

**MINUTES
PIQUA CITY COMMISSION
Tuesday May 17, 2011
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 Vogt, Martin, Terry, and Wilson. Absent: None.

REGULAR CITY COMMISSION MEETING

PRESENTATION:

Proclamation Honoring Piqua Kiwanis 75th Anniversary – Mrs. Peggy Henthorn

Mayor Fess read the proclamation and presented it to Mark Reedy accepting on behalf of the Piqua Kiwanis Club.

Proclamation – Emerald Ash Borer Awareness Week – Mr. Bob Graeser

Mayor Fess read the proclamation and presented it to Mr. Graeser.

Proclamation – Police Week in the City of Piqua – Police Chief Bruce Jamison

Mayor Fess read the proclamation and presented it to Police Chief Jamison.

Police Chief Jamison gave a brief overview of the three Police Officers who lost their lives in the line of duty in City of Piqua.

Residence Pride Awards

- | | |
|-----------------------|----------------------------------|
| • 500 N. Wayne Street | Reed Mote Staley Insurance, Inc. |
| • 617 Cherry Street | Dan & Diane Beaver |
| • 821 Boone Street | Jim & Malinda Williams |
| • 614 N. Wayne Street | Jim & Joan Stover |
| • 611 Cherry Street | Bill & Vicky Beckstedt |

Mayor Fess read the names of the homeowners as picture of the properties were shown. Mayor Fess thanked all the winners for maintaining their properties and showing pride in our community.

Consent Agenda

Approval of Minutes

Approval of the minutes from the April 15, 2011 Piqua City Commission Special Meeting, and the minutes from the Regular Piqua City Commission Meeting of April 19, 2011.

Moved by Commissioner Martin, seconded by Commissioner Terry, that the minutes of the Piqua City Commission Special Meeting of April 15, 2011, and the Regular Piqua City Commission Meeting of April 19, 2011 be approved. Voice vote, Aye: Wilson, Martin, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

ORD. NO. 3-11

An Ordinance enacting and adopting a supplement to the Code of Ordinances for the city of Piqua

City Manager Enderle stated Ordinance No. 3-11 would adopt the 2010 supplement to the Code of Ordinances.

Public Comment

No one came forward to speak for or against Ordinance No. 3-11.

Ordinance No. 3-11 was given a first reading.

ORD. NO. 4-11

An Ordinance amending Chapter 154.019 Floodplain District of the Code of Ordinances and enacting and adopting Chapter 155: Floodplain Regulations of the Code of Ordinance for the City of Piqua

City Manager Enderle stated this Ordinance would amend Chapter 154.019 Floodplain District and adopt Chapter 155: Floodplain Regulations and will replace the previous 70's-80's maps.

City Planner Chris Schmiesing gave a brief overview of the changes that would take place in the Floodplain Regulations, and stated the need for the updates at this time.

Public Comment

Joe Drapp, Park Avenue, came forward and inquired if the Miami County Conservancy would make any changes with the new Floodplain information? Mr. Schmiesing explained the process.

After a brief discussion Ordinance No. 4-11 was given a first reading.

RES. NO. R-60-11

A Resolution accepting the resignation of Barbara Miller as a member of the Community Diversity Committee

City Manager Enderle stated Resolution No. R-60-11 is a Resolution accepting the resignation of Barbara Miller as a member of the Community Diversity Committee

Public Comment

No one came forward to speak for or against Resolution No. R-60-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-60-11 be adopted. Voice vote, Aye: Fess, Wilson, Terry, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-60-11 adopted.

RES. NO. R-61-11

A Resolution appointing a member to the Community Diversity Committee

City Manager Enderle stated this resolution would appoint Roger Hartley to fill the unexpired term of Barbara Miller as a member of the Community Diversity Committee for a term to expire on March 1, 2012.

Public Comment

No one came forward to speak for or against Resolution No. R-61-11

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-61-11 be adopted. Voice vote, Aye: Martin, Terry, Wilson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-61-11 adopted.

RES. NO. R-62-11

A Resolution accepting the resignation of William Shinall as a member of the Golf Advisory Board

City Manager Enderle stated Resolution No. R-62-11 is a Resolution accepting the resignation of William Shinall as a member of the Golf Advisory Board.

Public Comment

No one came forward to speak for or against Resolution No. R-62-11

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-62-11 be adopted. Voice vote, Aye: Martin, Terry, Wilson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-62-11 adopted.

RES. NO. R-63-11

A Resolution amending the contract with Kleingers & Associates for the engineering design on the County Road 25-A Phase II Reconstruction Project

City Manager Enderle stated this Resolution is a request to amend the contract with Kleingers & Associates for engineering design of the County Road 25-A Phase II Reconstruction Project. The County Road 25-A Reconstruction Project is scheduled for 2013 and will consist of the reconstruction of County Road 25-A from Country Club Road to Looney Road and will include new asphalt pavement, curb & gutter, sidewalks, and new storm sewer, said City Manager Enderle.

The amendment to the current contract will add and additional \$28,210 to the original contract of \$103,000 bringing the total contract to \$131,210 with a 15% contingency. A total of \$80,000 was budgeted in the 103 Budget for 2011, but the entire contract cost will not be recognized in 2011, as the design will extend into 2012, said City Manager Enderle.

Several questions were asked concerning the reason Choice One did not complete the drawings. City Manager Enderle explained the reasons. It was mentioned that the City should withhold funds, but City Manager Enderle stated that was not an option at this time because the city could lose the state funding if the project was delayed, but it was stated the city would pursue the funds.

Public Comment

No one came forward to speak for or against Resolution No. R-63-11

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-63-11 be adopted. Roll call, Aye: Terry, Fess, Martin, and Wilson. Nay: Vogt. Motion carried on a 4-1 vote. Mayor Fess declared Resolution No. R-63-11 adopted.

RES. NO. R-64-11

A Resolution requesting final authorization for the pavement planing and resurfacing of US Route 36 and State Route 185 within the City of Piqua

City Manager Enderle stated this resolution would authorize the City Manager to enter into a contract with the Ohio Department of Transportation (ODOT) for the pavement planing and resurfacing of US Route 36 from Downing Street to Spring Street and on State Route 185 from Washington Avenue to Spring Street. The City Commission passed a Resolution on September 7, 2010 authorizing the City Manager to enter into Preliminary Legislation with ODOT so they could

begin programming the US Route 36/SR 185 Paving Project within the City of Piqua. ODOT has the plans and specifications complete and they are now ready to go out for bid on this project.

The City of Piqua will be required to contribute 20% of the total construction cost which has been estimated by ODOT to be \$464,200. The City's share would be \$98,840 (20%) and ODOT paying the remaining \$371,360 (80%). ODOT's original estimate for the project was \$600,000; therefore the 2011 budget includes a total of \$120,000 for this project.

This project will be completed in conjunction with the proposed streetscaping project in the 100 block of W. Water Street between Main Street and Wayne Street. The City has secured a Community Development Block Grant (CDBG) for the streetscape improvements in 2011 and the resurfacing, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-64-11

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Resolution No. R-64-11 be adopted. Roll call, Aye: Wilson, Martin, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-64-11 adopted.

RES. NO. R-65-11

A Resolution awarding a contract to Hume Supply, Inc. for the 2011 Sidewalk ADA compliance program

City Manager Enderle stated this Resolution is authorization to award a contract to Hume Supply, Inc. for the 2011 Sidewalk ADA Compliance Program with a total cost not to exceed \$68,000. Six bids were received and Hume Supply was the lowest at \$61,109.00. The project will consist of the replacement/installation of new ADA compliant handicap ramps at the intersections which will be resurfaced on W. Water Street from Spring Street to Downing Street and SR 185 from Spring Street to Washington Avenue, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-65-11

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-65-11 be adopted. Roll call, Aye: Vogt, Terry, Martin, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-65-11 adopted

RES. NO. 66-11

A Resolution appointing a member to the Golf Advisory Board

City Manager Enderle stated this Resolution appoints James D. Denson to fill the unexpired term of William Shinall as a member of the Golf Advisory Board for a term to expire on March 1, 2013.

Public Comment

No one came forward to speak for or against Resolution No. R-66-11

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-66-11 be adopted. Voice vote, Aye: Martin, Terry, Wilson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-66-11 adopted.

RES. NO. 67-11

A Resolution authorizing the City Manager to enter into a lease agreement to permit the usage of a portion of Fountain Park, Hardman Field and Hance Pavilion to the Piqua Fourth of July Association

City Manager Enderle stated this Resolution authorizes the City Manager to permit the Piqua Fourth of July Association to use the Hance Pavilion, Hardman Field, the Fountain Park volleyball courts and the part of Fountain Park between (and including) the hardball diamond and the dining hall on the Fourth of July, 2011.

There was discussion of the issuance of insurance and who would be responsible for any damages or accidents in the park.

Public Comment

Albert Fleddeman, Harney Drive Treasurer of the Fourth of July Association came forward and explained how the insurance policy was prepared and what it covered.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-67-11 be adopted. Roll call, Aye: Martin, Vogt, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-67-11 adopted.

RES. NO. R-68-11

A Resolution for the employment of Frederick E. Enderle as City Manager

City Manager Enderle explained his current retirement date is May 31, 2011 and this resolution approves an agreement that allows him to continue service to the City of Piqua through July 2011 at the same rate of pay he was earning as of May 31, 2011. City Manager Enderle also gave a brief overview of the contract terms and reason for the contract.

Mayor Fess further explained the reason the Commission has asked City Manager Enderle to extend his contract. Mayor Fess further explained the Commission had to go back to square one and go out to find a suitable replacement, and hopefully will be able to have someone in place by the end of July. Mayor Fess thanked City Manager Enderle for staying on while they continue to find his replacement.

Human Resource Director Elaine Barton explained how the City Manager search is being conducted and gave the timeline they plan to follow in searching for the new City Manager.

Mayor Fess explained they had received sixty applications for the position the first round and explained how they narrowed them down to the eight they considered, and finally down to the two they chose to bring in to interview face to face.

Public Comment

Bob Bloom, Union Shelby Road, representing the Piqua Fire Firefighters congratulated City Manager Enderle on his retirement. Mr. Bloom asked if the agreement was an open-ended agreement or is the July 31, 2011 a firm date?

Mayor Fess stated the July 31, 2011 is a firm date, but if we have to the option is there to ask Mr. Enderle to stay on a little longer if necessary.

Mr. Bloom inquired as to the two positions of Assistant City Manager that are in place at this time, and would it be possible for one of them to act as City Manager?

Mayor Fess explained the reasons for not appointing one of the Assistant City Managers at this time.

Commissioner Vogt stated the last time the City went through a City Manager search the city appointed Larry Wolke from Troy as an Interim City Manager for a year.

Moved by Commissioner Wilson, seconded by Commissioner Vogt, that Resolution No. R-68-11 be adopted. Roll call, Aye: Wilson, Martin, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-68-11 adopted.

OTHER

Economic Development Update – Mr. Bill Murphy, Assistant City Manager/Director of Economic Development

Mr. Murphy gave a brief update on Economic Development and the activity that has taken place in the last month.

Street Department Update – Mr. Doug Harter, Street Department Superintendent

Mr. Harter gave a brief update on several projects being done in the Street Department. Potholes are the main complaint Mr. Harter stated, from January 2011 to date there are 558 pot holes, from March 1 to date there have been 186 complaints received thru the E-Gov System, with 136 having been filled so far with an additional 30 in progress, and 14 waiting to be filled. Mr. Harter showed a short video on the durapatch process. There was discussion on how the Street Department determines the process for the pothole repairs, and it was stated if the pothole is 3 inches or deeper it will be repaired within 48 hours. Mr. Harter explained how citizens can log on to the E-Gov on the City website to inform the Street Department where the potholes are located, and citizens can also contact the Street Department at 937-778-2090.

Mayor Fess inquired as to when the paving would begin on Park Avenue and Broadway. City Engineer Amy Havenar stated the resolution for paving St Rt. 185 was approved at this meeting and Mr. Harter and his crew will begin doing preliminary patchwork before ODOT begins paving. Mayor Fess inquired as to when the Ash Street paving would begin; Ms. Havenar stated the bids would go out in the fall for this project.

Monthly Reports – March 2011

Monthly Reports for March 2011 were accepted.

PUBLIC COMMENT

Deron Yingst, Adams Street, came forward and inquired what the status is on locating a new tenant for the Fort Piqua Plaza restaurant. City Manager Enderle stated they did not receive any proposals for locating a restaurant there, but did receive an expression of interest from two different investment groups that may be willing to put together an investment team that will attract someone to operate or manage it.

Mayor Fess asked if it would be helpful to get input from the community as to what type of restaurant they would support in that location. If anyone has any thoughts please contact the City Managers Office, Bill Murphy or their Commissioner, or send an email. City Manager Enderle stated to just let them know the type of restaurant they would like to see go in there, not a particular restaurant.

Joe Drapp, Park Avenue, stated he recently took a tour of the old Atomic Reactor, and asked if it would be possible to give a tour to the two young students that wrote an article on the Atomic Reactor? Mayor Fess stated Mr. Drapp should contact Ed Krieger about setting up a tour.

Kathleen Klenk, of the Salvation Army, stated they are beginning their 16th year for the Summer Feeding Program. There are seven locations throughout the community, the ages are from seven years to sixteen years of age and the program will run for fifty-three days beginning June 6th through August 18th.

There are several organizations helping to raise funds for the program. Mayor Fess inquired as to the number of children that were fed last year. Ms. Klenk stated approximately 7000 children were given lunches last year. Mayor Fess thanked the Salvation Army for providing this program for the community.

Bruce Soifer, Town & Country Furniture, W. Water Street came forward and asked the Commission to consider the small businesses in town, and asked that they consider keeping the parking in front of their store when looking at the Water Street Landscaping Project. Mayor Fess thanked Mr. Soifer for bringing his concern to their attention.

Lorna Swisher, MainStreet Piqua, came forward and encouraged citizens to attend the 17th Taste of the Arts Festival being held in downtown Piqua on May 20, from 5:00 P.M. – 9:00 P.M. There is something for everyone and this is a unique event for the community, stated Ms. Swisher.

Commissioner Wilson stated recycling is up with the March tonnage being about 125 tons, and asked citizens to continue recycling.

Commissioner Wilson thanked all who participated in the City Wide Clean up and thanked Susie's Big Dipper for providing lunch.

Commissioner Wilson also thanked everyone who helps put together the 17th Annual Taste of the Arts; stating it is one of the highlights of the year.

Commissioner Terry thanked the volunteers that helped with the City Cleanup, and stated the North Parks has participated two weeks in a row. The North Parks Neighborhood will be mulching the trees on the Nicklin Avenue Boulevard if the mulch is available from the City the weekend of May 21st and invited citizens to come out and help.

Commissioner Terry stated she wanted to thank the person who left the article on her doorstep regarding the Eagle and the fountain on Nicklin Avenue. Commissioner Terry thanked all who helped to plant the beautiful flowers in the planter's downtown, and also congratulated the Residence Pride winners citing three of them are from the Fourth Ward. The Piqua Art Show is open in conjunction with the Taste of the Arts and is located on the second floor of the Apple Tree Gallery.

Commissioner Vogt encouraged citizens to attend the Taste of the Arts May 20th, 2011.

Commissioner Vogt mentioned the Proclamation on National Peace Officers Week, stating the three Police Officers who made the ultimate sacrifice in the line of duty were very special men.

Commissioner Martin thanked all the volunteers who helped with the City Cleanup and encouraged citizens to attend the Taste of the Arts.

Commissioner Martin stated they had another water issue in Shawnee, but the Pumps turned on like they were supposed to and took care of the situation.

Mayor Fess recognized a local Boy Scout Robert Haney in attendance that is working on his citizenship badge.

Mayor Fess stated she was at Piqua Manor recently to present a proclamation in honor of Nursing Home Week and enjoyed the ice cream social while she was there.

Mayor Fess congratulated Piqua Kiwanis on their 75th Anniversary stating they do so much for the community.

Mayor Fess also thanked all the volunteers who came out and participated in the cleanup.

Mayor Fess thanked Hartzell Propeller for their generous offer to fund three students to work for the City of Piqua in the Parks, Golf and Health departments. Due to the budget constraints the city was not going to be able to hire as many summer students this year, and Hartzell Propeller stepped up and stated they were not going to need as many students this year, and would pay the wages for three students to work for the City of Piqua.

Mayor Fess encouraged citizens to attend the Taste of the Arts on Friday, May 20th from 5:00 to 9:00 P.M.

Adjournment

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION