

**MINUTES
PIQUA CITY COMMISSION
JULY 20, 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.

REGULAR CITY COMMISSION MEETING

Residence Pride Awards – July 2009

Ralph & Terry Quinter	900 Grant Street
Jamieson & Yannucci Funeral Home	333 W. High Street
Tami & Gary L. Bell	625 Broadway
Kathy Henne (ReMax Real Estate Office)	1200 Park Avenue
Brenda & Wendell Davis	641 W. North Street

Mayor Hudson announced the July Residence Pride Award winners.

Mike Yannucci read a letter he had written to the Mayor, and the Commissioners thanking them for the Residence Pride Award.

Kathy Henne, thanked the City and the Commissioners for the Residence Pride Award for her business.

APPROVAL OF MINUTES

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the minutes of the Regular City Commission Meeting of July 6, 2009 be approved. Voice vote, Aye: Hudson, Terry, Vogt, Martin, and Fess. Nay: None. Motion carried unanimously.

Mayor Hudson asked that Resolutions No. R-66-09 and R-67-09 be moved up at this time.

RES. NO. R-66-09

A Resolution of Appreciation for the public service of Mr. Andy Burner, serving as Co-Chair for the William M. McCulloch public square dedication ceremony

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

Mr. Burner thanked the City and the Commission for their support on the William M. McCulloch Square dedication.

Public Comment

No one came forward to speak for or against Resolution No. R-66-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-66-09 be adopted. Voice vote, Aye: Hudson, Martin, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-66-09 adopted.

RES. NO. R-67-09

A Resolution of Appreciation for the public service of Mr. Michael Gutmann, serving as Co-Chair for the William M. McCulloch public square dedication ceremony

Mayor Hudson read the Resolution of Appreciation and presented it to Mr. & Mrs. Paul Gutmann, parents of Mike Gutmann who was out of town and unable to attend. Mr. Gutmann read a brief statement from Mr. Gutmann, and thanked the City Manager and the city staff for their hard work and help on the dedication of the Public Square.

Public Comment

No one came forward to speak for or against Resolution No. R-67-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-67-09 be adopted. Voice vote, Aye: Martin, Vogt, Fess, Hudson, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-67-09 adopted.

ORD. NO. 8-09 (2nd Reading)

An Ordinance repealing Schedule A 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

City Manager Enderle stated this is the second reading for Ordinance No. 8-09 that would amend the pay classification schedules for non-bargaining unit professional and administrative employees. City Manager Enderle further stated these are not characterized as raises for the employees; these are realignment/reassignments of job responsibilities. In a couple of the cases, it will mean the employee will be compensated a bit more by bringing them as close to the salary level they currently have without cutting them, said City Manager Enderle. This is the same pay category that is not receiving the cost of living increases for two years. The total cost of implementing this plan will be about \$5000, and by eliminating several other positions, the savings to the budget would be about \$377,000, said City Manager Enderle.

There was discussion of Chapter 37 of the Piqua Charter concerning succession, and the possibility of a conflict of interest with the Finance Director taking on new responsibilities, acting as City Manager at times, and expanding the administrative offices. City Manager Enderle further explained, and stated they are not expanding any of the departments, just reassigning responsibilities at this time.

Mayor Hudson stated when he came on to the Commission, he was told several times that the department heads were aging, and retirements were coming up in the future. Mayor Hudson stated he appreciates the City Manager having to maintain the city on a lesser budget and thanked him for being able to do so.

Public Comment

No one came forward to speak for or against Ordinance No. 8-09.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 8-09 be given a second reading. Voice vote, Aye: Martin, Terry, Hudson, Vogt, and Fess. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 8-09 be given a second reading.

ORD. NO. 9-09 (2nd Reading)

An Ordinance amending Chapter 93 Fire Prevention of the Piqua Municipal Code

City Manager Enderle stated this is the second reading of Ordinance No. 9-09, and explained the City of Piqua is now adopting the Ohio Fire Code as the City Code. The Ohio Fire Code has replaced the BOCA Basic/National Fire Prevention Code for fire prevention stated City Manager Enderle.

There was discussion of calls being received on open burning complaints, and the need to be able to issue citations, the enforcement of the State Fire Code. Commissioner Vogt stated he feels the appeal process should be directed to the Fire Prevention Officer.

Commissioner Martin read Chapter 93.03 Other Authority, and asked if it would be possible to add the wording "just fire related items" on page 3, first paragraph, and on page 6, under Section 93.03 Other Authority. Law Director Wall stated she would make the appropriate language changes to Ordinance No. 9-09.

Public Comment

Luke Bolin, Ann Street, inquired if a violation is found would a ticket be automatically issued, or would the resident have time to fix the problem first in a reasonable time limit? City Manager Enderle explained the process.

Roy Howard, Spiker Road, asked what the proposed estimated fines are anticipated to be for the civil citations. Law Director Wall stated she has spoken to the Fire Prevention Officer and he stated he has not issued any citations in the last year and that he always gave them time to correct the violation and it was never an issue. Ms. Wall further stated that Section 109 of the Ohio Fire Code allows the state to come in and write civil citations at this time. If the state would issue the citation the fine would go to the state, but if the city issued the citation the fine would come to the city.

Bradley Boehringer, Mound Street, voiced his opinion on the Ohio Fire Code and stated he would like the code to read specifically "for open burning".

There was discussion on the various types of citations that would be issued, and it was stated the city is not going to go out and look for violations, they would only go out if a complaint is received.

City Manager Enderle stated most of the complaints are usually minor such as occupancy violations, open burning, exit lighting, etc.

Moved by Commissioner Terry, seconded by Commissioner Fess, to give Ordinance No. 7-09 a second reading. Voice vote, Aye: Martin, Hudson, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 9-09 be given a second reading.

RES. NO. R-61-09

A Resolution appointing a member to the Community Diversity Committee

Public Comment

No one came forward to speak for or against Resolution No. 61-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-61-09 be adopted. Voice vote, Aye: Fess, Vogt, Martin, Hudson, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-61-09 adopted.

RES. NO. 62-09

A Resolution appointing a member to the Community Diversity Committee

Public Comment

No one came forward to speak for or against Resolution No. R-62-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-62-09 be adopted. Voice vote, Aye: Hudson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-62-09 adopted.

RES. No. R-63-09

A Resolution appointing a member to the Community Diversity Committee

Public Comment

No one came forward to speak for or against Resolution No. R-63-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-63-09 be adopted. Voice vote, Aye: Vogt, Martin, Fess, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson declared Resolution No. R-63-09 adopted.

Commissioner Terry thanked all of the committee volunteers for their service to the community,

RES. NO. R-64-09

A Resolution awarding a contract to Cargill, Inc. for the purchase of road salt for the Street Department

There was discussion over the current price of road salt versus the cost per ton last year, the number of tons purchased, and the amount of road salt the city still has available from last year.

Public Comment

No one came forward to speak for or against Resolution No. R-64-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-64-09 be adopted. Roll call, Aye: Terry, Hudson, Fess, Vogt, and Martin. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-64-09 adopted.

RES. NO. R-65-09

A Resolution adopting a Piqua City Policy for the naming of City Streets and Facilities

City Manager Enderle explained the resolution would set the guidelines for naming city, street, and facilities in the City of Piqua.

There was discussion on the process that is required to name or rename a public street or facility.

Public Comment

No one came forward to speak for or against Resolution No. R-65-09.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. 65-09 be adopted. Voice vote, Aye: Terry, Fess, Martin, Hudson, and Vogt, Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-65-09 adopted.

RES. NO. R-68-09

A Resolution awarding a contract to Enviorscience, Inc. in the amount not to exceed \$15,300 for the implementation of the middfoil process of Eurasian Water Milfoil Control in Franz Pond and Echo Lake

Finance Director Cynthia Holtzapple gave a brief explanation of the process for introducing the Eurasian watermilfoil weevil to Franz Pond and Echo Lake. Ms. Holtzapple further stated this will need to be reviewed on an annual basis, and an annual survey would be done. There was discussion of the effect of the weevils, how quickly they would be able to eat the vegetation, and if the weevils would remain in the water or become airborne. Ms. Holtzapple stated they hope to be able to introduce

the weevils within the next two-three weeks. A Citizens Action Committee is in the process of being set up to help monitor the progress.

Public Comment

Dick Brandewie, Ron Aire Drive, asked if there were any plans in the future for deepening Franz Pond? Mayor Hudson explained the steps that were to be taken before the pond can be dredged.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-68-09 be adopted. Roll call, Aye: Fess, Vogt, Martin, Terry, and Hudson. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-68-09 adopted.

Other

Communication from the City of Troy

Mayor Hudson stated the City of Piqua has received a communication from the City of Troy on the water proposals, and a copy is available for public viewing in the Municipal Government Complex.

Public Comment

Alan Miller, Park Avenue, member of the North Parks Neighborhood Association invited citizens and Commissioners to attend the Neighborhood Meeting to be held on Tuesday, July 21, at 7:00 P.M. in Kiwanis Park. The purpose of the meeting is to discuss parks and playground safety equipment.

Commissioner Vogt congratulated the Residence Pride winners on the wonderful job they are doing to enhance the neighborhoods, stating he has driven around and seen a lot of improvements. Citizens are doing a good job making improvement to their homes. Commissioner Vogt also congratulated Andy Burner and Mike Gutmann for their work on the Public Square Dedication. Commissioner Vogt announced the Annual Car Show is scheduled for August 1st at the Roadside Park on St. Rt. 66.

Commissioner Martin asked several questions concerning the possible water purchase from Troy, and how that would affect the City of Piqua. Finance Director Holtzapple explained there are two components to the purchase. There was discussion over the cost of purchasing water versus building our own plant, the possibility of buying into the Troy Water Plant, ownership of the plant jointly with Troy, the rate structure, and the possibility of building a regional water plant in the future.

Commissioner Martin congratulated the Residence Pride winners, and congratulated Andy Burner and Mike Gutmann on their work on the dedication of McCulloch Square.

Commissioner Fess congratulated the Residence Pride winners, also Mike Gutmann and Andy Burner on their work on the dedication of the McCulloch Square.

Commissioner Terry voiced her concern about a light pole at the west end of square by the new McCulloch Square sign that needs a coat of paint.

City Manager Enderle stated he wanted to thank Jeff Lange and the POW volunteer group for their work on the clean up of the river waterways with over 147 people working. City Manager Enderle passed out a Weekly Street Update to the Commissioners.

Mayor Hudson stated this is the sixth year that Jeff Lange and POW volunteers have completed the clean up of the waterways, and thanked them for doing another outstanding job.

Mayor Hudson inquired as to the status of the Raw Water Study Citizens Action Committee, and the possibility of a dog park somewhere in the city. Mayor Hudson also asked about the date for the opening of Toone P. Wiggins in the Piqua Plaza. City Manager Enderle explained they are on schedule on the construction, but two significant pieces of equipment have not come in, but hope to

have construction completed by the end of August. Toone P Wiggins plans to open in early September, said City Manager Enderle.

Mayor Hudson inquired as to the status of the communications with the City of Sidney.

City Manager Enderle explained what the City of Sidney has completed so far, and further stated the City of Piqua will keep in touch, but there are no plans at this time to work with them.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission at 9:00 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