

**MINUTES
PIQUA CITY COMMISSION
Tuesday, April 21, 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, Vogt, Wilson, and Martin. Absent: None.

Mayor Fess read an Official Statement on the Rules of Conduct for the Piqua City Commission Meetings.

REGULAR CITY COMMISSION MEETING

PROCLAMATION – NATIONAL BIKE MONTH

Mayor Fess read the proclamation and presented it to Mike Gutmann and Jim Hemmert.

Mike Gutmann thanked the City of Piqua and the Commissioners for the proclamation.

Mr. Gutmann is Co-Chair of the Miami Valley Cycling Summit that is being held in Piqua at the Fort Piqua Plaza on May 29 and he provided a brief overview of the events.

Tom Hudson, Downing Street, came forward stating he wanted to thank Mike & Elizabeth Gutmann for co-chairing the Miami Valley Cycling Summit. Mr. Hudson also provided a brief overview of the River Summit Conference he attended this year, and encouraged citizens to attend the Bicycle Summit and the Cyclovia.

Jim Hemmert, Boone Street, stated the Miami Valley Centre Mall is promoting May as bike month with window displays, with 5 windows painted by Michel Glass. Mr. Hemmert also reminded citizens that Bike to Work week is also coming up and to begin to make plans to ride their bike to work.

Mayor Fess thanked all that are involved in the many activities that are taking place in the City of Piqua.

Consent Agenda

Approval of Minutes

Approval of the minutes from the April 7, 2015 Regular Piqua City Commission Meeting.

RES. NO. R-72-15

A Resolution appointing a member to the Civil Service Commission

RES. NO. R-73-15

A Resolution appointing a member to the Miami County Community Action Council Board

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

NEW BUSINESS

ORD. NO. 5-15 (1st Reading)

An Ordinance amending Section 94.23 (I) relating to Curfew and Prohibitions on use of Parks and Gazebo

Bruce Jamison, Chief of Police, provided the Staff Report.

Chief Jamison stated this problem was discussed at a City Commission Work Session in February, 2015 after multiple complaints had been received regarding unruly behavior of unsupervised juveniles disturbing patron of the Fort Piqua Plaza (Library, Plaza rentals, food service entities). Efforts to curtail these problems have ranged from discussions with the children that frequent the area on proper behavior and language, to physical arrest of juveniles. Most of the complaints have not come thru the Police Department, but the police have been notified later that citizens fear to be in the area, afraid to get out of their cars because of intimidating tactics, and the use offensive language.

There has also been damage done to the gazebo with youth observed climbing on the roof, and doing dangerous activities around the gazebo, stated Chief Jamison.

Ordinance No. 5-15 would expand the existing park curfew and prohibitions and require minors using the park facilities in that immediate area to be supervised. This allows for the enjoyment of facilities in structured settings where the juvenile's behavior can be controlled for the enjoyment of everyone in the area, this is also safer for the children. The language regarding proper supervision already exists in Chapter 139 of the Piqua City Code, to allow exceptions to the curfew for minors engaged in supervised activities outside of the nighttime curfew hours, stated Chief Jamison.

In conjunction with this Ordinance, non-legislative regulations will be applied to the areas owned by the city that are neither part of the leased space nor the park, most notably the stairs and the ramp near the Library entrance. The Library and the Police staff will both be able to monitor the area, issue warnings when appropriate, and then the Police can take enforcement action against those that do not comply with the regulations and warnings, stated Chief Jamison.

PUBLIC COMMENT

Commissioner asked several questions regarding the ways to enforce the ordinance and how to eliminate the problems. Chief Jamison addressed the questions. Several suggestions were made on how to discourage the juveniles from congregating in the areas.

Doug Smith, W. High Street, came forward and voiced his opinion on the ordinance, further stating there has been vandalism on the Bike Path and at Lock 9 also. One of his suggestions was to have the juveniles do embarrassing community service instead of paying fines.

Tom Hudson, N. Downing Street, came forward and asked if it would be possible to include Lock 9 Park in the Ordinance as there has been considerable damage done there also.

Nick Alexander, S. Roosevelt, came forward and voiced his concern over the ordinance stating he would like to see monitoring by parents or guardian added to the ordinance.

Tom Beck, Garfield Street, came forward and voiced his opinion on the Ordinance, further stating he disagrees with a government body dictating policy to the youth. The Police need to form a bond with the youth, stated Mr. Beck.

Mary Francis Rodriguez, N. Downing Street came forward and voiced her support of the Ordinance.

Ralph Green, Beverly Drive came forward stating several instances of unruly behavior that he had witnessed first-hand.

Jim Oda, Library Director, came forward stating he wants everyone to have access to the Library and feels there are just few individuals causing problems for the patrons, and does not want that to stop them from coming to the Library. They should feel safe and secure when coming in and out of the Library stated Mr. Oda. This Ordinance will provided the Police Department with a tool to help eliminate some of the issues they are having with the youth. This is a simple straight forward Ordinance and the Library Trustees are endorsing the passage of Ordinance 5-15, stated Mr. Oda.

Commissioner Vogt asked if the Library had the same problem at the Library's previous location.

Mr. Oda stated yes.

Vickie Reed Coronada Ct. came forward and expressed her support of the Ordinance, further stating she has personally witnessed several issues.

Ordinance No. 5-15 was given a first reading.

ORD. NO. 6-15 (1st Reading)

An Ordinance amending Sections 154.027 of the City of Piqua Code of Ordinance to all a place of worship in a I-1 Light Industrial Zoning District

Chris Schmiesing, City Planner, provided the Staff Report.

This item was presented to the Planning Commission in response to a request from the owner of the property located at 8564 County Rd. 25-A in Piqua. The owner would like to lease the property to a Place of Worship. Currently a Place of Worship is permitted in all districts except the Industrial zoning designation. Vacant or commercial building spaces are often well suited to the needs of this use type stated Mr. Schmiesing.

After review the Planning Commission concluded it would be prudent to include provisions to allow the Place of Worship as a principal permitted use in the I-1 Light Industrial zoning district.

PUBLIC COMMENT

Nick Alexander, Roosevelt Avenue, came forward and voiced his opinion on changing the Zoning Designation at this time.

Commissioners asked several questions regarding the change in the Zoning Designation, Mr. Schmiesing provided the information.

Ordinance No. 6-15 was given a first reading.

Resolution No. R- 74-15

A Resolution authorizing the City Manager to sign the PY 2015 CHIP Program Partnership Agreement by and between the Miami County Board of Commissioners and City of Piqua for the

Ohio Development Services Agency (ODSA) Community Housing Impact and Preservation (CHIP) Program

Development Program Manager, Nikki Reese, presented the Staff Report.

The City of Piqua intends to partner with the Miami County Board of Commissioners to apply to the Ohio Development Services Agency (ODSA) for funding under the Program Year 2015 Community Housing Impact and Preservation (CHIP) Program. Through this partnership Miami County and the City of Piqua is eligible for \$850,000 of CHIP Program funding provided we meet applicable programing requirements, stated Ms. Reese.

The Chip application is due May 1, 2015 and the city will be notified sometime in September 2015 if the application is funded. If funded we will be able to start implementing the program in January of 2016 stated Ms. Reese.

City Manager Huff stated Nikki has only been with the City a short time but has already been able to get close to 3 Million dollars in grant funds, and we are extremely pleased on what she is accomplishing.

Public Comment

No one came forward to speak for or against Resolution No. R-74-15

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution R-74-15 be adopted. Roll call, Aye: Vogt, Fess, Wilson, Terry and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-7415 adopted.

RES. NO. R-75-15

A Resolution authorizing an amendment to the Zoning Map to change the Zoning Designation of 8620 and 8654 N. Co. Rd. 25-A to I-1 (Light Industrial)

Chris Schmiesing, City Planner, provided the Staff Report.

Mr. Schmiesing stated this was presented to the Planning Commission at a Public Hearing on April 14, 2015. Currently portions of the subject locations include a B (General Business) zoning designation that is not entirely compatible with the business park use activities anticipated at this location. The Planning Commission concluded the I-1 (Light Industrial) zoning designation would be more appropriate zoning for this location than the current B (General Business) zoning designation. No one came forward from the public to speak for or against this change in zoning designation. The Planning Commission unanimously recommended approval of the proposed change to the zoning designation of the subject property, stated Mr. Schmiesing.

Public Comment

No one came forward to speak for or against Resolution No. R-75-15.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-75-15 be adopted. Roll call, Aye: Vogt, Fess, Wilson, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-75-15 adopted.

RES. NO. R-76-15

A Resolution authorizing a purchase order to the McLean Company for the purchase of an asphalt paver and compaction roller for the Street Division of Public Works

Brian Brookhart, Assistant Public Works Director, provided the Staff Report.

The Street Division of the Public Works Department currently has a small paver and roller, but with City Commission approving more money to the Street Division of Public Works for paving, the current equipment is not efficient at performing the amount of work we will be doing. Both the asphalt paver and the roller are on the State Bid and we also looked at the State Bid for Volvo on comparable pavers and roller with the McLean Company being \$89,184 less than Volvo, stated Mr. Brookhart.

With this new purchase it will give the Street Department the ability to pave more streets in a more efficient and timely manner. The new asphalt paver and compaction roller will be ordered right away and delivery is expected in 30-60 days, said Mr. Brookhart.

Commissioners asked several questions regarding paving and the type of roller the City has now, and its use on several of the city streets previously. Mr. Brookhart answered all questions.

City Manager Huff stated the Commission held a work session on this last year.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-76-15.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-76-15 be adopted. Roll call, Aye: Wilson, Terry, Martin, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-76-15 adopted.

RES. NO. R-77-15

An Emergency Resolution authorizing the City Manager to accept, and enter into a supplemental Water Pollution Control Loan Fund Agreement on behalf of the City of Piqua for planning, design and/or construction of Wastewater Facilities; and designating a dedicated repayment source for the loan

Cynthia Holtzapple, Assistant City Manager/Finance Director, stated the Dave Davis, Wastewater Plant Superintendent, stated the original Plan called for the use of High Rate Treatment (BioActiflo) to remove the SSO from the collection system. That plan is no longer an option, proven by the pilot study, as it was unable to perform as needed for the SSO removal. The Amended Facility Plan calls for a new and approved liquid treatment train that will handle all projected flows. This was presented to the City Commission at the February 2015 Work Session and also approved by the OEPA. The Amended Facility Plan requires that the City perform Detailed Design next, and the original loan amount requested and previously approved will not cover the cost for this option. The City submitted a supplemental loan application to WPCLF-DEFA for the additional \$1.4 M needed. The current interest rate is 2.03% but is subject to change each month until the loan is finalized. The repayment term is for five year, Ms. Holtzapple.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-77-15.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No, R-77-15 be adopted. Roll call, Aye: Terry, Martin, Fess, Vogt, and Wilson. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-77-15 adopted.

MONTHLY REPORTS – FEBRUARY 2015

Monthly Reports for February 2015 were accepted.

PUBLIC COMMENT

Jeff Lange, St. RT 66, came forward and provided a brief overview of the events of the upcoming Miami Valley Bicycling Summit on May 29, and the Cyclovia being held in downtown Piqua on Saturday, May 30, 2015.

Mr. Lange also thanked all of POW volunteers who helped with the Annual River Clean Sweep recently, and announced the next River Clean Sweep is scheduled for July 18th, 2015 and encourage citizens to volunteer their time.

Mr. Lange voiced his opinion and support of Ordinance No. 5-15.

Mr. Lange also stated there is a lot of focus on the Bike Bath and would like to have more volunteers to help oversee the use as they are only two volunteers left, and would like to have better communication with the Police Department to report incidents as they see them in the future.

Mr. Lange reminded citizens of several upcoming events in the City of Piqua, Rock Piqua Concerts on June 20, July 18, and August 1, Down the River Down a Beer to be held on August 22; both of the events will be held at Lock 9 Park.

Mayor Fess thanked Mr. Lange for all his volunteer work and support of the City of Piqua.

Brad Boehringer, Mound Street, came forward and voiced his support of the Miami Valley Cycling Summit stating he hopes to volunteer.

Mr. Boehringer also voiced his opinion on Ordinance No. 5-15 stating he agrees it is needed, and asked if it would be possible to have the Bike Bath volunteers patrol the area in question.

City Manager Huff stated they would take it under consideration.

City Manager's Report

City Manager Huff stated the Piqua Fire Department is heading up a CO Detector Program and have collected about \$5000 from local businesses. For information on receiving a CO Detector citizens can contact the Salvation Army.

City Manager Huff announced Piqua Arbor Day is being celebrated on Monday April 27, 2015 at Edison Child Development Center.

City Manager Huff stated the Power Systems is working on the Low Dam behind the Power Plant and the water level will be down for about a two week period while they are working.

City Manager Huff stated the City received a Special Award for being certified as a Tree City USA for 20 Years.

City Manager Huff also announced the City Employee "Give Committee" was named the 2015 Career Based Intervention Partner of the Year for the Back Pack Program. The Back Pack Program provides non-perishable foods to high school students on weekends, holidays and during summer vacation.

City Manager Huff stated the city plans to begin paving very soon with plans to pave approximately twenty streets this year.

City Manager Huff asked Assistant City Manager/ Economic Development Director Justin Sommer to provide an update on economic development in the City.

Justin Sommer provided a brief update of the activities that have taken place in the City of Piqua, and recently announcing several businesses opening and how they are focusing on retention and expansion projects in the future.

Commissioners Comments

Commissioner Wilson stated there are such a small number of young adults that are creating the problems downtown, and hopes to be able to curtail some of the issues in the future.

Commissioner Terry stated she received a complaint about broken glass on the Bike Path. City Manager Huff stated it has been cleaned up several times and will continue to clean it up as noted.

Commissioner Terry announced the City Clean-Up Day is scheduled for Saturday, May 9, and encouraged citizens to take a look around their homes and pick up and clean up as needed.

Commissioner Terry also announced the Piqua Community Foundations Cakes for a Cause is scheduled for Friday, April 24 and encouraged citizens to go out to the Miami Valley Centre and view the cakes and place their bids.

Commissioner Terry congratulated Piqua's Assistant City Manager/Economic Development Director Justin Sommer, and Law Director Stacy Wall on their performance with the Piqua Arts Council Dancing with the Stars, They both did a wonderful job, stated Commissioner Terry.

Commissioner Terry also reminded citizens the Taste of the Arts is scheduled for May 15, in downtown Piqua.

Commissioner Vogt stated he also received an email about the broken glass on the Bike Path.

Mayor Fess congratulated Justin Sommer and Stacy Wall on their wonderful dancing skills further stating she enjoyed watching them perform along with enjoying the delicious dinner.

Justin Sommer stated he wanted to recognize the Piqua Arts Council and all the work they do in the Community.

Chris Schmiesing, President of the Piqua Arts Council, came forward and provided a brief overview of the 2015 Dancing with the Piqua Stars event and of the other events the Piqua Arts Council provides.

Mayor Fess stated the City of Piqua has a lot of great young people, with just a few causing problems.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Commission Meeting at 9:35 P.M. Voice vote, Aye: Martin, Wilson, and Terry. Nay: None.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION