

**MINUTES
PIQUA CITY COMMISSION
Tuesday March 5, 2013
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. Vice Mayor Vogt called the meeting to order. Also present were Commissioners Martin, Terry, and Wilson. Absent: Mayor Fess.

Moved by Commissioner Martin, seconded by Commissioner Wilson to excuse Mayor Fess from the March 5, 2013 Piqua City Commission Meeting. Voice vote, Aye: Martin, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously.

REGULAR CITY COMMISSION MEETING

Presentation-Kiwanis Pancake Day in City of Piqua

City Manager Huff announced the 58th Annual Kiwanis Pancake Day is scheduled for Saturday, March 9, from 6:00 A.M. to 2:00 P.M. at the Upper Valley Career Center. The tickets are \$6.00 for adults and \$3.00 for children 12 and under, all proceeds will benefit the youth of the community, stated City Manager Huff.

City Manager Huff also announced a Panel discussion will be held on Protecting Yourself from Fraud, Wednesday March 13, from 11:00 A.M. to 12:00 P.M. at the YWCA with a Consumer Fair to follow from 12:00 P.M. – 2:00 P.M. Both programs are open and free to the public.

PRESENTATION

Pitsenbarger Sports Complex & Community Pool Project- Ms. Ruth Koon

Public Works Director Doug Harter gave a brief video presentation of the Splash Pad they would like to have in place at the pool along with a several drawings of covered shelters they would like to have installed. Ruth Koon has put together a committee to move forward with this project, and has offered to chair the fundraising project. The total cost for the Splash Pad and the covered shelters is approximately \$275,000. Mr. Harter further stated there is no money in the budget for this, and they will be asking the community for donations to fund the project

Ruth Koon came forward and provided a brief overview of the history of Pitsenbarger Sports Complex, stating it consists of over 65 acres which include baseball diamonds, football fields, soccer fields, volleyball courts, tennis courts, the new Skate Park, and the Community Gardens. Ms. Koon provided additional information regarding the need for the Splash Pad as well as the covered shelters, further stating how much the addition of the Splash Pad and covered shelters will enhance the usage of the swimming pool in the future. The first priority is the Splash Pad, and the second is a new patio cover for shade.

Chuck Peltier, Vice President of the Southwest Neighborhood Association came forward and presented information on costs, and drawings of the proposed covered shelters which include two 20"x30" covered shelters, and one 40' x 60' covered shelter. The covers are made of canvas and can be removed for off-season storage, and in event of a storm, stated Mr. Peltier. The plans are to try and get sponsors to cover the cost for the concrete pads for the shelters, and they plan to provide 5-8 picnic tables in the covered shelters.

Ann Comer came forward providing information on a proposed new double sided sign, and landscaping for Pitsenbarger Sports Complex, Ms. Comer stated there is a proposed statue of William H. Pitsenbarger to be placed at the entrance to the complex off of McKinley Avenue.

Glen Devers, came forward providing information on the proposed statue of William H. Pitsenbarger at the entrance off of McKinley Avenue to the sports complex. Mr. Devers stated he previously contacted Michael Majors of Urbana, the designer of the Paul Duke statue that is

located in Duke Park in Troy. Mr. Devers further stated Mr. Majors is excited to be able to work with Piqua on this project. A lighted flag pole was also mentioned in the plans for Pitsenbarger Sports Complex.

Ms. Koon further explained that in Phase I they would like to raise \$275,000 with \$150,000 of that for the Splash Pad. They would also like to add in the future a walking and bike path around the Park, an additional slide with water features, and to purchase new pool furniture with umbrellas to bring the community pool up to the standards that other community pools have, and to increase attendance, stated Ms. Koon.

Edna Stiefel, Park Board Member came forward stating they have applied for a 501C-3 designation for the Friends of the Park to be able to raise funds for not only the Pitsenbarger Sports Complex but for all of the city parks.

Ms. Koon stated they have put together a brochure and the information is available on the website, or by contacting Doug Harter or Brian Brookhart at the Street Department. Letters have been sent out to all local businesses, grants have been applied for, and are asking the community for support for the project. Ms. Koon thanked Doug Harter, Brian Brookhart, and Bill Lutz for all of their hard work on this worthwhile community project.

Vice Mayor Vogt stated he believes this is a good project, and would like the citizens to get on board with the project.

Dan Ramer, a member of Positively Promoting Piqua (PPP) stated the organization was formed a little over 2 ½ years ago to help move the community forward to pull together and to focus on positive solutions to community problems. Mr. Ramer announced the PPP, Piqua City Schools, and the City of Piqua will host the program. This is a celebration of the Progress that has taken place in the City. The meeting is scheduled for Wednesday, March 13 at the Ft. Piqua Plaza, on the 4th floor, and is entitled Piqua Progress 2013. This is a Free Public Meeting and the program will begin at 5:15 with a social hour to follow at 6:30-7:00 P.M. Rick Haines Superintendent of the Piqua City Schools will speak along with City Manager Gary Huff, stated Mr. Ramer.

Consent Agenda

Approval of the minutes from the February 14, 2013 Commission Work Session and the February 19, 2013 Regular Piqua City Commission Meeting

RES. NO. R-23-13

A Resolution of Appreciation for the public service of Mark Grau as a City Employee

City Manager Huff stated Mark Grau has served the City of Piqua in the Sanitation Department for 24 years.

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

OLD BUSINESS

ORD. NO. 2-13 (3rd Reading)

An Ordinance amending Chapter 32, Section 32.016 and 32.061, of the Piqua Municipal Code to reflect meeting requirements

Law Director Stacy Wall explained this is the final reading of Ordinance No. 2-13. The current code requires the Energy and Park Boards to meet even if there is no agenda. This amendment

allows for a meeting to be called as needed when there is business, but also sets a minimum standard of meeting once a quarter.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Ordinance No. 2-13 be adopted. Roll call vote, Aye: Wilson, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

ORD. NO. 3-13 (1st Reading)

An Ordinance amending Section 77.01-Traffic Schedules adopted, Schedule IV and Schedule VII, of the Piqua Code, relating to four-way stop intersections and traffic control devices pertaining to the South Street/Sunset Drive intersection

City Engineer Amy Havenar stated a request was brought to the Transportation Committee to review the intersections surrounding Pitsenbarger Park for improving/enhancing the safety with regards to pedestrians, bicyclists, and the traffic coming out of the park complex. Based upon a study completed the traffic signal at the intersection of South Street and Sunset Drive does not meet the necessary warrants as per the Ohio Manual of Uniform Traffic Control Devices (OMUTCD), stated Ms. Havenar.

After review the Transportation Committee voted unanimously at their August 23, 2012 meeting to recommend to the City Commission the intersection be changed from a signalized intersection to a multi-way stop intersection.

After a brief discussion Ordinance No. 3-13 was given a first reading.

ORD. NO. 4-13 (1st Reading)

An Ordinance amending Chapter 90 of the Piqua Municipal Code to repeal Section 90.28 vicious dogs

Police Chief Bruce Jamison provided information stating that in the summer of 2012 the vicious dog issue was discussed and coincidentally, there was also a statewide debate on a new law which was eventually passed by the Ohio General Assembly. The new state law included elements of the ordinance which the City originally enacted in 1994. The consensus of the Commissioners at the Work Session provided direction to: Eliminate duplication of efforts and support the contracted Dog Warden in enforcement of state law; Repeal current city ordinances that could conflict with the state law regarding declaration of vicious dogs by the Police Chief; and Consider new city ordinances and necessary resources for enforcement if/when any local issues are discovered with county enforcement of the state law.

There was discussion on having a statewide database of declared vicious dogs, being able to notify residents of vicious dogs in their neighborhoods, and the need to call 911 when a vicious dog is encountered. It was noted that vicious dogs do have different color dog tags, stated Chief Jamison.

Ordinance No. 4-13 was given a first reading.

ORD. NO. 5-13 (1st Reading)

An Ordinance amending Chapter 111 of the Piqua Municipal Code (Peddlers and Solicitors)

Police Chief Bruce Jamison stated panhandling registration and restrictions were implemented in Piqua in 2010, and since then other local cities have also created ordinances that include more restrictions.

Recently there has been increased concern over the number of panhandlers and the manner in which panhandling has been conducted. Chief Jamison stated he presented the additional restrictions found in the ordinances he received from other local communities at the February 14, 2013 City Commission Work Session. After hearing the information the consensus of the Commissioners in attendance was to add any restrictions legally acceptable to the current code, and to waive the three reading rule to expedite the enforcement of the regulations, stated Chief Jamison.

Public Comment

Brad Boehringer, Mound Street, came forward and thanked Chief Jamison and asked if the ramps located on I-75 were considered public property. Chief Jamison explained it is considered public right-of-way. Mr. Boehringer asked if the Police Department can state the panhandlers cannot be on the ramps to the interstate. Chief Jamison explained. Mr. Boehringer further stated he felt the panhandlers should have to file city income tax forms for the money they receive.

All Commissioners were in agreement that they need to move forward with the changes they have proposed at this time.

After a brief discussion Ordinance No. 5-13 was given a first reading.

RES. NO. R-30-13

A Resolution awarding a contract to Bridgewell Resources for the purchase of steel transmission poles for the Power System

Bob Bowman, Assistant Power System Director stated the City Commission approved Resolution R-106-12 at their July 17, 2012 Commission meeting authorizing the Power System to acquire the services of Power System Engineering Inc. (PSE). An assessment was performed which resulted in the immediate need to replace thirty-two (32) main-line poles. Bids were received from eight different vendors on January 28, 2013 and Bridgewell Resources provided the lowest and best bid for all steel poles. \$20,000 has been included as a contingency for any unforeseen expenses and the poles should be delivered on or before May 31, 2013, stated Mr. Bowman.

Public Comment

No one came forward to speak for or against Resolution No. R-30-13.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-30-13 be adopted. Roll call, Aye: Wilson, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-30-13 adopted.

RES. NO. R-31-13

A Resolution acquiring the services of Power System Engineering, Inc. to provide professional services for the City of Piqua

Assistant Power System Director Bob Bowman as stated previously Resolution No. R-106-12 also provided for services for the line hardening design to the Power System. On June 29, 2012 during a wind storm a transmission line between substation 3 and 4 catastrophically failed. Since then, the damaged facilities have been redesigned and rebuilt to current codes and utility power standards. A Request for Proposal was sent out to three engineering firms to perform similar assessment redesign of the transmission line between Substation 3 and 4. After reviewing the different RFP's it was determined that Power System Engineering, Inc. was best suited for the project, stated Mr. Bowman.

Public Comment

No one came forward to speak for or against Resolution No. R-31-13

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Resolution No. R-31-13 be adopted. Roll call, Aye: Martin, Terry, Vogt, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-31-13 adopted.

RES. NO. R-32-13

A Resolution approving the application for placement of farmland in an agricultural district filed by Donald E. Apple for parcels N44-076881 and N44-076907 in the City of Piqua

Law Director Stacy Wall explained this is a procedural matter through the Ohio Revised Code every five years the land owners can apply for an agricultural use of their land that is located within the city limits. This particular land is owned by Donald & Sally Apple (Trust). They have a total of 490 acres located in Springcreek and Staunton Township, and only two of those parcels out of the 490 acres are located within the City of Piqua. Out of the 490 acres only 70.91 acres are located in the City thus the reason for the Resolution at this time. After passage the Resolution will be forwarded to Miami County for processing of the renewal, stated Ms. Wall.

Public Comment

No one came forward to speak for or against Resolution No. R-32-12

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-32-13 be adopted. Roll call, Aye: Terry, Vogt, Wilson, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-32-13 adopted.

RES. NO. R-33-13

A Resolution authorizing the purchase of 650 Wood Street, Parcel No. N44-013960

Assistant City Manager/Economic Development Director Bill Murphy explained the City recently received their FY2012 Community Development Block Grant, and as part of the program the City will purchase and demolish the commercial structure at 650 Wood Street. The City staff has negotiated the purchase price of \$16,000 for the structure which is the fair market value of the structure. This purchase will be completely financed by the Community Development Block Grant, stated Mr. Murphy.

Public Comment

No one came forward to speak for or against Resolution No. R-33-13

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-33-13 be adopted. Roll call, Aye: Vogt, Wilson, Martin and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-33-13 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.

Steve Stiefel, Brentwood, came forward and announced the 10th Annual Race Cars and Future Stars will kick off on Friday March 8th, at 10:00 A.M. at the Miami Valley Centre Mall and run thru Sunday, March 10th. Mr. Stiefel encouraged citizens to come out and look at the cars and meet the drivers.

Russ Fashner, Forest Avenue came forward and voiced concern over several items that he was concerned with in the community.

1. Last month the Bike Path Crossing sign at the bottom of Park Avenue hill was hit and taken down, but has not yet been replaced. This is a safety concern with the crossing of the foot traffic and bikes on the hill.
2. Concern with the truck traffic still using Park Avenue, as there is no sign stating no trucks allowed, and also there is no speed limit sign on the hill.
3. The Route 66 and Route 36 junction sign is still up next to Knobby's Shop on Ash Street, makes things confusing if someone was following their GPS.
4. Mentioned there is a pile of conduit still sitting in the parking lot at the old Aerovent Building on E. Ash Street that has been there for quite some time., not sure who it belongs to.
5. Voiced concern about the painted lines on several streets not being right.

City Manager's Report

City Manager Huff announced the Ribbon Cutting and Dedication of the new Skate Park will take place on Saturday, March 9th at 11:00 A.M. at Pitsenbarger Park and invited the public to attend.

City Manager Huff announced on the next session of the Government Academy will begin on Thursday March 7th at 6:00 P.M. in the Commission Chambers.

City Manager Huff proudly displayed the award the City of Piqua received from the Ohio City/County Management Association at their Annual Awards Banquet on February 27, 2013 in Columbus. Piqua was selected for the Citizen Participation Award for the numerous programs the city has, and the amount of participation they had with this program. This is a great recognition for the city and a great opportunity to demonstrate all the citizen involvement that has taken place.

City Manager Huff announced several board openings they include:

Community Diversity	3 Openings
Income Tax review Board	1 Opening
Tree Committee	1 Opening

Commissioners Comment

Commissioner Wilson stated he attend the Grand Opening of the new business Somewhere in Time located in the old Schmidlapp/Board of Education building at 509 N. Main Street. There are 15 different vendors located in the building, and a photography studio is located on the second floor. Commissioner Wilson encouraged citizens to stop in and check it out the newest business addition in the downtown.

Commissioner Wilson stated he is looking forward to the PPP presentation, and hopes citizens will take advantage of this to come and learn more about the community.

Commissioner Wilson stated the Park project sounds very good, and he hopes citizens will donate to the project as he is looking forward to seeing what develops.

Commissioner Terry congratulated Mark Grau on his retirement, and for his 24 years of service.

Commissioner Terry announced the Salvation Army has their Putt Putt Golf Course set up at the Miami Valley Centre Mall, and encourage citizens to go out and play as the money they receive helps with the summer lunch project for the school children in the community.

Commissioner Terry stated she is very excited about the plans for Pitsenbarger Sports Complex and is looking forward to summer.

Commissioner Martin stated he would like to see citizens support the local retailers. Local retailers make a difference in the community, as they are here to serve you all of the time.

Vice Mayor Vogt, stated he feels the Pitsenbarger Sports Complex is well overdue for some changes, and encouraged citizens to work together to make this happen.

Vice Mayor encouraged citizens to take time to learn the history on Don Gentile and William H. Pitsenbarger both local War Hero's. The Piqua Library has a book on Don Gentile that is very fascinating to read, and was hard to put down, stated Vice Mayor Vogt..

Vice Mayor Vogt also congratulated Mark Grau on his twenty-four years of service to the City of Piqua.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adjourn from the Regular Piqua City Commission Meeting at 8:40 P.M. Voice vote, Aye: Martin, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously.

WILLIAM D. VOGT, VICE MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION