

**MINUTES**  
**PIQUA CITY COMMISSION**  
**Tuesday, February 7, 2017 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 Terry, Wilson, Vogt, and Martin. Absent: None. Motion carried unanimously.

**ANNOUNCEMENTS**

Past John Scott of True Vine Church, came forward and spoke on the importance of Black History Month and what it represents. Mayor Hinds thanked Pastor Scott and his wife for all the things they do in the community.

**Consent Agenda**

**Approval of Minutes**

Approval of the minutes from the January 17, 2017 Regular Piqua City Commission Meeting

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

**OLD BUSINESS**

**Ord. No. 1-17 (2nd Reading)**

An Ordinance to vacate a portion of Public Right-of- Way

Justin Sommer, Assistant City Manager/Economic Development Director provided the Staff Report.

A petition requesting the vacation of a portion of platted right of way known as an alley located north of South Street and west of College Street, has been submitted for consideration. The Planning Commission conducted a public hearing, Jim Hiegel, Washington Township Trustee came forward stating the Trustees had no problem with the vacation of the alley. The Planning Commission recommended approving the request to vacate the portion of public right of way at this time.

**Public Comment**

No one came forward to speak for or against Ordinance 1-17 at this time.

Ordinance No. 1-17 was given a second reading.

**NEW BUSINESS**

**RES. NO. R- 17-17**

A Resolution authorizing a three year lease with the Piqua Adult Softball League

Stacy Wall, Law Director provided the Staff Report.

The Piqua Adult Softball League has expressed their desire to renew their lease with the City of Piqua. The Piqua Adult Softball League uses the field at Lower Mote Park. The lease fee is a \$1.00 per year, and the lease will extend for a period of three years beginning March 1, 2017 through the end of February, 2020.

**Public Comment**

No one came forward to speak for or against Resolution No. R-17-17

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-17-17 be adopted. Voice vote, Aye: Terry, Vogt, Wilson, Martin, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-17-17 adopted.

**RES. NO. R-18-17**

A Resolution authorizing a three year lease with Piqua Braves Youth Baseball

Stacy Wall, Law Director, provided the Staff Report.

This is a new lease between the City of Piqua and the Piqua Braves Youth Baseball of Piqua. The Piqua Braves Youth Baseball will be leasing the baseball field at Upper Mote Park. The lease fee will be \$1.00 per year, and the lease will be for a three year period beginning March 1, 2017 through the end of February, 2020.

Commissioner Terry voiced her concern about the Piqua Braves Youth Baseball League being the only ones allowed to use the baseball field at Upper Mote. What about the neighborhood kids?

Ms. Wall provided additional information.

All Commissioners voiced their concerns regarding the use of the Upper Mote Park baseball field by anyone other than the Braves Baseball League, how it would be supervised, and maintained.

City Manager Huff provided additional information on the use of the ball field.

**Public Comment**

No one came forward to speak for or against Resolution No. R-18-17.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-18-17 be adopted. Voice vote, Aye: Martin, Hinds, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-18-17 adopted.

**RES. NO. R-19-17**

A Resolution authorizing a purchase order to Baker Vehicle Systems Inc. for the purchase of a large area rotary mower for Echo Hills Golf Course

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

The City plans to replace a 2003 Jacobsen 511 mower that was purchased in 2007. It is currently being used to mow the rough grass on the course. This piece of equipment has been scheduled for replacement in 2017. The mower being replaced will be sold on Govdeals and this will help recoup some of the cost of the new mower.

Commissioner Wilson asked why the lowest bidder was not chosen.

City Manager Huff explained the reason.

**PUBLIC COMMENT**

No one came forward to speak for or against Resolution No. R-19-17 at this time.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-19-17 be adopted. Voice vote, Aye: Terry, Vogt, Wilson, Martin, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-19-17 adopted.

**RES. NO. R-20-17**

A Resolution authorizing the City Manager to enter into a Right of Entry Indemnity Agreement with CSX Transportation, Inc. for the painting of the CSX Railroad Bridge over US Route 36

Stacy Wall, Law Director, provided the Staff Report.

In August of 2016, the Commission approved by a vote of 3-2 the bid contract with APBN Inc. to paint the railroad bridge at a cost of \$221,000, which included a 10 percent contingency, pending the agreement with CSX. APBN has continued to hold that bid price for the city. APBN is currently awaiting approval on railroad insurance before beginning the project, once that has been secured, the project is expected to take place in April and should take about two weeks to complete. The bridge will be painted "Piqua blue" and will not feature any logos.

The cost of the agreement is not to exceed \$54,600 which includes the cost of having a CSX inspector on site the entire time the bridge is being painted. This cost may go down and the city might receive a refund of some of this, but are required to pay the full amount up front. The agreement was previously tabled for further negotiations between legal counsel, but has since been resolved, stated Ms. Wall.

Both Commissioner Martin and Commissioner Vogt referenced the City's code enforcement, such as houses that need painting, and the city completes the work and bills the cost to the property owner or puts it on the property taxes. Commissioner Vogt further stated, "we're perpetuating a double standard, if my house needs painted, your not going to paint my house". Ms. Wall addressed Commissioner Vogt's comment about the double standard stating the city has tried numerous outlets to attempt to hold CSX accountable for their bridge. CSX is regulated by the federal government and does not have to abide by local or state code enforcement.

City Manager Huff stated the CSX has indicated to them that their only concerned about the structural integrity of the bridges and not the appearance. This is probably the only way we are going to get the bridge painted.

Commissioner Martin asked what was stopping the city from painting the bridge without the agreement. Ms. Wall stated the city would be entering federal private property, and they would run into criminal issues of trespassing and property damage. Ms. Wall stated that she was not comfortable discussing the issue, but she advised against those actions.

Commissioners voiced their concerns regarding the reason the city has to foot the bill for painting the CSX Bridge and not CSX. Ms. Wall provided additional information on the issue.

Mayor Hinds stated painting the bridge was needed for the city's "self- esteem, it catches your eye, it is the entryway to our city"!

**PUBLIC COMMENT**

John Irmischer, a developer came forward and addressed the issue of the state of the bridge. By painting the bridge it sends a message that the city is investing in the improvement of the community.

Ruth Koon, Park Avenue, came forward representing the Beautification Committee of MainStreet Piqua, and that the Beautification Committee unanimously approved of painting of the bridge.

Ms. Koon stated "It looks like we don't care, we need to look at the bigger picture, and that is to improve our image." Ms. Koon encouraged the Commissioners to move forward with painting of the bridge.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-20-17 be adopted. Roll call vote, Aye: Wilson, Terry, and Hinds. Nay: Martin and Vogt. Motion carried on a 3-2 vote. Mayor Hinds declared Resolution No. R-20-17 adopted.

**RES. NO. 21-17**

A Resolution authorizing the City Manager to enter into a contract with the Fishel Company to provide fiber installation, splicing, termination, and testing for the City

Dean Burch, Information Technology Director provided the Staff Report.

On November 1, 2016 the City Commission approved Resolution R-118-16 which allowed the City Manager to enter into a contract with Aclara Technologies LLC to install an Advanced Meter Infrastructure for the water, wastewater, and electric utilities. Aclara's infrastructure design includes connecting four Data Collector Units (DCU) to the city's fiber network ring. The City received three quotes and Fishel was chosen. The City has utilized the fiber splicing services of Fishel several times in 2016 and were very satisfied with the work quality, stated Mr. Burch.

**PUBLIC COMMENT**

No one came forward to speak at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-21-17 be adopted. Voice vote, Aye: Wilson, Terry, Martin, Vogt, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-21-17 adopted.

**RES. NO. R-22-17**

A Resolution authorizing the City Manager to enter into a Collective Bargaining Agreement with the American Federation of State, County and Municipal Workers, Inc. (AFSCME), Ohio Council 8, Local 984 (Clerical)

Stacy Wall, Law Director provided the Staff Report.

The City of Piqua and the American Federation of State, County and Municipal Workers, Inc. (AFSCME), Ohio Council 8, Local #984 (Clerical) have negotiated a tentative collective bargaining agreement effective January 1, 2017 through December 31, 2018. This will provide the same 2% wage increase as other employees along with the health insurance. This will be a two-year contract rather than a three-year contract this time, stated Ms. Wall.

City Manager Huff stated they have negotiated six union contracts which is quite a task. Ms. Wall has done a fantastic job on these, and all are satisfied with the results of the contracts.

**PUBLIC COMMENT**

No one came forward to speak at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-22-17 be adopted. Voice vote, Aye: Vogt, Martin, Wilson, Terry, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-22-17 adopted.

**PUBLIC COMMENT**

No one came forward to speak at this time.

**City Manager's Report**

City Manager Huff asked Justin Sommer Assistant City Manager/Economic Development Director to provide an update on various projects. Mr. Sommer provided a brief update on the Code Compliance issues, and the Community Center Campus Plans.

**Commissioners Comments**

Commissioner Wilson congratulated Kevin O'Reilly on his retirement.

Commissioner Terry also congratulated Kevin O'Reilly on his retirement.

Commissioner Vogt congratulated Kevin O'Reilly on his retirement.

Commissioner Martin congratulated Kevin O'Reilly on his retirement.

Mayor Hinds congratulated Kevin O'Reilly and wished him good luck on his retirement. Mayor Hinds also stated she wanted to thanked the O'Reilly family and his wife at home who have provided support and given up family time with him while he was at work.

Mayor Hinds stated she attended the State School Spelling Bee, provided a Proclamation to Piqua Catholic Schools, attended the Buckeye Trail Membership Drive, spoke to the Piqua Intermediate School Leadership Group, attended Edison State Basketball games, men's and women are both finalists. One of our local companies Atlantis is printing the Super Bowl shirts.

Mayor Hinds reminded citizens to check out the Community Calendar and to add their events.

MainStreet Piqua is hosting a Small Business Seminar on March 28, 2017 at 5:30 at the Piqua Chamber Office.

Mayor Hinds read a Proclamation proclaiming Friday, February 17<sup>th</sup>, 2017 as Green Out Day Honoring Our Military Veterans and Samuel F. Pearson Day in the City of Piqua.

**Adjournment to Executive Session**

Moved by Commissioner Martin, seconded by Commissioner Vogt, to adjourn into Executive Session at 8:30 P. M. to consider information related to economic development as further defined by the Ohio Revised Code Section 121.22 (G) (8), specifically to discuss confidential information related to the negotiations with another political subdivision respecting a request for economic development assistance provided or administered under Revised Code Chapter 1724 and that the Executive Session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project. Roll call vote: Aye, Terry, Hinds, Wilson, Vogt, and Martin.

Moved by Commissioner Martin, seconded by Commissioner Vogt to adjourn from the Executive Session at 9:51 P.M. Voice vote, Aye: Terry, Hinds, Wilson, Vogt, and Martin. Nay, None.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adjourn from the Regular Commission Meeting at 9:53 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Hinds. Nay, None.

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KATHRYN B. HINDS, MAYOR

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

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