

**MINUTES**  
**PIQUA CITY COMMISSION WORK SESSION**  
**February 9, 2012**  
**7:30 P.M.**  
**201 WEST WATER STREET**  
**PIQUA, OHIO 45356**

Piqua City Commission met in a Work Session at 7:30 P.M. in the Commission Chambers in the Municipal Government Complex 201 W. Water Street. Mayor Fess called the meeting to order at 7:30 P.M. Also present were Commissioners Wilson, Martin, Terry and Vogt. Absent: None. Also present Directors and Managers, Chris Schmiesing, Cynthia Holtzapple, Stacy Wall, Police Chief Jamison, Amy Welker, and City Manager Gary Huff. Numerous citizens were also in attendance

**Work Session Discussion**

**Municipal Court Location**

Law Director Stacy Wall gave a brief outline on the background of the Miami County Municipal Court located in the City of Piqua in the Knights of St. John Building, 110 S. Wayne Street.

The County has leased the building from the Knights of St. John at a cost of \$30,000 per year with three-year leases being signed in 2000, 2003, 2006, and 2009. The lease is up for renewal in early spring. At this time the County is only holding Court in Piqua on Wednesdays, and once a month for small claims cases. The Court has requested the city's position on the continuation of holding court in Piqua. No other community within the County holds court outside of the County Courthouse. The City has requested that a court remain in Piqua, however, with budgetary issues facing the city, they began discussion with the County on possible alternatives.

Spacing and usage are the main concerns at this time. The Mote Park Building was suggested as a viable option but would need to have considerable renovations that would be very costly, and there have been no discussions on who would pay for these renovations. The Court would require: Judge's Chambers, secure Clerks Office, space for the prosecutor, space for the public defender, space for probation, and a waiting area. Security is a big issue with the courts in all of these areas.

Judge Elizabeth Gutmann came forward and provided a packet of information to the Commissioners regarding the issues that are facing the Court at this time. Options to be considered for use by the Court include: The Piqua Municipal Complex (City Building), Mote Park, renew the lease with Knights of St. John, and consolidate all Court Hearings in Troy. Judge Gutmann presented a copy of a study that was completed a few years ago on the Court House at the request of Judge Kemmer and Judge Gutmann outlining some of the issues being considered at this time.

There was discussion concerning the use of Mote Park, the Municipal Government Complex, and moving to Troy with the pros and cons being considered. Security is still a main concern if staying in Piqua. They would need to have several rooms and all need to be secure. Revenue that may be lost if the court should move to Troy was mentioned, but it was stated the revenue received is not a large sum of money. Piqua only receives money when the individual is cited on section of the City Code.

Mayor Fess stated the Commissioners received a letter from the Knights of St. John regarding their concerns if the court should decide to move out of their facility. The lease is with the Miami County Commissioners not the city, said Mayor Fess. City Manager Huff stated the purpose of this meeting is to hear and gather information so the City can made a decision on having a Court in the City of Piqua or not.

Doug Francony, President of the Knights of St. John explained some of the reasons they would like to see the court remain in Piqua.

Law Director Wall stated she would like to know if the Commissioners want the Court to stay in Piqua or not at this time. If the City wants the court to stay in Piqua the Judges will have to go along with the request stated Judge Gutmann. Mr. Francony stated for the record the Knights of St. John have offered to talk with the County and they have yet to meet with them to discuss the situation. Judge Gutmann stated the first issue to resolve is to find out if the court needs to keep a location in Piqua, which is up to the City Commissioners at this time. Several questions were asked including if the court were to move to Troy would they have to pay the County rent? Judge Gutmann stated no they would not have to pay rent for space, the County is required to supply space for them if they so desire to be there.

Mayor Fess stated the Commissioners were provided with a lot of good information and will take it under advisement.

### **Vicious Dogs – Part 2**

Police Chief Jamison came forward and introduced Kathleen Scarbrough. Ms. Scarbrough has completed extensive research on vicious dogs and attacks. Ms. Scarbrough presented a very informative power point presentation on various statistics concerning the different breeds of dogs and bite incidents.

Chief Jamieson introduced Mark Kumpf, Director of the Montgomery County Animal Resource Center. Mr. Kumpf gave a brief background on his experience and some of the issues facing dog owners of vicious dogs. Legislation is now in the Ohio Senate stating Pit Bulls would no longer be the only dog breed that could immediately be classified as vicious under the new legislation. This basically levels the playing field for all breeds of dogs not just the Pit Bulls to be considered vicious, stated Mr. Kumpf. A handout was provided to the Commissioners concerning the new legislation and other information regarding vicious dogs.

Mayor Fess asked if it would be possible to see legislation from other communities. Mr. Kumpf stated he would see that the City gets the legislation to review.

Mayor Fess thanked all of the presenters for their very informative presentations.

### **Recycling Program (Discussion Only)**

Health & Sanitation Director Amy Welker gave a brief update on the recycling in the City of Piqua. The City contract with Rumpke of Ohio expires on April 30, 2012, and typically we do a three-year contract. Three years ago the City of Piqua and the City of Troy joined forces and bid the contract jointly hoping to get better pricing asking the bidders to give a discount since both cities would be using the same contractor. Rumpke came in with a 4% discount on the bid price since both cities would be using the same contractor. The plan is to do the same again this time and bid out the contract with both cities to try and get the discount again.

Ms. Welker went over some of the goals for new contract period they include: the contractor to help with the increase of participation; help with the increase in recycling tonnage to help reduce solid waste tonnage; education of citizens; variation in containers to be used, possibly use a larger container on wheels with a lid. These goals will increase the cost but that is something that could lead to more participation in the recycling program, stated Ms. Welker. Ms. Welker stated she is looking for feedback from the City Commission on anything they would like to see happen with the recycling program.

City Manager Huff stated in past experience using the roll out containers has increased the recycling usage since they are much easier to get out to the curb versus carrying the bins out.

There was discussion on what other cities are doing to promote recycling and how they are trying to reduce the amount of solid waste going into the landfills. Ms. Welker stated the contractor is responsible for education materials such as mailers, television programs, and facebook information.

A question was raised concerning a resident that has a private waste hauler what is the fee that citizens pay for recycling in Piqua, and can they still participate in the City of Piqua recycling program at that same rate if they use a private waste hauler? Ms. Welker stated the monthly fee is \$3.03 for recycling, and she is not sure if they can only charge for recycling since they are not considered a customer because they do not pick up the solids waste at that location. Mayor Fess stated that was something they could look into. Another question raised was if the City of Piqua recycled? Mayor Fess stated yes, the City is involved in the recycling program.

### **Transportation Committee Recommendations**

City Manager Huff gave a brief overview of the Transportation Committee responsibilities. The first Transportation Committee meeting was held on January 27, 2012. The Committee will look at requests received from citizens, City Departments, and City Commission with respect to public transportation infrastructure, streets, highways, sidewalks, bike trails, airports, and railroads. The Committee will also look at street design, traffic signals, and any other types of transportation issues. The Committee will make their findings and propose plans and specific recommendations to the City Manager, Commission, and other public parties of interest regarding public transportation facilities, and assist in keeping the public aware of the transportation issues within the City.

### **Redistricting Update**

Law Director Stacy Wall gave a brief explanation on the reason for the redistricting, stating the city has expanded over the years. One of the Charter Amendments the Charter Review Committee recommended, and the Commission put on the ballot was the redistricting. This was due to the city expanding and the wards not being equitable in their population. This was passed and the redistricting has begun. There was a long waiting period since we had to wait for the census figures. The figures have been received and the City Planner Chris Schmiesing is working on them. The Commission will receive an Ordinance defining the recommended boundaries to stay within the five wards, once passed by City Commission it goes to the Board of Elections who has a consultant verifying the boundaries and taking the population and breaking it up equitably. The goal of the Board of Elections is to reduce the number of precincts in the city. The law has changed previously you only needed to have 14,000 "registered voters" in a precinct, now it states there must be 14,000 "active registered voters" in the precinct. So precincts can be much larger than they use to be, so some of the precincts will be reduced. Once the borders of the streets are completed the Ordinance will come to the City Commission, and then on to the Board of Elections to complete the process. This is quite an extensive process so all elections held in 2012 will be under the old districts and the new districts will occur in 2012, said Ms. Wall.

There was discussion on the number of wards that exist now, and if they would remain the same, and what the term "active registered voters" means.

### **Public Safety Income Tax**

City Manager Huff stated the City is considering a ¼% Public Safety Income Tax Levy.

Law Director Stacy Wall gave a brief overview of the timeline that would need to be followed to put a ¼% Public Safety Income Tax Levy on the ballot. There will not be a May Election this year due to the Presidential Election. The Commission was given several choices of dates for the Public Safety Income Tax Levy to be put on the ballot. If the Commission chooses to have a Special Election the City would be responsible for the full cost of the election, but if the City were to submit to the November ballot, the filing deadline would be August 8<sup>th</sup> and the City would have a minimal share in the election. A Resolution will come before the City Commission setting a date for putting the ¼% Public Safety Income Tax Levy on the ballot, and then will be forwarded to the Board of Elections. The recall election held last year cost the City of Piqua \$12,000, stated Finance Director Cynthia Holtzapple.

Mayor Fess stated the Safety Services are low right now and are 76% of the General Fund. We need to create more revenue and have no other options at this time to continue to support our Safety Services. If the levy is placed on the November ballot then the City would begin collection of the funds in January of 2013.

### **Mote Park Picnic Shelter**

City Manager Huff gave a brief update on the Mote Park Picnic Shelter. It was noted that several steps had not been followed, and have went back and corrected those missed steps. They include the naming of the Shelter by the Southview Neighborhood Association that was addressed by the Community Diversity Committee and the Park Board, an electrical service question that was addressed by the Park Board, and a site restoration issue. These items have now been addressed by the proper Boards and Committees and have received approval from all. What it comes down to is the City Commission giving final approval and nothing has been done until the proper processes were followed.

City Planner Chris Schmiesing gave a brief overview of the project, stating early in the Spring of 2011 the Southview Neighborhood Association expressed an interest in building a shelter at Mote Park. The City began working with the SVNA and the project began in October of 2011. The SVNA felt the shelter should have a name identifying the shelter, thus the name Upper Mote Park was discussed and agreed upon. Also discussed was a thank you panel on the backside thanking and recognizing the five businesses that made significant material donations to the building of the shelter. Mr. Schmiesing showed several slides of the shelter and signage stating they went back to the Park Board and the Community Diversity Committee and they are satisfied with the process that they followed.

City Manager Huff stated he would like to get direction from the City Commission on whether they want to move forward with the project to finish it up at this time. Mayor Fess stated that everything has been addressed and now there is a very attractive shelter at Mote Park. A question was raised concerning the electric, and Mr. Schmiesing explained what needed to be done yet. City Manager Huff stated they halted the project until all of the issues were discussed with the Park Board including the electric service, and the Park Board has now signed off on it.

Commissioner Wilson stated he would like to see the Picnic Shelter called The Volunteer Shelter to show appreciation for all of the work that was done by the volunteers. City Manager Huff stated they have asked the Park Board to look at some way of recognizing the many volunteers

not only with this project but the many other projects that volunteers have helped with in the community. Commissioner Vogt stated sine it was a whole community effort why not call it the Upper Mote Community Shelter. There was discussion concerning the possibility of missing someone who helped when listing them separately, but was noted a plaque could be installed stating many volunteers in the community in a generic fashion built the shelter. It was stated that the sign Upper Mote was donated by Quint Signs and has already been made and is very beautiful. Commissioner Terry stated she felt the volunteers did not need to have their names displayed on a plaque, and that was not the reason they participated in the project. Edna Stiefel stated that there have been many volunteers who have helped with installing the playground equipment at the various parks in the community and they did not do it for the recognition. Russ Fashner voiced his concerns over the policies and procedures that were not followed with this project. Jim Cruse stated there is a wall in the Picnic Shelter that could be used to display a volunteer plaque. Mayor Fess stated the Park Board would look into it and make their recommendations.

**Roadway Maintenance Agreement with Miami County**

City Planner Chris Schmiesing gave a brief update on the Roadway Maintenance Agreement with Miami County. The City would like to establish a formal agreement with Miami County for maintenance responsibilities concerning the roadways that are split by the city and county jurisdictional boundaries. The plan is to replace the less formal operational agreements that have been utilized in the past and provide a legally binding agreement between the two jurisdictions. Mr. Schmiesing presented a map showing the routes and how they are split. There is more than just snow plowing in the winter months; there is also maintenance of the various roadways, and sign maintenance. Mayor Fess asked about an agreement with the Townships for the same type services. Mr. Schmiesing stated we have not approached the Townships yet about a formal agreement but have less formal agreements now. Law Director Wall stated we have letters of agreement but the court system is looking for a more formal agreement.

Moved by Commissioner Vogt seconded by Commissioner Martin, to adjourn from the Work Session at 9:50 P.M. Voice vote, Aye: Terry, Vogt, Martin, Wilson, and Fess. Nay: None. Motion carried unanimously.

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LUCINDA L. FESS, MAYOR

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

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