

**MINUTES
PIQUA CITY COMMISSION
Tuesday July 19, 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.

Mayor Fess introduced Jennifer Welker, the new Executive Director of the Western Ohio TV Consortium, and welcomed her. Ms. Welker stated she is excited to be on board and has been working in Public Access Television for seven years. Ms. Welker stated she is looking forward to working with and getting involved in the community.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the July 5, 2011 Regular Piqua City Commission Meeting.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the Regular Piqua City Commission Meeting of July 5, 2011 be approved. Voice vote, Aye: Wilson, Martin, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

OLD BUSINESS

ORD. NO. 5-11 (3rd Reading)

An Ordinance amending Sections 52.01, 52.21, 53.06 and 51.81 of the Piqua Code relating to Municipal Utilities General Service Regulations

City Manager Enderle stated Ordinance No. 5-11 updates the General Service Regulations for the Utilities, bringing them up to date.

There was discussion on the possibility of notifying the landlord when the utilities have been shut off so the landlord can come in and transfer the utilities in their name to avoid any problems with the property. Finance Director Holtzaple explained it is hard to do that since properties change hands often and the County records are not always updated right away. Law Director Wall stated it would be possible to make an amendment to Ordinance No. 5-11 in Section 7 (C) if the Commissioners elected to do so at this time. The language should state " *When a tenant's utilities have been disconnected, a reasonable attempt will be made to notify the landlord of the disconnect.*" All were in agreement with the stated language.

Moved by Commissioner Martin, seconded by Commissioner Wilson to amend Ordinance No. 5-11 in Section 7. Non-Payment of Utility Bills and Medical Exceptions under Section (C) at the end to add " ***When a tenant's utilities have been disconnected, a reasonable attempt will be made to notify the landlord of the disconnect***". Roll call, Aye: Fess, Vote, Terry Martin and Wilson. Nay, None. Motion carried unanimously.

Public Comment

No one came forward to speak for or against Ordinance No.5-11.

Moved by Commissioner Vogt, seconded by Commissioner Martin to adopt amended Ordinance No. 5-11 with the changes made as noted. Roll call, Aye; Martin, Terry, Fess, Wilson, and Vogt. Nay, None. Motion carried unanimously. Mayor Fess declared Ordinance No. 5-11 adopted, as amended.

NO. 6-11 (2nd Reading)

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 120, 122, 125 and 127 The Recall

Law Director Wall stated she made some minor changes to Charter Sections 120, 125, & 127 and reviewed the proposed changes.

Commissioner Martin inquired if it would be possible to change the wording in the last sentence of Section 125, which states, " If there are less than two years remaining in the term of the recalled commissioner, the appointed person shall serve for the remainder of the unexpired term." to state until the next General Election? Law Director Wall explained the City would still have to pay for a General Election. There was discussion on the reason Commissioner Martin would like to see the change in Section 125 Result of Recall Election.

Commissioner Terry stated she is glad the language is stated in the reason for a Recall, stating it is much easier to understand now.

Commissioner Wilson stated he would still like to see a change made in Section 127 Limitations on Recall Petitions to change the time limit from six months to ten months before a Commissioner can be recalled. Commissioner Wilson stated he feels six months is not quite long enough for the new Commissioner to get acclimated to the position. Law Director Wall explained the reason for the six month time period, further stating other City Charters ranged anywhere from three months to one year.

Public Comment

Jean Franz, Parkridge Place stated she is a member of the Piqua Planning Commission and is also on the Steering Committee of the Positively Promoting Piqua group voiced her support of the changes being made in the Piqua Charter at this time.

After a brief discussion Ordinance No. 6-11 was given a second reading.

NEW BUSINESS

ORD. NO. 8-11 (1st Reading)

An Ordinance amending Chapter 34 of the Piqua Municipal Code to permit the disposal of personal property no longer needed for City purposes

City Manager Enderle stated this is the first reading of Ordinance No. 8-11 to amend Chapter 34, specifically Section 34.35 Disposal of Personal Property to allow for a variety of disposal methods. This amendment allows for property to be donated but only to a non-profit entity or other governmental unit. It also provides flexibility in allowing for computer equipment to be declared obsolete and disposed of by means other than by sale. In this case a piece of fire equipment may be donated to a smaller Fire Department. The amendment would allow the City to have agreements with other governmental entities in donating property while being able to maintain access of the piece of equipment for backup use if needed.

Public Comment

No one came forward to speak for or against Ordinance No. 8-11 at this time.

Ordinance No. 8-11 was given a first reading.

RES. NO. R-85-11

A Resolution requesting Authorization to purchase real property at St. Rt. 66 on the Water Treatment Plant Construction

City Manager Enderle stated Resolution No. R-85-11 would authorize the purchase of the property located on State Route 66, being Parcel ID M40-047450, being 20.39 acres. This property is being purchased from Harold & Gertrude J. Lange at a cost not to exceed \$143,000.

O.R. Colan & Associates appraised the property and a fair market value was provided of \$143,000. In 2006, the Ohio EPA advised the City that the current facility would not be able to meet the new regulation coming into effect in 2013. The City of Piqua has been planning for a number of years to replace the existing water treatment plant, which was built in 1925. The proposed location has been identified as a prime location by consultants for the new water treatment plant. The City would not be allowed to take down the current water treatment plant and rebuild on the current site due to the new regulations. This is one of two properties to be purchased for the new plant with a combined total of about 40 acres. The new plant will only require about 10 acres at this time with room for expansion in the future.

There was discussion concerning the effects on the neighbors surrounding the new water treatment plant site. It was explained the area around the new water treatment plant would be screened and there is plans to have an informational meeting with the surrounding neighbors in the future.

Public Comment

Jeff Lange, N. St. Rt. 66 came forward and stated he is in full agreement with the City in purchasing the property and the placement of the new Water Treatment Plant. Mr. Lange further stated he feels it is the most logical place to build it. Now is the time to move the plant up the hill out of the Floodplain area, stated Mr. Lange.

Commissioner Martin inquired about the difference in price on the County assessment and the amount the City is paying. City Manager Enderle explained how the market value is arrived at and stated the city did get an appraisal of the property before making the offer.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-85-11 be adopted. Voice vote, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-85-11 adopted.

RES. NO. R-86-11

A Resolution authorizing a Professional Services Agreement with Frederick E. Enderle

Mayor Fess stated since a new City Manager has not been selected and Mr. Enderle is leaving on July 31, this contract would be beneficial to the city. The Commissioners felt that if the new City Manager would like to have assistance on some of the projects already in progress Mr. Enderle would be available to assist him by having this contract in place. It was noted there is a cap of \$8000 set for his services, and he will only be used if requested by the new City Manager.

Public Comment

No one came forward to speak for or against Resolution No. R-86-11

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-86-11 be adopted. Voice vote, Aye: Martin, Wilson, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-86-11 adopted.

RES. NO. R-87-11

A Resolution authorizing the City Commission to enter into a Memorandum of Understanding to appoint William P. Murphy as Interim City Manager

Mayor Fess explained Mr. Murphy will be serving as Interim City Manager until the new City Manager is appointed. This will give Mr. Murphy the structure he will need to operate as the City Manager at a 3% increase, with the stipulation that he can go back to his current position as Economic Development Director/Assistant City Manager when a new City Manager is hired, if he is not chosen.

The Commissioners have conducted six skype interviews and are bringing four of the candidates in the first week in August to do face to face interviews with them. An open house is scheduled on Thursday, August 4th to meet the four individuals applying for the City Manager position. We appreciate Mr. Murphy agreeing to step into the City Managers position if necessary, stated Mayor Fess.

Public Comment

No one came forward to speak for or against Resolution No. R-87-11

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-87-11 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Martin, and Terry. Nay: None. Motion carried on a unanimously. Mayor Fess declared Resolution No. R-87-11 adopted.

RES. NO. R-88-11

A Resolution requesting the City Commission to authorize an agreement with Eggeman Engineering & Consulting for the engineering design of the College Street Corridor Traffic Signal Project total cost not to exceed \$41,500

City Manager Enderle stated Resolution No. R-88-11 gives authorization to enter into an agreement with Eggeman Engineering & Consulting for the engineering design of the College Street Corridor Traffic Signal Project at a total cost not to exceed \$41,500. The project will consist of upgrading the College Street Corridor (College & High, College & Water and College & Covington) traffic signal system to include signal coordination, the installation of emergency preemption, converting the signal operations from pre-timed to actuated, the installation of ADA compliant curb ramps, and the replacement of the existing traffic signals with mast arm poles with construction scheduled for the summer of 2013. This project will allow for better traffic flow through these intersections, which will be a major benefit to the motorists. The City is responsible for the design and will have a grant in 2013 to construct the improvements that are adopted, stated City Manager Enderle.

Commissioner Terry asked about the timed traffic lights going east would the traffic be held there? City Engineer Amy Havenar explained how the timed traffic signals would work in the various areas.

Commissioner Wilson inquired why the Commission did not get a copy of any of the other bidders on this contract. City Engineer Havenar explained how the bid was awarded, stating it was based on qualifications and requests for proposals were sent out to three different companies. One company was selected to discuss the project further with and a bid proposal was requested from them.

