

**MINUTES
PIQUA CITY COMMISSION
Tuesday, November 18, 2014
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.

REGULAR CITY COMMISSION MEETING

Mayor Fess introduced Assistant City Manager/Economic Development Director Justin Summer who was acting City Manager in the absence of City Manager Gary Huff who is out of town on City business.

Consent Agenda

Approval of Minutes

Approval of the minutes from the November 4, 2014 Regular City Commission Meeting.

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

OLD BUSINESS

ORD. NO. 14-14 (3rd 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 High Street/College Street intersection

Amy Havenar, City Engineer provided the Staff Report.

This is the third reading of Ordinance No. 14-14. Ms. Havenar stated she provided a brief history on the removal of the traffic signals at the November 4, 2014 Commission Meeting. A study was completed and it was determined by the Ohio Department of Transportation (ODOT) that the traffic signal at High and College Street was not warranted. Therefore, ODOT would not provide funding for this signal. After determining the traffic signal was not warranted the study proceeded to evaluate the justification of a multi-way stop at this intersection. Based upon the criteria for multi-way stops this intersection is justified and was recommended for a 4-way stop.

Both the Planning Commission and the Transportation Committee both approved the removal of the traffic signals at this time.

Mark Hunter, of Eggeman Engineering & Consulting, LLC, came forward and provided a brief overview of the study that was completed regarding the removal of the traffic signals at College and High Streets. Mr. Hunter reviewed the criteria for having a traffic signal at that intersection. Mr. Hunter further stated the traffic signal was not warranted, and if the signal were to remain it would be considered an illegal signal and there would be liability for the city. Mr. Hunter stated he believes the intersection will be more affective as a 4-way stop.

Mayor Fess inquired as to when the other traffic signals on College Street were scheduled to be removed.

Ms. Havenar stated they are scheduled to be removed in 2015, and were included in the previously approved Safe Routes to School Plan.

Mr. Hunter and Ms. Havenar answered all questions. Ms. Havenar provided a brief timeline on the schedule for the traffic signal removal, and the placement of the stop signs.

Mayor Fess stated she only had one telephone call regarding the removal of the traffic signal and the installation of the 4-way stop.

Commissioner Martin stated the several contacts he had were all in favor of removing the traffic signals and installing the 4-way stops.

Commissioner Vogt stated he feels the 4-way stop would actually be safer for the senior citizens crossing the street.

Commissioner Wilson stated he is still concerned about the Senior Citizens living in the area, stating he has seen drivers not stopping or rolling through stop signs. Commissioner Wilson further stated he received quite a few telephone calls from residents that were not in favor of removing the traffic signal and installing the 4-way stops.

Commissioner Terry voiced her concern over removing the traffic signals stating she had only received negative comments. Commissioner Terry also asked Mr. Hunter to explain what illegal traffic signals were, and how it would affect the City of Piqua if the traffic signals were to be left up. Mr. Hunter defined the meaning of illegal traffic signals and the liability to the city. Commissioner Terry inquired as to when the other traffic signals on College Street were scheduled to be removed.

Ms. Havenar explained the use of the 4-way stop would be reviewed by the Police Department, Fire Department, and the Engineering Department after a period of time to see if they are moving the traffic through the intersection in a safe and timely manner.

Commissioners asked several questions regarding the warrants that are required to be met in order for ODOT to fund the lights. Also the time and type of surveillance that was used to make the decision to remove the traffic signals. Commissioners questioned even with a Senior Citizen Housing facility in the area along with a Senior Center, if that would make any difference in ODOT's decision to remove the traffic signals.

Other questions were raised regarding the possibility of installing dedicated crosswalks, why the study was done before the new school was completed and in session. All questions were answered.

Public Comment

George Miller, 316 N. College Street came forward to voice his concern over the safety of the senior citizens who live in the Senior Housing when crossing the streets if the traffic signals are removed at College and High Streets. Mr. Miller presented a petition to Mayor Fess with signatures in opposition of the removal of the traffic signals at College and High Streets.

Mayor Fess stated she feels it is going to be safer for the residents to cross the street with the 4-way stop signs.

Commissioner Terry inquired about the parking spaces that are going to be installed, and how far away from the corner did they have to be for sight distance? Ms. Havenar explained.

Stu Shear, W. Parkway Drive, came forward stating he has seen solar powered flashing lights attached to stop signs in other cities that get your attention, and thought something like that might work. Commissioner Vogt stated he thought that was a very good idea. Ms. Havenar stated that was something she would have to look into.

Brad Boehringer, Mound Street, came forward stating he too has sign a flashing sign on Rt 75 going into Dayton to announce the change in the speed limit, and it seems to work.

William Carpenter, 316 N. College Street, came forward stating he had been hit by a car while crossing at the intersection of College and High Streets, and voiced his concern about removing the traffic signals.

Tracy Battson, ST. RT. 66, came forward to voice her concern for the senior citizens living in the area where the traffic signals are scheduled to be removed.

Police Chief Bruce Jamison stated enforcement is easier with a stop sign versus a traffic signal, and believes the intersection is safer with stop signs.

After a lengthy discussion Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 14-14 be adopted. Roll call, Aye: Martin, Fess, and Vogt. Nay, Terry and Wilson. Motion carried on a 3-2 vote. Mayor Fess declared Ordinance No. 14-14 adopted on a 3-2 vote.

ORD. NO. 15-14 (1st Reading)

An Ordinance amending Ordinance No. 33-66 relating to the Municipal Income Tax

Cynthia Holtzapple, Assistant City Manager/Finance Director provided the Staff Report.

Ms. Holtzapple stated with the passage of the safety levy on November 4, 2014, Ordinance No. 15-14 adds the new rates for the additional .25% tax beginning January 1, 2015. This also Includes W-2 filing electronic media for entities with more than 100 employees, stated Ms. Holtzapple.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No, 15-14.

Ordinance No. 15-14 was given a first reading.

ORD. NO. 16-14 (1ST Reading)

An Ordinance amending Ordinance No.8-14 and codified as Ordinance No. 52.20, Exhibit A, Electrical Service Rates and Terms

Ed Krieger presented the Staff Report.

The City has moved from a Power Supply mainly composed of market purchases to one that is primarily asset ownership. A recently completed cost-of-service study recommends implementation of amended electric rates to ensure proper cost allocation among customer classes This Ordinance amends Ordinance 8-1-4 and is codified as Section 52.20.

Don Gruenemeyer of Sawvel & Associates came forward and provided an informational power point presentation regarding the electric cost of service and rate design summary.

Several questions were raised including how the City of Piqua's power rates compare to other cities, how much will the fees increase in the future, and will we own our own power at some point.

PUBLIC COMMENT

Joe Drapp, Park Avenue, also an Piqua Energy Board member, came forward and voiced his opinion, and provided a brief overview of the Energy Board view. Mr. Drapp stated the citizens

of Piqua are not doing this just for them they are doing it for their children and grandchildren. Ordinance No. 16-1-4 was given a first reading.

ORD. NO. 17-14 (1ST Reading)

An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2015

Cynthia Holtzapple, Assistant City Manager/Finance Director provided the Staff Report.

The City is required to present and pass the 2015 Annual Budget by the end of the year. This is the first of three readings of this ordinance with the Commission reviewing the Department Budgets on November 13, and November 20, 2014.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 17-14.

Ordinance No. 17-14 was given a first reading.

ORD. NO. 18-14 (1ST 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 provided the Staff Report.

During the past year the City has undertaken a pay classification study, as this has not been completed in several years. The study only considered positions listed on Schedule A, with 29 surveys being sent out. Positions and pay ranges were reviewed to ensure that not only external comparability had been taken into consideration but also internal comparability, stated Ms. Barton.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 18-14.

Ordinance No. 18-14 was given a first reading.

ORD. NO. 19-14 (1ST 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 provided the Staff Report.

The State of Ohio has increased minimum wage effective January 1, 2015 from \$7.95 per hour to \$8.10 per hour. The wages on Schedule A-12 have been changed to reflect the increase and is the only change made to Schedule A-1 at this time, stated Ms. Barton.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 19-14.

Ordinance No. 19-14 was given a first reading.

ORD. NO. 20-14 (1ST Reading)

An Ordinance repealing existing Chapter 33 and enacting a new Chapter 33 of the Piqua

Code Relating to Employee Policy

Elaine Barton, Human Resources Director provided the Staff Report.

Staff recommends the changes to Chapter 33 revising the date of the health insurance coverage to reflect the current benefit year as well as the reduction to the City's contribution to the employee's health savings or health reimbursement account, and increasing the amount that an employee can earn by participating in certain wellness activities. This is the same language as agreed to in the union contracts.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 20-14.

Ordinance No. 20-14 was given a first reading.

RES. NO. R-116-14

A Resolution authorizing to increase the initial annual purchase order for Kirk NationalLease for heavy equipment repairs for the Public Works Department

Doug Harter, Public Works Director provided the Staff Report.

Currently the City uses an annual purchase order with Kirk NationalLease for heavy equipment repair. Resolution No. R-116-14 is a request to increase the purchase order amount from \$24,000 to \$40,000 to cover any additional repairs that may be needed due to the upcoming winter months. Kirk NationalLease has worked on our equipment for several years and we have always been satisfied with their work. These additional funds will only be used if we have emergency repairs that need to be done between now and the end of the year, stated Mr. Harter.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-116-14.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-116-14 be adopted. Roll call, Aye: Vogt, Wilson, Terry, Martin, and Fess. Nay, None. Mayor Fess then declared Resolution No. R-116-14 adopted.

RES. NO. R-117-14

A Resolution approving the purchase of Excess Liability Insurance

Stacy Wall, Law Director provided the Staff Report.

The City of Piqua has had excess liability coverage for over 20 years for the dams and waterways. This is a specialty insurance that is beyond the scope of what MVRMA covers. This coverage was reviewed to ensure there are no duplicate coverage areas between MVRMA and AEGIS. The premium is increased by 9.7% to reflect market conditions and the continued ageing of the dams, stated Ms. Wall.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-117-14.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-117-14 be adopted. Roll call, Aye: Wilson, Terry, Martin, Fess, and Vogt. Nay: None. Motion carried unanimously.

RES. NO. R-118-14

A resolution requesting authorization to enter into an agreement with O.R. Colan Associates for the right-of-way acquisition services for the Safe Routes to School Improvements Project

Amy Havenar, City Engineer provided the Staff Report.

In May of 2012 the city was notified of the award of a Safe Routes to School (SRTS) grant for construction of infrastructure projects around the Piqua Junior High School site, Washington Intermediate School site, and the Wilder Intermediate School site. We are at the point in the design of the project that we need to proceed with the right-of- way acquisition. O. R. Colon Associates was selected to perform the services in part due to their most recent involvement with the CR 25A Phase III Project, CR 25A Phase II Project, and also with the E. Ash Street Project, stated Ms. Havenar. The city received the Safe Routes to School grant funding for the design and construction in the amount of \$499,915.00. Construction is scheduled to begin in the summer of 2015, and the right-of-way acquisition will begin immediately, stated Ms. Havenar.

Commissioner Terry inquired if bump-out curbs were in the plans for any of the areas, and why Wilder School was included in the Safe Routes to School Plan. Amy Havenar, City Engineer explained.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-118-14.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-118-14 be adopted. Roll call, Aye: Terry, Martin, Fess, Vogt, and Wilson. Nay: None. Motion carried unanimously.

RES. NO. R-119-14

A Resolution for preliminary consent to award a contract to J & J Schlaegel, Inc. for the off-site pipeline project as part of the new Water Treatment Plant

Don Freisthler, Water Plant Superintendent provided the Staff Report

On Thursday October 30, 2014 five bids were received for the Off-Site Pipeline Project with J & J Schlagel, Inc. being the lowest bidder. A 5% contingency is included for the project which makes the total amount \$3,137,925.00. We are currently in the process of making application for a loan from Ohio Water Development Authority (OWDA). But before the loan can be approved a resolution of intent to award a contract is required. Once the loan is approved a new Resolution will be brought before the City Commission for approval of the contract to J & J Schlaegel, Inc., stated Mr. Friesthler.

Commissioner Martin asked about the size of the water line being used. Mr. Friesthler explained.

Mayor Fess stated the Commission has had a lengthy discussion at the Budget Session and is well versed on this project.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-119-14.

Moved by Commissioner Wilson, seconded by Commissioner Vogt, that Resolution No. R-119-14 be adopted. Roll call: Aye: Martin, Fess, Vogt, Wilson, and Terry. Nay: None. Motion carried unanimously,

RES. NO. R-120-14

A Resolution for preliminary consent to award a contract to Peterson Construction Company for the Construction of a new Water Treatment Plant

Don Friesthler, Water Plant Superintendent provided the Staff Report.

Mr. Friesthler stated there has been a lot of discussion at the Budget Meeting, and the Work Sessions that were held in regards to this project.

In 2006 a survey was conducted by the Ohio EPA and it showed the age and condition of the current Water Treatment Plant would not meet EPA regulations in the upcoming years, and recommended the City explore option for future needs. Studies were done and it was found that the best viable option was to build a new 6.75 million gallon per day surface water treatment plant,

CDM Smith was contracted by the City to engineer and design the new treatment plant. On October 30, 2014 four bids were received for the project.

We are currently in the process of making application for a loan from the Ohio Water Development Authority (OWDA). But before the loan can be approved a resolution of intent to award a contract is required. Once the loan is approved a new resolution will be brought before the City Commission to approve the awarding of a contract.

Peterson Construction was the low bidder with a base amount of \$35,9000.00, the bid also included two alternate items that the City feels is imperative to include at this time. The bid for these two items is \$302,000.00 with a total project cost of \$38,012,000.00 which includes a 5% contingency, stated Mr. Friesthler.

Rob Knapke of Peterson Construction came forward and provided a brief overview of the project, and answered Commissioners questions.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-120-14.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-120-14 be adopted. Roll call, Aye: Fess, Vogt, Wilson, Terry, and Martin. Nay: None. Motion carried unanimously.

RES. NO. R-121-14

A Resolution for preliminary consent to award a contract to CDM Smith for the construction administration of the new Water Treatment Plant

Bob Jennings, Assistant Water Plant Superintendent provided the Staff Report.

Resolution No. R-121-14 will allow CDM Smith to oversee all aspects of the construction of the plant and ensure that it follows the plans as designed. The contract for the construction administration with CDM Smith is \$4,101,352.00, and we are including a 5% contingency which will bring the total amount to \$4,306,420.00. Once the loan is approved a new resolution will be brought before the City Commission to approve awarding of a contract to CDM Smith, stated Mr. Jennings

Bob Yoxthimer, of CDM Smith provided a brief overview of the project, and answered questions.

Commissioner Vogt stated that Mr. Yoxthimer has worked with the City of Piqua on numerous projects over the years he has been a City Commissioner and knows he will do a good job.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-121-14.

Moved by Commissioner Martin, seconded by Commissioner Terry that Resolution No. R-121-14 be adopted. Roll call, Aye: Vogt, Wilson, Terry, Martin, and Fess. Nay: None. Motion carried unanimously.

RES. NO. R-122-14

A Resolution for preliminary consent to award a contract to CDM Smith for the construction administration of the off-site pipeline project as part of the new Water Treatment Plant

Bob Jennings, Assistant Water Plant Superintendent provided the Staff Report.

Resolution No. R-122-14 will also allow CDM Smith to oversee all aspects of the construction of the pipeline project and ensure that it follows the plans as designed. The contract for the construction administration with CDM Smith is \$519,785.00, and we are including a 5% contingency which brings the total amount to \$545,775.00. Once this loan is approved, a new resolution will be brought before the City Commission to approve the awarding of a contract to CDM Smith, stated Mr. Jennings.

Commissioner Terry inquired as to the timeline is for the off-site pipeline.

Bob Yoxthimer, of CDM Smith provided a brief timeline for the project, further stating it will be completed in advance of the new Water Treatment Plant.

All of these are preliminary plans and a resolution will come before the Commission in the future for the actual project, stated Mr. Jennings.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-122-14.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-122-14 be adopted. Roll call, Aye: Wilson, Terry, Martin, Fess, and Vogt. Nay, None. Motion carried unanimously.

RES. NO. R-123-14

A Resolution authorizing the City Manager to apply for, accept, and enter into an Ohio Water Development Authority (OWDA) Fresh Water Loan Program Loan Agreement on behalf of the City of Piqua for construction of the off-site pipeline for the new Water Treatment Plant and designating a dedicated repayment source for the loan

Cynthia Holtzaple, Assistant City Manager/Finance Director provided the Staff Report.

Due to the age of the current Water Treatment Plant and its inability to maintain compliance with future Ohio EOPA regulations, City Commission authorized staff to proceed with construction of a new Water Treatment Plant. Funding for the Water Treatment Plant Construction is estimate to be \$47.6 million. Currently, the interest rate on the 30 year loan is 3.54% and may change from now until the loan is awarded in December, 2014. We may also be eligible for a lower rate on part of the borrowing, stated Ms. Holtzaple.

Mayor Fess stated this has been discussed in length in the Budget Meeting, and thanked Ms. Holtzaple for all of her hard work putting this together.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-123-14.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-123-14 be adopted. Roll call, Aye: Terry, Martin, Fess, Vogt, and Wilson. Nay: None. Motion carried unanimously.

RES. NO. R-124-14

A Resolution authorizing the City Manager to apply for, accept, and enter into an Ohio Water Development Authority (OWDA) Fresh Water Loan Program Loan Agreement on behalf of the City of Piqua for construction of the off-site pipeline for the new Water Treatment Plant and designating a dedicated repayment source for the loan

Cynthia Holtzapple, Assistant City Manager/Finance Director provided the Staff Report.

This is the second project for the Water Treatment Plant. Due to the age of the current Water Treatment Plant and its inability to maintain compliance with future Ohio EOPA regulations. City Commission authorized staff to proceed with construction of a new Water Treatment Plant. An off-site pipeline is needed as part of this project. Funding for the off-site pipeline project is estimated to be \$4.1 million. Currently, the interest rate on the 30 year loan is 3.54% and may change from now until the loan is awarded in January, 2015. We may also be eligible for a lower rate if approved, stated Ms. Holtzapple

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-124-14.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-123-14 be adopted. Roll call, Aye: Martin, Fess, Vogt, Wilson, and Terry. Nay: None. Motion carried unanimously.

Monthly Reports

Monthly Reports were accepted.

PUBLIC COMMENT

No one came forward to speak at this time.

CITY MANAGER'S REPORT

Mr. Sommer stated the final Budget Meeting for the 2015 Budget will be held on Thursday, November 20, 2014 at 6:00 P.M. in the Administrative Conference Room.

COMMISSIONERS COMMENTS

Commissioner Terry stated the Friends of the Piqua Parks are getting very close to their goal for the statue of William Pitsenbarger. If anyone would still like to donate they may do so by sending their donation to the Friends of the Piqua Parks, P. O. Box 270, Piqua, Ohio 45356.

Commissioner Terry also thanked the citizens of Piqua for their votes for the passage of the Safety Services Levy.

Commissioner Vogt stated they have discussed the Water Treatment Plant projects in several meetings and they understand the need. Commissioner Vogt stated it was a big decision not to hook up with the City of Troy for our water source, but believes we have made the right decision

for the City of Piqua.

Mayor Fess stated the new Water Treatment Plant has been discussed in several of the Work Sessions, and in the Budget Meeting. We are doing this for our children and our grandchildren stated Mayor Fess.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular City Commission Meeting at 9:30 P.M. and adjourn into Executive Session to consider the purchase or sale of property for public purposes. Roll call: Aye: Fess, Vogt, Martin, Terry, and Wilson. Nay, None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to adjourn from Executive Session and the Regular City Commission Meeting at 9:50 P.M. Voice vote, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay, None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION