

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday May 21, 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.

**Presentation: (Postponed)**

State Presentation for Eagle Scout Award:  
Presented by: State Representative Richard Adams

**REGULAR CITY COMMISSION MEETING**

**Consent Agenda**

Approval of the minutes from the May 7, 2013 Regular Piqua City Commission Meeting.

**RES. NO. R-73-13**

A Resolution authorizing preliminary legislation with the Ohio Department of Transportation for the Pier patching and abutment on various bridges within the City of Piqua

**Resolution No. R-74-13**

A Resolution authorizing preliminary legislation with the Ohio Department of Transportation for the rebuilding of the two signalized ramp intersections with mast arms on US Route 36, Section 11.69

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

**NEW BUSINESS**

**ORD. NO. 6-13**

An Ordinance authorizing an amendment to Ordinance No. 42-96 and the zoning map attached thereto to change the zoning designation of Parcel N44-076500 to I-2 (Heavy Industrial)

Chris Schmiesing, City Planner, stated this item was presented to the Piqua Planning Commission at the request of the property owner to change the zoning designation of the property from OS Open Space to I-2 Heavy Industrial. The Planning Commission held a public meeting on May 14, 2013 and the property owner explained he would like to accommodate a building expansion related to the adjacent and contiguous industrial use of the premises.

The improvements at this location currently include a gravel parking area that supports the adjacent banquet facility. The applicant stated the adjacent banquet facility will continue to benefit from the available parking provided at the subject premises. After review of the proposed zoning change it was unanimously recommended for approval by the four Planning Commission members present, stated Mr. Schmiesing.

Commissioner Vogt stated he would like to waive the three reading rule at this time. Law Director Stacy Wall explained the reasons that apply to waiving the three reading rule.

Law Director Wall read Section 12 of the Piqua Charter stating the reasons that must apply to the waiving of the three reading rule.

**Public Comment**

William Coomer, 1502 S. Main Street, the applicant came forward and asked if it would be possible to waive the three reading rule at this time. Mr. Coomer indicated he would like to proceed with the improvements and the construction of a new building as soon as possible. Mr. Coomer further explained he needs the additional space for the equipment that is coming soon, and with the new equipment comes new jobs for the community also

Moved by Commissioner Vogt, seconded, by Commissioner Martin, to amend Ordinance No. 6-13 to allow the waiving of the three reading rule at this time, due to the circumstances explained by the applicant. Roll call, Aye: Terry, Martin, Wilson, Fess, and Vogt. Nay: None.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 6-13 be adopted as amended. Roll call, Aye: Vogt, Terry, Martin, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No.6-13 adopted.

**RES. NO. R- 75-13**

A Resolution amending the total payment to Physio-Control for the purchase of an additional one-year service agreement, spare batteries, monitors paper and adapters

Fire Chief, Mike Rindler stated in July of 2012 the Fire Department submitted a Federal AFG Grant request to replace two heart Monitor/Defibrillators that will soon be outdated, and the grant was approved in December 2012. The Federal Grant will be providing 90% of the funding and the City of Piqua is responsible for the remaining 10%. The AFG Administration prefers the funding awarded be 100% used. This additional service agreement and equipment purchased will match the awarded amount from the AFG grant for a total of \$55,606.00, said Chief Rindler.

**Public Comment**

No one came forward to speak for or against Resolution No. R-75-13.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-75-13 be adopted. Roll call, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-75-13 adopted.

**RES. NO. R-76-13**

A Resolution awarding a contract to Speedway LLC for the City-Wide Fuel Purchasing Program for the years 7/1/13-6/30/16

Finance Director/Assistant City Manager Cynthia Holtzapple, explained the City of Piqua has been purchasing fuel, gasoline and diesel, from Speedway, LLC for the last nine years and is currently doing so. The current contract expires on June 20, 2013, with the current cost being \$.08 over wholesale prices. Bid packets were properly advertised and mailed on April 1, 2013 to all gas stations located within the city limits, and bids were due by April 24, 2013. Only two bids were received and Speedway LLC was awarded the bid.

Several questions were asked concerning the pricing and the billing and how the prices would be verified. Ms. Holtzapple explained.

**Public Comment**

No one came forward to speak for or against Resolution No. R-76-13.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-76-13 be adopted. Roll call, Aye: Martin, Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-76-13 adopted.

**RES. NO. R-77-13**

A Resolution authorizing the sale of City owned real estate

Commissioner Wilson stated due to a conflict of interest he would like to recuse himself from the discussion and voting of Resolution No. R-77-13.

Ed Krieger, Power System Director, provided a brief explanation on both Resolution R-77-13 and R-78-13. During the construction of the new Power System Service Center, two small adjustments were made to the new west fence line in order to minimize the impact to the neighboring property, owned by Mr. Hemm. These minor adjustments did not impact the Power System's facility design, but allowed the neighboring property to maintain the existing traffic flow around his lake. In return, Mr. Hemm agreed to allow the City to put in a much needed utility easement on his property north of the Power System Service Center.

**Public Comment**

No one came forward to speak for or against Resolution No. R-77-13.

Moved by Commissioner Terry, seconded by Commissioner Martin, to approve Resolution No. R-77-13. Roll call, Aye: Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-77-13 adopted.

**RES. NO. R-78-13**

A Resolution granting a utility easement to the City of Piqua to run with the land

Power System Director Ed Krieger provided information previously.

Mr. Krieger announced the Power System will hold an Open House on Thursday, May 23, 2013 at the Service Center from 2:00 P.M. to 7:00 P.M. and encouraged citizens to stop in and take a tour of the new state of the art facility.

**Public Comment**

No one came forward to speak for or against Resolution No. R-78-13.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-78-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-78-13 adopted.

**RES. NO. R-79-13**

A Resolution rescinding Resolution No. R-108-10 and enacting new preliminary consent legislation with the Ohio Department of Transportation for work on the MIA-36-11.34 Bridge over the Great Miami River within the City of Piqua

Amy Havenar, City Engineer explained Resolution No. R-108-10 was approved on September 21, 2010 to allow for the programming of the improvements to the MIA-36-11.34 Bridge by ODOT. This project included the rehabilitation of deteriorated back walls, expansion joints, and approach slabs, including the necessary structural steel repairs on the structure located on E. Ash Street over the Great Miami River. Since that time, ODOT has revised the scope of work to include the following: overlay the bridge deck, reface/patch parapet, seal median joint, refurbish & reset abutment bearings, various structural steel repairs and various bridge items. ODOT is requesting the City rescind the previous Resolution (R-108-10) and approve the current Resolution R-79-13. ODOT required permission of the local entity prior to commencement of work within the entities corporation limits on all projects. There is no financial participation required of the city for completion of this project, as all construction costs will be incurred by ODOT, stated Ms. Havenar.

Several questions were raised on revising the Resolution. Law Director Stacy Wall explained.

**Public Comment**

No one came forward to speak for or against Resolution No. R-79-13

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-79-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-79-13 adopted.

**RES. NO. R-80-13**

A Resolution requesting final legislation to enter into an agreement with the Ohio Department of Transportation for the College Street Corridor Traffic Signal Project

Amy Havenar, City Engineer explained in 2011 the City Commission passed a resolution authorizing the City Manager to enter into a preliminary agreement with ODOT, and the City has engaged a consultant to begin the detailed design for the College Street Corridor Traffic Signal Project. The project will consist of upgrading the traffic signals at College and Water and College and Covington Avenue to include signal coordination, the installation of emergency preemption, converting the signal operations from pre-timed to actuated, the installation of ADA compliant curb ramps, and replacement of the existing traffic signals with mast arm poles.

The City has received funding from the Federal Highway Administration through the Miami Valley Regional Planning Commission for 80% of the project costs, up to the maximum amount of \$421,462. The bids are not in yet for this project, the estimated cost for our local portion of the project is approximately \$67,000 (including a 10% contingency). If the actual bids come in higher than the estimated amount the local share will increase, or if the bids come in lower than the estimate our portion will decrease, stated Ms. Havenar.

There was discussion of the construction time, the grant amount, and how the signals are controlled and by whom. A question was raised concerning the resurfacing of some of the streets. All questions were answered.

**Public Comment**

No one came forward to speak for or against Resolution No. R-80-13.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-80-13 be adopted. Roll call, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-80-13 adopted.

**RES. NO. R-81-13**

A Resolution approving CDM-Smith be retained for Engineering Services for all phases of the Wastewater Treatment Plant through the completion of the Wastewater Treatment Plant and approving a contract for the preliminary engineering report

Dave Davis, Wastewater Superintendent provided information regarding the Sanitary Sewer Overflow (SSO), and the reason for the additional legislation at this time.

Bob Yoxthimer, a representative from CDM provided further information regarding the need for the revised Facility Plan which calls for a Preliminary Engineering Report (PER) that must be approved by the EPA before any formal design can begin on the plant improvements.

Discussion of the need for the revised resolution, what SSO is and how it affects the Wastewater Treatment Plant, and the size of the pipes needed to move the SSO. All questions were fully explained by Mr. Davis and Mr. Yoxthimer.

**Public Comment**

No one came forward to speak for or against Resolution No. R-81-13

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-81-13 be adopted. Roll call, Aye: Martin, Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-81-13 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.

No one came forward to speak at this time.

### **Commissioners Comment**

Commissioner Vogt reminded citizens to help raise funds for Pitsenbarger Park, and to think of William Pitsenbarger when making their donation for the much needed improvements. Commissioner Vogt further stated he received a telephone call from Corky Attenwiller, Director of the Piqua Leisure Club. Ms. Attenweiller stated she felt it was a very worthwhile project, and she herself would match any amount the club donated. The club emptied their treasury, and Ms. Attenwiller matched their amount. The Friends of the Piqua Parks received a very nice donation from the Piqua Leisure Club.

Commissioner Vogt stated if everyone donated \$10 they would be able to reach their goal. Commissioner Vogt gave the Finance Director \$20 stating this is from his wife and he to get the fund started, and asked the rest of the Commissioners to do the same.

Commissioner Martin thanked all the volunteers who came out to help with the City-wide Clean up, stating it was very successful due to all of the volunteers. Commissioner Martin thanked Ginghamburg Church for all the help then sent up to help with the Clean Up.

Commissioner Terry stated the Taste of the Arts held on Friday, May 17 was very successful even with the heavy rains that came about half way through the evening. Commissioner Terry thanked all the volunteers, and the group from Ginghamburg Church that came up to help with the Cleanup. Commissioner Terry thanked the Southview Neighborhood Group for the dedication of the new facilities at Mote Park, and playground, and for providing lunch for the Clean Up volunteers. Commissioner Wilson stated the Taste of Arts was great even with the rain. The Clean Up Day was wonderful and thanking the group from out of town that came to help with the Clean Up. Commissioner Wilson reminded citizens to mow their lawns and to pick up any trash they see laying around their neighborhoods.

Mayor Fess stated she will be donating \$10 to the Friends of the Piqua Parks. The Taste of the Arts was a great event with a record turnout this year. Thanks to the efforts of Lorana Swisher and Cheryl Stiefel-Francis the event was very successful. The dedication of the Mote Park Facilities and playground equipment that took place on Saturday, May 18, 2013, further stating this was all made possible by the many volunteers.

Mayor Fess stated she was out at the Industrial Spring Company a new company located on County Road 25-A, further stating they are very pleased to be in Piqua, and very complimentary of the employees they have hired.

Mayor Fess announced National Skateboard Day will be celebrated on June 21, 2013, with various events planned for that day at Pitsenbarger Skate Park. Mayor Fess thanked Rich Donnelly for generously providing the funding for the wonderful new facility.

**City Managers Report**

City Manager Gary Huff introduced Janel Howery Ranly, an intern working with the City of Piqua this summer. Janel is a graduate of the first Piqua Government Academy Class. Janel will Graduate from Wright State University in August, and would like to work in City Government, stated City Manager Huff.

City Manager Huff thanked all of the volunteers who came out to help with the City Wide Clean Up Day, and also thanked Bill Lutz for organizing and working so hard to make this project a success.

WOTVC held a very successful Golf Tournament Fund Raiser on Friday May 17, 2013 raising about \$3300.00, which goes for station operations. The Piqua Municipal Swimming Pool is scheduled to open on Saturday, May 25, 2013 weather permitting. City Manager Huff also reminded citizen the City Offices would be closed on Monday, May 27, 2013 in observance of Memorial Day.

City Manager Huff announced the City of Piqua recently received a \$400,000 Grant from the EPA for Brownfield Assessments. The City also received previously grants from the CDC and the State of Ohio combining those efforts for redevelopment of our Brownfield areas.

City Manager Huff reminded citizens of the Power System Open House on Thursday, May 23, 2013 from 2:00 P.M. – 7:00 P.M.

City Manager Huff announced there are several Board openings that include: the Community Diversity Board one opening; Income Tax Review Board has one opening; Energy Board has one opening; and the Stormwater Utility Board has one opening. Anyone interested in serving on any of these boards should contact the City Manager's Office.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:20 P.M. Voice vote, Aye: Terry, Wilson, Fess, Martin, and Vogt. Nay: None. Motion carried unanimously.

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LUCINDA L. FESS, MAYOR

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

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