

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday September 4, 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 Vogt, Terry, and Wilson. Absent: Martin.

Moved by Commissioner Wilson, seconded by Commissioner Terry, to excuse Commissioner Martin from the September 4, 2012 City Commission Meeting. Voice vote, Aye: Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

**REGULAR CITY COMMISSION MEETING**

**PROCLAMATION - PIQUA HIGH SCHOOL ALUMNI BAND DAY**

Mayor Fess read and presented a proclamation declaring September 14, 2012 as Piqua High School Alumni Band Day in the City of Piqua. Stu Shear, Paul Holfinger, and Sandy Kerns accepted the proclamation on behalf of the Alumni Band. Mr. Shear thanked the City Commission and encouraged citizens to attend the football game on September 14, 2012 to watch the Alumni Band in action. Paul Holfinger thanked all of the Piqua High School graduates for coming back to participate in the program, further stating he is the oldest member of the Alumni Band at the very young age of 86, and he is still marching in the band.

**Consent Agenda**

Approval of the minutes from the August 21, 2012 Regular Piqua City Commission Meeting.

Moved by Commissioner Wilson, seconded by Commissioner Terry, to approve the Minutes from the August 21, 2012 City Commission Meeting. Voice vote, Aye: Wilson, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously.

**New Business**

**Ordinance No. 13-12 (3rd Reading)**

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

City Planner Chris Schmiesing stated this item was advertised in the public media, the adjacent neighboring property owners were notified, and a public hearing was held before the Planning Commission 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 this property and the neighboring property located at 1105 Lake Street. The Planning Commission approved the vacation, and we did not receive any comments or concerns regard the vacation of the public right of way.

**Public Comment**

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

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Ordinance No. 13-12 be adopted. Roll call, Aye: Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 13-12 adopted.

**ORD. NO. 14-12 (2nd Reading)**

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

Mayor Fess explained Ordinance No. 14-12 needs to be amended by replacing Exhibit A with an amended Exhibit A as one customer paid their fees and were removed from the list.

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.

**Public Comment**

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

Moved by Commissioner Wilson, seconded by Commissioner Terry, to amend Ordinance No. 14-12 by removing Exhibit A and replacing Exhibit A and with an amended copy. Roll call, Aye: Vogt, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that the rule requiring Amended Ordinance No. 14-12 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Wilson, Fess, Terry and Vogt. Nay: None. Motion carried unanimously.

It was noted that payments would be accepted through Friday, September 7th, after that the assessments will be forwarded to the Miami County Auditor's office for processing.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that Ordinance 14-12 be adopted, as amended. Roll call, Aye: Fess, Wilson, Terry, and Vogt. Nay, None. Motion carried unanimously. Mayor Fess declared Ordinance 14-12 adopted as amended.

**ORD. NO. 17-12**

An Ordinance amending Sections 154.005, 154.025, 154.026 and 154.027 of the City of Piqua Code of Ordinance to define commercial recreation, indoor, and commercial entertainment, indoor use types and list the use types as special uses in the general business, light industrial, and heavy industrial zoning districts

City Planner Chris Schmiesing gave a brief overview on the request for the changes in the code sections at this time. This was presented to the Planning Commission at their August meeting hearing from the applicant, and the business owner initialing the request. This is a result of a request from a realtor who represents a property located on Country Club Road. Mr. Kaster stated he occasionally has clients who desire buildings with large open floor plans and high ceilings to accommodate various indoor sports training and competition activities. Typical examples of this use type include gymnastic, tumbling, cheer clubs, or facilities catering to baseball, basketball, soccer, or football activities. The uses often serve a regional customer base and prefer close proximity to major highways; and often there are vacant industrial or commercial building spaces that are well suited to the needs of this use type, stated Mr. Schmiesing. After reviewing this the Planning Commission concluded that it would also be prudent to include provisions for indoor commercial entertainment type facilities, (rides, games, or other attractions, leisure time or recreational activities being conducted indoors, e.g. indoor putt-putt course, go kart tracks, video games, etc.). If this is approved the applicant will go back to the Planning Commission to apply for a Special Use permit.

**Public Comment**

No one came forward to speak for or against Ordinance No. 17-12.

Ordinance No. 17-12 was given a first reading.

**RES. NO. R-118-12**

A Resolution approving the 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 the Public Hearing for this item was held on August 21, 2012, and the Commission has thirty days to act on this item.

**Public Comment**

No one came forward to speak for or against Resolution No. R-118-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution 17-12 be adopted. Roll call, Aye: Fess, Wilson, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-118-12 adopted

**RES. NO. R-119-12**

A Resolution awarding a contract to Barrett Paving Material, Inc. for the 2012 Street Resurfacing Program

Bob Graeser, Project Manager stated on August 21, 2012 two bids were received for the 2012 Street Resurfacing Program with Barrett Paving Materials being the lowest bid. The streets to be included are Candlewood Blvd. from New Haven to Amherst, Amherst from Plymouth west to the dead end, Fairfax from McKinley to Marlboro, and Looney Road from E. Ash Street to Garbry Rd. The resurfacing project will consist of profile milling and overlaying of the roadway with a new asphalt surface, and include the installation of new ADA compliant handicap ramps, along with the replacement of catch basins, and placement of all new pavement markings within the project limits. All work is anticipated to be complete by October 29, 2012.

