

**MINUTES
PIQUA CITY COMMISSION
Tuesday, August 15, 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 Wilson, Terry, Martin and Vogt.

CONSENT AGENDA

APPROVAL OF MINUTES

APPROVAL OF THE MINUTES FROM THE AUGUST 1, 2017 REGULAR CITY COMMISSION MEETING

Commissioner Martin moved for the approval of the Consent Agenda; motion seconded by Commissioner Vogt; motion was carried unanimously and Mayor Hinds declared the Consent Agenda approved.

OLD BUSINESS

ORDINANCE NO. 5-17 (3rd Reading)

AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS TO PAY FOR THE COST OF NUISANCE ABATEMENT ASSESSMENT

Amy Welker, Health & Sanitation Director, spoke stating each year the city abates nuisance conditions on properties, mainly mowing high grass or removing trash from the property when a property is in violation of a city Ordinance. The property owner is notified of the condition and given a time frame to get that corrected. If the property owner fails to do so, the city hires contractors to complete the work and then the property owner is billed for the cost of the service. This Ordinance places those costs incurred by the city back on to the homeowner's property taxes. Homeowners can avoid that assessment on their taxes by paying the bill on or before Friday, September 11th, the date the assessment is due to the County Auditor's office.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 5-17.

Commissioner Vogt moved for the approval of Ordinance No. 5-17; motion seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared Ordinance No. 5-17 adopted.

ORDINANCE NO. 7-17 (2nd READING)

AN ORDINANCE TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY

Justin Sommer, Economic Development Director, spoke stating this is a request from a property owner asking to vacate an undeveloped portion of the Deerfield Subdivision. This vacation will allow the undeveloped portion to be replatted from zero lot line doubles to single family homes. This request has been before the Planning Commission and their recommendation is for approval.

Commissioner Martin questioned if there is a reason to be speed this request up. Economic Development Director Sommer stated this request is going through the normal process with no reason to speed it up.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 7-17.

Ordinance No. 7-17 will stand as a 2nd Reading.

NEW BUSINESS

ORDINANCE NO. 8-17 - Emergency (1st Reading)

AN EMERGENCY ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF PIQUA

Stacy Wall, Law Director, spoke stating this is an Ordinance the city does once or twice a year enacting the codification once it's returned from American Legal. These are for all of the Ordinances the commission has adopted between January 1 and June 1 of this year. It is written as an emergency because these ordinances are already enacted and being enforced; a waiver of the three reading rule is requested.

Commissioner Vogt moved for the waiving of the three reading rule; motion seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared the three reading rule waived.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 8-17.

Commissioner Vogt moved for the approval of Ordinance No. 8-17; motion seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared Ordinance No. 8-17 adopted.

ORDINANCE NO. 9-17 - Emergency (1st Reading)

AN EMERGENCY ORDINANCE TO DEDICATE PUBLIC RIGHT-OF-WAY

Stacy Wall, Law Director, spoke stating this Ordinance is for the construction of the roundabout at Looney and Garbry Roads. As part of that project, the city needs to secure the right-of-way at the intersection. In working on the project, it became known that one of the property owners is the City of Piqua. It seems rather simplistic to say the city would give the right-of way of property the city already owns to the city, but, in the event the city would sell that property, the right of way would still have to be dedicated. This Ordinance would cause the dedication of the right of way from that corner parcel so that in the future it is a permanent dedicated right of way for the roundabout. The emergency request is because the project needs to continue through its cycle so funding isn't lost.

Mayor Hinds moved for the waiving of the three reading rule; motion seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared the three reading rule waived.

PUBLIC COMENT

No one came forward to speak for or against Ordinance No. 9-17.

Commissioner Terry moved for the approval of Ordinance No. 9-17; motion seconded by Commissioner Wilson; motion was carried unanimously and Mayor Hinds declared Ordinance No. 9-17 adopted.

ORDINANCE NO. 10-17 – Emergency (1st Reading)

AN EMERGENCY ORDINANCE PETITIONING THE MIAMI COUNTY COMMISSIONERS TO CONFORM THE BOUNDARY OF THE CITY OF PIQUA AND SPRINGCREEK TOWNSHIP

Law Director Wall spoke stating this Ordinance came out of the Board of Elections when they reviewed records to ensure residents are in their right precinct. It was discovered that there had been property annexed to the City of Piqua in 1979 that was never removed from the township boundary. This creates issues for the residents there in the sense that the city needs to decide whether a request is made that those residents be removed from the township boundary and just be within the city limits. If not, then the county would have to take additional steps to create a joint taxing district, which would not benefit anybody. The residents in this area have not been taxed for the township and the city during this time and there would be no attempt to make any double taxing retroactive. These residents have only been voting on city issues, have only been receiving city services, have not been paying township taxes, or anything like that, so removing them will be no different; nothing will change. The emergency request is made because the county needs to immediately start trying to create a joint taxing district and the Board of Elections has a September 1st deadline. If the properties aren't removed by then, those residents have to be voting on township issues and city issues in the November election, so timing is critical. Since it's already annexed, the city would file a Petition with the County Commissioners to remove the properties from the township boundary and then it would go to the Map Department.

City Manager Gary Huff stated that typically the city does remove properties from the township when it annexes, so it's really just a city decision at this point.

Commissioner Martin questioned if there is a process that when the city annexes it pays the township so much in taxes for seven years and then it changes for the next three and then the next two.

Law Director Wall stated that all depends on the type of annexation the city is dealing with.

Commissioner Wilson questioned if the city has any other areas like this.

Law Director Wall stated she has not personally checked into that issue, however, the Board of Elections has found none and the Auditor's Office has checked and they, too, have found no other areas at this time.

Commissioner Martin moved for the waiving of the three reading rule; motion seconded by Commissioner Vogt; motion was carried unanimously and Mayor Hinds declared the three reading rule waived.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 10-17.

Commissioner Martin moved for the approval of Ordinance No. 10-17; motion seconded by Commissioner Vogt; motion was carried unanimously and Mayor Hinds declared Ordinance No. 10-17 adopted.

RESOLUTION NO. R-109-17

A RESOLUTION AUTHORIZING A PURCHASE ORDER TO COMPASS MINERALS AMERICA, INC. FOR THE PURCHASE OF ROAD SALT FOR THE STREET DEPARTMENT

Cynthia Holtzapple, Finance Director, spoke stating recently the City of Piqua, along with 81 other entities through the Southwest Ohio Purchasers for Government Association, went out to bid for road salt needs for the upcoming winter season. The City of Piqua has used this organization for the past several years. The city receives five bids ranging in amounts from approximately \$49.00 per ton up to \$69.00 per ton. This request is to purchase through Compass Minerals at \$49.88 per ton for a total purchase of 2n500 tons at \$124,700.00. Also, by purchasing through this organization, the city doesn't have to purchase the full amount; if there is a light winter, a lesser amount can be purchased.

Commissioner Martin questioned if there is a heavy winter, can the city get more salt from Compass Minerals?

Finance Director Holtzapple responded saying the city can request a bid extension if more salt is needed.

City Manager Huff stated there is 1,500 ton on hand stocked from last year as well.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-109-17.

Commissioner Wilson moved for the approval of Resolution No. R-109-17; motion seconded by Commissioner Terry; motion was carried unanimously and Mayor Hinds declared Resolution No. R-109-17 adopted.

RESOLUTION NO. R-110-17

A RESOLUTION ESTABLISHING "TRICK OR TREAT/BEGGARS' NIGHT" IN THE CITY OF PIQUA

City Manager Huff spoke stating the Miami County Council determines the date for trick or treat, or beggars' night, and they have selected Thursday, October 31st, as the date for 2017. Typically, all municipalities in Miami County follow that date, so the Resolution asks for approval for that night to be the special night.

Mayor Hinds spoke stating it's important for the public to know that this is not a decision the city makes. This is a decision that the Council makes for the entire Miami County.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-110-17.

Commissioner Terry moved for the approval of Resolution No. R-110-17; seconded by Commissioner Wilson; motion was carried unanimously and Mayor Hinds declared Resolution No. R-110-17 adopted.

RESOLUTION NO. R-111-17

A RESOLUTION TO AWARD A CONTRACT TO PETERSON CONSTRUCTION COMPANY FOR THE EXPANSION AND UPGRADE OF THE WASTEWATER TREATMENT PLANT

Chris Melvin, Wastewater Treatment Superintendent, spoke thanking Cynthia Holtzapple and the rest of the Finance Department staff for assisting in the loan process. In the end, the city ended

up with a blended 8% interest for the life of the loan. In the beginning, the city opened with six competitive bids, with Peterson Construction coming in the lowest at 40 million, and the remaining bids ranged all the way up to nearly 60 million. The city is under mandate from the EPA to eliminate our sanitary sewer overflow and there are compliance schedules to do that by February of 2020.

Commissioner Wilson questioned if this is the same company the city dealt with on the water plant project.

Supervisor Melvin confirmed that and believes Peterson Construction will do well.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-111-17.

Commissioner Martin moved for the approval of Resolution No. R-111-17; seconded by Commissioner Vogt; motion was carried unanimously and Mayor Hinds declared Resolution No. R-111-17 adopted.

RESOLUTION NO. R-112-17

A RESOLUTION TO AWARD A CONTRACT FOR CONSTRUCTION ADMINISTRATION AND APPLICATIONS ENGINEERING WITH CDM SMTH FOR THE WASTEWATER TREATMENT PLANT EXPANSION & UPGRADE

City Manager Huff spoke requesting this Resolution be tabled until September 5, 2017 due to contract details to work out.

Commissioner Martin moved to table Resolution No. R-112-17 until September 5, 2017; seconded by Commissioner Vogt; motion was carried unanimously and Mayor Hinds declared Resolution No. R-112-17 tabled until September 5, 2017.

RESOLUTION NO. R-113-17

A RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH BOWSER-MORNER, INC. FOR THE TESTING AND OBSERVATION SERVICES OF THE EXPANSION/UPGRADE FOR THE WASTEWATER TREATMENT PLANT

Wastewater Treatment Superintendent Melvin spoke stating that a project of this scope requires a lot of testing. There are certain specs that have to be met and Bowser-Morner would best suit the city's needs.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-113-17.

Commissioner Martin moved for the approval of Resolution No. R-113-17; seconded by Commissioner Terry; motion was carried unanimously and Mayor Hinds declared Resolution R-113-17 adopted.

RESOLUTION NO. R-114-17

A RESOLUTION TO AWARD A CONTRACT TO LAURETANO SIGN GROUP FOR WAYFINDING PROGRAM

Chris Schmiesing, City Planner, spoke stating that this Resolution will allow the city to move forward with the implementation of the first phase of the City of Piqua Wayfinding Program. The Wayfinding Program is a comprehensive system of signage that provides directional information and also helps to identify facilities, park locations and other amenities in a community in such a way that both satisfies the industry standards and requirements for signs functioning in the public right of way, but with a certain amount of enhanced character that helps promote and establish the identity of the community, along with the brand of the community, if that may be the case. Phase One will include the fabrication and installation of downtown directional signs. Future phases will include additional informational signage and directional signage throughout the community and also the installation of facility ID signs, park ID signs; signs of that nature. A request was made and advertised publicly for bids and also mailed directly to 12 prospective bidders through the Engineering Department, including local and regional vendors who are identified as qualified to do this work. In response to that, the city received two bids; one from Lauretano Sign Group and one from Geograph Industries. The two bids received were both substantially higher than the amount allocated in the budget for this phase of the work. Fortunately, in discussing the concern with Lauretano Sign Group, they were agreeable to performing a reduced scope of work that would allow the city to bring the total cost of the project in line with the budgeted amount that was available. The 2017 budget is just north of \$80,000.00; the requested expenditure is \$85,000.00, which provides a modest contingency for the total bid amount proposal from Lauretano of \$82,940.00. Lauretano is a national firm that fabricates and installs sign projects that are of a higher quality and of a specialty variety. They work with a number of corporate brands and have done signage across the world. Their corporate office is in Connecticut; their Ohio sales office is in Youngstown, which will be the city's contact point. The comprehensive plan recommended that the city do wayfinding signage in the community and that recommendation has moved forward with the preparation of a conceptual design and completion of the framework for what the signage installation should look like and that included a significant amount of community engagement. The detail design work was completed in 2016 and subsequently advanced to this point where it's now time to begin the first phase of the sign installation of the wayfinding signage. If authorized, the contractor indicates there's about an eight week lead time on fabricating the signage and they will begin with installation soon thereafter with hopes of having it completed by the end of the year.

Commissioner Wilson questioned whether or not any of these signs will be on the bike path and if there will be a sign in front of the Municipal Government Complex so people know what the building is.

City Planner Schmiesing stated no signs on the bike path are part of this bid package, and as far as the Municipal Government Complex, that will be a future phase as well. The signs in this phase focus on the downtown directional signage.

Commissioner Terry questioned how the city was able to come in on budget and if it was because the signage is being restricted to downtown and making a Phase 1.

City Planner Schmiesing stated the initial bid request included quantities for signage in front of the Municipal Government Complex, McCulloch Square, some other informational signage that's relevant to the downtown directional signage, but not necessary, so it can stand alone; it doesn't have to be implemented with the directional signage. By being able to take out the Municipal Government Complex sign, for example, and some of the other signs that can stand alone or separate from the directional signage, that reduced the quantities to where the city was able to get the bid amount to where the budget number is at.

Commissioner Terry questioned if there would be future money in a budget to be able to write a Phase II.

City Manager Huff stated the city budgeted for this amount last year not knowing what the prices were going to be, so the city will be able to budget accordingly.

City Planner Schmiesing stated it will be a multi-year implementation project.

Commissioner Martin noted that a couple of the signs indicate pavement with bricks. Does that mean there will be bricks in the streets?

City Planner Schmiesing stated that the bid sheets reflect the installation location of each sign type. Some are in the area where it's top soil, so the installation is simply putting the post into the ground. In other locations, they are installing through pavement, i.e., concrete sidewalk, so it's a different scope of work necessary to do that. Beyond that, there are actually locations where they're penetrating through brick pavers, so each of those types of installations are broken out as a separate item recognizing that the level of work necessary to complete the task is different.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-114-17.

Commissioner Wilson moved for the approval of Resolution No. R-114-17; seconded by Commissioner Terry; motion was carried unanimously and Mayor Hinds declared Resolution No. R-114-17 adopted.

RESOLUTION NO. R-115-17

A RESOLUTION FOR CONSENT TO AWARD A CONTRACT TO MILCON CONCRETE INCORPORATED FOR THE CONSTRUCTION OF THE SHAWNEE NEIGHBORHOOD STORM SEWER PHASE 1

Law Director Wall interrupted to request an amendment to this Resolution to the effect of amending Section 1 to eliminate the last part of the sentence, which would then read, ".....the City Manager is hereby authorized to execute a contract with said bidder." The rest of the sentence would be eliminated. The reason being it references Exhibit B as the attached contract. The actual contract was in the bid documents and that's the contract that needs to be used. It's for the same dollar amount and the contract terms are the same; it's just a different format and inclusive.

Commissioner Vogt moved to amend Resolution No. R-115-17; seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared Resolution No. R-115-17 amended.

Sky Schelle, Water Quality Coordinator, spoke stating that everyone is aware there have been ongoing flooding problems in the Shawnee neighborhood. This contract to Milcon is what the city anticipates to be the first phase to reduce that flooding. A separate contract last year with Kleingers created engineered drawings for an over 500 foot, 48 inch storm diversion sewer, which begins at the intersection of Cleveland and Second Streets and goes down Second Street through a road cut and then through an open cut in the Miami Conservancy District's (MCD) levy and then outlets into the Great Miami River. The plans from Kleingers were reviewed and, through a bidding process, the city received a low bid from Milcon Construction of \$350,396.00. The budget for this project was \$420,000.00 from Storm Water Utility, however, the city received a CDBG grant in the amount of \$340,000.00. The remainder, \$10,396.00, is being covered with an Ohio Public Works Commission loan. Milcon is scheduled to begin the project around the middle of September. The timing is such that advantage can be taken of low water levels in August and September. Construction is anticipated to take six weeks with an anticipated completion date of November 1st. Construction will begin on the levy, because that is the most difficult part, and then back up Second Street to put in the storm sewer, which again is 48 inches. Hopefully, according to the plans, that storm sewer will alleviate flooding at that intersection.

Commissioner Martin questioned why the levy is being cut instead of boring underneath it.

Water Quality Coordinator Schelle stated MCD, in the last few years, has decided that is their preferred method. It's their levy and the city has to cut it the way they want it. MCD is going to

have people on site while it's open and the contractor has to put that levy back according to MCD's specs. Those specs say it has to be an open cut from the top to the bottom.

Commissioner Martin questioned who is responsible if it fails.

Water Quality Coordinator Schelle stated Milcon is responsible. Milcon has three contingency plans in place, which our design engineer, Kleingers, has approved. Those contingencies are based on three different flood levels, so they will have materials on site in case there's a rain event. As stated, Milcon has plans our engineer has approved and the city thinks will keep the neighborhood dry in case that river does flood.

Commissioner Martin questioned who is responsible in three years.

Water Quality Coordinator Schelle questioned if Commissioner Martin meant who is responsible if the levy fails because it wasn't put back according to spec.

City Manager Huff spoke stating the city will have the ability to determine if the levy was put back to the same quality that it was. Any failure from that standpoint, once it's verified by MCD that it has been done correctly, would be the responsibility of MCD. The intent on this is that the requirements are such that the city is going to put the levy back to ensure that it's of the same compaction so that it doesn't have any issues, and failure to do that part is the contractor's.

Commissioner Martin questioned who is going to be there to watch them do this.

Water Quality Coordinator Schelle stated Strand Associates (Strand) will be hired to be on site constantly from the minute the levy is opened until it is put back. They will be on site taking boring samples and compression samples and to make sure the levy is put back according to MCD specs. In addition, MCD will be on site as well to oversee that process. MCD has final say whether or not the contractor's work in putting back the levy meets their standards.

Commissioner Martin questioned why it's necessary to have Strand at the site if MCD is going to be there.

Water Quality Coordinator Schelle stated MCD is not going to be performing any testing. The city wants somebody there to oversee the contractor to perform the testing so the city has the assurance that the levy is put back according to MCD's specs. It is not MCD's responsibility to take those steps. The city pulled the permit to open up the levy; it's the city's responsibility, and ultimately the city's contractor's responsibility, to make sure that the levy is put back according to MCD's specs.

Mayor Hinds spoke stating that there are so many steps to make this happen with MCD owning the levy. The city has to make sure it is done to MCD's specifications and the right people are there to make that happen; similar to the painting of the CSX railroad bridge.

Commissioner Terry questioned if MCD has to answer to the civil core.

City Manager Huff stated the core is not involved; it is fully MCD. The city is doing the work as required by MCD. The city will have the engineers and the company performing the work with inspectors on site to test everything, to make sure that the testing is done properly and accurately. Based on the testing, and with MCD's approval that it meets all the requirements to have it put back to the same quality, the city is good to go.

Mayor Hinds stated MCD will have the final say as to whether or not everything is good to go.

Commissioner Wilson questioned if the cut in the levy would be made with the drainage in there and then cover it up again right away or if it is going to be sitting open.

Water Quality Coordinator Schelle stated the intent is to make the cut, put the piping in and all the manholes and other structures, as quickly as possible, and then put the levy back in place before they continue with the cut that will be up Second Street.

Wilson questioned if the end result would be an open pipe on the river side and how far out it will be.

Water Quality Coordinator Schelle stated he believes it will extend 20 feet from the river side of the levy, but he would need to verify that.

Commissioner Wilson questioned what would be directing the water from there.

Water Quality Coordinator Schelle stated a concrete head wall and three tons of rip rap.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-115-17.

Commissioner Wilson moved for the approval of Resolution No. R-115-17; seconded by Commissioner Terry; motion was carried unanimously and Mayor Hinds declared Resolution No. R-115-17 adopted.

RESOLUTION NO. R-116-17

A RESOLUTION FOR CONSENT TO AWARD A CONTRACT TO STRAND ASSOCIATES FOR CONSTRUCTION MANAGEMENT OF THE SHAWNEE NEIGHBORHOOD STORM SEWER PHASE 1

Water Quality Coordinator Schelle spoke stating this Resolution is a follow-up to the previous Resolution. Milcon is going to do the construction; Strand is going to do the overseeing. Strand was chosen from four proposals. Strand will have somebody on site for the duration of the construction at a total cost of \$62,990.00, and they will have somebody there from the moment the levy is opened until it is put back. That person will be overseeing, along with one of their geo-tech subcontractors, the compaction and the backfill and then will be working with MCD and the city's engineers coordinating all communication and testing to make sure that all of MCD's requirements are met. Once the levy is put back in place, that person will also be on site to make sure that the road cut is done properly and that Second Street and all associated asphalt and concrete is put back according to spec as well.

Commissioner Wilson questioned if there will be grass on the levy prior to winter, to which Water Quality Coordinator Schelle confirmed.

Commissioner Martin questioned what Strand is responsible for because the Agreement shows they're not responsible for anything.

Law Director Wall stated she believes the Agreement is saying that Strand isn't responsible for Milcon's work, so Strand is there to make sure Milcon is doing the specs correctly.

Commissioner Martin stated he interpreted the Agreement to say that Strand is not responsible for anything. Are they just there to watch them do this? Commissioner Martin stated it appears at this point all Strand is going to do is observe, but they can't stop Milcon if they're doing something wrong, so the need to have Strand there is unclear.

City Manager Huff spoke stating his recommendation would be to table this Resolution until the city can get clarification on the language used in the Agreement.

Commissioner Martin moved for Resolution No. 116-17 to be tabled until September 5, 2017; seconded by Commissioner Vogt; carried unanimously and Mayor Hinds declared Resolution No. R-116-17 tabled until September 5, 2017.

PUBLIC COMMENT

Joe Hinds of Whitetail Lane came forward to speak in objection to David Allen Coe (Coe) performing at the Piqua Bikefest. Mr. Hinds is aware of Coe's performances by living in Alabama during the 1980s. While he understands that Coe no longer performs his vial, racist, homophobic, and misogynistic songs in public, he still sells them on his website and they are available for purchase at his merchant tables. Whether Coe performs these songs or not, he has a reputation that is stained by them and they are popular with his fan base. Coe and his fans are uncritical and unrepentant for the content in those songs. Coe is clearly still profiting from and promoting the recordings, even if he doesn't perform them in public. Coe acknowledges the controversial nature of the songs, but he is unrepentant about the messages in the songs. The titles of his songs contain the "N" word in the title and hateful messages in the title, let alone the lyrics. Hinds implores the city to review the songs and do its own research and see if the city agrees that there is no place in Piqua, Ohio, a public event, for the vile message of Coe, whether it's performed in a song, promoted in merchandise sales or forwarded with a defiant and repugnant attitude, especially in light of what just occurred in Charlottesville, Virginia.

Commissioner Martin questioned if this music is what is still played by Coe and does he play them at his concerts.

Mr. Hinds stated he has never been to one of Coe's concerts, but he still promotes and sells the CDs. Coe stands for these messages; he's unrepentant.

Commissioner Martin questioned if Mr. Hinds would have a problem with Coe if he sang gospel, even if it was back in the 1980s.

Law Director Wall spoke stating she spoke with Jim Cruse, the Chairman of Bikefest, and he does not know what the content will be; he does not know who this person is; he did not even know he was on the list. Cruse indicated he will present the issue to the Bikefest Committee and indicated he will get back with the city.

Mr. Hinds stated he does not know if he still performs them in public, but the message is still there. The songs are still promoted actively as part of his website.

Commissioner Wilson questioned if Mr. Hinds was asking that Coe be denied to be at Bikefest and if that is a legal thing that can even be done.

Law Director Wall spoke stating she explained to Cruse that the city has an Agreement with Bikefest, and in that Agreement it says that the city would be consulted and entertainment would be discussed; this performer was never discussed with the city. The reason the city found out about Coe is a citizen came to the city building complaining that this performer should not be allowed. Research was done on Coe, and based on that, a letter was sent to Cruse indicating that Coe is inappropriate, and in accordance with the Agreement, the city asked that Coe not perform. Cruse indicated that he would present it to the Bikefest Committee. Cruse also said that he promotes Bikefest as a community event and if this performer is inappropriate, he would agree he's not a community-type performer.

Mayor Hinds spoke stating that in order for Bikefest to be a community event, everybody needs to feel welcome, and our African American citizens would not. In light of what happened this past weekend at Charlottesville, the city needs to remember that we are in this together and no matter the color of our skin, no matter where we come from, we are one as a community, and if there is anything that the city does that is going to make one of our community members be ostracized, it should not happen, because we are a city of a diverse group of people and that is one of the

beauties of who we are as the City of Piqua, and there is no way we can change that. It is a plus for us as a city to have a diverse group of people to be citizens, and I would hate for any citizen to feel that they were unwelcome at any event because of anybody who is singing, doing anything, that would make them feel uncomfortable.

Mr. Hinds stated his point was only that whether Coe's singing the songs or not, if he's very well known for the songs, his concern as a citizen is people would associate Piqua with giving him a stage knowing that this is the reputation he's very well known for.

City Manager Huff stated that one of the things he has to look at as the individual who authorizes the permit for the event is the safety and welfare of the community, and that has to be taken into consideration going forward that with the event.

Commissioner Terry questioned if Bikefest has a contract with Coe and if the the city knows if his performance is set in stone.

Mr. Hinds stated he does not know the answer to that, but his name is listed on a poster as a performer.

Law Director Wall stated she asked for verification that he was performing and the list that the city was provided has him on it for the Saturday night performance.

Mayor Hinds stated it is nothing against Bikefest; it's against this performer. It's the reality of what this performer stands for.

CITY MANAGER'S REPORT

City Manager Huff stated that the CSX Railroad bridge paint contractor is currently mobilizing and hopefully will be starting soon.

Also, the installation of the rectangular graphic flashing beacon is underway at the Clark and McKinley intersection. A study was completed on that intersection after a lot of citizen complaints, and it was decided the flashing beacon is the best choice.

Speedway began demolition on the former Hardesty house on Covington Avenue to make room for their new facility.

The city has been working with the Department of Energy over the past few years to renovate and improve the existing Nuclear Generating Station, which is currently being utilized for Underground Utilities and other operational things. The Department of Energy has informed the city that they will be coming in to do a 4 million dollar renovation on that facility, which is good news. The downside of that is some of the operations will have to temporarily relocate while that renovation takes place, which could be 1 ½ years. The renovation is scheduled to begin June of 2018.

Commissioner Martin questioned if the bridge is being painted off of State Route 36 or if they will be hanging off the bridge itself.

City Manager Huff stated he believes they will be painting in the air.

Commissioner Martin questioned if the graphic flashing beacon at Clark and McKinley is going to become a three way stop.

City Manager Huff stated it is mainly for the crosswalk for the number of people that travel through that intersection walking to get to the park. There has been great concern that people are not watching for children and other people crossing at that intersection. There will be crosswalks with flashing lights like at College.

COMMISSIONERS' COMMENTS

Commissioner Terry spoke stating that she hates to think of the open seat on the ballot in the fourth ward and requests that anybody who feels like they want to make a commitment to the city and want to do a good job contact the Board of Elections as a write in possibility.

Mayor Hinds reminded everyone that Yoga with the Mayor, with Amanda Heath Brown from BalanceYoga assisting, will be tomorrow, August 16th, beginning at 6:00 P.M. at Wertz Stadium on the field. If there is bad weather, it will be held inside the field house. It is a free event and yoga mats will be available if anybody is in need of one.

Also, Thursday, August 17th, there is a Business After Hours and the initial beginning of the Garden Tribe for the schools. The garden is located at the old Nicklin kindergarten site across from Piqua Central Intermediate and it's going to be used by Piqua Central Intermediate students, as well as the Piqua Catholic students. The beds are already up, so you can see some of the things that are going to be happening there.

The last Rock Piqua concert is August 19th. ReFlektion from Piqua will be opening for Clark Manson from Covington.

The first day of school is August 22nd. There will be a lot of busses and children on the roads. Remember to drive a little slower and leave a little earlier. A huge shout out to the Piqua Schools, the Catholic Schools and the other schools in our community for the good work that they do for our students the whole school year, and we wish them a good year.

American Idol is having auditions on August 26th from 11:00 A.M. to 3:00 P.M. at the Miami Valley Center Mall. Any questions relating to this event can be directed to Peggy Henthorn at the Miami Valley Center Mall.

Finally, have a safe Labor Day weekend; the next commission meeting will be September 5th.

Motion made by Commissioner Vogt to adjourn the Regular Commission Meeting at 8:33 P.M.; seconded by Commissioner Martin; motion was carried unanimously.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
KIMBERLY J. HEBB
ACTING CLERK OF COMMISSION