Public Comment

No one came forward to speak for or against Resolution No. R-88-11

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-88-11 be adopted. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-88-11 adopted.

PUBLIC COMMENT

Jeff Lange, N. St. Rt. 66 came forward and gave a brief update on the July 16th 8th Annual POWW River Cleanup. This cleanup included 16 miles of waterway, 122 volunteers, 36 canoes, and dozens of truck, cars and vans and even a 10-ton crane. The tallies are sadly higher this year and Mr. Lange read some of the unusual things that were found in the river. Mr. Lang thanked all the volunteers, sponsors, along with the City of Piqua, noting the City of Piqua is 100 % behind the Local Waterways programs.

Mayor Fess thanked all the volunteers and sponsors, and especially thanked Mr. Lange for his leadership and dedication because without him the clean waterways would not be possible.

Joe Drapp, Park Avenue stated he wanted to go on record stating he has worked with a lot of the city people and he considers the whole crew top notch, and gives a lot of credit to City Manager Enderle. Mr. Drapp also stated he has worked on a lot of various committees with the City Manager and knows he puts in a lot of long days and cares deeply about the community and just wanted to say "thank you" to City Manager Enderle.

Mayor Fess stated this is the last City Commission Meeting City Manager Enderle will be presiding over, and knows that he loves the community and plans on staying in Piqua after his retirement. City Manager Enderle is a dedicated and compassionate gentleman who worked well with his staff, and Department Heads and will be missed by all. Mayor Fess further stated it has been a pleasure to work with stating he is a great City Manager, who has kept us from going under water over the years and wish him the best in the future. A reception is planned for City Manager Enderle on Wednesday, July 27 in the Commission Chambers from 4:30 PM to 6:30PM and the community is invited to stop by and wish him well in his retirement.

City Manager Enderle stated it has been an honor to serve as the City Manager for the City of Piqua, and he appreciates all the cooperation and hard work he has received from the city staff, and believes the city staff is second to none in their dedication and caring for the community. There have been challenges along the way, and we have weathered them. City Manager Enderle stated he is very proud of what has been accomplished, and this has been done with a lot of support from the past and present City Commissioners and Mayors, along with city staff.

Commissioner Wilson commended Jeff Lange and the POWW group for their outstanding efforts in helping clean up the local waterways. Commissioner Wilson further stated Mr. Lange does a great job along with all the volunteers and sponsors and commends them for their dedication.

Commissioner Wilson thanked City Manager Enderle for staying around as long as he did after announcing his retirement in January, and wished him the best in his retirement.

Commissioner Terry thanked the POWW group for their hard work again this year. The Piqua Daily Call ran an article about the trash left in Fountain Park after the 4th of July Celebration. The article stated people using foul language, smoking and leaving behind trash in general, these people are not respecting the park, not respecting other people or respecting themselves. Look around your area and think about respecting yourself and be sure that you pick up and clean up as needed.

Commissioner Terry reminded residents of the Concert in the Park on Thursday evening, July 21 in the Hance Pavilion at 7:00 PM. and encouraged citizens to attend.

Commissioner Terry wished City Manager Enderle lots of happiness in his retirement and thanked him for his service to the citizens and agreeing to consult if we need him. We hope to find

someone with his experience, knowledge and his caring to take his place, said Commissioner Terry.

Commissioner Vogt thanked Jeff Lange and POWW group for their continued efforts, it shows he cares and the volunteers care about our waterways. Commissioner Vogt stated it took 120 applicants to find four to interview who came close to the qualifications and dedication of City Manager Enderle. Commissioner Vogt stated City Manager Enderle is the best moneyman he has ever seen as far as getting the biggest bang for the buck!

Commissioner Vogt stated he feels the biggest bargain in town is the Piqua Municipal Swimming Pool and encouraged citizens to come in for a swim.

Commissioner Martin thanked POWW, the volunteers and sponsors for doing such a great job again this year, but would like to see the numbers decline next year on the amount of debris picked up.

Commissioner Martin congratulated City Manager Enderle on his retirement, encouraged him to have some fun and wished him the best in the future.

City Manager Enderle thanked Jeff Lange and the POWW group for their continued efforts to keep our waterways clean.

City Manager Enderle noted there are two board openings on the Stormwater Advisory Board and the Diversity Committee. Applications can be picked up in the City Managers office.

Mayor Fess wished City Manager Enderle the best, and stated they have not always agreed but were always able to work things out and work together for the common goal. Mayor Fess wished City Manager Enderle the greatest retirement ever!

Adjournment

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION