

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday December 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.

Mayor Fess asked for a moment of silence in remembrance of the victims of the school shooting December 14, 2012 in New Town, Connecticut.

**REGULAR CITY COMMISSION MEETING**

**Consent Agenda**

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

**RES. NO. R-151-12**

A Resolution accepting the resignation of Jean Franz as a member of the Planning Commission

Moved by Commissioner Martin, seconded by Commissioner Vogt, to approve the Consent Agenda. Voice vote, Aye: Wilson, Vogt, Terry, Martin, and Fess. Nay: None. Motion carried unanimously.

**OLD BUSINESS**

**ORD. NO. 25-12 (3<sup>rd</sup> READING)**

An Ordinance repealing Schedule A of Chapter 33 of the Piqua Code and adopting a new Schedule A of Chapter 33 of the Piqua Code, relating to wages of certain municipal employees

Elaine Barton Human Resources Director explained this resolution is adjusting the pay schedule for non-union employees beginning January 1, 2013. It has been at least four years since the pay steps for the non-union positions covered by Schedule A have been increased. Ordinance No. 25-12 would increase the pay steps by 3.25% for all 37 full-time non-union positions.

**Public Comment**

No one came forward to speak for or against Ordinance No. 25-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry that Ordinance No. 25-12 be adopted. Roll call, Aye: Vogt, Terry, Fess, Martin, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Ordinance No. 25-12 adopted.

**ORD. NO. 26-12 (3<sup>rd</sup> READING)**

An Ordinance repealing Schedule A-1 of Chapter 33 of the Piqua Code and adopting a new Schedule A-1 of Chapter 33 of the Piqua Code, relating to wages of certain municipal employees

Elaine Barton Human Resource Director stated the State of Ohio has increased the minimum wage rate effective January 1, 2013 from \$7.70 per hour to \$7.85 per hour, which amounts to a 2% increase. The pay rates for the positions on Schedule A-1 have not been increased in several years (except for minimum wage) and a 2% increase has been applied to all positions. The increase includes seasonal, temporary, and part-time employees stated Ms. Barton.

**Public Comment**

No one came forward to speak for or against Ordinance No. 26-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 26-12 be adopted. Roll call, Aye: Wilson, Vogt, Terry, Fess, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 26-12 adopted.

**ORD. NO. 27-12 (3<sup>rd</sup> READING)**

An Ordinance repealing existing Chapter 33.08 –Insurance and enacting a new Chapter 33.08 of the Piqua Code, relating to employee policy

Elaine Barton Human Resource Director explained this would set the health savings account (HAS) or health reimbursement account (HRA) contributions and the premium share for the City as well as for the non-union employees for the 2013 benefit year. The city and employee rates will stay the same as in 2012, stated Ms. Barton.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Ordinance No. 27-12 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 27-12 adopted.

**ORD. NO. 28-12 (3<sup>rd</sup> READING)**

An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2013

Finance Director Cynthia Holtzapple stated the appropriations for the budget year 2013 has been amended slightly since the second reading and includes a \$166,000 for grant projects and they include the demolition of the houses in Fund 104 which has been moved from 2012 to 2013, along with a swimming pool grant for \$22,000. Other changes are being made in the Street, Parks, and Water funds in the amount of \$386,000. There is an increase of 1.7 million for borrowing of the funds for the fiber optic project.

**Public Comment**

No one came forward to speak for or against Ordinance No. 28-12.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Ordinance No. 28-12 be adopted. Roll call, Aye: Martin, Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 28-12 adopted.

**NEW BUSINESS**

**ORD. NO. 29-12 (1<sup>st</sup> READING)**

An Emergency Ordinance to make Appropriations for the City of Piqua, Ohio for the year 2012.

Finance Director Cynthia Holtzapple explained each year at this time the expenses are reviewed and this being the last of the appropriations we are asking that the three reading rule be waived on Ordinance 29-12 at this time.

**Public Comment**

No one came forward to speak for or against Ordinance No. 29-12.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 29-12 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Martin, Fess, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 29-12 be adopted. Roll call, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared suspended Ordinance No. 29-12 adopted.

**ORD. NO. 30-12 (1<sup>st</sup> READING)**

An Ordinance to vacate a portion of public right-of-way

Economic Development Director/Assistant City Manager Bill Murphy explained this is less than 1/10 of an acre that is owned by Hartzell Fan Inc. This property is a platted portion of Downing Street right of way located south of Meteor Street and is not essential to public transportation.

Ordinance No. 30-12 was given a first reading.

**RES. NO. R-152-12**

A Resolution authorizing a purchase order to Nelson Tree Service. Incorporated for electric power line clearance

Assistant Power Systems Director Nick Berger stated RFQ's were sent out and only two bids were received with the lowest responsive bid award going to Nelson Tree Service with the option to renew in 2014 and 2015. The City has worked with Nelson the past ten years and have always been very happy with their work, stated Mr. Berger.

There was discussion on replacing some of the trees when damaged and contacting the residents, also noting the number of customers still with Dayton Power and Light Company

**Public Comment**

No one came forward to speak for or against Resolution No. R-152-12.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Resolution No. R-152-12 be adopted. Roll call, Aye: Wilson, Vogt, Terry, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-152-12 adopted.

**RES. NO. R-153-12**

A Resolution retaining the services of Cooperative Response Center, Inc. to provide professional customer call answering and dispatch services for the Power Plan

Assistant Power Systems Director Nick Berger stated in March of 2007 the Power System began using the Cooperative Response Center to provide after-hours call answering and dispatch service. This was necessitated when the steam and hot water system was shut down in December of 2006. This was due to the elimination of the shift operators who provided the same services for the Power System. To date, the Power System has been totally satisfied with the level of service provided by CRC, as well as the cost to provide the services. The Energy Board members unanimously approved to retain the services of CRC to continue to provide professional call and dispatch services for 2013 at their November 27, 2012 meeting.

**Public Comment**

No one came forward to speak for or against Resolution No. R-153-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No.153-12 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-153-12 adopted.

**RES. NO. R-154-12**

A Resolution authorizing the City Manager to apply for City Membership to American Municipal Power, Inc.

Ed Krieger, Power Systems Director explained the City is a member of AMP Ohio and has purchased power from them since 2007. This comes before the City Commission every December for approval, and has been unanimously approved by the Energy Board for the continuation of membership in AMP Ohio for the year 2013.

**Public Comment**

No one came forward to speak for or against Resolution No. R-154-12.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No.154-12 be adopted. Roll call, Aye: Martin, Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-154-12 adopted.

**RES. NO. R-155-12**

A Resolution retaining the services of Sawvel and Associates to provide professional consulting and engineering serviced for the Power Plant

Ed Krieger, Power Systems Director explained that for over twenty years Sawvel and Associates has provided the Power System with cost-of-service and rate design and advised the City on electric power supply and transmission arrangement, made joint recommendations concerning Piqua's potential participation in AMP joint-venture generating projects. In 2013 Sawvel will work with the Piqua staff to complete the following initiatives:

- Update Long-Range (2013-2023) Business Plan
- Complete Cost-of-Service Electric Rate Study
- Evaluate AMP Generation Opportunities
- Provide Consulting and Engineering on Additional Items as Needed

**Public Comment**

No one came forward to speak for or against Resolution No. R-155-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No.155-12 be adopted. Roll call, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-155-12 adopted.

**RES. NO. R-156-12**

A Resolution authorizing the City Purchasing Agent to purchase #2 fuel oil on the open and spot market

Ed Krieger, Power System Director explained the Power System owns and operates two combustion turbine generators that burn the #2 fuel oil to generate electricity. These units are a peak load generating unit which means they are only used to meet requirement during the period of greatest or peak load on the system. These units may also be operated as part of the PJM's demand response program, for which the City receives significant financial benefit. It is necessary

for the Power System to purchase the #2 fuel as needed for 2013 from one or more suppliers as needed to run the gas turbines from 1/1/13 through 12-31-2013.

**Public Comment**

No one came forward to speak for or against Resolution No. R-156-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No.156-12 be adopted. Roll call, Aye: Vogt, Terry, Martin, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-156-12 adopted.

**RES. NO. R-157-12**

A Resolution approving a contract with EFACEC ACS INC. to design, install and maintain a fiber optic network for supervisory control and data acquisition (SCADA) connectivity to electric substations, electrical switch and other municipal sites

City Manager Huff stated this item was put on the Commission agenda prematurely as it has not been presented to the Energy Board for their approval. It will be presented to Energy Board at their next scheduled meeting and then will bring it back to the City Commission at the February 5, 2013 Meeting.

Bret Reid stated a fiber optic design study was performed in the fall by Efaces/ACS Inc. and introduced Buddy Reneau of Efaces/ACS Inc. who provided a brief overview of the study. Also present Donald Hawkins of Precision Contracting Services who also provided information regarding the Fiber Optic Network.

There was discussion on how the fiber optic system works and what departments will benefit from it the most. There were also questions regarding the use of the fiber optic system by local businesses and residents in the future.

**Public Comment**

No one came forward to speak for or against Resolution No. R-157-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to table Resolution No.157-12 until the February 5, 2013 Regular City Commission Meeting. Roll call, Aye: Fess, Martin, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-157-12 tabled.

**RES. NO. R-158-12**

A Resolution authorizing the City Manager to accept and enter into a water pollution control loan fund agreement for borrowing \$3,345,100 on behalf of the City of Piqua for planning, design and/or construction of Wastewater Facilities; and designing a dedicated repayment source for the loan

Finance Director/Assistant City Manager Cynthia Holtzapple stated 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 improvements are estimated to be approximately \$3.3 million with contingency. A loan from the State Water Pollution Control Loan Fund has been approved with the interest rate at 2.44% to be repaid over a five year period.

**Public Comment**

No one came forward to speak for or against Resolution No. R-158-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No.158-12 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-158-12 adopted.

**RES. NO. R-159-12**

A Resolution authorizing transfers of cash from the General Fund to the other funds for the Fiscal Year 2013

Finance Director/Assistant City Manager Cynthia Holtzaple explained the transfers from the General Fund 001 and Safety Fund 106 in the amount of \$622,367 were transferred to:

• Fund 249 PFDP Pension G.O. Bonds Debt Service	\$ 42,528
• Fund 255 Fire Equipment 2008 G.O. Note	\$ 46,399
• Fund 409 Golf Course Fund	\$ 225,000
• Fund 410 Fort Piqua Plaza	\$ 203,140
• Fund 415 Swimming Pool Fund	\$ 105,300
Total Amount of Transfers	\$ 622,367

Transfer from:

Fund 103 Construction	\$ 188,866
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Transfer to:

Fund 216 SIB 25A Note 08	\$ 188,866
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**Public Comment**

No one came forward to speak for or against Resolution No. R-159-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No.159-12 be adopted. Roll call, Aye: Martin, Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-159-12 adopted.

**RES. NO. R-160-12**

A Resolution authorizing transfers of cash from the General Fund to the other funds for the Fiscal Year 2013

Finance Director/Assistant City Manager Cynthia Holtzaple explained the transfers from the General Fund 001 and Safety Fund 106 in the amount of \$636,087 were transferred to:

• Fund 144 Clean Ohio Assistance Demolition Fund	\$ 15,000
• Fund 249 PFDP Pension G.O. Bonds Debt Service	\$ 40,625
• Fund 255 Fire Equipment 2008 G.O. Note	\$ 50,462
• Fund 409 Golf Course Fund	\$ 225,000
• Fund 410 Fort Piqua Plaza	\$ 200,000
• Fund 415 Swimming Pool Fund	\$ 105,000
Total Amount of Transfers	\$ 636,087

Transfer from:

Fund 103 Construction	\$ 173,754
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Transfer to:

Fund 216 SIB 25A Note 08

\$ 173,754

**Public Comment**

No one came forward to speak for or against Resolution No. R-160-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No.160-12 be adopted. Roll call, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-160-12 adopted.

**RES. NO. R-161-12**

A Resolution authorizing the City Manager to execute a contract with amendment with Burgess and Niple, Inc. for the management, oversight and preparation of the no further action letter for the environmental remediation, and demolition of the Piqua Memorial Medical Center site at a cost not to exceed \$231,154 and authorizing Burgess and Niple, Inc. to proceed with the project

Economic Development Director/Assistant City Manager Bill Murphy gave a brief explanation on the reason for the change in the original contract amount. The original contract was for \$197,100 and the \$34,054 brings it up to the budgeted amount of \$231,154.

**Public Comment**

No one came forward to speak for or against Resolution No. R-161-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No.161-12 be adopted. Roll call, Aye: Vogt, Terry, Martin, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-161-12 adopted.

**RES. NO. R- 162-12**

A Resolution authorizing the City Manager to execute a contract with Amendment with Evans Landscaping, Inc. for the environmental remediation and demolition of the Piqua Memorial Medical center site at a cost not to exceed \$1,768,736 and authorizing Evans Landscaping, Inc. to proceed with the project

Mr. Murphy gave a brief overview of the reason for the reduction in cost at this time, which is a great cost savings to the City.

**Public Comment**

No one came forward to speak for or against Resolution No. R-162-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No.162-12 be adopted. Roll call, Aye: Wilson, Vogt, Terry, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-162-12 adopted.

**RES. NO. R-163-12**

A Resolution for the sale of Parcel Nos. N44-011205, N44-011206, N44-011207, N44-011208, N44-011209, N44-11211, N44-011212, N44-011213, N44-011214, and N44-011215 known as 624 Park Ave., Piqua, OH

Law Director Stacy Wall explained the Piqua Memorial Medical Center site is divided in to multiply parcels as listed. Ms. Wall provided a timeline of events for the project. The property was sold to the City for \$1 who will in turn sell it to the Piqua City Schools for \$1.

There was discussion of the plans for the old Medical Building located at 821 Nicklin Ave. and if is scheduled for demolition or not. Ms. Wall stated the City is not involved with that building as it is still owned by Upper Valley Medical Center. Mayor Fess stated that all information regarding the demolition of the old hospital has been presented to the City either in a Work Session or at a City Commission Meeting and has been reviewed.

### **Public Comment**

No one came forward to speak for or against Resolution No. R-163-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No.163-12 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-163-12 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.

No one came forward to speak at this time.

### **City Manager's Report**

City Manager Huff reminded citizens that the dedication of the new Skate Park is scheduled for December 27, 2012 at 11:00 A.M. at the Skate Park located at Pitsenbarger Park. The Skate Park will be officially turned over to the City at that time and will be known as the Piqua Skate Park.

City Manager Huff also stated the next Xity Commission Work Session will take place on Thursday, January 10, 2013 at 7:30. Also the next scheduled Regular City Commission Meeting is January 15, 2013 due to the New Year's Day Holiday falling on Tuesday this year.

### **Commissioners Comment**

Commissioner Wilson thanked Jean Franz for her seven years of service on the Planning Commission and to the citizens of Piqua.

Commissioner Terry also thanked Ms. Franz for all of her hard work and dedication to the Planning Commission and the City of Piqua.

Commissioner Terry stated the Salvation Army will be open on Thursday December 20 to give out items to family's who are in need this holiday season from 11:00 A.M. to 1:00 P.M. and from 5:00 P.M. to 8:00 P.M.

Commissioner Terry stated she is very much in favor of Resolution R-163-12 as so many people and departments have worked together to complete this project. Evans Landscaping has done a beautiful job clearing the old hospital site and this will be a credit to Evans Landscaping when the site is turned over to the Piqua City Schools, stated Commissioner Terry.

Commissioner Terry wished everyone a Merry Christmas and a Happy New Year.

Commissioner Martin wished all a Merry Christmas.

Commissioner Vogt thanked all the City employees for their dedication to their jobs and providing the information to the Commissioners as requested. The City employees are a dedicated group of people who are here to serve the Community, stated Commissioner Vogt.

Commissioner Vogt also thanked the citizens of Piqua for their support at the Commission Meetings and projects throughout the year.

Commissioner Vogt wished everyone a safe and Merry Christmas.

Mayor Fess stated she wanted to give a big thank you to all City employees and to the City Manager. Mayor Fess feels 2012 was a banner year as there were a lot of accomplishments in 2012, further stating it is heartwarming to see all that has been accomplished with the help of the citizens.

Mayor Fess wished everyone a very Merry Christmas and a blessed Happy New Year.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:35 P.M. Voice vote, Aye: Martin, Fess, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously.

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LUCINDA L. FESS, MAYOR

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

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