**Public Comment**

No one came forward to speak for or against Resolution No. R-119-12.

Commissioner Wilson inquired as to how the streets are chosen each year for repairs. Mr. Graeser explained the Engineering Department does a survey each year on the streets and these areas were chosen based on their needs.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to approve Resolution No. R-119-12. Roll call, Aye: Fess, Wilson, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-119-12 adopted.

**RES. NO. R-120-12**

A Resolution awarding a contract to Double Jay Construction, Inc. for the Wayne Street Streetscape project.

Bob Graeser, Project Manager explained this is a streetscape project that will affect the east side of Wayne Street between Water and Ash streets only. This project will consist of the removal and

replacement of sidewalk, curbing, street signs, and light poles along with the installation of brick pavers, benches, trash receptacles and other streetscape amenities.

Commissioner Terry asked if any parking spaces would be removed in front of the Post Office with the project, and further stated the parking area needs to be better defined. Mr. Graeser stated no parking spaces would be eliminated with this project, and the area will be properly marked.

Commissioner Wilson asked if the street would be painted to better define the parking area. Mr. Graeser explained.

### **Public Comment**

No one came forward to speak for or against Resolution No. R-120-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to approve Resolution No. R-120-12. Roll call, Aye: Wilson, Terry, Vogt, and Fess. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-120-12 adopted.

### **RES NO. R-121-12**

A resolution authorizing a purchase order to Chemco Systems, L.P. for the purchase of a Lime Slaker

Don Freisthler, Water Plant Superintendent explained this would replace the current 1985 lime slaker. Lime is used for softening the water and during the softening process, the initial bacteria kill occurs, and without this purchase the water supply cannot be treated properly at the water plant. On several occasions the current 1998 lime slaker has broken down and the 1985 one would take hours to come on line causing problems for the water plant. The lime slaker has about a 10-12 week lead order time so it would not be installed until after the first of the year sometime, stated Mr. Freisthler. It was noted that this piece of equipment would be used in the new water plant when it comes on line in the future.

Commissioner Wilson asked if the lime slaker was not purchased would the city water taste bad. Mr. Freisthler stated yes, the water would not only taste bad, but the city would not be able to produce water if the lime slaker is not purchased.

### **Public Comment**

No one came forward to speak for or against Resolution No. R-121-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, to approve Resolution No. R-121-12. Roll call, Aye: Terry, Vogt, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-121-12 adopted.

### **RES. NO. R-122-12**

A Resolution awarding a contract to HD Supply for the emergency purchase of the material package to rebuild the transmission line damaged by the June 29, 2012 windstorm

Nick Berger, Electrical Engineer, explained the Power System received three responses to the RFQ for the bill of materials on August 10, 2012. Each response was evaluated on both the overall cost and delivery time. HD Supply submitted the best quote and in addition to supplying the material will provide a trailer to house the material on the job site. The material trailer is scheduled to be on-site the week of September 17, 2012, stated Mr. Berger.

There was discussion on the how much of the damage from the windstorm would be covered by FEMA and how much the city insurance would cover. Finance Director, Cindy Holtzapple gave a brief explanation on what would be covered and by which entity.

**Public Comment**

No one came forward to speak for or against Resolution No. R-122-12.

Moved by Commissioner Terry, seconded by Commissioner Vogt, to approve Resolution No. R-122-12. Roll call, Aye: Vogt, Fess, Wilson, and Terry, Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-122-12 adopted.

**RES. NO. R-123-12**

A Resolution awarding a contract to Brownstown Electric Supply Company for the emergency purchase of wire to rebuild the transmission line damaged by the June 29, 2012 windstorm

Nick Berger, Electrical Engineer, explained this resolution would allow the purchase of wire from Brownstown Electric Supply Co. The wire will be used to rebuild the damaged 69 KV transmission line segment that catastrophically failed during the windstorm that occurred on June 29, 2012. Three responses were received from the RFQ that were sent out and after valuation of each response it was determined that Brownstown Electric Supply Co. provided the best quote for the purchase of wire.

**Public Comment**

No one came forward to speak for or against Resolution No. R-123-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to approve Resolution No. R-123-12. Roll call, Aye: Fess, Wilson, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-123-12 adopted.

**RES. NO. R-124-12**

A Resolution acquiring the services of Vaughn Industries to rebuild the transmission line damaged by the June 29, 2012 windstorm

Nick Berger, Electrical Engineer explained this would allow the Power System to enter into an agreement with Vaughn Industries to rebuild the damaged 69 KV transmission line that failed during the windstorm on June 29, 2012. Bids were requested from four pre-qualified contractors on August 8, 2012. Due to the tight timeframe Vaughn Industries was chosen as the best option. Vaughn Industries will provide the equipment and labor to construct both the transmission and distribution underbuild, with the material being furnished by the city.

Several questions were asked including if the work could be done in house, what the total cost of the damages were, and if there was a timeline for the work to be completed. Finance Director Cindy Holtzapple explained the total costs of the damages were about \$657,000 with the Power Systems cost being around \$500,000. Mr. Berger stated it would not be feasible for this work to be done in house, and the work would begin around September 24<sup>th</sup>, and be completed by November 16<sup>th</sup>, 2012.

**Public Comment**

No one came forward to speak for or against Resolution No. R-124-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, to approve Resolution No. R-124-12. Roll call, Aye: Fess, Wilson, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-124-12 adopted.

## **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.

Brad Boehringer, Mound Street, came forward and voiced his concern over the previous explanation of the new water rates stating he felt they were not explained correctly. City Manager Gary Huff gave a brief overview of the new water rates to Mr. Boehringer.

Mr. Boehringer also voiced his opinion on the Wayne Street streetscape and the cross walks in front of the Post Office. Mayor Fess stated the Engineering Department has studied the area and will make the proper enhancements as needed. Bob Graeser, Project Manager further explained the project to Mr. Boehringer.

## **City Manager's Report**

### **Canal Place Update– Chris Schmiesing**

Chris Schmiesing, City Planner gave a brief update on the changes taking place in Canal Place, which is behind the 300 block of N. Main Street. This is a collaborative effort between MainStreet Piqua, the City of Piqua, and the property owners. This includes Stormwater, Power System, Engineering and Development, and the citizens of Piqua that have donated to the project. MainStreet Piqua is working on sign/plaques to be located in Canal Place explaining the various different projects that were done such as the rain garden area. Local contractors were utilized; Casto Landscaping will be installing the plantings, along with a local Girl Scout Troop who will be planting day lilies on September 22, at 2:00 P.M. Overhead utility lines were relocated and the parking area was resurfaced.

Mayor Fess inquired as to why the paved area does not go all the way down to High Street. Mr. Schmiesing explained the reason for the paved surface not going all the way down to High Street at this time.

City Manager Huff stated the Piqua Government Academy will begin on September 5, at 6:00 P.M. and have 24 participants signed up for the Fall Session.

City Manager Huff stated the 2012 State of Economic Development Report has received the International Excellence in Economic Development Silver Award, and we are very proud to have received that award. Mayor Fess offered kudos to Economic Development Director Bill Murphy for his efforts in putting together the EDR and winning this prestigious award.

City Manager Huff announced the City of Piqua Employee Picnic is scheduled for Friday, September 7, at Fountain Park, and the City Offices will be closed from 11:45 A.M. to 1:30 P.M. so all of the employees can attend together.

City Manager Huff also announced the Piqua Arts Council will hold their Art Walk on Friday, September 14, beginning at 5:00 P.M. and encouraged citizens to attend.

## **Commissioner Comments**

Commissioner Terry stated the attendance at the Heritage Festival was down this year due to the threat of heavy rain, but still was a very enjoyable festival. Commissioner Terry also congratulated the members of the Piqua Alumni Band, and reminded citizens that school is back in session and to watch for children crossing the streets.

Commissioner Wilson stated the Heritage Festival takes a lot of volunteers to put on the three day festival, and thanked them all for their hard work.

Commissioner Wilson reminded citizens that the summer student help has gone back to school now, and asked if citizens would consider adopting an area or Park in their neighborhood to help maintain these areas; this can be done by an individual or as a group effort. If anyone is interested in volunteering they can contact Bill Lutz at 937-778-2041 to sign up.

Mayor Fess stated City Law Director Stacy Wall spent a lot of time getting volunteers together to work at the Heritage Festival in the Rotary Corn Booth, and also worked there herself.

Mayor Fess stated she received an email from a citizen with several complaints including they feel the Pride has gone out of Piqua. Mayor Fess stated this really bothered her since she feels in the last three years the city has been doing everything they can to re-establish pride in the community. If you focus on the negative things and overlook all of the positive things you are always going to have a negative attitude, stated Mayor Fess. The Commissioners cannot go out and clean up the neighborhoods, we establish programs and work hard to try and get citizens motivated to take care of their neighborhoods, along with help from the Neighborhood Associations. It is up to each and every individual citizen to take care of their own property, and it is not up to City Government to take care of your property. Mayor Fess challenged all citizens to take pride in the community and help to make Piqua a place where citizens want to live and work. Look at all of the positive things happening in Piqua and focus on them instead of the negative things, stated Mayor Fess.

Mayor Fess also congratulated the Heritage Festival Committee and all of the volunteers on a wonderful festival again this year.

Moved by Commissioner Vogt, seconded by Commissioner Terry, to adjourn from the Regular Piqua City Commission Meeting at 8:20 P.M. Voice vote, Aye: Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

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LUCINDA L. FESS, MAYOR

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

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CLERK OF COMMISSION