

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday, February 17, 2015 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 Terry, Wilson, Vogt, and Martin. Absent: None

**REGULAR CITY COMMISSION MEETING**

Motion to amend the Agenda to move the Public Comments to the top of the agenda was made by Commissioner Martin, seconded by Commissioner Vogt. Roll call, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay: None.

City Manager Gary Huff read a statement in reference to the order of the public comments and how they would be addressed. Mayor Fess stated questions would not be answered at this time.

**PUBLIC COMMENT**

Quite a large number of citizens came forward to voice their concerns over the increased electric rates for various reasons. There were many different questions raised on how the city came up with the higher than normal electric rates, when it was stated they would only go up 2% with the rate increase. Some of the citizens stated their utility bills went up 30% to 40% in some cases and others were raised by only 10% to 15%. The general consensus was why the bills were so high, and why were some estimated and some not. Questions were raised about the meter readers not going out in cold weather to read the meters, and estimating the bills most of the time. Some resident's cited living in very small homes or apartments and having enormously high bills for no reason. One of the main concerns was the city shutting off the electric when bills are not paid by the shut off date, and not allowing citizens to make payments on large bills or going on level billing. One resident stated they had contacted Direct Energy for their electric use and was waiting to hear back from them. A resident came forward and provided a list of properties to the Mayor of residents that had their electric disconnected recently in the cold weather.

Law Director Stacy Wall stated Federal Law prohibits discussing personal business in a public forum, and that the City would not be responding to personal accounts at this time. Ms. Wall further stated there is a list being passed around and asked residents to sign their name, address, and telephone number so the city can set up appointments to respond to their questions.

Bill Jaqua, N. Sunset Dr. voiced his opinion on Economic Development in the City of Piqua and information that is on the website. City Manager Huff asked Mr. Jaqua to come and sit down with him to discuss his concerns.

Joe Drapp, Park Avenue, came forward and provided additional information regarding the electric rates, further stating he is on the Piqua Energy Board, and the Energy Board Meetings are also open to the public.

Brad Boehringer, Mound Street, came forward to voice his opinion on recycling changes.

Commissioner Vogt stated citizens should check the wiring in their homes, he found his own older home had old wiring and had it replaced and his electric bills went down. There are a lot of older homes in Piqua that might benefit from having the wiring checked out.

City Manager Huff addressed some of the issues and encouraged citizens to come in and meet with the city officials to discuss their bills and get answers to their questions. There were a lot of technical questions asked and City Manager Huff stated he would be putting out a statement to try and answer all of the concerns that were presented.

## **Consent Agenda**

### **Approval of Minutes**

Approval of the minutes from the February 2, 2015 Regular Piqua City Commission Meeting.

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

## **OLD BUSINESS**

### **ORD. NO. 1-15 (3<sup>rd</sup> Reading)**

An Ordinance amending Chapter 50 of the Piqua Code, relating to garbage and refuse

Amy Welker, Director of Health & Sanitation provided the Staff Report.

Ordinance No. 1-1-5 cleans up the language and aligns with current practices, also adding language to prepare for the addition of the curbside recycling as a service that will be offered by the Piqua Sanitation Department. The changes do not include any additional rate adjustments or fee increases at this time, stated Ms. Welker.

Some of the amendments include adding a definition of bulk items and limiting these items to 3 per week; definition of recyclable material and the requirement of the items to be placed in a container provided by the city which will remain the property of the city, and customers will be charged for replacement of the container if misused; clarifies yard waste is to be placed in paper biodegradable bags; also adds recyclables to the list of items that are not to be tampered with once they are placed out for pickup by customers.

Commissioners asked if the information has been provided to the residents. Ms. Welker stated flyers are going out in the utility bills to inform residents that the new recycling will begin the first of May.

### **PUBLIC COMMENT**

Joe Francis, W. Parkway Drive came forward and stated he does not understand why the city charges citizens to recycle, and feels the city should be paying people to recycle.

City Manager Huff explained that the fees have went up for recycling, and by the City providing their own recycling they can try and avoid any rate increases in the future.

Mr. Francis also commented on the utility bill issue, stating he feels people are intimidated by having to coming up to speak when they know it is being televised, and further stating he is glad to see the city trying to work with residents on the situation.

Mayor Fess stated the city is going to find a way to reach out to the citizens, we are doing the best we can and will find out what is going on.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 1-15 be adopted. Roll call, Aye: Vogt, Martin, Wilson, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance 1-15 adopted.

### **ORD. NO. 3-15 (2<sup>n</sup> 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

City Engineer, Amy Havenar provided the Staff Report.

In May of 2012, the City was notified of our award of a Safe Routes to School (SRTS) grant for the construction of infrastructure projects around the Piqua Junior High School site, Washington Intermediate School site, and the Wilder Intermediate School site. As a part of these construction improvements, there will be modifications to the traffic control devices within the project limits. The following areas will be modified:

- Park Avenue & Westview Drive – Convert from 2-way stop to a 4-way stop.
- Park Avenue & Parkway Drive – Convert from 2-way stop to a 4-way stop.
- College Street & Ash Street – Remove existing traffic signal and make a 2-way stop with Ash Street being the stop street.
- College Street & Greene Street – Remove existing traffic signal and make a 2-way stop with Greene Street being the stop street.
- College Street & North Street – Remove existing traffic signal and make a 2-way stop with North Street being the stop street.
- Broadway & North Street – Remove existing traffic signal and make a 2-way stop with North Street being the stop street.
- Downing Street and W. High Street – Remove the existing traffic signal and make a 4-way stop.
- Downing Street and Ash Street – Remove existing traffic signal and make a 4-way stop.

All of these intersections were evaluated as a part of the Intersection Improvements Study and as a part of the Safe Routes to School design. While the Safe Routes to School Project is not scheduled to be constructed until this summer, we are bringing this ordinance before Commission at this time due to the lengthy timeframe that it takes to remove a signal.

Commissioners raised several questions concerning the removal of the Traffic Signal at Broadway and North Streets due to the close proximity of the Piqua Catholic North Street School Campus. Commissioners stated they would like to see a 4-way stop at Broadway and North St.

City Engineer, Amy Havenar provided a short video showing how the rectangular rapid flashing beacons would work, stating they are very attention grabbing. Ms. Havenar further stated there is an Educational program that will be provided to the schools to educate the students on the proper way of crossing the street with the stop signs and flashing lights.

Commissioner Vogt voiced his opinion on the Safe Routes to School program, further stating he will vote no on any legislation that takes the traffic signal out at Broadway and North.

Commissioner Wilson stated he has received a lot of calls regarding the removal of the traffic signal at Broadway and North Streets and is not sure a 2-way stop is the best idea, and also stated he received concerns about the removal of all the traffic signals on College Street.

Commissioner Martin made a motion to amend Ordinance 3-15, and it was seconded by Commissioner Vogt to remove Broadway and North Street from the Ordinance at this time. No vote was taken at this time.

City Manager Huff stated minor changes can possibly be made to the Ordinance.

Commissioner Terry stated she still would like to see a 4-way stop on College and Greene Streets, and asked if the Safe Routes to School Program would be affected if the City did not follow the guidelines they had set in place at Broadway & North Streets

Commissioners voiced their concerns about the removal of the traffic signal at Broadway and North Streets with Piqua Catholic North Street Campus located so close to the corner. Also there is further concern about having 2-way stops on College street versus 4-way stops at several of the intersections, do not like the fact of a two way stop at the corner of Downing and High with the number of children and pedestrians that cross there by the YMCA, and discussing curb extensions.

There was discussion about amending the Ordinance to remove several of the intersections from the Ordinance at this time. City Manager Huff stated they would look at the Ordinance and take in to consideration of the amendments the Commissioners would like to see, and provide further information before the next Commission Meeting.

The motion made by Commissioner Martin, and seconded by Commissioner Vogt to remove Broadway and North from Ordinance 3-15 was withdrawn at this time.

Mayor Fess stated this is the second reading and we will try and get answers to some of the questions and see if changes can be made before the next reading.

Commissioner Wilson expressed concern over the turn lanes at Downing and High Streets on the south side, and possibly removing them to allow parking so they are not used as turn lanes, and asked that they also look into removing the turn lanes.

### **PUBLIC COMMENT**

No one came forward to speak for or against Ordinance No. 3-15.

Ordinance No. 3-15 was given a Second Reading.

### **RES. NO. R-24-15**

A Resolution authorizing a purchase order to Supreme Irrigation Inc. for the purchase and installation of a new irrigation control system for Echo Hills Golf Course

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

The old equipment dates as far back as 1988 and can no longer find parts to maintain it. Five companies submitted a total of eight bids. Mr. Kirt Huemmer thoroughly reviewed the specifications and bids and recommended the Toro Lynx CE with VP Satellite System from Supreme Irrigation Inc. The Toro system is the top of the line and we can keep our spare parts from the current system to use for repairs if needed in the future, stated Ms. Holtzapple. The work will include the purchase and installation of the control system only, no new pipeline will be going in at this time. Basically, we are upgrading the communication system between the central control site to the field satellites, also included is an additional year of warranty.

Commissioner Martin asked how long the original warranty is for that comes with the system?

Ms. Holtzapple stated one year only, thus the reason for the additional warranty..

Commissioner Terry stated the City needs to maintain the golf course and we need to have a working irrigation system.

### **Public Comment**

No one came forward to speak for or against Resolution R-24-15.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-24-15 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-24-15 adopted.

### **RES. NO. R-25-15**

A Resolution authorizing a purchase order with A-1 Reliable Services for the removal of dead Ash trees and stumps at the Echo Hills Golf Course

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

Over the last few years, Bob Graeser and Kirt Huemmer has been monitoring the emerald ash bore activity to the golf course trees. There are approximately 45 dead ash trees and numerous stump that have deteriorated and are hazardous for the golf course. In the past the city has worked with JVS students to remove trees as needed, but they do not have the capability or expertise to take down this many large trees in a short period of time. The best time to do this work is while the ground is frozen. It is safer to have this work done before the course is opened to the public for the upcoming season, as there is the potential of these trees falling at any time if we had a strong wind storm that typically happens in the Spring. We are asking that Resolution No. R-25-15 be approved as the timeline is that they would start immediately and it would take approximately 2-3 three weeks to complete. We will continue to monitor the other trees and remove them at a later time as needed, stated Ms. Holtzapple.

Law Director Stacy Wall stated with the intent for work to start immediately, Resolution R-25-15 will need to be amended under Section 3, as it states the resolution will not take effect for ten days after publication, and this needs to be written and passed as an emergency. The reason for the emergency is the ground is frozen and the trees need to be removed now, the golf course has to be prepared now before golf season opens, so with the emergency written the contractor can get in there tomorrow to begin removing the trees, stated Ms. Wall.

Moved by Commissioner Vogt, seconded by Commissioner Martin to amend Resolution No. R-25-15 under Section 3, as stated by Ms. Wall. Roll call, Aye: Fess, Terry, Wilson, Martin, and Vogt. Nay, None. Motion carried unanimously.

#### **Public Comment**

Greg Neves, W Greene Street came forward and asked what will be done with the lumber after taking the trees down.

Kirt Huemmer, Golf Course Supervisor stated the company taking the trees down has already contracted to have the trees mulched.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-25-15 be adopted, as amended. Roll call, Aye: Wilson, Terry, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No R-25-15 adopted, as amended.

#### **RES. NO. R- 26-15**

A Resolution authorizing the Law Director to petition the Board of County Commissioner, Miami County, Ohio for a change in the boundary lines of Washington Township

Law Director Stacy Wall provided the Staff Report.

This is the last step in the process of the annexation of the property for the Water Treatment Plant. This came before the Commission in December to detach and re-annex the property into the City of Piqua. The Miami County Commissioners have approved the annexation and this step allows the Law Director to take the paperwork to the County Engineers Office to have the maps redrawn showing the boundaries of the property being removed from the township and being placed into the City, and also allows for proper taxing of the property with the new boundary.

#### **Public Comment**

No one came forward to speak for or against Resolution No. R-26-15

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-26-5 be adopted. Roll call, Aye: Vogt, Wilson, Terry, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-26-15 adopted.

**RES. NO. R-27-15**

A Resolution authorizing a purchase order to Best Equipment Co. for the purchase of a Refuse Packer Truck

Amy Welker, Health & Sanitation Director provided the Staff Report.

This truck will be an addition to the fleet of vehicles the Sanitation Department is currently using, and will allow us to move forward with the in-house recycling program to begin May 1, 2015. Two items were considered when selecting the bid, one was price, and the second was the delivery time. This truck had the shortest delivery date being 30-45 days. This was budgeted in the 2015 budget and we will be using reserve funds, stated Ms. Welker.

**Public Comment**

No one came forward to speak for or against Resolution R.27-15.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-27-15 be adopted. Roll call, Aye: Martin, Vogt, Wilson, Terry, and Fess. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-27-15 adopted.

**RES. NO. R-28-15**

A Resolution 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

Don Friesthler, Water Plant Superintendent provided the Staff Report.

In November 2012, CDM Smith was contracted by the City of Piqua to engineer and design the off-site pipeline project for the design of the new Water Treatment Plant. In September 2014, the plans for the new plant and pipeline project were finalized by the Ohio EPA. In October 2014, bids were opened for the construction of the off-site pipeline project and now this resolution to award the contract to J&J Schlaegel, Inc. is before the Commission for approval. In November of 2014, a resolution was passed authorizing the intent to award the contract to CDM Smith for loan purposes. This resolution will allow CDM Smith to oversee all aspects of the construction of the pipeline project and ensure that it follows the plans as designed, stated Mr. Friesthler.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-28-15 be adopted. Roll call, Aye: Fess, Martin, Vogt, Wilson, and Terry. Nay None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-28-15 adopted.

**RES. NO. R-29-15**

A Resolution awarding a contract to J & J Schlaegel, Inc. for the Off- Site Pipeline Project as part of the new Water Treatment Plant

Don Friesthler, Water Plant Superintendent provided the Staff Report.

The off-site pipeline portion of the new Water Treatment Plan Project will allow for the construction of new water lines, finished water lines, and a new sludge line along SR 66. This project is needed to tie pipeline for the new Water Treatment Plant into our existing system, stated Mr. Friesthler. Bids were received and J & J Schlaegel was the low bidder. In November 2014, Resolution No. R-119-14 was passed authorizing the intent to award the contract to J & J Schlaegel for loan purposes.

Commissioner Terry asked if Mr. Friesthler would explain the reason for the off-site pipeline. Mr. Friesthler explained the need for the off-site pipeline.

### **Public Comment**

No one came forward to speak for or against Resolution No. R-29-15.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-29-15 be adopted. Roll call, Aye: Terry, Fess, Martin, Vogt, and Wilson. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-29-15 adopted.

### **RES. NO. R-30-15**

A Resolution requesting authorization to enter into an agreement with Bowser-Morner, Inc. for the testing and observation services for the Off-Site Pipeline project as a part of the new Water Treatment Plant

Amy Havenar, City Engineer provided the Staff Report.

This resolution would allow the City to hire Bowser-Morner, Inc. for the necessary testing and observation services for the construction of the new raw water line, finished water lines and the new sludge line to and from the new water treatment plant, stated Ms. Havenar.

### **Public Comment**

Bill Jaqua, N. Sunset Drive came forward and voiced his concern over the cost of the project and the debt the city has now.

City Manager Huff answered Mr. Jaqua's questions.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-30-15 be adopted. Roll call, Aye: Vogt, Wilson, Terry, Fess, and Martin. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-30-15 adopted.

### **Monthly Reports**

Monthly Reports were accepted.

### **City Manager's Report**

City Manager Huff stated he provided his report at the beginning of the meeting and had nothing further at this time.

### **Commissioners Comments**

Commissioner Vogt stated Friends of the Piqua Parks are still in need of donations for the Pitsenbarger Statue, and can be sent to Friends of the Piqua Parks, P. O. Box 270, Piqua, Ohio 45356.

Commissioner Terry stated she was happy to see all people in the audience, but unhappy they are unhappy. It is good to know that people are interested in what happens in the City and residents can receive information in many ways including the Spirit Newsletter, website, Channel 5, Piqua Alert, and in the Piqua Daily Call, and would like to see more interest in the future.

Mayor Fess encouraged residents to come to the meetings and voice their thoughts and concerns, and can also contact the City Commissioners to voice their opinions.

Commissioner Wilson also stated he was glad to see the residents attending the meeting, and to contact any of the Commissioners to voice their opinions not just on Facebook. Also in regards to the 2% rate increase causing hundreds of dollars of increase, it does not make sense. We will get to the

bottom of this. Please take the time to make an appointment to come in and work on a solution, stated Commissioner Wilson.

Mayor Fess encouraged residents to contact City Offices to make an appointment to come in and go over their utility bills so the City can get to the bottom of the situation.

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

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LUCINDA L. FESS, MAYOR

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

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