls not in favor of the tax.

Commissioner Vogt stated he is not against the tax increase, but feels Ordinance No. 7-09 should be given the three readings to give citizens time to voice their opinions.

Public Comment

No one came forward to speak for or against Ordinance No. 7-09.

Moved by Commissioner Fess, seconded by Commissioner Terry, that the rule requiring Ordinance No. 7-09 to be read fully and distinctly on three separate days be suspended. Roll call, Aye; Fess, Terry, and Hudson. Nay: Vogt and Martin.

Law Director Stacy Wall stated that under the Piqua City Charter it requires a seventy-five percent vote to suspend the three reading rule, which would require there to be four members to vote in favor of the suspension. The rule suspending the three readings was not passed.

Commissioner Martin stated he is in favor of having two more meetings to give citizens time to voice their comments.

There was a question regarding the number of days that have to pass between meetings. Law Director Wall explained, in Section 10 of the Piqua Charter, it states no Ordinance shall be passed unless it has been read on three separate days, unless the requirement of reading it on three separate days be dispensed with by an affirmative vote of not less than seventy-five percent of the members of the commission.

Commissioner Martin stated he would like to compromise and have one more meeting for the public to voice their comments.

Moved by Commissioner Terry, seconded by Commissioner Martin to give Ordinance No. 7-09 a first reading.

RES. NO. R-49-09

A Resolution of Appreciation for the Public Service of James M. Burton as a City Employee

Public Comment

No one came forward to speak for or against Resolution No. 49-09.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-49-09 be adopted. Voice vote, Aye: Fess, Vogt, Martin, Hudson, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-49-09 adopted.

RES. NO. 50-09

A Resolution fixing the time and place for a Public Hearing on the proposed City Tax budget for Miami County for the calendar year 2010 and draft Appropriation Ordinance

Public Comment

No one came forward to speak for or against Resolution No. R-50-09.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-50-09 be adopted. Voice vote, Aye: Hudson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-50-09 adopted.

RES. No. R-51-09

A Resolution authorizing the City Manager to execute a Memorandum of Understanding with Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Fire Officers)

Human Resources Director Elaine Barton explained the changes in the Memorandum of Understanding, and the effect it has on the various positions.

Public Comment

No one came forward to speak for or against Resolution No. R-51-09.

Moved by Commissioner Terry, seconded by Commissioner Fess, that Resolution No. R-51-09 be adopted. Voice vote, Aye: Vogt, Martin, Fess, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson declared Resolution No. R-51-09 adopted.

RES. NO. R-52-09

A Resolution of Necessity to make a public improvement by special assessments for the Riverside Drive – Phase 1 reconstruction project

There was discussion of the property owners being assessed for the curb & gutters, sidewalks, and driveway approach improvements on Riverside Drive, versus the property owners on N. County Road 25-A not be assessed for the street improvements. City Engineer Amy Havenar explained the difference, stating Federal funding was received for the Co. Rd. 25-A project, and when Federal funding is received, the city cannot charge for assessments. State funding was received for the Riverside project so therefore assessments can be made, said Ms. Havenar.

Mayor Hudson asked how payments could be made on the assessments for Riverside Drive. City Manager Enderle explained the various ways the payments can be made on the Riverside Drive assessments.

Public Comment

No one came forward to speak for or against Resolution No. R-52-09.

Moved by Commissioner Terry, seconded by Commissioner Fess, that Resolution No. R-52-09 be adopted. Voice vote, Aye: Vogt, Martin, Terry, Hudson, and Fess. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-52-09 adopted.

RES. NO. R-53-09

A Resolution authorizing and directing the City Manager to execute a lease operating agreement with Hartzell Propeller, Inc. for the operation of Hartzell Field Airport

Public Comment

No one came forward to speak for or against Resolution No. R-53-09.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that Resolution No. 53-09 be adopted. Voice vote, Aye: Terry, Fess, Hudson, and Vogt, Nay: None. Commissioner Martin abstained. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-53-09 adopted.

Mayor Hudson stated for the record the Memorandum to City Commission from the Community Diversity Committee has come in, and the Memorandum to City Commission from the City of Troy, Water Purchase has been accepted.

Other

Memorandum to City Commission – Community Diversity Committee

City Manager Enderle stated the Diversity Committee has asked the Commission to direct the City Manager to inform all of the community agencies, and government, property owners, business owners in the city, to make them aware of Resolution No. R-10-07 adopted in October 2007 with regards to the Commission's position on community diversity. Mr. Enderle further stated he would like a simple vote directing the City Manager to communicate to the appropriate agencies the existence of this resolution, and the commission's position on diversity in the community.

Commissioner Terry inquired as to the reason for the vote at this time. City Manager Enderle explained the reason for the request.

Moved by Commissioner Fess, seconded by Commissioner Martin, to direct the City Manager to notify all the appropriate agencies by letter of the existence of this resolution, and the City of Piqua's position on diversity in the community. All Commissioners' were in favor of the motion.

Larry Hamilton, Maplewood Drive, gave a brief explanation of the position of the Diversity Committee.

Memorandum to City Commission – City of Troy, Water Purchase

City Manager Enderle explained the position the City of Troy is offering to sell water to the City of Piqua and what changes have occurred since the first offer. There were several questions discussed including who would have ownership of the water plant, rate increases in next five years, building a chlorination plant, the status of well drilling in Piqua, and several other concerns about sharing the cost of water and building of a joint plant.

Commissioner Fess asked Economic Development Director Bill Murphy, if there would be any advantage for the City of Piqua in having their own water plant, versus purchasing water from another city when trying to bring industry to town? Mr. Murphy stated it would depend upon the type of industry you were trying to attract, but it would be one of the determining factors possibly.

There was discussion of the city of Piqua's water capacity now, the building of our own water plant versus purchasing water from Troy, being partners with Troy in supplying water to residents, what happens when the Troy plant reaches capacity what happens then. the timeline on our own building.

City Engineer Amy Havenar explained how the consultant is working on the appraisal at this time.

City Manager Enderle stated he would like to know what the feeling of the Commission is at this time. Does the Commission want to state we are not interested at this time, we want to pursue building our own plant, or see if they want to come back with a fifty percent ownership of their plant immediately.

The Commissioners were all in favor of asking for a fifty percent ownership in their plant at this time. City Manager stated he would communicate back to the City of Troy, the City of Piqua is not interested in purchasing water, but would be interested in an equal share of ownership of the plant.

Public Comment

Dewayne Thompson, Eagles Lake Drive, announced the Piqua Arts Council will be holding a "Chalk the Walk" on Sunday June 21, 2009 from 9:00 AM – 4:00 PM in front of the Fort Piqua Plaza, and thanked the City of Piqua for their support.

Luke Bolin, Ann Street, voiced his concern about the old Piqua Memorial Hospital demolition site, stating he is still having health problems he feels are related to the air quality in the area. City Manager Enderle stated the area quality in the area is still being monitored at this time, and stated he would have someone come out from the EPA to check on it.

Joe Francis, Parkway Drive, voiced his concern about the lack of street sweeping in the City of Piqua. City Manager Enderle explained.

Jim Walters, N. Main Street, voiced his opinion on the increase of fees at the city pool, and the hours of operation, with it closing earlier than posted hours. Mr. Walters feels he is not able to get his monies worth with the varied hours they chose to have for the pool.

Commissioner Fess stated she had reservations when this was passed, and she feels the conditions of the closing of the pool when they have less than twenty-five people is not fair.

City Manager Enderle explained why this is being done, citing it is due to the budget, and will look into the situation and discuss this at a later time.

Bill Shinall, New Haven, voiced his opinion on charging grandparents being charged to pay the full fee to get in to watch their grandchildren.

Russ Fashner, Forest Avenue, voiced his concern about the grass on the hill across the street from his home. Mr. Fashner also voiced concern about the trees on the Nicklin Avenue Boulevard.

Commissioner Vogt wished Jim Burton a happy retirement, and further stated he believes there is no excuse for citizens not mowing their grass, and that includes the city to.

Commissioner Martin stated he has been driving around the city, and voiced his concern over several areas including the area at the corner of Wayne & Greene Streets, and the pavers in front of Fort Piqua Plaza. City Manager Enderle explained what is going to be done with both areas. Commissioner Martin further stated he was concerned about 25-A where the drain tile was replaced, will it be restored to the original state. City Manager Enderle stated he would check into it.

Commissioner Fess stated she has had several calls from residents living up on Frantz Pond, Inquiring as how much of the Marwood development contributed to the problem at Franz Pond. Amy Havenar explained what happened, and what can be done with the problem.

Commissioner Fess stated she wanted to recognize Andy Burner and Mike Gutmann co-chairman for the William M. McCulloch celebration, and thanked them for their efforts. Commissioner Fess announced the Bradford Railroad Festival will be held on June 20th in Bradford, and also stated she wanted to recognize Majors' Starnes of the Salvation Army for their contributions to the community over the last sixteen years.

Commissioner Terry stated she had received a telephone call from a resident on Boone Street who was in need of some painting, she stated was on the list last year and wanted to know what the status was this year with the paint program. City Manager Enderle stated citizens can call the City Managers Office to receive information on the program.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission at 9:15 P.M. Voice vote, Aye: Vogt, Martin, Terry, Hudson, and Fess. Nay: None. Motion carried unanimously.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION