

**MINUTES
PIQUA CITY COMMISSION
Tuesday March 19, 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. Mayor Fess called the meeting to order. Also present were Commissioners Martin, Vogt, Terry, and Wilson. Absent: None

OATH OF OFFICE – PIQUA POLICE DEPARTMENT

Police Lieutenant – William D. Thomas

Law Director Stacy Wall administered the Oath of Office as Police Lieutenant to Officer William D. Thomas.

COMMUNITY PARTNERSHIP AWARDS

Frank Barhorst
Dan & Margaret French
Tom Westfall
Peggy Kolker

City Manager Huff gave a brief outline of the Community Partnership Awards. and provided background of some of the services provided by the award winners. Mayor Fess presented the awards to those present: Frank Barhorst, Dan & Margaret French, and Tom Westfall, thanking them all for their service to the citizens of Piqua, and the City of Piqua. All award winners present were very appreciative of their awards and thanked the City.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of the minutes from the March 19, 2013 Regular Piqua City Commission Meeting

RES. NO. R-34-13

A Resolution appointing a member to the Board of Zoning Appeals

This appoints Daniel Patrizio to the Board of Zoning Appeals for a term to expire March 1, 2018.

RES. NO. R-35-13

A Resolution appointing a member to the Civil Service Board

This appoints Stu Shear to the Civil Service Board for a term to expire March 1, 2016.

RES. NO. R-36-13

A Resolution appointing a member to the Downtown District Design Review Board

This appoints Bradley Bulp to the Downtown District Design Review Board for a term to expire March 1, 2016.

RES. NO. R-37-13

A Resolution appointing a member to the Planning Commission

This appoints Cindy Pearson to the Planning Commission for a term to expire March 1, 2018.

RES. NO. R-38-13

A Resolution appointing a member to the Park Board

This appoints Al Cooper to the Bark Board for a term to expire March 1, 2015.

RES. NO. R-39-13

A Resolution appointing a member to the Golf Board

This appoints Doug Eakin to the Golf Board for a term to expire March 1, 2017.

RES. NO. R-40-13

A Resolution appointing a member to the Golf Board

This appoints James Denson to the Gold Board for a term to expire March 1, 2017.

RES. NO. R-41-13

A Resolution appointing a member to the Board of Zoning Appeals as the Planning Commission Representative.

This appoints Mike Taylor to the Board of Zoning Appeals as the Planning Commission Representative for a term to expire January 1, 2014.

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

OLD BUSINESS

ORD. NO. 3-13 (2nd 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 Manager Huff 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. After review the Transportation Committee voted unanimously to recommend to the City Commission the intersection be changed from a signalized intersection to a multi-way stop intersection.

Commissioner Vogt stated he received a telephone call asking if it would be possible to put a flashing light along with the stop sign. City Manager Huff stated he would be happy to look into it.

Public Comment

No one came forward to speak for or against Ordinance No. 3-13.

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

ORD. NO. 4-13 (2nd Reading)

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

Police Chief Bruce Jamison stated at a recent City Commission Work Session he was asked to look into the vicious dog legislation. Coincidentally, there was also a statewide debate on a new law which was eventually passed by the Ohio General Assembly. The new state law includes elements of the ordinance which the City originally enacted in 1994. The Commissioners stated they would like 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. Chief Jamison stated this will remove language not in compliance with State Law, and stated the City would use the Animal Shelter to enforce viscous dog complaints.

Public Comment

No one came forward to speak for or against Ordinance No. 4-13.

After a brief discussion Ordinance No. 4-13 was given a second reading.

ORD. NO. 5-13 (2nd Reading)

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

Police Chief Bruce Jamison stated this Ordinance was also in response to concerns raised at a City Commission Work Session regarding panhandling restrictions. Recently the panhandling has died down at least over the last several weeks. This will tighten up the legislation for panhandling, stated Chief Jamison.

Public Comment

No one came forward to speak for or against Ordinance No. 5-13.

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

RES. NO. R-42-13

A Resolution approving the Fiscal Year 2013 Community Housing Improvement Program Application and authorizing the City Manager to submit the application

Bill Lutz, Development Program Director came forward and provided a brief explanation of the program. The City of Piqua will apply for \$400,000 in grant money to provide housing services and opportunities to low to moderate income households. This amount has been reduced from \$500,000 to \$400,000 this year and the competition for these funds is much more competitive this year. The City is required to have public participation in developing the application and a public meeting was held on February 4th. The group prioritized the activities for the proposed application and they include: Emergency Monthly Housing Assistance and Home repairs as a high priority, Rental Rehabilitation, New Construction and Private Owner Rehabilitation as a medium priority, and Homebuyer Counseling as a low priority. A second meeting was then held for individuals to comment on the final application. It was noted that the number of awarded grants has dropped from 100 to just 60 this year, so there is some tough competition for the \$400,000, stated Mr. Lutz.

Public Comment

No one came forward to speak for or against Resolution No. R-42-13.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-42-13 be adopted. Roll call, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-42-13 adopted.

RES. NO. R-43-13

A Resolution accepting the recommendations of the Tax Incentive Review Council of the City of Piqua for the purpose of the administration of the City of Piqua's Enterprise Zone Program, as required by Section 5709.85 (C)(1) of the Ohio Revised Code

Bill Lutz, Development Program Director stated since 1996 the City of Piqua has worked with industrial and commercial concerns to enter into ten separate Enterprise Zone Agreements with businesses making extensive capital improvements within their businesses. These agreements provided real and personal property tax exemptions for the businesses. Each Enterprise Zone Agreement is reviewed on an annual basis by the City's Tax Incentive Review Council. The last one of the businesses to receive the Enterprise Zone Agreements is set to expire this year, and the council met to allow the Enterprise Zone Agreement for Crane Pumps and Systems to expire. Mr. Lutz gave a brief outline of their capital expenditures and employment levels, along with the savings on their personal property tax since their agreement began in 2002. The tax Incentive Review Council is recommending to the City Commission that the Crane Pumps and Systems Enterprise Zone be allowed to expire, stated Mr. Lutz.

Public Comment

No one came forward to speak for or against Resolution No. R-43-13

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-43-13 be adopted. Roll call, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-43-13 adopted.

RES. NO. R-44-13

A Resolution awarding a contract to Physio-Control for the purchase of two heart monitor/defibrillators to be placed on medic units at a cost not to exceed \$51,536.90

Fire Chief Mike Rindler stated the Fire Department applied and received a AFG Grant for replacement of two heart monitor/defibrillators to replace two that will be outdate in 2016. The Federal grant will provide 90% of the funding and the most qualified bid was on the State Bid and would like to award the contract to Physio-Control at a cost not to exceed \$51,526.90, stated Chief Rindler.

Public Comment

No one came forward to speak for or against Resolution No. R-44-13

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that Resolution No. R-44-13 be adopted. Roll call, Aye: Terry, Fess, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-44-13 adopted.

RES. NO. R-45-13

A Resolution strongly opposing the passage of HB 5 by the Ohio General Assembly which proposed uniformity measures for Municipal Income Tax and includes tax reform that would significantly and negatively impact Piqua's Municipal Income in the form of unfunded mandates, a substantial loss of annual revenue, new state bureaucracy and declaring an emergency

Finance Director/Assistant City Manager Cynthia Holtzapple provided a brief explanation on the reason for opposing the passage of the HB 5 by the Ohio General Assembly. This bill would dramatically reduce income tax collections as well as impose unfunded mandates and increased administrative costs and bureaucracy. These would all have a detrimental effect on our ability to maintain local services to our citizens. If the bill passes it is estimated the reduction of over

\$500,000 in annual income tax, unfunded mandates to maintain local services to the citizens of Piqua, stated Ms. Holtzaple.

All Commissioners were in agreement to approve the Resolution send the letter opposing HB 5 at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-45-13.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-45-13 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-45-13 adopted.

RES. NO. R-46-13

A Resolution of authorization to submit an application to the Ohio Department of Transportation's Safety Program for improvements to the Looney Road/Garbry Road intersection

City Manager Huff stated in 2007 the Miami Valley Regional Planning Commission conducted an abbreviated safety study at Garbry Road/Looney Road intersection due to the high number of crashes occurring at the intersection. The study recommended several countermeasures which the city has implemented over the past few years. However, there are still known design deficiencies at that intersection, and the city is evaluating the installation of a roundabout at this intersection to help address the design deficiencies, as well as to help reduce vehicle emission and fuel consumption. The roundabout concept and a rendering was shared with the City Commission at their February 14, 2013 Work Session, stated City manager Huff. The Resolution would allow the City to file an application with the Ohio Department of Transportation's Highway Safety Program for funding for the construction of a roundabout at the Looney Road/Garbry Road intersection. A project letter of support was received from the Miami Valley Regional Planning Commission for this project, and securing funding is just the first step in the process, stated City Manager Huff. The deadline for applying for the grant is April 1, 2013.

There was discussion on the need for the roundabout, the funding of the project, and information was requested regarding crashes at the intersection over the past few years. It was noted that some of the streetscape by the Main Source Bank on High Street was broken down already.

City Manager Huff stated this is not a discussion to proceed with the project at this time, we are just asking for approval to apply for the grant funds, as the project would not be started until 2016-2017 if at all.

Public Comment

Brad Boehringer, Mound Street came forward stating he was in attendance at the February 14th City Commission Work Session, and remembers the plan was brought forward by the Miami Valley Regional Planning Commission. City Manager Huff stated this would possibly help spur development in the area, which would also benefit the community. There was discussion of the four-way stop that is there at this time.

Mayor Fess stated this is the way the city operates; funds have to be applied for long before a project is started.

Frank Barhorst, S. Wayne Street came forward stating he travels on Rt. 161 frequently, and the roundabout located there functions very well and moves traffic in a safe and efficient manner.

Moved by Commissioner Terry. The motion died for a lack of a second. Resolution No. R-46-13 died for a lack of a second on the motion to approve.

RES. NO. R-47-13

A Resolution requesting authorization to enter into an agreement with URS Corp for the Design Services for the Stormwater Master Plan Phase

City manager Huff explained throughout 2012 it was recognized that multiple storm water issues presented themselves within the city. It was decided to budget for, and pursue a storm water master plan in 2013. After soliciting for Request for Qualifications (RFQ's), URS Corp. was selected to provide the Technical Proposal for the design services.

Mike Frommer of URS Corp. came forward and gave a brief overview of their plans.

There was discussion of the work that was needed in south end of town, and the need to work on the lines in all of the areas in town, and this would help to identify where the problems are.

Public Comment

Joe Francis, Parkway Drive, came forward and voiced his concern on what his tax dollars are paying for in conjunction with the stormwater situation and inquiring if there is a separate fund for stormwater. City Manager Huff explained they have hired two new employees to work on the stormwater in the south end of town. Mr. Francis further stated he would like to see the funds used to clean up the basins in town also.

Mayor Fess stated Resolution No. R-47-13 needed to be amended in Section 2: after the word Director to insert the wording: ***certifies the funds are available and***, before the word is. Moved by Commissioner Terry, seconded by Commissioner Vogt to amend Resolution R-47-13 under Section 2: to insert the wording: ***certifies the funds are available and***, before the word is. Roll call, Aye: Fess, Martin, Terry, Vogt, and Wilson. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-47-13 be adopted, as amended. Roll call, Aye: Vogt, Wilson, Martin and Fess, Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-47-13 adopted, as amended.

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 stated the city wanted to extend their condolences to the family of Jerry Jackson Jr. Mr. Jackson was an employee of the Miami County Highway Department who was killed in a tree trimming accident Tuesday March 19, 2013 while on the job.

City Manager Huff stated the Dayton Business Journal ranked the City of Piqua #14th on the list of the largest municipalities in the region, and ranked # 7th in population increase in the region.

City Manager Huff reminded Commissioners of the Monthly Coffee Meeting scheduled at 9:00 A.M. on Thursday March 21 in the Public Works Department.

City Manager Huff announced that Development Department Program Manager Bill Lutz was named one of the 40 under 40 on the list of award winners by the Dayton Business Journal, and we are very proud of him.

Commissioners Comment

Commissioner Wilson stated one of the former City Commissioners Jim Weaver passed away recently. Jim was still concerned about what was happening in the City of Piqua and was always offering information to the Commission when he came across something that would help. Jim will be missed and offered his condolences to his family.

Commissioner Wilson stated he attended the Buffalo Wings & Rings opening stating the food was good and they have 47 televisions on the walls, even having 2 in the men’s restroom so you will never miss anything happening while you are there enjoying the great food.

City Manager Huff stated the owners told him that the Piqua Buffalo Wings & Rings had the 2nd largest grand opening in Franchise history.

Commissioner Terry stated she was out at Buffalo Wings & Rings on Saturday, and the place was packed. Commissioner Terry further commented she did not recognize a lot of the people there stating that there seemed to be a lot of out of town visitors enjoying the new restaurant.

Commissioner Terry congratulated Bill Lutz on his accomplishment, and further stating Bill has been able to secure a vast amount of grant funds for the city, and we are very proud of him. Commissioner Terry also congratulated Lieutenant Thomas on his promotion, and all of the Community Partnership Award winners.

Commissioner Vogt congratulated Lieutenant Thomas on his promotion, and the Community Partnership Award recipients.

Mayor Fess also commented on the death of former Commissioner James R. Weaver, stating he continued his concern for the community even after he left the Commission seat. Mr. Weaver’s death was very unexpected as he was shoveling snow and had a heart attack. Mayor Fess offered her prayers and thoughts to his family.

Mayor Fess commented on the fact the new Buffalo Rings and Wings grand opening was the 2nd largest in the 50 stores franchise history. It goes to show you Piqua is going to bring the people in.

Mayor Fess also congratulated Lieutenant Thomas on his promotion.

Mayor Fess congratulated Bill Lutz, further stating since he is famous now that he had better not get any ideas about leaving the City of Piqua, as we need him here.

Mayor Fess stated she was disappointed Resolution No. R-46-13 did not pass for the submission of the application for the funds for the improvements to the Looney Road/Garbry Road intersection. Mayor Fess stated the Commission has asked the City Manager to help move the city forward, and believes they did a disservice to him by not passing the resolution at this time, as they will miss the April 1 deadline to apply for the funding.

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.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION