

**MINUTES**  
**SPECIAL PIQUA CITY COMMISSION SESSION**  
**Friday, October 19, 2012**  
**9:00 A.M.**

Piqua City Commission met in a Special City Commission Session at 9:00 A.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, and Wilson. Absent: Terry.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to excuse Commissioner Terry from the Special City Commission Meeting of October 19, 2012. Voice vote, Aye: Martin, Vogt, Wilson, and Fess. Nay: None. Motion carried unanimously,

**ORD. NO. 19-12 (2<sup>ND</sup> Reading-Amended)**

An Ordinance amending Sections 154.005, 154.096, 154.097, 154.101 and 154.104 of the City of Piqua Code of Ordinances to modify definitions, standards and other general provisions applicable to high-rise/highway oriented and other sign types

City Manager Huff summarized the Ordinance stating this Ordinance was initiated by request of the City Commission to deal with the pole sign square footage. The Planning Commission made their recommendation, and at the Piqua City Commission Meeting of October 16, 2012 the Ordinance was amended. This is the second reading of Ordinance No. 19-12 to take action on this item.

Mayor Fess stated that the Commissioners all received an email dated October 18, 2012 and asked the Law Director to respond. Ms. Wall stated the question posed to her was whether the three reading rule could be waived on the amended ordinance. Ms. Wall recommended the three reading rule not be waived at this time for several reasons and explained the reasons.

Commissioner Vogt stated he would like to make a motion to give Ordinance No. 19-12 a second reading, and hold another Special Commission meeting on Tuesday, October 23, 2012 at 9:00 A.M., it was seconded by Commissioner Martin. Commissioner Wilson stated it would be fine with him. Mayor Fess asked if it would be constituted as another emergency meeting?

Law Director Wall explained it would be a Special Meeting, but does not constitute an emergency meeting at this time, as it is just a special meeting outside the regular commission time. There could be challenges to the time, but there is no reason to rush it through, it could be put on the next regular Commission agenda and not have any problems.

**Public Comment**

Brad Boehringer Mound Street, voice his concern about having another 9:00 A.M. meeting, stating if you want to receive public comment he feels it would be better to have the third reading at the November 6, 2012 regular Piqua City Commission Meeting. Commissioner Vogt commented the Dayton City Commission holds their meetings at 11:00 A.M. and stated we should hold ours then to, further stating his motion is still on the floor for the Special Commission meeting on October 23, 2012 at 9:00 A.M. Ms. Wall explained why the morning meeting was not appropriate at this time, stating it is not a scheduled meeting.

Commissioner Martin stated whenever they have had Special Meetings they have always been scheduled at 9:00 A.M. to accommodate his and Commissioner Wilson's schedules. Ms Wall explained you have to state a reason and establish on the record the reason for holding a Special Meeting such as a Grant application deadline. There is no special reason concerning this Ordinance that it would need to be pushed through on an emergency basis at this time stated Ms. Wall. Commissioner Vogt stated he remembers a previous time with another Ordinance that they needed to have a special meeting to get something passed due to a deadline on timing.

Commissioner Wilson also commented on a reason he feels the need to have a Special Meeting, stating the sign in question looks very bad and the longer the Commission takes on making a decision it is hurting the companies business and feels this is a good reason to have the Special Meeting to expedite the process. We held a Work Session on this; the Planning Commission held their meeting, a City Commission Meeting was held on October 16 all in the evening, and finally this meeting, stated Commissioner Wilson. If a meeting were to be held on October 23 it would be five meetings that were held for public discussion on this item. The Commissioner's were available by telephone, letters, and emails and none were received except from Mr. Boehringer, stated Commissioner Wilson.

Commissioner Vogt stated he wanted it noted that he only received public comment from one person, Brad Boehringer. Commissioner Vogt further stated he received emails from the other City Commissioners, and the City Manager only, nothing else from the public. I understand Ms. Wall's hesitation, further stating his motion was still on the floor, stated Commissioner Vogt. Commissioner Martin stated he has given his telephone numbers out at various times and has not received any telephone calls.

Ms. Wall stated for clarification they are not delaying this, they are just going through the normal process. To say you are delaying implies you are doing something wrong, and you are not. Ms. Wall further explaining the process to be followed.

Commissioner Martin asked if it changes anything if the meeting were to be held in the evening at 7:30 P.M. instead of 9:00 A.M. on Tuesday.

Mayor Fess stated it would not be the normal process and there could be ramifications from doing so citing some one might think special treatment was given in this matter. We need to follow the normal process on this stated Mayor Fess.

Commissioner Terry joined the meeting at this time (9:15 A.M.)

Mayor Fess explained to Commissioner Terry what has been discussed prior to her arrival.

Mayor Fess stated this is the second reading on Ordinance No. 19-12 and feels it should go for a third reading at the regular City Commission meeting on November 6, 2012.

Ms. Wall stated there was already a motion and a second on the floor for a Special Meeting on Tuesday October 23, 2012 at 9:00 A.M. Mayor Fess asked for a roll call. Aye: Wilson and Vogt. Nay: Terry, Martin, and Fess. The motion was denied 3-2.

Commissioner Vogt asked if he could request an Executive Session after the October 19, 2012 9:00 A.M. meeting. Ms. Wall stated no, and further explained the reasons for not holding an Executive Session after the meeting.

Mayor Fess stated this would stand as the second reading for Ordinance No. 19-12.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Special Meeting at 9:20 A.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