

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday December 6, 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.

**PRESENTATION**

Jan Mulder Citizenship Award Presentation

Police Chief Bruce came forward and gave a brief background on the Jan Mulder Citizenship Award, stating this award is given in partnership with the Piqua Area Chamber of Commerce. This award is bestowed on citizens who go above and beyond the moral obligation in helping their fellow man, community, or law enforcement personnel. The purpose of the Jan Mulder Citizenship Award is to recognize a person in a time of crisis or emergency, who through disregard of personal safety or through prompt alert action, saves the life or attempts to save the life of an individual or individuals. Also present were Police Officer David Short, Executive Director Kathy Sherman of the Piqua Area Chamber of Commerce, and Nancy Mulder widow of Officer Jan Mulder. Ms. Mulder shared a personal story about her husband and his life.

Piqua Chamber of Commerce Executive Director Kathy Sherman came forward stating on behalf of the Piqua Area Chamber of Commerce, Board of Directors, members and employees she wanted to publicly thank them and express appreciation to all of the Jan Mulder Citizenship Award recipients for putting their lives on the line for Sandra Getzendiner.

Jan Mulder Citizenship Awards are being given to these six individuals for their heroic actions as they attempted to help Sandra Getzendiner on September 11, 2011. Sandra was riding her bicycle over the North Main Street Bridge when she was viciously attacked by two pit bulls, dragged off of her bicycle and mauled. All six of the individuals attempted in some way to help Sandra to fight off the dogs and helped her to safety, and they are being honored for their heroic actions.

Officer Short asked these six individuals to come forward to receive their awards, they include:

- Brittanie Evans
- James McMaken
- Vicki Schneider
- Caleb Huber
- Richard Richmond

Unfortunately Sandra Getzendiner was unable to attend but she will also receive the Jan Mulder Citizenship Award.

Jan Mulder Citizenship Awards were presented to each of the six recipients thanking them for their courageous acts on September 11, 2011.

Mayor Fess thanked all of the Jan Mulder Citizenship Award participants, Nancy Mulder for coming, and congratulated all of the recipients for putting themselves in harms way to help Sandra.

Mayor Fess stated she wanted to recognize Police Chief Bruce Jamison and Officer David Short for all their efforts and time on putting this presentation together.

Approval of the minutes from the November 15, 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 November 15, 2011 be approved. Voice vote, Aye: Fess, Wilson, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

**NEW BUSINESS**

**ORD. NO. 14-11 (2nd Reading)**

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

City Manager Huff stated this is the second reading of Ordinance No. 14-11 adopting a new Schedule A-1 of Chapter 33 of the Piqua Code. The minimum wage in the State of Ohio is being increased from \$7.40 to \$7.70 per hour and we will need to adjust Schedule A-1 of Chapter 33 to be compliance with the State of Ohio minimum wage rate requirement.

**Public Comment**

No one came forward to speak for or against Ordinance No. 14-11.

Ordinance No. 14-11 was given a second reading.

**ORD. NO. 15-11 (2nd Reading)**

AN Ordinance repealing Chapter 33.08 –Insurance and enacting a new Chapter 33.08 –Insurance of the Piqua Code, relating to Employee policy

City Manager Huff stated this is the second reading of Ordinance No. 15-11 enacting a new Chapter 33.08-Insurance relating to Employee policy. The non-union rate will stay the same as 2011.

**Public Comment**

No one came forward to speak for or against Ordinance No. 15-11.

Ordinance No. 15-11 was given a second reading.

**ORD. NO. 16-11 (2nd Reading)**

An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2012

City Manager Huff stated this is the second reading of the appropriations for the year 2012 that will be appropriated from the General Fund.

Mayor Fess stated the Commission held two Budget review meetings with the Commissioners going through the budget line by line. Mayor Fess also thanked Finance Director Cynthia Holtzapple and her staff for doing a great job in putting together the 2012 Budget.

**Public Comment**

No one came forward to speak for or against Ordinance No. 16-11.

Ordinance No. 16-11 was given a second reading.

**ORD. NO. 17-11 (2nd Reading)**

An Ordinance providing for the issuance and sale of \$49,328.92 of bonds in anticipation of the collection of special assessments to pay costs of construction in the year 2010, sidewalks, curbs and gutters on Broadway (Phase II) and a Stormwater Improvement with the necessary appurtenances thereto

City Manager Huff stated this is the second reading of Ordinance No. 17-11. Finance Director Holtzapple gave a brief explanation on the need for the sale of bonds at this time, stating several of the property owners chose to pay over a five or ten year period of time and others paid the full amount of the fees at the time they were incurred.

Mayor Fess stated the property owners that chose to pay over the five or ten-year period of time are charged a slight interest fee.

Commissioner Vogt inquired about the Stormwater Improvement fee. Ms. Holtzapple explained in this particular case this was a stormwater improvement that would have been the responsibility of the resident unrelated to the stormwater assessment and the city paid the cost initially and we are allowing the resident to make payments. Public Works Director Amy Havenar further explained there was a problem at a home on Garfield Street earlier this year, and the resident had to tie into the City sewer system.

**Public Comment**

No one came forward to speak for or against Ordinance No. 17-11.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the rule requiring Ordinance No. 17-11 be read fully and distinctly on three separate days be suspended. Roll call, Aye; Martin, Vogt, Fess, Terry and Wilson. Nay, None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 17-11 be adopted. Roll call, Aye: Fess, Martin, Vogt, Terry, and Wilson. Nay, None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 17-11 adopted.

**RES. NO. R-133-11**

A Resolution requesting final legislation to enter into an agreement with the Ohio Department of Transportation for the US 36 (E. Ash Street) Reconstruction Project

City Manager Huff stated this is a project that was started in March of 2004 with the estimated cost of the project being approximately \$2.5 million. The city applied for and received numerous grants and will be receiving approximately \$2.0 million. The City's local share of the project at this point is estimated to be approximately \$504,000 but may vary depending on how the bids come in.

City Engineer Amy Havenar stated the bids are currently out and are due December 15, 2011, and construction could start as early as March but that depends on the weather. This project has a twelve-month construction timeframe depending on which end they start at. The project will begin at the intersection of Spring Street and Ash Street and continue to the west side of the Ash Street Bridge crossing the Miami River.

The roadway will be closed to through traffic throughout the duration of construction and an official detour route will be posted. The detour will consist of I-75 to CR 25-A to North Street (SR 66) to Spring Street (SR 36)

**Public Comment**

No one came forward to speak for or against Resolution No. R-133-11.

Commissioner Wilson inquired if it would be possible to have to work done from the bridge into town first so that citizens could have access to the bridge area sooner? Ms. Havenar stated it is up to the contractor on how they bid the project, and we do not have any say over where they begin. We can recommend it at the preconstruction meeting but it is really up to the contractors.

Moved by Commissioner Wilson, seconded by Commissioner Terry, to adopt Resolution No. R-133-11. Roll call, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-133-11 adopted.

#### **RES. NO. R-134-11**

A Resolution of intent to vacate public right-of-way

City Manager Huff stated Resolution No. R-134-11 is a resolution of intent to vacate a portion of platted public right-of-way known as Bassett Avenue and Statler Avenue. The property owners adjacent to the right of way have determined they would prefer the right of way be vacated. This item will be forwarded to the Planning Commission for further study, stated City Manager Huff.

Commissioner Terry asked if people in the neighborhood would have the opportunity to speak for or against this resolution. Commissioner Wilson also asked if the City notified the adjacent property owners in the County?

City Planner Chris Schmiesing explained there is a process outlined in the Piqua Charter that describes the advertisement requirements. A legal notice is placed in the Piqua Daily Call fifteen days prior to the public hearing date, which will be the January 10<sup>th</sup>, 2012 Planning Commission Meeting. Prior to that date meeting notices will be sent out to the petitioners and the adjacent property owners who are contiguous to the property, including those in the County.

#### **Public Comment**

No one came forward to speak for or against Resolution No. R-134-11.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-134-11 be adopted. Voice vote, Aye: Terry, Martin, Vogt, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-134-11 adopted.

#### **RES. NO. R-135-11**

A Resolution retaining the services of Cooperative Response Center, Inc. to provide professional customer call answering and dispatch services for the City

City Manager Huff asked Power System Director Ed Krieger to give a brief overview. Mr. Krieger stated in March of 2007 the Power System began utilizing the Cooperative Response Center to provide after-hours call answering and dispatch services. The city has been totally satisfied with the level of service provided by CRC, as well as the cost to provide these services. The Piqua Energy Board unanimously approved the continuation of the services in 2012 provided by CRC at their November 22, 2011 meeting.

#### **Public Comment**

No one came forward to speak for or against Resolution No. R-135-11.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-135-11 be adopted. Roll call, Aye: Terry, Wilson, Fess, Martin, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-135-11 adopted.

**RES. NO. R-136-11**

A Resolution authorizing the City Manager to apply for City Membership to American Municipal Power Inc.

City Manager Huff asked Power Systems Director Ed Krieger to give a brief explanation on the reason for the membership. Mr. Krieger also stated the American Municipal Power has been Piqua's power supplier since 2007, and they have included \$40,500 in the 2012 budget to cover the cost of the AMP membership dues. The Piqua Energy Board members unanimously approved to continue membership in American Municipal Power for the 2012 at their November 22, 2011 meeting.

**Public Comment**

No one came forward to speak for or against Resolution No. R-136-11.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-136-11 be adopted. Roll call, Aye: Wilson, Fess, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-136-11 adopted.

**RES. NO. R-137-11**

A Resolution retaining the services of Sawvel and Associates to provide professional consulting and engineering services for the City

City Manager Huff asked Power Systems Director Ed Krieger to give a brief explanation. Mr. Krieger stated the Power System would like to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2012. For over twenty years Sawvel and Associates has provided the Piqua Power System with cost-of-service and rate design, advised the City on electric power supply and transmission arrangements. The Power System has included \$80,000 in the 2012 budget to cover the cost of these services stated Mr. Krieger.

**Public Comment**

No one came forward to speak for or against Resolution No. R-137-11

Commissioner Vogt stated if we had to put someone on the City payroll it would cost a lot more than \$80,000 and he believes this is a good investment.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that Resolution No. R-137-11 be adopted. Roll call, Aye: Fess, Martin, Vogt, Terry and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-137-11 adopted.

**RES. NO. R-138-11**

A Resolution amending the contract with Emerson Process Management for additional planned maintenance to the City's #9 gas turbine

Power Systems Director Ed Krieger explained this will provide for enhanced reliability, safety, operation and modernization of the City's #9 gas turbine. In conjunction with the work to be completed on #8 gas turbine this helps to ensure the City will have reliable generating resources to provide back-up power to residents if needed. Controls and fuel valve replacement on #9 gas turbine will begin after the first of the year, with completion by June 1, 2012. Emerson Process Management has completed similar maintenance projects on hundreds of gas turbine installation throughout the world. \$267,000 has been included in the Power System's 2012 budget to cover the cost of the planned maintenance to the City's #9 gas turbine.

**Public Comment**

No one came forward to speak for or against Resolution No. R-138-11.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-138-11 be adopted. Roll call, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-138-11 adopted.

**RES. NO. R-139-11**

A Resolution authorizing the City Purchasing Agent to purchase #2 fuel oil on the open and spot market

City Manager Huff stated this would authorize the Power System to purchase #2 fuel oil as needed for 2012. This is an annual expenditure and has been approved the Energy Board.

Commissioner Wilson asked if there are any Piqua companies that are able to provide this service? Mr. Krieger stated no, there are no companies in Piqua that provide this service. There are only three companies locally that provide this service and they are: Earhart Petroleum Inc., Kevin Mote Petroleum Distributor, Inc. and Schafer Oil Co.9898

**Public Comment**

No one came forward to speak for or against Resolution No. R-139-11.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-139-11 be adopted. Roll call, Aye: Vogt, Terry, Wilson, Fess, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-139-11 adopted.

**OTHER**

Monthly Reports for October 2011

Monthly Reports for October 2011 were accepted.

Bob Bloom, representing Toys for Tots, came forward and reminded citizens they can come out to the Fill the Truck day on Saturday December 17<sup>th</sup> at the Big Lots on Ash Street in Piqua and he encouraged citizens to come out buy a toy and drop it off in the truck. All the toys being collected are distributed locally. Mayor Fess stated there are several bins located around Piqua that you can also drop new toys off and encouraged citizens to buy a toy and drop it off.

Commissioner Wilson commented on the Jan Mulder Award recipients, stating it was a very amazing story, and wished that Sandra Getzendiner could have been in attendance to receive her award.

Commissioner Wilson asked that neighbors help their neighbors anyone who may need some help in various ways this holiday season, and to remember the elderly in your neighborhood.

Commissioner Terry stated she attended Christmas on the Green in Downtown Piqua, and it was very well attended. This is a wonderful celebration sponsored by Mainstreet Piqua. Commissioner Terry also reminded citizens to shop the local downtown businesses this holiday season. The Christmas Parade and the welcoming of Santa were also well attended on December 3 in Downtown Piqua stated Commissioner Terry. Remember others that are less fortunate this holiday season. Commissioner Terry also commented on the brave residents who came to the aid of Sandra Getzendiner on the North Main Street Bridge.

Commissioner Vogt thanked all of the Jan Mulder Award recipients for coming to the aid of Sandra Getzendiner and putting their lives on the line for her. These individuals were all taught the value of life by their parents, and he stated he is proud of each one of them.

Commissioner Martin stated he echoed all the sentiments stated by all of the other Commissioners on the Jan Mulder Citizenship Award recipients for coming to Sandra Getzendiner's aid.

Commissioner Martin inquired about the use of fluoride in the City of Piqua water, is this something that we are required to do? City Manager Huff stated he would get the information and forward it to all of the Commissioners.

Mayor Fess stated she wished everyone could have seen the faces of the Jan Mulder Award recipients as they received the award from Officer Short and Ms. Nancy Mulder. These recipients went above and beyond to save Sandra and are to be commended.

Mayor Fess stated she attended the Christmas on the Green, and enjoyed viewing the Festival of the Trees that are on display on the 2<sup>nd</sup> floor of The Apple Tree Gallery.

City Manager Huff stated twelve members of the City staff attended the Alliance Innovation Regional Workshop held at Edison Community College recently. We were able to receive a lot of good information on innovation across the United States, said City Manager Huff.

City Manager Huff stated the first regularly scheduled Commission Work Session will be held on Thursday, December 8<sup>th</sup> at 7:30 P.M. in the City Commission Chambers and encouraged the public to attend. The Commission Work Sessions will be held monthly on the second Thursday of each month beginning at 7:30 in the Commission Chambers.

City Manager Huff announced the City of Piqua in conjunction with the Community Advisory Committee (CAC) will host an Open House at the Echo Hills Golf Course on Tuesday, December 13, from 1:00 – 4:00 P.M. The purpose of the open house is to showcase the completion of the Echo Hill Golf Course Stream Restoration Project.

City Manager Huff further stated the Cemetery Bridge Replacement Project in Forest Hill Cemetery is now complete and the bridge is open to traffic again. Also Mr. Huff thanked the city employees and their families who rang the bells for the Salvation Army, stated city employees are collecting gifts and food for two employee military families, and one family from the Salvation Army this season.

**Adjournment**

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

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Lucinda L. Fess, Mayor

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

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