

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday June 15, 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**

**PRESENTATION BY U.S ARMY NATIONAL GUARD – ARMY COMMUNITY COVENANT**

First Sergeant Kenneth Kowalski came forward and gave a brief background of the Covenant.

Sergeant Ryan Covington came forward and read the Army Community Covenant.

Mayor Fess and First Sergeant Kowalski signed the Covenant.

Mayor Fess thanked the Army Sergeants Kowalski and Covington for coming to present the Community Covenant to the City of Piqua.

Mayor Fess read a Proclamation proclaiming June 21-28, 2010 as Amateur Radio Week In the City of Piqua. and presented it to Brad Boehringer, a member of the Amateur Radio Club.

**Consent Agenda**

**Approval of Minutes**

Approval of the minutes from the June 1, 2010 Regular City Commission Meeting, and the June 1, 2010 Piqua City Commission Work Session.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the minutes of the Regular City Commission Meeting of June 1, 2010 and the Work Session of June 1, 2010 be approved. Voice vote, Aye: Wilson, Fess, Terry, Martin, and Vogt. Nay: None. Motion carried unanimously.

**Old Business**

**ORD. 15-10 (2nd Reading)**

An Ordinance amending Chapter 55 of the Piqua Municipal Code Stormwater Management

City Manager Enderle stated this is the second reading of the Ordinance, and briefly explained this ordinance clarifies how apartment buildings are to be billed for ERU's. Single family properties shall be billed on a per unit basis at one (1) ERU per month and duplexes, will be billed on a per unit basis of one-half (1/2) an ERU per month.

There was a question regarding who should receive the bill, the landlord or the tenant. Law Director Wall explained the ordinance states the property owner is responsible for the bill and that they should receive it.

**Public Comment**

No one came forward to speak for or against Ordinance No. 15-1.

After discussion Ordinance No. 15-10 was given a second reading.

**ORD. NO. 17-10 (2nd Reading)**

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 66 and 68 Police and Fire Services

Section 66: Police Force. Shall Charter 66 be amended to eliminate the mayor's responsibility in an emergency with regards to the command of the Police Department.

Section 68: Fire Force. Shall Charter Section 68 be amended to eliminate the mayor's responsibility in an emergency with regards to the command of the Fire Department.

City Manager Enderle gave a brief summary of the ordinance and stated Ordinance No. 17-10 and the next two Ordinances 18-10 and 19-10 are the recommended changes made by the Charter Review Committee. These changes include:

- Section 5: President of Commission, Mayor
- Section 6: Salary of Commission Members and Mayor
- Section 8: Rules of Commission
  
- Section 32: Removal of Officers and Employees
- Section 41: Qualifications and Duties of Law Director
  
- Section 66: Police Force
- Section 68: Fire Force

**Public Comment**

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

After discussion Ordinance No. 17-10 was given a second reading

**ORD. NO. 18-10 (2nd Reading)**

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 5, 6, and 8 The Commission

City Manager Enderle explained previously.

Section 5 President of Commission, Mayor: Shall Charter Section 5 be amended to eliminate the authority of the mayor to take command of the police department in time of emergency.

Section 6 Salary of Commission Members and Mayor: Shall Charter Section 6 be amended to eliminate the vice mayor being paid the mayor's salary during absences of the mayor.

Section 8 Rules of Commission: Shall Charter Section 8 be amended to specify reason when a commission member may be expelled from City Commission.

**Public Comment**

No one came forward to speak for or against Ordinance No.18-10.

After discussion Ordinance No. 18-10 was given a second reading.

**ORD. NO. 19-10 (2nd Reading))**

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 32 and 41 Administrative Service

There was a brief discussion of the recommendations by the Charter Review Committee for submission to the voters in the November Election. These sections include:

Section 32 Removal of Officers and Employees: Shall Charter Section 32 be amended to require that any employee who is to be laid off, suspended or removed receive written notice.

Section 41 Qualifications and Duties of Director of Law: Shall Charter Section 41 be amended to require the director of law to have five years of experience as a practicing attorney rather than two years.

The proposed changes are in the interest of the City in defining how an employee is to be notified of a layoff, suspension or removal and increasing the qualifications of the law director.

**Public Comment**

No one came forward to speak for or against Ordinance No 19-10.

After discussion Ordinance No. 19-10 was given a second reading.

**NEW BUSINESS**

**ORD. NO. 20-10 (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

City Manager Enderle explained the City entered into a memorandum of understanding in August of 2009 with the Deputy Police Chiefs in conjunction with a plan to reorganize the command staff within the Police Department. As part of the reorganization wages and new titles were discussed. It was determined the Deputy Chief title would be retained and there would be a phase in of a new wage scale. However, at this time the Letter of Understanding has expired thus the need for the "Phase I" wage rate to be included as part of Schedule A.

**Public Comment**

No one came forward to speak for or against Ordinance No. 20-10.

Law Director Wall stated the City would like to request that Ordinance No. 20-10, the three reading rule be suspended and be adopted at the June 16<sup>th</sup> meeting. This is requested due to the fact the Deputy Chief's positions are not new positions or new people, they are current employees and they had a Letter of Understanding, and the Letter of Understanding has expired. In order to continue to pay in the salary range Ordinance No. 20-10 needs to be adopted at this time.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 20-10 be read fully and distinctly on three separate days be suspended. Roll call , Aye: Terry, Fess, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 20-10 be adopted. Roll call, Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 20-10 adopted.

**ORD. NO. 21-10 (1<sup>ST</sup> Reading)**

An Ordinance repealing Schedule A-1 of Chapter 33 of the Piqua Code and adopting a new Schedule A-1of Chapter 33 of the Piqua Code, relating to wages of certain Municipal employees

City Manager Enderle stated this would add a part-time position of Street Sweeper to Schedule A-1, which would be a salary savings in the Stormwater Utility Budget.

City Manager Enderle explained street-sweeping operations serves as one of our Best Management Practices (BMP) to control and improve the water quality to help with the compliance of our Storm Water National Pollutant Discharge Elimination System (NPDES) Permit. Previously the street sweeping was budgeted from the Street Department 101 Fund, but the Commission previously approved the transfer of the street sweeping operations from the Street Department to the Storm Water Utility. This allows the hiring of a part-time employee to work approximately thirty hours a week, nine months out of the year, and be dedicated to sweeping the streets only.

**Public Comment**

No one came forward to speak for or against Ordinance No. 21-10.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that the rule requiring Ordinance No. 21-10 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 21-10 be adopted. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 21-10 adopted.

**Ord. No. 22-10 (1<sup>st</sup> Reading)- Res. No. R-78-10**

An Ordinance to change the street name of portions of Bridge Street and Statler Road

City Manager Enderle gave a brief explanation of the reason for the requested changes. The street renaming was unanimously recommended by the Planning Commission.

There was discussion regarding whether the street name change should be a resolution or an ordinance at this time. City Manager Enderle provided a slide of a map showing the streets in question.

Law Director Wall stated a motion could be made to amend the Ordinance to a Resolution.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to amend/change Ordinance 22-10 to Resolution No. R-78-10 at this time. Voice vote, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Mayor Fess stated Ordinance No. 22-10 has been amended/changed to Resolution No. R-78-10.

**Public Comment**

Norman Seipel, a Bridge Street resident, came forward and stated he was in agreement with the name change at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that amended Ordinance No. 22-10 now Resolution No. R-78-10 be adopted. Voice vote, Aye: Terry, Wilson, Fess, Martin, and Vogt. Aye: None. Motion carried unanimously. Mayor Fess stated Resolution No. R-78-10 has been adopted.

**Res. No. R-74-10**

A Resolution accepting the resignation of Michael Perando as a member of the Park Board

City Manager stated with the acceptance of Mr. Perando's resignation there is an opening on the Park Board to fill the un-expired term.

**Public Comment**

No one came forward to speak for or against Resolution No. R-74-10.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-74-10 be adopted. Voice vote, Aye: Martin, Fess, Wilson, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-74-10 adopted.

**RES. NO. R-75-10**

A Resolution approving the Community Development Block Grant Formula Allocation Program application for fiscal year 2010

City Manager Enderle stated Resolution No. R-75-10 would approve the allocation for the 2010 Community Development Block Grant Formula Allocation Program. The City of Piqua is in line to receive \$118,000. The 2010 application is proposing to provide streetscaping to the 100 block of West Water Street on both the north and south sides of the street. The city is eligible for \$118,000 which 80% or \$94,400 will be for streetscaping, 15% or \$17,700 is for administration costs and 5% or \$5,900 will be provided for fair housing initiatives, said City Manager Enderle.

**Public Comment**

No one came forward to speak for or against Resolution No. R-75-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-75-10 be adopted. Roll call, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-75-10 adopted.

**RES. NO. R-76-10**

A Resolution fixing the time and place for a Public Hearing on a proposed City Tax budget for Miami County for the calendar year 2011 and draft Appropriation Ordinance

City Manager Enderle stated this is a Resolution setting the time and place for a Public Hearing on the Proposed City Tax Budget for Miami County for the Calendar Year 2011 and Draft Appropriation Ordinance. The City of Piqua is required to file the approved Resolution and County Tax Budget with the Miami County Budget Commission on or before July 20, 2010. This resolution must be passed to allow us to properly advertise and conduct the public hearing at the next Commission Meeting, said Mr. Enderle.

**Public Comment**

No one came forward to speak for or against Resolution No. R-76-10

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-76-10 be adopted. Voice vote, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-76-10 adopted.

**RES. NO. R-77-10**

A Resolution appointing a member to the Downtown District Design Review Board

**Public Comment**

No one came forward to speak for or against Resolution No. R-77-10.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-77-10 be adopted. Voice vote, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-77-10 adopted.

### **Other**

Report on Mid-Year 2010 Budget status and review and acceptance of 2010 Budget adjustments.

City Manager Enderle presented a report on the Mid-Year Budget and adjustments requested. Mr. Enderle stated on the revenue side of the equation revenues have been lagging behind in most Funds, with no unanticipated revenues expected to be realized anytime soon. As of June 11, 2010 Income Tax revenue is lagging 15 ½% behind last year at this time, which was the lowest since 2003. We need to reduce expenditures now to preserve as much fund balance as possible to carry us through 2011 and beyond. Therefore recommending 1.2 million in reductions in the General Fund expenditures in the 2010 Budget for the last half of the year, said Mr. Enderle. All department heads were provided target levels and asked to identify areas to reduce the General Fund Budget by 1.2 million and other funds as much as possible. Previously reductions have been primarily on non-safety services; unfortunately we are at the point where Safety Services, which is 74% of the General Fund Budget, must now be targeted for the reductions needed. 74% will come from the Safety Services and the balance will come from the other areas such as, Park & Recreation, Income Tax, Health, Planning and Zoning, NIT, Pro-Piqua, General Government, City Commission, Civil Service and Partially General Fund Areas. The General Fund adjustments have been identified as Personnel Changes, Health Insurance, Training, Special Programs/Operations, Capital Expenditures, Operations & Maintenance, and Services, which will total \$1,201,771 in cuts for the General Fund.

Mayor Fess stated the City Manager went over the reductions with the Commissioners and they do not feel good about having to make the cuts. Mayor Fess stated she appreciates all the city employees going above and beyond in helping to balance the budget. Many other communities are also having the same issues as the City of Piqua is having, said Mayor Fess.

City Manager stated these will be recognizable cuts in services; longer waits in line in Utilities, Income Tax, Nuisance's complaint inspections, and the little things the Police and Fire Departments do to help. City Manager Enderle further stated our main focus is essential services, and anything that is not essential will be put on a priority list.

Mayor Fess stated she knows the city employees will continue to do the best they can with the time and issues they have to deal with.

Commissioner Terry stated the Commissioners hate to see the cuts made but realize they have to made, and the City has to operate within their means to balance the budget.

Mayor Fess further stated it is important to mention that all the Administrative Staff, City Manager, Department Heads, Law Director, Finance Director have not been given a raise in the past three years to help keep the budget in line.

### **Public Comment**

Bill Hogston, Greene Street, representing the Piqua Fire Fighters came forward and asked if the \$632,045 cuts in the Personal Changes were to be all from Police and Fire. Mayor Fess stated no, they were not all from the Police and Fire Departments. Some of the personnel changes being made were from resignations/retirements and not filling positions at this time.

Mayor Fess asked the Clerk to call the roll for acceptance of the City Manager's Budget Report at this time. Roll call: Terry, Fess Wilson, Vogt, and Martin, Nay: None. Motion carried unanimously. All Commissioners were in favor of the City Manager's Budget Report. Mayor Fess stated at this point the Commission would go forward with the reductions presented by the City Manager.

## **Public Comment**

No one came forward to speak at this time.

## **Commission Comments**

Commissioner Wilson stated he has received several calls about tenants not receiving a copy of a violation notice that it is only going to the landlords, and he would like the tenant to be notified also. City Manager Enderle explained the process in which the violation notices were sent and who was notified. Mayor Fess stated that both Troy and Sidney have the same process in sending out violation notices as Piqua.

Commissioner Terry commented she was in the dark Monday evening due to a power outage and thanked the Power Department for responding to the problem so quickly.

Commissioner Terry stated this summer the Salvation Army is providing food/lunches for children ages 1-18 at several locations in Piqua and at the Salvation Army through Feed the Children Program. During the school year these children are provided a free/reduced lunch program, but in the summer they do not have an available source for lunch.

Commissioner Terry mentioned she attended the Flag Burning Ceremony held on Flag Day, June 14<sup>th</sup>, at Govers Harley Davison, sponsored by The American Legion. It was a very impressive ceremony, said Commissioner Terry.

Commissioner Terry inquired if the restrooms in the City Parks are open to the public on the weekends. City Manager Enderle explained the situation with the restrooms in the parks at this time.

Commissioner Terry reminded citizens that the Piqua Area Community Band will be performing at the Hance Pavilion on Thursday, June 17<sup>th</sup>, 2010.

Commissioner Vogt reminded citizens of the Piqua City Car Show to held on July 31<sup>st</sup> with the proceeds going to the Piqua Parks Department for upgrades to the parks.

Commissioner Vogt thanked Larry Pickering of Champion Foundry for his letter to the editor recognizing the service provided by the Piqua Power Plant recently when an outage occurred at the foundry.

City Manager Enderle reminded citizens there are still tickets available for several of the Dragons Baseball game trips sponsored by the Parks Department.

Mayor Fess stated she attended the Chamber After Hours at Soak and Suds where she met ten gentlemen from Tragestain who were in the United States for three days to learn about our culture and our farming methods. They were very appreciative of our help and very complementary of the City of Piqua, said Mayor Fess.

Mayor Fess also thanked Larry Pickering for his letter to the editor, and thanked the Power Plant employees for doing a wonderful job and appreciate them going above and beyond.

Mayor Fess mentioned several trees at Fountain Park that are being removed, stating they are either dead or dying inside. As much as we hate to lose these beautiful trees, we have to look out for safety issues in the park, said Mayor Fess.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 8:40 P.M. Voice vote, Aye: Martin, Terry, Fess, Vogt, and Wilson. Nay: None. Motion carried unanimously.

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION