

**MINUTES
PIQUA CITY COMMISSION
Tuesday May 7, 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, Terry, Vogt, and Wilson. Absent: None.

RESIDENCE PRIDE AWARDS

Compton Family	707 Caldwell Street
Ben & Carol Groff	225 Jackson Street
Gregory & Trudy Heath	839 W. Grant Street
Thomas & Ana Stahl	206 Fifth Street
Johnny & Rita Smith	209 South Street

Mayor Fess read the names and addresses of the award winners as slides of each residence were shown. Mayor Fess congratulated all of the Residence Pride Awards winners and thanked them for taking pride in their homes and neighborhoods.

PROCLAMATION: National Bike Month – Active Living Advisory Council
PROCLAMATION: Four Seasons Garden Club – Ms. Sandy Knous-Wolf
PROCLAMATION: Police Week in the City of Piqua – Police Chief Bruce Jamison

National Bike Month:

Mayor Fess read the Proclamation and presented it to City Planner Chris Schmiesing.

City Planner Chris Schmiesing introduced the members of the Active Living Advisory Council; Jim Hemmert; Elizabeth & Mike Gutmann; Jim McMaken; Artie Parker; Cindy Pearson; Lori Belisle. Several members presented information on some of their projects and events. Mr. Schmiesing provided additional information regarding activities and presentations/displays during the month of May, and announced several upcoming events. They include: Bike to Work Week; Mainstreet Bike Mob; Red White & Blue Bike Piqua Event (Memorial Day Parade).

Mayor Fess read the Proclamation and presented it to Sandy Knous-Wolf.

Four Seasons Garden Club:

Mayor Fess read the Proclamation and presented it to City Planner Chris Schmiesing.

Garden Club members passed out bookmarks and plant seeds to the Commissioners. Ms. Knous-Wolf stated the Four Seasons Garden Club is celebrating their 50th Anniversary this year, and provided a brief overview of the activities the Four Seasons Garden Club participates in, and provides to the community.

Police Week in the City of Piqua:

Mayor Fess read the proclamation and presented it to Police Chief Bruce Jamison.

Chief Jamison provided information on the observance of Police Week in the City of Piqua, asked that citizens observe Police Week on Wednesday, May 15 by lowering their flags half-mast in honor of all the fallen Law Enforcement Officers.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of the minutes from the April 16, 2013 Regular Piqua City Commission Meeting.

RES. NO. R-61-13

A Resolution appointing a member to the Community Diversity Committee

Resolution No. R-61-13 appoints Doug Smith as a member of the Community Diversity Committee for a term to expire on March 1, 2014.

RES. NO. R-62-13

A Resolution authorizing preliminary legislation with the Ohio Department of Transportation (ODOT) for the spot paving and resurfacing of I-75 from straight line mileage 15.15 to straight line mileage 19.95

Resolution No. R-62- authorizes preliminary legislation to complete the programming on a project proposing spot paving and resurfacing on I-75 within the City of Piqua.

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

NEW BUSINESS

RES. NO. R-63-13

A Resolution Authorizing a purchase order to Valley Ford Truck, Inc. for the purchase of an F-450 Dump Truck

Shane Johnson, Distribution Superintendent, explained the versatility of the new dump truck will allow the crews to use it as a flat-bed truck for material handling along with utilizing it as a dump truck. A total of \$45,000 was budgeted for this purchase and the bid was for \$44,972 through the State Bid and awarded to Valley Ford.

Public Comment

No one came forward to speak for or against Resolution No. R-63-13.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-63-13 be adopted. Roll call, Aye: Terry, Fess, Wilson, Martin, and Vogt. Nay: None. Motion Carried unanimously. Mayor Fess then declared Resolution No. R-63-13 adopted.

RES. NO. R-64-13

A Resolution approving the application for placement of farmland in an agricultural district filed by Donald E. Apple for parcel N44-076917 in the City of Piqua

Law Director Stacy Wall explained this allows certain parcels of land to be placed in an agricultural district when used exclusively for agricultural use, and will not have any adverse impact on the City of Piqua's development needs.

Public Comment

No one came forward to speak for or against resolution No. R-64-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-64-13 be adopted. Roll call, Aye: Fess, Wilson, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-64-13 adopted.

RES. NO. R-65-13

A resolution requesting final legislation to enter into an agreement with the Ohio Department of Transportation for the CR 25-A Phase II Reconstruction Project.

Amy Havenar, City Engineer, explained the County Road 25-A Phase II reconstruction Project will consist of the reconstruction of CR 25-A from Country Club Road, to Looney Road and will include new granular base, asphalt pavement, concrete curb and gutter, sidewalks and installation of new storm sewer, and will include the adjustment of existing utilities where necessary. This project is a joint project between the City of Piqua and Miami County with local costs being split 50/50, stated MS. Havenar. The City received funding from the Federal Highway Administration through the Miami Valley regional Planning Commission in the amount of \$2,046,000, and also received \$950,000 from the Ohio Public Works Commission. While the bids are not in yet, they are due in on May 23, 2013. The project is estimated to be approximately \$3.4 million, and the estimated local portion of the project is approximately \$415,000 including a 10% contingency, and will be split with Miami County.

Public Comment

No one came forward to speak for or against resolution No. R-65-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry to approve Resolution No. R-65-13. Voice vote, Aye: Wilson, Martin, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-65-13 adopted.

RES. NO. R-66-13

A Resolution authorizing the City Manager to enter into the LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) for the CR 25-A Resurfacing Project.

Amy Havenar, City Engineer, explained in October of 2012 the City Commission approved the submission of the CR 25-A Resurfacing project to the Miami Valley Regional Planning Commission for funding under the Surface Transportation Program (STP) Resurfacing Program. The project limits are from South of Statler Avenue to Riverside Drive on CR 25-A. The project will consist of milling and overlaying the roadway with new asphalt, replacement of broken down catch basins, and the installation of ADA compliant handicap ramps at all of the intersections within the paving limits, and placement of new pavement markings within the project limits, explained Ms. Havenar. This project will be bid out in early 2014, with resurfacing scheduled to begin in the spring of 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-66-13.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-66-13 be adopted. Roll call, Aye: Martin, Vogt, Terry, fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-66-13 adopted.

RES. NO. R-67-13

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 \$1,753,996 and authorizing Evans Landscaping, Inc. to proceed with the Project

Bill Lutz, Development Program Manager, stated in February of 2012 the City Commission authorized Resolution No. R-30-12 a \$1.789 million contract with Evans Landscaping to perform environmental remediation and demolition on the site of the former Piqua Memorial Medical Center. A second resolution (R-162-12) was issued in December of 2012 which reduced the Evans contract since there were four changes to the scope of work that were made. Burgess and Niple, the firm that was retained to review the proposals has informed the City the item for Soil Abatement can be revised downward since the task is finished, fully billed and there is excess funds in that line item at this time. This resolution is requesting that the Evans Landscaping contract be reduced from \$1,768,736 to \$1,753,996, a reduction of \$14,740.00. stated Mr. Lutz.

Several questions were raised by the Commissioners concerning the soil testing and the reduced funds, Mr. Lutz explained.

Public Comment

No one came forward to speak for or against Resolution No. R-67-13

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-67-13 be adopted. Roll call, Aye: Vogt, Terry, Fess, Wilson, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-67-13 adopted.

RES. NO. R-68-13

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 \$257,819.56 and authorizing Burgess and Niple, Inc. to proceed with the project

Bill Lutz, Development Program Manager, explained In September of 2011 the Commission authorized Resolution No. R-118-11, a contract with Burgess and Niple, Inc. in the amount of \$197,100 to manage the environmental remediation and demolition on the site of the former Piqua Memorial Medical Center. In December of 2012 the Commission adopted Resolution No. R-161-12 which increased the amount of the contract to \$231,154 due to the bidding process being delayed, the project deadline being extended, and unanticipated meetings with the Piqua City Schools to deal with issues.

Burgess and Niple, Inc. have requested additional funding of \$26,667.56 to bring their contract to \$257,819.56. This request will be funded through the balance of the Clean Ohio Revitalization Fund grant that was received by the City of Piqua in August of 2011 and additional funds received by the Upper Valley Medical Center for the project. There is no cost to the City for this project, other than the indirect costs associated with staff time devoted to the project, stated Mr. Lutz.

Public Comment

No one came forward to speak for or against Resolution No. R-68-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-68-13 be adopted. Roll call, Aye: Terry, Fess, Wilson, Martin, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-68-13 adopted.

RES. NO. R-69-13 (Amended 5-7-2013)

A Resolution requesting the authorization to enter into an agreement with DLZ OHIO, INC. for an engineering evaluation of the hydraulic canal levee, preparing and operation, maintenance and inspections (OM&I) manual for hydraulic canal levee, and emergency action plans (EAP) for Echo Lake and Franz Pond

Don Freisthler, Water Plant Superintendent stated during 2012 a persistent leak was noticed at Forest Hill Cemetery, and were also made aware of several deep sink holes in the Fountain Park area. The canal and associated levee are generally oriented in a north/south direction, located west of the Great Miami River and downtown Piqua. The water in the canal is contained by the levee on the east side, and natural earth slope on the west side. The levee runs between Swift Run Lake on the north, and Franz Pond on the south for a total length of approximately 10,000 feet. This indicated there was a need for an evaluation of the 1868 hydraulic levee. Request for Qualifications (RFQ's) were sent out for the evaluation and DLZ OHIO, INC. was selected to provide a Technical Proposal & Scope of Services from the three firms that submitted information. The evaluation will provide the necessary information to figure the costs involved to have the levee compliant with the Ohio Department of Natural Resources (ODNR). DLZ Ohio, Inc. has done similar projects for the Miami Conservancy District, City of West Carrolton and ODNR. We received very positive feedback on DLZ's ability to handle this type of project, stated Mr. Freisthler.

Several questions were asking concerning the soil boring, the trees and brush along the levee, and possible damage to the Bike Trail in the area. Mr. Freisthler answered all questions.

Public Comment

No one came forward to speak for or against Resolution No. R-69-13

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-69-13 be adopted. Roll call, Aye: Fess, Wilson, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-69-13 adopted.

RES. NO. R-70-13

A Resolution awarding a contract for the purchase of ornamental street lights for the Power System

Nick Berger, Assistant Power Systems Director, stated the US RT 36 Beautification project required the installation of twenty-six ornamental streetlights. An Invitation for Bid (IFB) was sent out on March 19, 2013 and bids were received from six vendors on April 16, 2013. Each pole will have 4 banner arms, a flag pole holder, and a weatherproof receptacle. A spare pole will be purchased at this time and will bring the total number to twenty-seven poles to be purchased. The lowest bid received was from All-Phase Electric supply Company totaling \$176,913.50.

Public Comment

No one came forward to speak for or against Resolution No. R-70-13

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-70-13 be adopted. Roll call, Aye: Wilson, Martin, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-70-13 adopted.

RES. NO. R-71-13

A Resolution acquiring the services of P & G Power, LLC for the City

Nick Berger, Assistant Power Systems Director, stated on July 17, 2012 the City Commission approved Resolution R-106-12 which allowed the Power System to acquire the services of Power System Engineering, Inc. (PSE) to perform an assessment of the transmission line between substation 4 and 5. This assessment resulted in the immediate need to replace thirty-two (32) main-line poles. On March 5, 2013 the City Commission approved resolution No. R-30-13 awarding a contract to Bridgewell Resources for the purchase of thirty-two steel transmission poles.

The Power System received bids from nine different construction contractors on April 16, 2013. It was determined that P & G Power, LLC provided the lowest and best bid to complete the 69kv Transmission Line Hardening Project. A 15% contingency has been added to P & G's base bid to

allow for any unforeseen expenses. The 2013 Power System budget is \$575,000 to rebuild the transmission line between substation 4 & 5, and the services provided by P & G total \$485,377. In addition the steel poles purchased from Bridgewell Resources were \$165,439 for a total of \$650,816 for both poles and contract services. A planned vehicle replacement will be delayed until 2014 to provide a source for the additional funds, stated Mr. Berger.

Several questions were raised regarding the different types of poles and the various bids received. Mr. Berger explained.

Public Comment

No one came forward to speak for or against Resolution No. R-71-13

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-71-13 be adopted. Roll call, Aye: Martin, Vogt, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-71-13 adopted.

RES. NO. R-72-13

A Resolution authorizing the donation of 208 Fourth Street, Parcel No. N44-250339 to Habitat of Humanity of Miami County, Ohio

Bill Lutz, Development Program Manager, stated the City of Piqua currently owns a vacant lot located at 208 Fourth Street, which is located in a predominantly residential neighborhood.

Habitat for Humanity of Miami County has expressed an interest in the City donating the lot if possible. The type of residential development that Habitat for Humanity builds is consistent with the type of neighborhood the lot is located in. Providing the property to Habitat of Humanity would allow the City of Piqua to divest from the ongoing maintenance of the property.

Public Comment

No one came forward to speak for or against Resolution No. R-72-13

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-72-13 be adopted. Roll call, Aye: Vogt, Terry, Fess, Wilson, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-72-13 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.

Ruth Koon, Edna Stiefel, Glen Devers representing Friends of the Piqua Parks came forward to give an update. Ms. Koon provided a brief update on the project. The Friends of the Piqua Parks have received a \$7500 grant from the Piqua Community Foundation. There is a link on the City of Piqua web site (www.Piquaoh.org) for citizens to visit and fill out a pledge card; there are also brochures in the community at various locations. Ms. Koon encouraged citizens to support the Friends of the Piqua Parks.

Edna Stiefel reminded citizens of the City Wide Cleanup to be held on May 18, 2013. The North Parks Neighborhood Association will be cleaning at both Das Park and Kiwanis Parks. Ms. Stiefel encouraged citizens to volunteer and clean up their neighborhoods.

Mrs. Stiefel also reminded citizens of the Taste of the Arts to be held on Friday, May 17 from 5:00-9:00 P.M. in Downtown Piqua, and encouraged citizens to attend. This year there will be a lot of new talent, and will be something for all ages.

Valerie Mulligan, 311 Glenwood, came forward and voiced her concern about several items. Ms. Mulligan stated a few weeks ago a Drum Corp contest was held in Dayton at Hara Arena, and several sets of the parents stayed in Piqua at the various hotels. They were all very complimentary of the hospitality of the community, and how accommodating the Miami Valley Centre Mall was to allow them to use the parking lot to practice in. Ms. Mulligan further stated they were very impressed with the Ash Street area, but were upset with the condition of some of the homes along Ash Street.

Ms. Mulligan stated she wanted to address the issue of housing maintenance in the City of Piqua. Ms. Mulligan stated her niece rented an apartment, and it is in very poor condition, having structural issues along with health issues, and inquired as to who the Health Inspector is.

Ms. Holtzapple explained who is responsible for the issues.

Ms. Mulligan stated she contacted the Fire Department, and Chief Rindler graciously sent someone out to inspect the apartment for any safety hazards. Does Piqua currently have a Safety Director, or a Building Inspector?

Law Director Stacy Wall explained.

Ms. Mulligan stated she felt there should be inspections made by someone after each tenant moves out before renting to another tenant, and asked if there were any codes on the books for this to prevent such issues like her niece has encountered. Commissioner Vogt stated he suggested there be an Occupancy Permit required before a new tenant moves in, but was told the Real Estate Brokers were against such a permit.

Mayor Fess asked Ms. Mulligan to speak with Ms. Holtzapple after the meeting to provide further information on the issue.

Law Director Stacy Wall stated there is a property maintenance code in the City Ordinances that can address a lot of the issues. The City does not use a building inspector as an employee but uses Miami County Building Department for structural integrity issues, or can contact the landlord to have them get a structural inspection. Mayor Fess stated the City would look into the issue.

City Manager's Report

Finance Director/Assistant City Manager Holtzapple stated the City of Piqua was among 217 b Communities designated as a "Playful City USA" sponsored by the Humana Foundation. Piqua will now be eligible for a possible \$15,000, \$20,000, and \$30,000 grant and will notified in the fall if we receive it, stated Ms. Holtzapple. Ms. Holtzapple also encouraged citizens to work with the Adopt A Park Program, and the Volunteer Park Ranger Program.

Mayor Fess thanked all the volunteers as they do some much for the community, this award is really their award.

Commissioners Comment

Commissioner Vogt stated if everyone in the city would donate \$10 to the Friends of the Parks they would be able to reach their goal. Pitsenbarger Park is definitely in need of enhancements, and thanked the committee for their efforts.

Commissioner Vogt congratulated the Residence Pride Awards winners, reminded citizens to support Bike Month. The Four Seasons Garden Club provides beauty to a lot of the areas in Piqua and thanked them for their support. Commissioner Vogt also reminded citizens to lower their flags to half-mast on Wednesday May 15, in honor of the Police Week and the fallen Police Officers.

Commissioner Martin encouraged citizens to attend the Taste of the Arts on Friday May 17, from 5:00- 9:00 P.M. in downtown Piqua. Commissioner Martin thanked the volunteers in the community for all their hard work. Piqua Clean Up Day is scheduled for Saturday May 18, and asked all citizens to get out and help clean up their own property and the neighborhoods.

Commissioner Terry congratulated all of the award winners and all of the volunteers who work to make the City of Piqua a better place to live. Commissioner Terry also reminded citizens of the Taste of the Arts On May 17, and the Piqua Clean Up Day on May 18. Just take a few minutes and to pick up your own yard, and help clean up your neighborhood, stated Commissioner Terry.

Commissioner Wilson announced the Piqua Community Garden is now open. A.M. Leonard donated various tools and wheelbarrows, water is available along with mulch at the garden site. There are still several sites available if anyone is interested.

Commissioner Wilson announced the next Bike Mob will be held on Saturday May 11th at Lock Nine Park at 10:30 A.M. The Bike Mob will be held the second Saturday of each month, and encouraged citizens to participate.

Mayor Fess thanked the Four Seasons Garden Club for the bookmark and seeds they passed out Mayor Fess congratulated all of the Residence Pride winners, reminded citizens to nominate their Friends or neighbors.

Mayor Fess thanked Assistant City Manager Cindy Holtzapple for conducting the City Commission Meeting the absence of City Manager Huff.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 9:00 P.M. Voice vote, Aye: Terry, Wilson, Fess, Martin, and Vogt. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION