

**MINUTES
PIQUA CITY COMMISSION
Tuesday, September 15, 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, Martin, and Trustee McMaken, Trustee Hiegel, and Trustee Hartley. Absent: None.

JOINT MEETING WITH WASHINGTON TOWNSHIP TRUSTEES

Consent Agenda

Approval of the Minutes

Approval of the minutes from the January 6, 2015 Joint Meeting of the Washington Township Trustees and Piqua City Commission

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the January 6, 2015 Joint Meeting of the Washington Township Trustees and the Piqua City Commission be approved. Voice vote, Aye: Wilson, Terry, Martin, Vogt, Fess, Hartley, Hiegel, and McMaken. Nay: None. Motion carried unanimously.

New Business

RES. NO. R-126-15

A Resolution appointing a member to the Board of Trustees of Forest Hill Union Cemetery

City Manager Huff stated Resolution No R-126-15 appoints Frank J. Patrizio to fill the unexpired term of Harlen Smoot on the Forest Hill Union Cemetery Board., with the term to expire December 31, 2015.

Mayor Fess stated Mr. Smoot was a board member for many years and was a great person. Mr. Smoot also always stopping by the cemetery to help out with the everyday work and will be missed by many.

Trustee Hiegel stated Harlen Smoot was a very dedicated member of the Board since 1996 and over the 19 ½ years he only missed 5 meeting, and will be greatly missed. Harlen had an unofficial slogan at the Cemetery that stated: *"If you are at Forest Hill Cemetery, we are the last ones to let you down."*

Moved by Trustee Hiegel, seconded by Commissioner Terry, that Resolution No. R-1-26-15 be adopted. Roll call, Aye: Vogt, Fess, Martin, Wilson, Terry, Hiegel, McMaken, and Hartley. Nat: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-126-15 adopted.

Moved by Trustee Hiegel, seconded by Commissioner Wilson, to adjourn from the Joint Meeting with the Washington Township Trustees and the Piqua City Commission at 7:35 P.M. Voice vote, Aye: Fess, Martin, Wilson, Terry, Vogt, Hiegel, McMaken, and Hartley. Nay: None. Motion carried unanimously.

PROCLAMATION: ROBERT N. HARTZELL DAY IN THE CITY OF PIQUA

Mayor Fess read the proclamation, and presented it to City Manager Huff to present to the Hartzell Family.

EXECUTIVE SESSION

Moved by Commissioner Terry, seconded by Commissioner Martin, to move into Executive Session at 7:40 P.M. to consider the purchase or sale of property for public purposes. Voice vote, Aye: Fess, Wilson, Martin, Vogt and Terry. Nay: None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adjourn from the Executive Session Meeting at 7:50 P.M. Voice Vote, Aye: Fess, Wilson, Martin, Vogt, and Terry. Nay: None

Mayor Fess explained the reason City Manager Huff was wearing an Ohio State Football jersey at the meeting. Ohio State beat Virginia Tech !!!!!

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the August 27, 2015 Piqua City Commission Joint Worksession with the Piqua City School Board, and the approval of the minutes from the September 1, 2015 Regular Piqua City Commission Meeting.

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

NEW BUSINESS

ORD. NO. 11-15 (1st Reading)

An Ordinance granting to Vectren Energy Delivery of Ohio, Inc. and Indiana Gas Company, as tenants in common, their successors and assigns, a gas franchise in the City of Piqua, State of Ohio, for a period of five (5) years, automatically renewing for additional periods of five (5) years unless notice is given, commencing on the effective date of this Ordinance.

Stacy Wall, Law Director, provided the Staff Report.

The original franchise agreement was dated November 15, 1887. No other changes have been made to it other than a name change, and has had no changes to the terms and conditions. Vectren has been in the process of attempting to standardize franchise agreements with all municipalities for operational purposes, and submitted a proposed draft of the new terms and conditions. After review of the draft by City Engineer Amy Havenar and Law Director Wall they are both in favor of the proposed franchise agreement to update the terms and bring it into compliance with the current relationship and process between the City of Piqua and Vectren. In addition to the changes, Vectren continues to be required to follow any other City, State or Federal requirement or regulations. Vectren was more than willing to consider the City's proposed changes and recommendations, and the parties mutually agreed upon the proposed terms, stated Ms. Wall.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 11-15 at this time.

Ordinance No. 11-15 was given a first reading.

RES. NO. R-127-15

A Resolution approving the tax rates for the City as determined by the Miami County Budget Commission

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

Each year about this time, we request an approval of the certified tax rates which will be used to levy property tax on all general duplicates for 2015 to be collected in 2016. These certified rates require the approval of the City Commission and certification to Miami County before October 1, 2015, stated Ms. Holtzaple.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-127-15.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-127-15 be adopted. Roll call, Aye: Fess, Terry, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Res. No. R-127-15 adopted.

RES. NO. R-128-15

A Resolution requesting authorization to enter into an agreement with Korda/Nemeth Engineering, Inc. for the Engineering Design Services for the East Ash Street Bikeway project

Amy Havenar, City Engineer, provided the Staff Report.

The E. Ash Street Bikeway Project will consist of the construction of a multi-use path from Scott Drive/Centre Court to Looney Road on the north side of US Route 36. The separated shared use path will generally utilize the alignment of the existing sidewalk, with a widened sidewalk and vehicular barrier added to the north US Route 36 bridge over I-75, stated Ms. Havenar. The project will tie into the multiuse path being designed and ultimately constructed as a part of the Ohio Department of Transportation's US Route 36 bridge improvement project over the Great Miami River. ODOT will bid both projects simultaneously to ensure coordination between the two projects stated Ms. Havenar. As with all projects utilizing federal money the consultants must be on ODOT's prequalified consultants list, and Korda/Nemeth Engineering Inc. is on that list.

The City has secured Transportation Alternative funding from the Federal Highway Administration of up to \$350,000 for the construction of the project. The engineering design would begin immediately with the project construction scheduled for the summer of 2018, stated Ms. Havenar.

Commissioners asked numerous questions regarding: the funding and the need for the new shared use path when there is already sidewalk in place, the location of the new shared use path on the south or north side of the bridge, how far the path will extend out into the roadway, the reason that ODOT is requiring engineering design, how often the current path is used on a daily basis. Ms. Havenar provided additional information to answer all questions.

Public Comment

Nick Alexander, S. Roosevelt Ave., came forward asked several questions in regards to crossing Route 36 in various locations from the current bike path. City Manager Huff provided additional information regarding the crossing of US Route 36 at the various locations.

Jeff Lange, St. Rt 66, came forward stating that US Route 36 is a very dangerous area, and the installation of the shared use path will eliminate some of the danger while using the path. Mr. Lange further stated he is very much in favor of the city proceeding with this project at this time.

Jim Hemmert, Boone Street, an avid bicyclist came forward and provided additional information regarding the need for the new shared use path, stating it is being done all over the state. Mr. Hemmert shared the number of miles (14,200 miles) that just seven local bicyclists have completed in Piqua this summer

Mike Gutmann, Marymont Drive, also an avid bicyclist came forward and provided additional information on the need for the shared use path, and stating his support of the project. There is a real need for a connector to get around the community. Mr. Gutmann stated he recently attended a Regional Meeting and heard several comments on how Piqua is actively progressing.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to table Resolution No. R-128-15 at this time. Roll call, Aye: Martin, Wilson, Vogt. Nay: Fess and Terry. Motion to table Resolution No. R-128-15 was passed on a 3-2 vote. Mayor Fess stated Resolution No. R-128-15 is tabled at this time.

RES. NO. R-129-15

A Resolution authorizing preliminary consent legislation with the Ohio Department of Transportation (ODOT) for the proposed resurfacing of a portion of US Route 36

Amy Havenar, City Engineer, provided the Staff Report.

ODOT is requesting legislation to complete the resurfacing of US Route 36 from the east corporation limit of the City east to the Village of Fletcher. ODOT requires the permission of the local entity prior the commencement of the work within that entities corporation limit. There is no financial participation required of the City for the completion of this project, all costs will be incurred by ODOT, stated Ms. Havenar.

Public Comment

No one came forward to speak for or against Resolution No. R-129-15 at this time.

Moved by Commissioner Martin. seconded by Commissioner Vogt, that Resolution No. R-129-15 be adopted. Roll call, Aye: Fess, Terry, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Res. No. R-129-15 adopted.

RES. NO. R-130 -15

A Resolution authorizing preliminary consent legislation with the Ohio Department of Transportation (ODOT) for the microsurfacing of a portion of US Route 36

Amy Havenar, City Engineer, provided the Staff Report.

ODOT is requesting legislation to complete the microsurfacing of US Route 36 from the Village of Covington to the west corporation limit of the City of Piqua. ODOT requires the permission of the local entity prior the commencement of the work within that entities corporation limit. There is no financial participation required of the City for the completion of this project, all costs will be incurred by ODOT, stated Ms. Havenar.

Public Comment

No one came forward to speak for or against Resolution No. R-130-15 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-130-15 be adopted. Roll call, Aye; Martin, Fess, Terry, Wilson, and Vogt. Nay, None. Motion carried unanimously. Mayor Fess the declared Resolution No. R-130-15 adopted.

RES. NO. R-131-15

A Resolution preliminary consent legislation with the Ohio Department of Transportation (ODOT) for bridge repairs on State Route 66

Amy Havenar, City Engineer, provided the Staff Report.

ODOT will be performing bridge repairs to Structure File Number 5501652 MIA 66 located north of the Water Treatment Plant on SR 66. The project will consist of patching abutment and deck edges using anodes and encasing piers at the structure. ODOT requires the permission of the local entity prior to commencement of work within that entities corporation limit. There is no financial participation required of the City for the completion of this project, all costs will be incurred by ODOT, stated Ms. Havenar.

Public Comment

Jeff Lange, St. Rt. 66, came forward stating the last time this was done the contractor left some very heavy materials there, and they have now washed out into the spillway area. He stated he just wanted the city to be aware of this.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No R-131-15 be adopted. Roll call, Aye: Fess, Terry, Wilson, Vogt, and Martin. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No.R-131-15 adopted.

RES. NO. R-132-15

A Resolution authorizing a lease with Miami County Amateur Radio Club for radio communications purposes

Stacy Wall, Law Director, provided the Staff Report.

The City of Piqua has leased the water tower at 1243 ½ E. Ash Street to the Piqua Amateur Radio Club since 1987. Effective September 1, 2015 the Piqua Amateur Radio Club has disbanded and all of its assets and functions are now under the Miami County Amateur Radio Club. The City desires to enter into a lease with the Miami County Amateur Radio Club in substantially the same form of lease for use of the City of Piqua Water Tower located at 1243 ½ E. Ash Street.

Scott Swink, President of the Miami County Amateur Radio Club, came forward and provided a brief overview of the role the Miami County Amateur Radio Club plays in the community.

Mayor Fess thanked Mr. Swink for his comments and the service they provide to the community.

Commissioner Terry stated recently she spoke with an old school classmate who stated the Piqua Amateur Radio Club provided valuable communications for the City of Piqua during the 1978 blizzard, and she believes it is very important to support them, as they are supporting the community.

Commissioner Martin stated since the Miami County Amateur Radio Club is a volunteer organization, he would like to see the City of Piqua pick up the Electric Charges for the Miami County Amateur Radio Club at the water tower so they do not have to worry about paying the bill.

Mayor Fess asked if there was an idea on what the electric charges would be. Mr. Swink came forward stating the bill averages \$35.00 a month, or \$420.00 per year.

Commissioner Wilson stated he is fine with paying the electric charges since they are doing a public service for the community, and when there is an emergency they do not charge us to provide services..

Law Director Wall stated the Resolution does not need to be amended. Exhibit A attached is the draft agreement and I can add language to state that it be maintenance free to reflect the change, stated Ms. Wall.

Public Comment

Nick Alexander, S. Roosevelt, came forward and voiced his opinion on why he is in favor of the lease to the Miami County Amateur Radio Club.

Law Director Stacy Wall stated at the last City Commission the City had a proclamation for "National Preparedness Month", and this is very fitting timing wise this is in front of the Commission. There is really no change other than the entity name, now it is one club. The equipment will not be coming up and down off the tower, we have committed them to be there and they are a valuable service to the community, stated Ms. Wall.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-132-15 be adopted. Roll call, Aye: Wilson, Martin, Fess, Vogt, and Terry. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No.132-15 adopted.

MONTHLY REPORTS – JUNE 2015

Mayor Fess stated the Monthly Reports are in for June 2015 and are accepted.

PUBLIC COMMENT

Jim Robinson, Parker Drive came forward and provided a brief overview of the Pitsenbarger Memorial Statue at Pitsenbarger Park. The statue has been vandalized several times and the Veterans Memorial Committee would like to move the memorial to the Veterans Memorial Park at the corner of Washington Avenue and Broadway. There would be no expense to the City and will be moved by the Committee if the City agrees to the move.

Mayor Fess stated she thinks it would be very appropriate to move the Statue to the Veterans Memorial Park. Commissioner Vogt stated he would like to see the statue moved to the entrance of Pitsenbarger Park on South Street. After a brief discussion the majority of the Commissioners were in agreement to allow the Veterans Memorial Committee to move the statue from Pitsenbarger Park to the Veterans Memorial Park.

Law Director Wall asked if someone from the Veterans Memorial Committee would contact her about the liability with regards to moving the statue.

Gary Koenig, Peregrine Place, candidate for 5th Ward Commissioner and Mayor, came forward and inquired if it would be possible to ask ODOT to move up their plans to repair Route 36 from Sunset to College as it is in rough condition. City Manager Huff stated it is already in the work plan.

City Manager's Report

City Manager Huff announced the Piqua BikeFest will take place on Friday September 18, and Saturday September 19 in the downtown area.

On Saturday September the 26th the Active Piqua Committee will be sponsoring another Cyclovia event that will take place on the trail behind the Municipal Government Center from 4:00 P.M. to 9:00 P.M.

Also on Saturday September 26th from 10:00 A.M to 1:00 P.M. the Police Department will be working the DEA on the National Take Back Initiative. A Police Officer will be outside the Municipal Government Complex to accept prescription pills in the original containers. Liquids and needles are not being accepted, only pills.

Commissioners Comments

Commissioner Wilson stated the BikeFest is downtown on Saturday with a lot of outside vendors, but please continue to support our local business.

Commissioner Terry stated the BikeFest was a success last year, but also to remember to support the downtown businesses.

Commissioner Terry also commented on Harlen Smoot stating he called himself the Mayor of Lindsey Street; he did so much more than cooperate with the Cemetery Board, he was always there to help anyone in the neighborhood, and will be missed by many.

Commissioner Wilson stated Mr. Smoot was always coming up and giving advice. When he was out and about in the neighborhood.

Commissioner Vogt stated he is not against moving the statue, further stating he was a good friend and he has a memorial to Bill Pitsenbarger in his side yard at home.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular City Commission Meeting at 8:58 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