

**MINUTES
PIQUA CITY COMMISSION
JANUARY 19, 2010
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 Fess called the meeting to order. Also present were Commissioners Martin, Vogt, Terry, and Wilson. Absent: None.

REGULAR CITY COMMISSION MEETING

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the minutes of the Regular City Commission Meeting of January 4, 2010 be approved. Voice vote, Aye: Wilson, Fess, Terry, Martin, and Vogt. Nay: None.

ORD. 1-10 (1st Reading)

An Emergency Ordinance amending Chapter 34 of the Piqua Municipal Code to permit the City to participate in Joint Purchasing programs

City Manager Enderle stated this would be used for the purchase of large items such as vehicles, road salt, and plant chemicals, but not on the everyday commodities such as paper and supplies. These purchases would be done through a cooperative group, which would allow the city to get better pricing.

There was discussion on the amount of chemicals the city has on hand at this time, and if it would be possible to wait and give the ordinance another reading before making a decision. It was stated there were not enough chemicals left to go through the three readings.

Mayor Fess stated if we do not go in with the cooperative at this time we would have to go out on our own for bids, and would not be able to get the lower prices we get by being a part of the cooperative. Law Director Wall stated an amendment to the Code Section allows for the joint purchasing program, which does follow all state laws, and bidding requirements, and does not circumvent any of the city laws. All this does is bid the product or supplier of the service for the city on a much larger market so the city has the benefit of a broader range of suppliers to choose from, said Ms. Wall.

Commissioner Martin asked if it would be possible to bid the products out locally. City Manager Enderle stated no, this is bid out to more national companies that supply the larger amounts required by the city. The city vehicles are usually bid out on the state bid which allows for better pricing also.

Public Comment

No one came forward to speak for or against Ordinance 1-10.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the rule requiring Ordinance No. 1-10 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Ordinance No. 1-10 be adopted. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 1-10 adopted.

RES. NO. R-11-10

A Resolution appointing two members to the Community Diversity Committee

City Manager Enderle stated Resolution No. R-11-10 appoints himself and Commissioner Julia Terry to the Community Diversity Committee.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, to take Resolution No. R-11-10 off the table. Voice vote, Aye: Martin, Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously.

Public Comment

No one came forward to speak for or against Resolution No. R-11-10.

Moved by Commissioner Wilson, seconded by Commissioner Vogt, to adopt Resolution No. R-11-10. Voice vote, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-11-10 adopted.

RES. No. R-12-10

A Resolution appointing a member to the Board of Zoning Appeals as the Planning Commissioner Representative

City Manager Enderle stated Resolution No. R-12-10 appoints Mark Spoltman to the Board of Zoning Appeals as the Planning Commission Representative.

Public Comment

No one came forward to speak for or against Resolution No. R-12-10.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-12-10 be adopted. Voice vote, Aye: Fess, Terry, Wilson, Vogt, and Martin, Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-12-10 adopted.

RES. NO. R-13-10

A Resolution authorizing the City of Piqua to participate in the State of Ohio Cooperative Purchasing program

City Manager Enderle stated by being a member of the State of Ohio Cooperative Purchasing Program it allows the city to participate in the state contracts for the purchase of supplies, services, equipment, and other materials.

Commissioner Martin asked if there is a cost or membership fee associated with this program. City Manager Enderle stated there is no cost or membership fee at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-13-10 at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-13-10 be adopted. Voice vote, Aye: Terry, Wilson, Martin, Vogt, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-13-10 adopted.

RES. No. R-14-10

A Resolution rescinding Resolution No. R-107-09 and establishing a new Piqua City Commission 2010 calendar of meetings

City Manager Enderle stated there has been discussion over changing the day of the Commission meeting for some time. The first City Commission Meeting of the year is set by the Piqua Charter and must be held on the first Monday of the new year. The Commissioners stated they would like to

change the day from the first and third Monday of each month, to the first and third Tuesday of each month after the first meeting is held on Monday of the new year, said Mr. Enderle.

Commissioner Wilson noted an incorrect date on "Exhibit A" and moved to amend "Exhibit A". This was seconded by Commissioner Martin, to amend "Exhibit A" the Commission calendar, to change the date of the Commission meetings in June, to delete the dates of June 8 and June 22, and insert the dates of June 1 and June 15, 2010. Voice vote, Aye: Martin, Terry, Wilson, Fess, and Vogt. Nay: None. Motion carried unanimously.

Commissioner Wilson asked if the Commission packets would still be available on Friday before the Commission Meeting. City Manager Enderle stated the packets would still be available on Friday, but in the future would like to have the packets ready by Wednesday or Thursday if possible.

Public Comment

No one came forward to speak for or against Resolution No. R-14-10.

Commissioner Vogt explained by moving the Commission Meetings to Tuesday it allows the Commissioners the opportunity to take extended weekends. Also by moving the Commission meetings to Tuesday the meeting days would not have to be changed when Monday legal holidays occur each year, said Commissioner Vogt. All of the Commissioners were in agreement with the changing of the day.

Mayor Fess stated the Commissioners discussed the change of the day for the Commission meetings, and City Manager Enderle checked the schedules of other various committees to make sure there were no conflicts. This seems to be a good idea stated Mayor Fess.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-14-10 be adopted, as amended. Voice vote, Aye: Wilson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-14-10 adopted, as amended.

RES. NO. R-15-10

A Resolution authorizing purchase orders to Municipal Water Solutions, Standard Purification, Chemrite, Inc. Huron Lime, Chemical Services, Bonded Chemicals, and the City of Dayton for the 2010 purchase of various Water Treatment Chemicals

City Manager Enderle gave a brief explanation for the purchase of the various chemicals that are required by the city, and where they can be purchased.

Public Comment

No one came forward to speak for or against Resolution No. R-15-10.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-15-10 be adopted. Voice vote, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-15-10 adopted.

RES. NO. R-16-10

A Resolution authorizing application to the Ohio Department of Natural Resources for funding through the Recreational Trails Program for the repairs to the Linear Park

City Manager Enderle stated the Engineering Department would be applying for the funding through the Ohio Department of Natural Resources Recreational Trails Program. The Funds will be used for bank stabilization along the Great Miami River near the River's Edge section of the Linear Park. The estimated overall cost of the stabilization will be approximately \$125,000. The grant will provide 80% reimbursement of these costs, and the remaining 20% will budgeted in the 2011 budget. The 20% will

be accounted for by using city labor as "in-kind" labor to fulfill the local match, said City Manager Enderle.

Mayor Fess stated the bank is washing out in several areas along the River, and asked if there is anything that can be done to stop or slow down the erosion along the riverbanks.

City Engineer Amy Havenar explained what is being done to help the erosion of the riverbanks at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-16-10.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-16-10 be adopted. Voice vote, Aye: Fess, Vogt, Martin, Terry and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-16-10 adopted.

RES. NO. R-17-10

A Resolution authorizing the submittal of applications for the jobs for Main Street Act of 2010 funds through the Miami Valley Regional Planning Commission

City Manager Enderle stated this resolution authorizes the application for the Jobs for Main Street Act for 2010. This is the anticipated continuation of the 2009 Stimulus Program for the streets, and this year they are asking for resolutions and recommendations from cities on the high priority streets requested. Upon submittal of the applications to MVRPC all of the projects in the region will be ranked and programmed according to the applicable scoring criteria. Mr. Enderle went over the list of streets that they are considering and what is involved in requesting assistance for these streets.

Mayor Fess asked if the Stimulus dollars were one hundred percent guaranteed. Mr. Enderle stated no, the funds have not been allocated yet. Commissioner Terry stated we need to be prepared to act on this quickly, and do a little preparation work ahead of time. But we won't get the grants unless we apply for them, said Commissioner Terry.

Public Comment

No one came forward to speak for or against Ordinance No. R-17-10.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-17-10 be adopted. Voice vote, Aye: Wilson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-17-10 adopted.

PUBLIC COMMENT

A Tim Elsass, Madison Avenue, came forward and voiced his concern over the City of Piqua Utility Office policy on disconnects and late fees, and the requirement of a deposit or a co-signer on an utility account if the customer is late or misses a set number of payments. Mr. Elsass stated he previously called the City Manager and he did not return his call. City Manager Enderle stated he did return a telephone call to Mr. Elsass, and stated he also asked the Utility Department Supervisor Robin Hungerford to contact him regarding his situation. Mr. Enderle asked Finance Director Cynthia Holtzapple to explain the Utility Office Policy at this time. Ms. Holtzapple explained the policy and indicated all Mr. Elsass would need to do to resolve the situation is to pay the deposit or have someone come in and co-sign for him. Mayor Fess stated she understands it is hard for him at this time, and asked Mr. Elsass to speak with the Commissioners after the meeting.

Deron Yingst, Adams Street, voiced his concern over the City not making the keys available to him for a property he owns. Mayor Fess stated Mr. Yingst should have his attorney contact the Law Director to go over the issues, and further stated there have been specific reasons for not giving the keys to him at this time. It would be better to settle this dispute outside the Commission meeting, said Mayor Fess. This is a legal matter and until Mr. Yingst complies with the agreement in place we cannot return the keys, said City Manager Enderle.

Commissioner Vogt stated the YWCA hosted the Martin Luther King Celebration on Monday, January 18, 2010 and it was a wonderful program. Joe Taylor, a Piqua native came up from Dayton to play the piano and brought his choir from his church to participate in the celebration. Commissioner Vogt congratulated the YWCA on the celebration of the life of Martin Luther King a noteworthy person who has changed the lives of many citizens in this country.

Commissioner Martin asked if the Street Department was able to patch potholes in the cold temperatures. City Manager Enderle stated yes, they can use cold patch to repair the potholes in cold weather. Commissioner Martin stated there is a large pothole on Garbry Road between Looney Road and Kienle Drive, and asked if someone would look into it.

Commissioner Wilson stated he attend the Martin Luther King Celebration and thoroughly enjoyed it.

Commissioner Wilson inquired if it would be possible to change the Charter to state the City Commission Meetings would be held on the first Tuesday of the new year so as not to have to change the first meeting of the year from Monday as stated now in the Charter. There are other changes that are going to be put on the ballot and this could be included with them, said Commissioner Wilson.

Moved by Commissioner Wilson, seconded by Commissioner Martin, to propose a change to the Charter to hold the first meeting of the Piqua City Commission on the first Tuesday instead of the first Monday of the New Year, and to place it on the ballot. Voice vote: Aye, Martin, Terry, Fess, Vogt, and Wilson. Nay: None. All Commissioners were in agreement to put the change of the Piqua City Commission Meeting day from Monday to Tuesday on the ballot.

Commissioner Terry stated she enjoyed the Martin Luther King Celebration program at the YWCA on Monday, January 18, 2010.

Mayor Fess stated the Martin Luther King Celebration was a wonderful event with outstanding music, and thanked all who participated in the program.

Mayor Fess asked what the status on the Hospital Project.

City Manager Enderle gave a brief update on the progress of the project so far, and stated the current owner is unable to complete the project at this time. The City of Piqua has explored State and Federal grants, but these grants would only be available to the City of Piqua not a private owner. If the City should receive the grants, the owner of the property would give the City of Piqua the property to continue with the cleanup. This could be a two to two-half year project before the cleanup is completed.

Mayor Fess stated the City would only complete the cleanup if the City receives the grants and the property free and clear, which then there would be no cost to the City. City Manager Enderle stated yes.

Mayor Fess inquired as to the status of City owned properties on Ash Street.

City Manager Enderle stated we finally have the environmental clearance we need, but the asbestos still needs to be removed, and the plan is to tear down the properties ourselves.

City Engineer Amy Havenar stated they received the asbestos reports back from the consultant last week, and they indicated that all the properties we plan to take down have asbestos in them. We will

have to hire a separate contractor to come in and remove the asbestos material prior to the city's demolition, and this could possibly take one to two months, said Ms. Havenar.

City Manager Enderle reminded the Commissioners of the City Commission Work Sessions to be held on Wednesday, January 27th at 11:00 A.M. and Saturday, January 30th at 10:00 A.M. in the Commission Chambers. City Manager Enderle reminded the Commissioners to get their questionnaires back in as soon as possible so the information can be processed.

Mayor Fess reminded citizens to please contact their Commissioners with their thoughts and ideas about goals or priorities they would like to see happen in the City. Please write your comments down and send them to the Commissioners so when we go into the meetings we have some idea of what the community would like to see happen, said Mayor Fess.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 8:30 P.M. Voice vote, Aye: Vogt, Martin, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION