

**MINUTES
PIQUA CITY COMMISSION
Tuesday, August 2, 2016 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 Hinds called the meeting to order. Also present were Commissioners Wilson, Vogt, Terry, and Martin. Absent: None.

ANNOUNCEMENTS

No one came forward at this time.

RESIDENCE PRIDE AWARDS

Katie & Josh Maxwell	917 Young Street
Deb Ruummele & Stacy Stang	621 Caldwell
Tonya Bair	428 S. Roosevelt
Beverly & Clark Brown	321 Boone Street
Sarah Johnson	1515 Nicklin Avenue

Slides were shown of each of the Residence Pride Award Winners, and the resident's names were announced.

Mayor Hinds thanked all of the Residence Pride Award Winners for taking pride in their homes and in their neighborhoods.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the June 16, 2016 Piqua City Commission Work Session, the July 14, 2016 Piqua City Commission Work Session, and the Regular Piqua City Commission Meeting of July 19, 2016

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

OLD BUSINESS

ORD. NO. 11-16 (2nd 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.

This is the second reading on Ordinance No. 11-16.

The city abates nuisance conditions such as mowing high grass, removing trash, trimming trees, and demolishing structures according to city code. Assessment takes place after the property owner has been notified and given time to comply with the code.

Ms. Welker stated there have been several residents who have paid their assessments, and there is an updated list in the Commissioners agenda packets.

Public Comment

No one came forward to speak for or against Ordinance 11-16.

Ordinance No. 11-16 was given a second reading.

NEW BUSINESS

RES. NO. R-92-16

A Resolution authorizing the City Manager to enter into a right of entry and indemnity agreement with CSX Transportation, Inc. for the painting of the CSX Railroad Bridge over US Route 36

City Manager Huff provided a brief background on the status of the painting of the CSX railroad bridge.

Amy Havenar, City Engineer provided the Staff Report.

As part of the painting of the CSX railroad bridge, the plans have to be reviewed by CSX Transportation (CSXT), and they must provide construction engineering and inspection and provide flagging services. The City must comply with the safety, insurance environmental, and various other requirements of CSXT. Once the agreement is signed, the City can proceed with awarding a contract for the bridge painting. The city is working with CXST to get the bridge painted.

Law Director Stacy Wall, provided additional information on several issues the city is discussing with CXS in the agreement. CSX is putting the full liability costs on the city, including if an incident occurs due to their own negligence. The city would have a huge liability with this contract. The city looked in possibly using the property maintenance code violation to site CSX for the bridge but they cannot be cited due to federal regulations, stated Ms. Wall.

City Manager Huff stated he has personally worked on the issue with CXS for two years now. CSX has no plans to paint the bridge themselves, and they will not allow any type of banner to be hung from the bridge either.

Public Comment

No one came forward to speak for or against Resolution No. R-92-16 at this time.

After a lengthy discussion the Commissioners decided to table Resolution No. R-92-16 at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to table Resolution No. R-92-16 at this time. Roll call vote, Aye: Terry, Martin, Vogt, Hinds, and Wilson. Nay: None. Motion carried unanimously. Mayor Hinds then declared Resolution No. R-92-16 tabled.

RES. NO. R 93-16

A Resolution awarding a contract to APBN, Inc. for the painting of the CSX Railroad Bridge over E. Ash Street

Amy Havenar, City Engineer, provided the Staff Report.

On June 30, 2016 five bids were received for the CSX Railroad Bridge Painting Project. The project will consist of the surface preparation of the existing structural steel and the repainting of the structural steel. The project also includes the maintenance of traffic associated with the lane closures on E. Ash Street to complete this work.

There was discussion on moving forward with the painting at this time due to the issues with the agreement the city is having with CSX on the agreement.

After a lengthy discussion it was moved by Commissioner Terry, seconded by Commissioner Wilson to amend Resolution No. 93-16 in Section 3 to add *"Contingent upon an approved agreement with CSX, which is the subject of Resolution No. R-92-16."* Roll call vote, Aye: Hinds, Wilson and Terry. Nay, Vogt and Martin. Motion carried on a 3-2 vote to amend Resolution No. 93-16.

Public Comment

No one came forward to speak for or against Resolution No. R-93-16.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-93-16 be adopted, as amended. Roll call vote, Aye: Hinds, Wilson, Terry, and Martin. Nay, Vogt. Motion carried on a 4-1. Mayor Hinds then declared Resolution No. R-93-16 adopted, as amended.

RES. NO. R-94-16

A Resolution imposing a moratorium for a period of one hundred and eighty days on the granting of any permit allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Piqua, Ohio and declaring an emergency

Stacy Wall, Law Director, provided the Staff Report.

House Bill 523 will become effective on September 8, 2016. Revised Code Section 3796.29 allows municipalities to prohibit and make/or limit the location or retail dispensaries, cultivators, and processors of medical marijuana within corporate limits. It is recommended that the City Administration review and make recommendation on this issue. By enacting a moratorium on the granting of permits within the City of Piqua this will allow the City time to accomplish these goals, stated Ms. Wall. By approving Resolution No. 94-16 the City Commission is hereby imposing a moratorium on permits for the establishment of retail dispensaries, cultivators, processors of medical marijuana for a period of one hundred and eighty 180 days from the effective date of the resolution, and directs that no permits shall be issued for these facilities during the 180 days.

Several of the Commissioners voiced their opinions on the issue and asked several questions.

Public Comment

No one came forward to speak for or against Resolution R-94-16 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-94-16 be adopted. Roll call vote, Aye: Hinds, Martin, Terry, and Wilson. Nay: Vogt. Motion carried 4-1 vote. Mayor Hinds then declared Resolution No. R-94-16 adopted.

PUBLIC COMMENT

Mike Sloan, Delaware Avenue, came forward and inquired about grass being mowed by the city, and the city issuing a notice to pay the fee. If the fee is not paid it is put on the property taxes. Mr. Sloan voiced his opinion on this.

Bill Jaqua, N. Sunset Dr. came forward stating his Catering Business has received more calls than they have ever received and provided information regarding the business, which is located in the City of Piqua.

CITY MANAGER'S REPORT

City Manager Huff stated August 2 was National Night Out with the Police Department, further stating there were 12 different neighborhoods having block parties. Last year there were only 2 block parties. This shows the Piqua Community is very much in support of our Police Department, stated City Manager Huff.

City Manager Huff provided information regarding the painting of the Fire Hydrants. They were all painted gray as a primer coat, and they will be painted red and white when completed.

City Manager Huff also announced the paving program with three major projects being done this year including alleys.

COMMISSIONERS COMMENT

Commissioner Vogt stated recently a letter went out in the Utility Bills informing citizens how to dispose of their grass clipping properly. Commissioner Vogt reminded citizens to clean the weeds and grass out of the cracks in their sidewalks and curbs.

Commissioner Wilson stated he attended the recent Grand Opening of the new McDonalds on E. Ash Street, further stating he was very impressed with the Scott Family and their dedication to the Veterans, and the Piqua Community.

Commissioner Wilson also stated the Third Ward Walk with the Mayor was held on Saturday July 30th, ending up at Susie's Big Dipper where he bought ice cream for all.

Commissioner Terry congratulated all of the Residence Pride Award Winners.

Mayor Hinds stated she is now connected to Snap Chat, thanks to a young Piqua citizen by the name of Haley.

Mayor Hinds thanked all citizens, businesses, and the Library for the beautiful Wave of Blue around the City showing support for the Police Officers.

Mayor Hinds reminded citizens the next Walk with the Mayor will take place in the 4th Ward and the date will be announced later.

Mayor Hinds announced that the Red Cross is offering free smoke alarms to anyone in need. They can contact the Red Cross at 937-332-1414 for further information on how to receive one.

Mayor Hinds stated she attend a gathering at the old UCC Church on Greene Street, now the Fusion. Fusion has received a \$25,000 Community Service Improvement Grant from Lowes with help Skills USA and the Upper Valley Career Center to make improvements to their facility.

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

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION