

**MINUTES
PIQUA CITY COMMISSION
Tuesday August 21, 2012
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.

PIQUA HEALTH BOARD MEETING

MOVE TO EXECUTIVE SESSION

- a. To consider pending or imminent litigation

Moved by Commissioner Martin, seconded by Commissioner Vogt, to move into Executive Session to consider pending or imminent litigation. Voice vote, Aye: Terry, Fess, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Martin, to adjourn from Executive Session. Voice vote, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay, None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn as the Piqua Health Board. Voice vote, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay, None. Motion carried unanimously.

ADJOURNMENT

PUBLIC HEARING – AUGUST 21, 2012

Renewal of an application for placement of farmland in an agricultural district filed by Louise I Cromes for Parcels # N44-076845, N44-077116, N44-099300 in the City of Piqua

City Manager Huff stated this is the Public Hearing for the placement of farmland in an agricultural district filed by Louise I. Cromes for the parcels listed in the City of Piqua. A Resolution will be on the September 4, 2012 City Commission agenda for final approval of the placement of the farm land in the City of Piqua.

Public Comment

No one came forward to speak for or against the placement of the farmland in the City of Piqua at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson to close the Public Hearing. Voice vote, Aye: Fess, Wilson, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously.

REGULAR CITY COMMISSION MEETING

Moved by Commissioner Martin, seconded by Commissioner Wilson to convene as the Piqua City Commission. Voice vote, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously.

Consent Agenda

Approval of the minutes from the August 7, 2012 Regular Piqua City Commission Meeting.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to approve the Minutes from the August 7, 2012 City Commission Meeting. Voice vote, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously.

New Business

Ordinance No. 12-12

An Ordinance amending Sections 53.01 and 53.07 of the Piqua Code, relating to Water Rates and New Service

Finance Director Cindy Holtzapple stated this is the second reading for the Water Rates and gave a brief overview of the proposed amendments to increase water rates over the next four plus years. The proposed increases are in two different categories – water usage fees and tap in fees. The proposed increases for water rates over the next five years are as follows: September 2012- 20%, January 2013 – 20%, January 2014 – 6%, January 2015 – 6%, and January 2016 – 6%.

Several questions were raised on the reason for the high increase and how water customers will be charged over the next five years.

Public Comment

Joe Francis, W. Parkway Drive, came forward asking several questions regarding the issuance of the bonds for the Water Department, and trying to increase new water customer users in the future. Mr. Francis stated he hopes the water rates were not set in stone yet and asked if any work sessions were scheduled for review of this project. City Manager Huff stated several work sessions are scheduled in the future as they are looking at all ways to keep costs down for the customers.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that the rule requiring Ordinance No. 12-12 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Fess, Martin, Wilson, Terry, and Vogt. Nay: None. Motion carried unanimously.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Ordinance No. 12-12 be adopted. Roll call, Aye: Terry, Wilson, Martin, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 12-12 adopted.

Ordinance No. 13-12 (2nd Reading)

An Ordinance to vacate a portion of public right of way known as Fountain Boulevard and Lake Street

City Planner Chris Schmiesing stated the petitioner Dan Rank of 1202 Fountain Boulevard would like to vacate a portion of the public right of way known as Fountain Boulevard and Lake Street that is effectively an extension of the front lawn of his property and the neighboring property located at 1105 Lake Street. The City Commission considered the request to vacate and declared their intent to consider the item. It was then forwarded to the Planning Commission for their approval, and is back before the City Commission for approval.

Public Comment

No one came forward to speak for or against Ordinance No. 13-12.

Ordinance No. 13-12 was given a second reading.

ORD. NO. 14-12 (1st Reading)

An Ordinance to levy Special Assessments to pay for the cost of nuisance abatement assessments and declaring an emergency

Health and Sanitation Director Amy Welker gave a brief explanation on the various charges and the reason for some of the higher charges. Ms. Welker explained the city abates nuisance conditions on properties including mowing high grass, removing trash, trimming trees, and demolishing structures according to city code. The cost of the abatement is charged to the property owner, and if the property owner fails to pay the abatement cost then the costs are certified to the County Auditor to be placed on the property taxes. Repeat offenders are charged higher rates depending on the number of repeat offenses to try and deter the number of repeat offenders, stated Ms. Welker.

There was discussion on several things including if the city's rate was comparable to other communities, the reason for the repeat offenders being charged a higher rate, how someone would find out if there are any outstanding assessments on a property before purchasing it, and if the city would receive the money back from the County when the property taxes are paid. Ms. Welker explained.

Commissioner Martin inquired if it would be possible to post on the City website a place where potential buyers of properties could go to and type in an address to see if there are any outstanding assessments or property maintenance issues on the property before they make an offer to purchase it. Ms. Welker stated it may be possible to set up such a site and stated she would check into it.

Public Comment

No one came forward to speak for or against Ordinance No. 14-12.

Ordinance No. 14-12 was given a first reading.

ORD. NO. 15-12 (1st Reading)

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

Finance Director Cynthia Holtzapple stated every year about this time a request is made for supplemental appropriation. During the fiscal year, unexpected expenses do occur and this is the supplemental appropriation that allows the City to more accurately reflect these changes in the financial statements. Ms. Holtzapple gave a brief overview of the revised appropriations and the reason for the changes in the various funds at this time.

Public Comment

No one came forward to speak for or against Ordinance No. 15-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the rule requiring Ordinance No. 15-12 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Vogt, Fess, Wilson, Terry, and Martin. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 15-12 be adopted. Roll call, Aye: Martin, Fess, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 15-12 adopted.

ORD. NO. 16-12 (1st Reading)

An Ordinance to vacate a portion of public alley right of way Adjacent to Inlots 3084-3088

City Planner Chris Schmiesing explained the petitioner desires to vacate a portion of an unimproved public alley right of way adjacent to Inlots 3084-3088. This is a grass strip of land that serves no purpose and the applicant would like have it vacated. This was approved by the Planning Commission at their August 14, meeting, and is now before the City Commission for final approval, stated Mr. Schmiesing.

Commissioner Terry asked what becomes of the property that is vacated, would it be divided among the property owners adjacent to it? Mr. Schmiesing explained how the ownership of the unimproved right of way would be distributed; further stating all adjacent property owners notified and are in support of the vacation.

Public Comment

No one came forward to speak for or against Ordinance No. 16-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that the rule requiring Ordinance No. 16-12 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 Martin, seconded by Commissioner Terry, that Ordinance No. 16-12 be adopted. Roll call, Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 16-12 adopted.

RES. NO. R-109-12

A Resolution requesting authorization to enter into an agreement with the Kansas Highway Patrol Fleet Fund for the purchase of two Ford CVPI police patrol vehicles

Police Chief Bruce Jamison explained this is the continuation of a program to add five additional police cruisers to the police department fleet, and these are the last two to be purchased. Recently, two Ford CVPI's became available from the Kansas State Highway Patrol and they still have over 50,000 miles left on the warranty. The purchase of these used vehicles will result in lower maintenance costs for the city. Chief Jamison stated \$87,000 was budgeted for the purchase and change-over and this expenditure would be for up to \$31,000.

There were several questions asked concerning the type of vehicles being purchased and cost of changing the logo & etc. out on them. Chief Jamison further explained.

Public Comment

No one came forward to speak for or against Resolution No. R-117-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to approve Resolution No. R-117-12. Roll call, Aye: Fess, Martin, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-117-12 adopted.

OTHER

Monthly Reports

Monthly reports were accepted.

Public Comment

This is an opportunity for citizens to address the City Commission regarding issues or to provide information. Comments are requested to be limited to five (5) minutes and specific questions should be addressed to the City Manager's office.

Ruth Koon, Park Avenue came forward stating she would like to offer some positive news concerning the recent performance of the Music Warehouse. Ms. Koon thanked Director Tom Westfall, stating he has been directing Music Warehouse for over fifteen years and does an outstanding job for the community. This year there were over 108 children participating in the program from grade school through college students, and was all free and open to the community. Mrs. Koon further stated Robert Hance for whom the band shelter was named after would be very proud to have Music Warehouse perform presented there. Music Warehouse is a wonderful asset to the community, and we are very lucky to have such talented performers, said Mrs. Koon.

Brad Boehringer, Mound Street, came forward and congratulated Nate Burkholder, summer intern with the City of Piqua for hosting the Piqua Play Day on August 18, 2012 in Fountain Park. All the participants' young and old had a really good time. This was the community again coming together and Mr. Boehringer commended Mr. Burkholder for taking the time and putting together a very good program for the youth of community.

City Manager's Report

Rt. 36 Beautification Update – Chris Schmiesing

Mr. Schmiesing stated this project originated from the Comprehensive Plan to enhance the Gateways into the community. The US 36 Beautification Project consists of landscape enhancements along the 36 Corridor between Looney Road and the Railroad Bridge with construction to begin in 2013. Anticipated project costs are \$480,000, and the city will be receiving approximately \$290,000 in Grants. This will be a multiple phase program with the first phase beginning in 2013. Pedestrian walkways will be installed along with enhanced pavement markings and brick pavers. New mast arm traffic signals will be installed along with new light poles and lights. Photos were shown of the projected mast arm signals and street lights. Gateway signage is also planned to compliment the new enhancements at the intersection of Rt. 36 and I-75. An overall design sketch was shown with the 10ft. wide pedestrian walkway into the Miami Valley Centre Mall, along with the plantings, brick pavers, and signage.

There was discussion of the use of the brick pavers versus the use of simulated brick or stamped concrete. Mr. Schmiesing stated they have had some discussion about the pavers and will let the consultant explain the reason for the use of the brick pavers at the Commission Work Session that is scheduled in the near future. A question was raised concerning trying to pull out of the area by the Board of Education/Piqua Lumber with the volume of traffic in the area, and asked if it would be possible to install a traffic signal in that area. Mr. Schmiesing explained.

Commissioner Comments

Commissioner Wilson inquired about the gas line repair work being done at the corner of Ash and Wayne streets, and the use of the black asphalt being used to repair the sidewalks. It was stated that when all of the repairs are completed in the city, they will come in and replace all of the black asphalt repairs with cement.

Commissioner Terry stated the Piqua Community has lost a very important part of their family in the passing of Paul Stiefel recently. Mr. Stiefel was very active in the community and will be missed by all. Please keep the Stiefel family in your thoughts and prayers, stated Commissioner Terry.

Commissioner Vogt reminded citizens to keep working on keeping the weeds and grass around the telephone poles, curbs and gutters cut down as they still seem to be growing even without the rain.

Mayor Fess stated Paul Stiefel will be missed by the community and also mentioned two other citizens that have passed away recently. John Vosler was a member of the Piqua Civic Band, and Betty Hemmert, a wonderful musician who worked with the Musicals at Lehman and Piqua High

School and who taught music to many local students over the years. All will be missed, stated Mayor Fess.

ADJOURN TO EXECUTIVE SESSION

a. To consider pending or imminent litigation

Moved by Commissioner Vogt, seconded by Commissioner Martin, to move into Executive Session at 8:45 P.M. Roll call, Aye: Vogt, Martin, Fess, Terry, and Wilson. Nay: None.

ADJOURN EXECUTIVE SESSION

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION