

**MINUTES
PIQUA CITY COMMISSION
Tuesday, September 1, 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.

PROCLAMATION: PROSTATE CANCER AWARENESS MONTH

Mayor Fess read the proclamation.

PROCLAMATION: NATIONAL PREPAREDNESS MONTH IN THE CITY OF PIQUA

Mayor Fess read the proclamation and presented it to Law Director Stacy Wall.

PUBLIC HEARING:

DP&L/Vectren Franchise Agreement Ms. Stacy Wall, City of Piqua Law Director

Moved by Commissioner Terry, seconded by Commissioner Wilson, to move into the Public Hearing. Voice vote, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None.

Law Director Stacy Wall asked anyone that wanted to speak in reference to the Franchise Agreement with Vectren Energy to please stand and raise their right hand to be sworn in by the Commission Clerk Rebecca Cool.

Commission Clerk Cool read the oath to the only individual standing, Colleen Ryan, the President of Vectren Energy Delivery.

Law Director Stacy stated the Piqua Charter requires the City hold a Public Hearing.

Ms. Wall went through the report that was prepared for the Commissioners. This is the Public Hearing and there will be three readings of the Ordinance to follow at the next regularly scheduled City Commission Meeting. This memo will serve as the Public Report as required by the Charter. The City Engineer was involved in the review of the terms, and indicated Vectren has been cooperative and has been performing in accordance with the proposed terms. There are 6 significant changes and Ms. Wall explained them, as the changes are in conformance with the relationship and process between the City of Piqua and Vectren. In addition to these changes, Vectren will be required to follow any other City, State or Federal requirements or regulation. Commissioners received a copy of the proposed ordinance explaining what the terms would be on the franchise agreement. The Ordinance is actually the Franchise Agreement but the way the Charter is written it becomes an Ordinance. The original agreement was completed in 1887 and no changes have been made to the terms and conditions since then.

Ms. Wall introduced Colleen Ryan, President of Vectren Energy Delivery to answer questions.

Public Comment

Nick Alexander, S. Roosevelt, who was not sworn in, came forward to ask where to find a copy of the agreement.

Ms. Wall explained she was not asking for questions at this meeting about the agreement, this is the Public Hearing to ask questions about the proposed Franchise and what happens with Vectren. The agreement was posted on the website for the public to view, stated Ms. Wall.

Moved by Commissioner Martin, seconded by Commissioner Vogt to adjourn from the Public Hearing at 7:40 P.M. Voice vote, Aye; Fess, Wilson, Fess, Vogt, and Martin. Nay: None. Motion carried unanimously.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the August 18, 2015 Regular Piqua City Commission Meeting.

Moved by Commissioner Terry, seconded by Commissioner Martin to amend the Minutes of the August 18, 2015 Piqua City Commission Meeting, in Ordinance No. 10-15, under the Public Comment to read: *Gary Koenig, Peregrine Place, Candidate for 4th 5th Ward Commissioner/Mayor came forward and voiced his opinion on the assessment process.* Voice vote, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously to amend the minutes as stated.

RES. NO. R-118-15

A resolution of Appreciation for the Public Service of William J. Liddy as a City Employee

Mayor Fess read the Resolution of Appreciation and gave it to City Manager Huff as Mr. Liddy was not in attendance.

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

OLD BUSINESS

ORD. NO. 10-15 (3rd Reading)

An Ordinance to levy Special Assessments to pay for the cost of nuisance abatement assessment

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

The city abates nuisance conditions such as mowing high grass, removing trash, trimming trees, and demolishing structures according to city code. The assessments take place after the property owner has been notified of the condition and is given a timeframe to comply with the code. Failure to comply results in the abatement, stated Ms. Welker.

If the property owner fails to pay the abatement cost then the costs are certified to the County Auditor to be placed on their property taxes.

The Miami County Auditor only accepts these assessments one time per year, and the assessments are due to the Auditor by September 14, 2015.

Several of the property owners have paid since the last reading and have been removed from the list, stated Ms. Welker.

Commissioner Vogt asked if the property owners are not paying the mowing bills are they paying their property taxes? Ms. Welker explained.

Commissioner Martin asked several questions and if anyone has tried to contact someone at Hope Chapel about their mowing bills? Ms. Welker stated yes, and provided additional information.

Commissioner Wilson stated as most of the assessments are grass related he asked Ms. Welker to provide the height limit of the grass before a violation is issued. Ms. Welker stated the grass has to be 8 inches in height before a violation is issued.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 10-15 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 10-15 be adopted. Roll call, Aye: Terry, Fess, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously, Mayor Fess then declared Ordinance No. 10-15 adopted.

NEW BUSINESS

RES. NO. R-119-15

A Resolution authorizing a contract with Fifth Third Bank, JPMorgan Chase Bank, NA, U.S. Bank, N.A., Unity National Bank and MainSource Bank to serve as depository for public funds

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

State regulations requires depository agreements to be in force before political subdivisions can maintain interim funds and bank balances at qualifying financial institutions. The city currently has agreements with Fifth Third Bank, JPMorgan Chase Bank, NA, U.S. Bank, N.A. Unity National Bank, and MainSource Bank which will expire on September 30, 2015. This resolution allows the city to deposit with these institutions, but does not require us to do it, stated Ms. Holtzapple.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R119-15.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-119-15 be adopted. Roll call, Aye: Fess, Terry, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Res. No. R-119-15 adopted.

RES. NO. R-120-15

An Emergency Resolution authorizing a purchase order to Best Equipment Co. Inc. for the repair of trucks for the Underground Utilities Department

Shane Johnson, Underground Utilities Superintendent, provided the Staff Report.

Due to a recent unforeseen malfunction with the Vac Com Truck, we need to increase the expenditure amount not to exceed from \$35,000 to \$60,000. This will allow for repairs to the vacuum compressor assembly unit on the Vac Con truck and hopefully cover any future repairs to this truck and other trucks serviced by Best Equipment this year, stated Mr. Johnson. Best Equipment Co, Inc. is used for repairs to several other vehicles, and they are very specialized and the sole source for parts and repairs. Due to the age of these vehicles, the warranties have all expired, said Mr. Johnson.

Commissioner Vogt asked if any of the equipment was broken down now, if so which one? Mr. Johnson stated yes, the Vac-Con Truck.

Public Comment

Nick Alexander, S. Roosevelt asked if this was the same piece of equipment that was broken down and repaired recently. Mr. Johnson stated yes, but not for the same problem.

Moved by Commissioner Wilson, seconded by Commissioner, Terry, that Resolution No. R-120-15 be adopted. Roll call, Aye: Martin, Terry, Wilson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-120-15 adopted.

RES. NO. R-121-15

An Emergency Resolution authorizing a purchase order to ProGrade Excavation & Demolition, LLC for the Storm water Repair on E. Water Street for the Underground Utilities Department

Devon Alexander, Storm Water Coordinator, provided the Staff Report.

On June 15, 2015 the City suffered a major Storm Water pipe collapse on the corner of E. Water Street and Race Street. The city underground utility crew responded, but due to the severity and nature of the damage it was determined that a contractor would need to properly repair the site. With approval of the City Manager, ProGrade Excavation was contacted to make the needed repairs.

Commissioner Martin asked several questions regarding the aging storm sewer. Mr. Alexander explained.

Commissioner Terry asked if this company has been used before. Mr. Alexander stated yes, and we have been very satisfied with their work.

Public Comment

No one came forward to speak for or against Resolution No. R-121-15 at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-121-15 be adopted. Roll call, Aye: Fess, Terry, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Res. No. R-121-15 adopted.

RES. NO. R-122-15

A Resolution authorizing the City Manager to contract with the Miami County Public Defender Commission

Stacy Wall, Law Director, provided the Staff Report.

The City recognizes its responsibilities under the law of the State of Ohio to provide legal counsel to indigent person charged with loss of liberty offense in the Municipal Court. The contract is for one year commencing January 1, 2016. Currently there are three Public Defenders in Miami County, stated Ms. Wall.

Commissioner Wilson asked what the guidelines were to qualify for assistance by the Public Defender. Ms. Wall explained the guidelines for receiving assistance.

Public Comment

No one came forward to speak for or against Resolution No. R-122-15 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-122-15 be adopted. Roll call, Aye; Martin, Fess, Terry, Wilson, and Vogt. Nay, None. Motion carried unanimously. Mayor Fess the declared Resolution No. R-122-15 adopted.

RES. NO. R-123-15

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

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

The City currently has an annual purchase order with Kirk National Lease for heavy equipment repairs. At this time we are requesting an increase in the purchase order from \$21,000 to \$45,000 to cover additional repairs that may be needed in the upcoming months. Kirk National Lease has worked on the equipment for several years and we have always been very satisfied with their turn-around on our repairs and their competitive rates, stated Mr. Brookhart.

City Manager Huff noted that Purchase Orders are issued for a certain amount at the beginning of the year, and are adjusted as needed during the year.

Public Comment

No one came forward to speak for or against Resolution No. R-123-15 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No R-123-15 be adopted. Roll call, Aye: Fess, Terry, Wilson, Vogt, and Martin. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No.R-123-15 adopted.

RES. NO. R-124-15

A Resolution authorizing to increase the initial annual purchase order for Dick Lumpkin's Auto Body for 1-Ton and Under Equipment repairs for the Public Works Department

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

The City currently has an annual purchase order with Dick Lumpkin's Auto Body for small truck repairs. We would like to increase the purchase order from \$22,000 to \$40,000 to cover any additional repairs that may be needed in the upcoming months, stated Mr. Brookhart.

Commissioner Martin asked is this for paint and body work? Mr. Brookhart stated no, mechanical work only.

Stacy Wall, Law Director provided additional information regarding insurance coverage on damaged vehicles.

Public Comment

No one came forward to speak for or against Resolution No. R124-15 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-124-15 be adopted. Roll call, Aye: Martin, Fess, Terry, Vogt, and Wilson. Nay, None. Motion carried unanimously. Mayor Fes then declared Resolution No.124-15 adopted.

RES. NO. R-125-15

A Resolution authorizing a purchase order to Cascade Engineering for the purchase of recycling carts

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

The Sanitation Department has received requests for smaller recycling carts. To accommodate the customers who may have a limited amount of recyclable material, the department would like to purchase 32 gallon capacity carts. The carts will be the same design as the original 64 gallon carts. This resolution would allow for the purchase of the carts from the same vendor utilizing the same contract, and is still under the budgeted amount allocated for this project, stated Ms. Welker.

Commissioners asked several questions regarding getting the information out to the customers about the smaller carts, how are the carts identified, can the refuse truck pick up the smaller ones, the color of the smaller carts. Ms. Welker answered all questions.

Public Comment

Nick Alexander, S. Roosevelt, came forward and asked what size of containers will they replace them with in 10 years?

Ms. Welker explained.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-125-15 be adopted. Roll call, Aye: Wilson, Martin, Fess, Vogt, and Terry. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-125-15 adopted.

PUBLIC COMMENT

Jim Burkhardt, Wilshire Drive, came forward and provided a brief overview of the recent Down the River Down a Beer event that took place on August 22, 2015 at Lock Nine Park and the River. Mr. Burkhardt thanked all who were involved and the sponsors in helping to make the Down the River Down a Beer event successful for the 2nd year. A special thank you was given to the City Commission and the City of Piqua for all of their support of the event.

Commissioner Wilson stated the only complaints he heard were that it was only held once a year!

Lisa Dotson, 325 N. Main Street, owner of the recently opened Harvest Pantry came forward and thanked everyone for their support, stating they have been well received by the community and believes they have something for everyone. Ms. Dotson encouraged citizens to stop in and check out the quality products they have to offer.

City Manager Huff stated he has stopped in and the products they offer are excellent.

City Manager's Report

City Manager Huff stated the City Offices will be closed on Monday September 7, 2015 in observance of the Labor Day Holiday.

City Manager Huff also reminded citizens trash pickup will be running a day late due to the holiday.

Commissioners Comments

Commissioner Martin thanked all who help support the special events.

Commissioner Terry congratulated Bill Liddy on his retirement.

Commissioner Terry stated people from all over the area including out of state visitors to the City of Piqua were impressed with the river area and our downtown, further stating it is nice to hear those compliments from out of town visitors

Commissioner Terry stated she attended the Piqua City School Board and Piqua City Commission Joint meeting on August 27, 2015. The discussion revolved around what is going to happen to vacant sites when the schools are torn down. Commissioner Terry further stated the School Board plans to ask the public what they would like to see there and plan to hold public meetings in the neighborhoods in the future.

Commissioner Wilson announced two new businesses opened recently in the downtown. Winans Fine Chocolate and Coffees and Harvest Pantry. Both of these businesses will be a great asset to the downtown.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular City Commission Meeting at 8:25 P.M. Voice vote, Aye: Vogt, Fess, Martin, Wilson, and Terry. Nay: None.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION