

MINUTES
PIQUA CITY COMMISSION
Tuesday September 18, 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.

PRESENTATION - **Nathan Burkholder, Piqua High School, Summer Intern**
Topic- Summer Internship

Nathan was a summer intern in the City of Piqua Administration Office through the Upper Miami Valley Local Government Internship Program. Nathan was chosen for this program having exceptional organizational skills, leadership, and a 3.8 GPA. Nathan gave a brief overview of some of the responsibilities and projects that he worked on this summer. He was especially proud of the "Play Day" project that he coordinated and held on August 18, 2012 at Fountain Park. Several pictures were shown of the participants and volunteers with some of the activities at the park. Nathan stated this was a great experience for him and gave him a lot to think about; further stating everyone was very supportive and helpful in the City. Nathan stated he wanted to thank Mr. McElroy and the City of Piqua for giving him the opportunity, and would like to do it again.

City Manager Huff stated he would like to recognize Shawn McElroy Director over the Upper Miami Valley Local Government Internship Program. Mr. McElroy gave a brief overview of the program.

Mayor Fess thanked Nathan for all of his hard work while working with the City, and stated she would like to have him come back again if he wanted to.

PRESENTATION - **Brandon Baumeister/Rachel Harker, Piqua High School**
Topic Soldiers for Summit

Ms. Harker gave a brief overview of the Soldiers for Summit Program stating this is a project that is being done through the AP Government Class at Piqua High School. This program allows soldiers who have lost limbs or have other disabilities to set and accomplish goals they never thought they could achieve. Rachel also explained the reason for the motivation to work on this particular program..

Mr. Baumeister explained some of the class projects they are doing to help support this program. One very important project will be to air a documentary entitled High Ground on October 27 for the Piqua High School students, and they hope to be able to air it to the public at a later date. Mr. Baumeister gave a brief explanation on the documentary and the reason for it.

Commissioner Wilson stated he feels it is a great program.

Mayor Fess wished both of them the best of luck with the program.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of the minutes from the September 4, 2012 Regular Piqua City Commission Meeting.

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

RES. NO. R-125-12

A Resolution appointing a member to the Stormwater Utility Board

City Manager Huff stated Resolution No. R-125-12 appoints Kristy Warren to the Stormwater Utility Board for a two (2) year term that expires on August 1, 2014.

PUBLIC COMMENT

Jean Franz, Parkridge Place came forward stating she has known Ms. Warren for a long time and feels she will be a great asset to the Stormwater Utility Board. Mayor Fess mentioned that Ms. Warren was also a graduate of the first Piqua Government Academy.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-125-12 be adopted. Roll call, Aye: Fess, Wilson, Martin, Terry, and Vogt. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution R-125-12 adopted.

RES. NO. R-126-12

A Resolution appointing a member to the Stormwater Utility Board

City Manager Huff stated Resolution No. R-126-12 appoints Jesse Dotson to the Stormwater Utility Board for a one (1) year term that expires on August 1, 2013.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-126-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-126-12 be adopted. Roll call, Aye: Fess, Wilson, Martin, Terry, and Vogt. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution R-126-12 adopted.

New Business

ORD. NO. 17-12 (2nd Reading)

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 stated this is the second reading for this ordinance and 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 second reading.

ORD. NO. 18-12 (1st Reading)

An Ordinance amending Sections 154.020 and 154.021 of the City of Piqua Code of Ordinances to list a Bed and Breakfast use type as a Special Use in the R-11 and R-1A One-Family Residential Zoning District

City Planner Chris Schmiesing explained this item was presented to the Planning Commission in response to a request from Dr. Norman Armstrong and Georgia Armstrong to amend the zoning code to include a Bed and Breakfast use type as a special use option in the R1AA and R1A One – Family Residential Zoning District. Dr. & Mrs. Armstrong would like to have a Bed and Breakfast in their residence located at 1220 Park Avenue.

The Planning Commission concluded that the inclusion of the Bed and Breakfast use as a special use in the affected zoning districts would permit the opportunity to allow a use type no more intense than the Day Care and Sports Club use types already included as special use options in the zoning codes. The Planning Commission also recognized that zoning standards applicable to a bed & Breakfast use are already in place to ensure the use is not detrimental to the surrounding properties or the neighborhood in general. By including the use type as a special use the Planning Commission would have an opportunity to consider each request based upon its own merit, and have the ability to impose any special conditions deemed necessary to protect and preserve the character of the surrounding neighborhood, and if not have the option of denying the special use request, stated Mr. Schmiesing.

After a brief discussion Ordinance No. 18-12 was given a first reading.

RES. NO. R-127-12

A Resolution establishing “Trick or Treat/Beggars’ Night” in the City of Piqua

City Manager Huff stated Miami County has set the date of Wednesday, October 31, 2012 from 6:00 P. M. to 8:00 P.M. for “Trick or Treat/Beggars Night” in Miami County, and the City of Piqua is setting the same date and time for “Trick or Treat/Beggars’ Night.”

Public Comment

No one came forward to speak for or against Resolution No. R-127-12.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution 127-12 be adopted. Roll call, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-127-12 adopted

RES. NO. R-128-12

A Resolution approving the tax rates for the City as determined by the Miami County Budget Commission

Finance Director Cynthia Holtzapple stated every year this request comes forward for approval of the certified tax rates, which are used to levy property tax on all general duplicates for 2012 to be collected in 2013. These certified rates require the approval of the City Commission and the

certifications must be sent to Miami County before October 1, 2012. This would allow the City to continue to receive the collection of property tax revenue from Miami County, and are vitally important to the General Fund and the day-to-day operations of the City, stated Ms. Holtzapple.

Public Comment

No one came forward to speak for or against Resolution No. R-128-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, to approve Resolution No. R-128-12. Roll call, Aye: Vogt, Martin, Fess, Terry, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-128-12 adopted.

RES. NO. R-129-12

A Resolution to support the increased need for funding for water infrastructure and to bring the subject of "Water Infrastructure" into national discussion

Water Plant Superintendent Dave Davis explained the City of Piqua is about to invest millions of dollars into water and wastewater infrastructure and the federal government has cut funding for water and wastewater infrastructure every year since 2004. Congressman Bob Gibbs of Ohio has already proposed a bill called WIFIA (Water Infrastructure Funding Initiative Act) that has support from AWWA and OWEA. This is a resolution that would be sent to the State of Ohio Water Environment Association and the American Water Works Association, and national groups to be presented to the President, Candidates and Congress for national discussion. There is no cost associated with forwarding this resolution to support the increased need for funding, stated Mr. Davis.

City Manager Huff stated he hopes there is a movement to help with the funding of infrastructure in the future; further stating the City is pursuing grants to help with the improvements needed.

Public Comment

No one came forward to speak for or against Resolution No. R-129-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to approve Resolution No. R-129-12. Roll call, Aye: Fess, Wilson, Terry, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-129-12 adopted.

RES NO. R-130-12

A Resolution awarding a contract to the Righter Company, Inc. for the Bike Path Bridge Repair Project

City Engineer, Amy Havenar explained this would allow the City to enter into an agreement with the Righter Company for repairs to the Bike Path Bridge that was damaged due to a fire in June of 2012. The repairs will consist of the removal and replacement of about a 110' section including the railing, railroad ties, decking, and anything else that was damaged in the fire. The work should begin the end of November and should take approximately thirty days to complete, stated Ms. Havenar. MVRMA, the city's insurance will cover the cost of the repairs all but the \$2500 deductible stated City Manager Huff. The Engineering Department and the Fire Department are working together to come up with several options to prevent this type of damage in the future. Resolution No. R-130-12 is only for the repairs to the bridge as the insurance company has made it very clear all they would be paying for are the repairs from the fire damage, stated Ms. Havenar. Commissioner Wilson asked what the timeline is for preventative measures. Ms. Havenar stated once they get some final figures they would take them to the City Manager and look at the budget and see where it can fit in, but are looking to do something as soon as possible.

Public Comment

No one came forward to speak for or against Resolution No. R-130-12.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to approve Resolution No. R-130-12. Roll call, Aye: Wilson, Terry, Vogt, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-130-12 adopted.

RES. NO. R-131-12

A Resolution authorizing the City Manager to apply for, accept, and enter into a Water Pollution Control Loan Fund Agreement on behalf of the City of Piqua for planning, design and/or construction of Wastewater Facilities; and designating a dedicated repayment source for the loan

Finance Director Cynthia Holtzapple stated the city is looking at all types and sources of funding for some of the major projects, and in particular the Wastewater Project. The EPA has encouraged the City of Piqua to apply through their Water Pollution Control Loan Program, as a result of this Resolution No. R-131-12 needs to be passed tonight, stated Ms. Holtzapple. The recently completed Wastewater Master Plan indicates that additional upgrades to the existing Wastewater facilities are needed to further address the Sanitary Sewer Overflow (SSO) issues. The funds needed for the design of the improvement are estimated to be approximately \$3 million. Currently the interest rate on the loan we are applying for is 2.5% and may change from now until the loan is awarded in December 2012 and want to get in the next round of funding, stated Ms. Holtzapple.

Public Comment

No one came forward to speak for or against Resolution No. R-131-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to approve Resolution No. R-131-12. Roll call, Aye: Terry, Vogt, Martin, Fess, and Wilson, Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-131-12 adopted.

Monthly Reports- July 2012

Mayor Fess stated the Monthly Reports for July 2012 are in.

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.

Jean Franz, Parkridge Place came forward and referenced an article that appeared in the Piqua Daily Call regarding the sign ordinance. Ms. Franz showed a copy of the sign ordinance, further stating they worked very hard on putting together the sign code. Ms. Franz stated she observes many signs as she travels up and down the interstate and does not want to see a lot of bill boards in Piqua. As they worked very hard on compiling the information in the sign code, they did not receive any input from the community as to what they would like to see in the sign code.

Larry Grube, 1312 Arrowhead Drive came forward voicing his concern over his street not being completed at this time after living there for over eight years. Mr. Grube pointed out the City sent him letters two different times when he lived on Washington Avenue stating he had to paint his home within a certain period of time or the city would have it done and bill him, and would like to know why the city cannot make the developer complete his street in a timely manner. Mr. Grube stated he spoke with the Street Department and they explained the reason for not being able to clear the snow from the street as it has not been dedicated a city street yet. City Manager Huff explained when subdivisions are not completed the city will not take possession of the street until they are brought up to the city standards. City Manager Huff stated he was just made aware of the

situation and would look into it and speak with the developer. Mr. Grube further stated he would like to have his city taxes refunded for the last eight years due to the situation with the street. Mayor Fess stated she will have the City Manager check into it and asked Mr. Grube to give the city the opportunity to look into it further.

Kristy Warren, Parkridge Place came forward and thanked the City Commission for appointing her to the Stormwater Utility Board stating she is looking forward to it. Ms Warren commented she is always looking for opportunities to expand her knowledge and skills in Piqua. Mayor Fess thanked Ms. Warren for volunteering her time.

City Manager's Report

Mainstreet Piqua Update—Ms. Lorna Swisher, Director of Mainstreet Piqua

Lorna Swisher, Director of Mainstreet Piqua came forward to give a brief update on Mainstreet Piqua and began by reading the names of the Board Members. Lorna stated, "we do what we do because of the community, because of our volunteers, the City, and of course our supporters and the Friends of Mainstreet Piqua". Ms. Swisher went on to give a brief update of the happenings of Mainstreet Piqua in the last year.

Ms. Swisher announced a couple of upcoming events including the Girl Scouts planting plants in the Canal Place on Saturday September 22, along with the Stride and Ride also being held on Saturday September 22, and the Miami County Chile Cook-off starting at 5:00 P.M. with 12 restaurants participating. The Chocolate Walk will be held on Friday, October 19, from 5:30-8:30 p.m. with tickets going on sale September 24, 2012. Christmas on the Greene is sponsored by the French Fund of the Piqua Community Foundation along with Unity National Bank, Piqua Public Library, and Miami County AAA, and is scheduled for Friday, November 7th from 6:00-9:00 p.m. in downtown Piqua. The Holly Jolly Run is sponsored by Atlantis Sportswear and Upper Valley Medical Center and is scheduled for Saturday December 8, 10:00 A.M. The Downtown Piqua Holiday Parade is sponsored by McVety Realty and Barclays Clothiers and is scheduled for Saturday December 8th at 2:00 p.m. Ms. Swisher thanked everyone involved for all of their support.

Mayor Fess asked how long Ms. Swisher has been with working with Mainstreet Piqua. Ms. Swisher stated she has been with Mainstreet Piqua for 19 years now. Mayor Fess stated she appreciates all Ms. Swisher and the volunteers do for Mainstreet Piqua and the community.

City Manager Huff stated he wanted to announce the Business Connect Program with the first Work Shop being scheduled for September 25, 2012 from 7:30 - 9:00 a.m. in the Chamber of Commerce with the program "Getting to Know the Resources". The second Work Shop is scheduled for October 23, from 7:30 – 9:00 a.m. in City Hall with the program "Understanding the Permitting Process" being presented.

City Manager Huff stated the city is getting very close to opening E. Ash Street and announcing the "Not Yet" Program. Police Chief Jamison gave a brief overview of the Not Yet Program, and the reason for it at this time.

Commissioner Comments

Commissioner Wilson stated after hearing all of the activities that Mainstreet has done, it makes him very tired, and everything is always done very well. Commissioner Wilson reminded citizens of the Stride and Ride event being held on Saturday September 22, along with the Chile Cook-Off and Car Show held in downtown Piqua encouraging citizens to attend.

Commissioner Vogt stated he feels sorry for Mr. Grube, but the City cannot plow streets until they have been dedicated. Commissioner Vogt asked that the Engineering Department and the City Manager look at all of the projects in town and make sure contractors are fulfilling their contracts in getting their streets paved in the proper time.

Mayor Fess stated she received a telephone call from a resident who was upset with the City Planner. The caller was upset after reading about the Sherry sign in the paper and what the City Planner had done to Mr. Sherry and the Sherry family. Mayor Fess further stated she explained to the caller the City Planner was not at fault in anyway, as he was only doing his job. He was following the directions from the City Commission and the City Manager. Mayor Fess stated it really upsets her when people so many times blame the city employees for things they are doing when they are following the rules and laws in their positions. Mayor Fess encouraged citizens if they have a complaint to contact the City Commission, stating the City Planner was only following the Ordinance that was put in place by the City Commission. Mayor Fess stated she explained this to the caller and she stated she understood now the reason. The City has such wonderful employees and we are fortunate to have them and we don't want them to get discouraged for doing their jobs, stated Mayor Fess.

Mayor Fess stated a Work Session was held on September 13 to discuss the details of the Sign Ordinance and to look at ways to help the Sherry business with their signage.

Mayor Fess announced she and the City Manager would be at Garbry Ridge on Wednesday September 25, to make a presentation. Mayor Fess also stated she would be presenting a proclamation to the Adult Care Center on Wednesday for Senior Care Week.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:45 P.M. Voice vote, Aye: Wilson, Fess, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

