

**MINUTES
PIQUA CITY COMMISSION
TUESDAY, NOVEMBER 21, 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, Martin and Wilson. Commissioner Vogt was absent.

Commissioner Martin moved to excuse Commissioner Vogt from the November 21, 2017 City Commission meeting, Commissioner Terry seconded the motion; motion carried unanimously. Mayor Hinds declared Commissioner Vogt excused from the November 21, 2017 Piqua City Commission meeting.

ANNOUNCEMENTS

No one came forward to speak at this time.

PROCLAMATION: APPRECIATION FOR CITY OF PIQUA EMPLOYEES-FIRST RESPONDERS

Mayor Hinds read the Proclamation than presented it to the City Employees which included;

Captain Kevin Ganger	Fire Department
Kevin Grinstead	Piqua Power
Justin Foutz	Piqua Power
Dan Cline	Piqua Power
Don Nash	Piqua Power

Mayor Hinds thanked them for their service and sacrifice, further stating "Service to others is a hallmark of American character."

PROCLAMATION: DECLARING CORPORAL AUSTIN COX DAY IN THE CITY OF PIQUA

Mayor Hinds read the proclamation and presented it to Austin Cox's aunt, Angie Smith who accepted it on his behalf along with several other family members. Ms. Cox read a statement from Austin "he says thank you to the whole City of Piqua for this recognition. No matter where he is in the world, Piqua will always be his home. Although he doesn't feel like a hero, he was just doing what he had hoped anyone would do in this tragic time."

City Manager Huff provided a brief overview of the Government Academy, stating this is the fourth year for the Academy.

GOVERNMENT ACADEMY GRADUATES:

D.J. Byrnes
Richard C. Feightner
Kenneth E. Fries
Debbie Harris
Roger Hartley
Ronald L. Keller
Ryan Martin
James Oda
Dana Shawler
Stephen L. Smitley
Joseph Sorrell
Steven Trostel

Mayor Hinds and Special Events Coordinator Brittany Van Horn handed out the Certificates to the Government Academy Graduates and thanked them for participating in the program.

EXECUTIVE SESSION

To consider pending or imminent litigation

Moved by Commissioner Martin, seconded by Commissioner Wilson to move into Executive Session at 7:48 P.M. to consider pending or imminent litigation. Roll call vote, Aye: Martin, Wilson, Hinds, and Terry. Nay, None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Wilson to adjourn from Executive Session at 8:15 P.M. Voice vote, Aye; Martin, Wilson, Hinds and Terry. Nay, None. Motion carried unanimously.

CONSENT AGENDA
APPROVAL OF MINUTES

Approval of the Minutes from the November 7, 2017 Regular City Commission Meeting.

RES. NO. R-138-17

A Resolution reappointing a member to the Park Board

City Manager Huff stated this resolution reappoints Catherine Oda to the Park Board for a term of five (5) years.

RES. No. R-139-17

A Resolution appointing a member to the Park Board

City Manager Huff stated this resolution appoints Donald Byrnes to the Park Board for a term of five (5) years

Commissioner Martin moved for the approval of the Consent Agenda; motion seconded by Commissioner Terry. Voice vote Aye: Martin, Terry, Hinds and Vogt. Nay, None. Motion carried unanimously. Mayor Hinds declared the Consent Agenda approved.

NEW BUSINESS

ORD. NO. 11-17 (1ST Reading)

An Emergency Ordinance enacting and adopting a supplement to the Code of Ordinances for the City of Piqua

Law Director Stacy Wall provided the Staff.

The American Legal Publishing Corporation has completed the 2017 supplement to the Code of Ordinances of the City of Piqua. The supplement contains all ordinances of a general and permanent nature enacted from June 1, 2017 through September 30, 2017 being the S-59 Supplement. This ordinance needs to take effect immediately as the City Commission has already enacted the changes contained in the supplement.

Ms. Wall further explained the reason for the Emergency Ordinance at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry to waive the three reading rule requiring Ordinance No. 11-17 to be read fully and distinctly on three different dates. Roll call vote, Aye: Terry, Wilson, Martin, and Hinds. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Wilson. Roll call vote, Aye: Terry, Wilson, Martin, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Ordinance No. 11-17 adopted.

ORD. NO. 12-17 1ST Reading)

An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2018

Finance Director Cynthia Holtzapple provided the Staff Report.

The City of Piqua is required to present and pass the 2018 Annual Budget by the end of the year. Ordinance No. 12-17 is the first of three readings with the Commission reviewing the Department Budgets on November 16, 2017.

Ordinance No. 12-17 was given a first reading.

ORD. NO. 13-17 (1ST Reading)

An Ordinance repealing Chapter 33.08 and enacting a new Chapter 33.08 of the Piqua Code, relating to Employee Insurance

Finance Director Cynthia Holtzapple provided the Staff Report.

Ordinance No. 13-17 will make the updates necessary to Chapter 33.08 of the Piqua Code setting the new benefits for the employee health insurance in 2018.

Ordinance No.13-17 was given a first reading.

ORD. NO. 14-17 (1ST Reading)

An Ordinance repealing Schedule A of Chapter 33 of the Piqua Code and adopting a new Schedule A of the Chapter 33 of the Piqua Code relating to wages of certain Municipal Employees

Finance Director Cynthia Holtzapple provided the Staff Report.

Schedule A of Chapter 33 covers the salaries of full-time non-union employees. There are six steps in each classification and each step has been increased by 2%. This is the same increase approved by the City Commission for the Police (FOP and OPBA) contracts.

Commissioner Martin inquired about a new position listed on the rate sheet.

City Manager Huff provided additional information.

Ordinance No. 14-17 was given a first reading.

ORD. NO. 15-17 (1ST Reading)

An Ordinance repealing Schedule A-1 of Chapter 33 of the Piqua Code and adopting a new Schedule A-1 of Chapter 33 of the Piqua Code relating to wages of certain Municipal Employees

Finance Director Cynthia Holtzapple provided the Staff Report.

Schedule A-1 covers part-time, seasonal, and temporary employees. The wages will be adjusted in accordance with State minimum wage requirements.

Ordinance No. 15-17 was given a first reading.

RES. NO. 140-17

A Resolution authorizing the City Manager to find tenants and enter into a lease for the residence located at Hollow Park

Law Director Stacy Wall provided the Staff Report.

The City of Piqua in the past has leased the residence located at Hollow Park. The last tenants moved out in 2015 and the house has remained vacant so needed repairs could be made including a new roof and windows. Now the City would like to lease the house to have tenants that can assist in overseeing the gate at the entrance of Hollow Park and generally add safety to the public park area.

Commissioner Wilson stated that in the lease it covers criminal activity, but are the tenants screened before leasing the residence? Ms. Wall replied yes.

Public Comment

No one came forward to speak for or against Resolution No. R-140-17 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, Voice vote, Aye: Martin, Wilson Hinds, and Martin. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-140-17 adopted.

RES. NO. R-141-17

An Emergency Resolution for consent to add a change order and amend the contract with Milcon Concrete Incorporate for the construction of the Shawnee Neighborhood Storm Sewer Phase1

Water Quality Coordinator Sky Schelle provided the Staff Report.

On August 15, 2017 City Commission passed Resolution No. R-115-17, authorizing the City to award a contract to Milcon Concrete Incorporated to construct the Shawnee Neighborhood Storm Sewer Phase 1 project.

Staff was alerted about a private sanitary lateral at 101 Second Street that was in conflict with the alignment of the proposed storm sewer. That lateral was not on the construction drawings. Because movement of the sanitary lateral was not part of the project original scope, a contract amendment is required. Two water lines also need to be removed to complete the project.

Commissioner Martin asked several questions regarding the sanitary sewer lines. Mr. Schelle and City Manager Huff provided answers and additional information.

Commissioner Martin stated so far there has been no flooding after the several heavy rains recently.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-141-17.

Motion made by Commissioner Martin; seconded by Commissioner Terry. Voice vote: Aye: Terry, Martin, Wilson, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-141-17 adopted.

RES. NO. R-142-17

A Resolution authorizing an amendment to Zoning Map to change the zoning designation of parcels N44-076020 and N44-076030 from I-2 Heavy Industrial to R-1 One-Family Residential Economic Development Director/ Assistant City Manager Justin Sommer provided the Staff Report.

The applicant would like to have the zoning changed to facilitate the planned renovation of the existing barn structure into a banquet facility. The parcels will be consolidated with the adjoining

parcel currently occupied by the applicant's personal residence and existing outdoor banquet facility. A Public Hearing was held and the Planning Commission's findings are the request is consistent with adopted community land use policy and plans. The applicant is in the process of securing the building and zoning permits necessary to complete the renovation work required to allow the barn to be used as a banquet facility.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-142-17.

Moved by Commissioner Terry, seconded by Commissioner Wilson to amend Resolution No. R-142-17 in the first WHEREAS, second line read strike out ~~R-3 Multi-Family Residential~~ to read as **R-1 One-Family Residential**. Voice vote, Aye: Martin, Terry Hinds, and Wilson. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Wilson. Voice vote, Aye: Martin, Wilson, Terry, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-142-17 adopted, as amended.

RES. NO. R-143-17

A Resolution authorizing the City Manager to Join Litigation to challenge Substitute House Bill 49

Law Director Stacy Wall provided the Staff Report.

House Bill 49 adopts a state income tax collection system and eliminates the local government to maintain control over local income tax collection producing unreliability in its collections. Other municipalities have joined to challenge the constitutionality of House Bill 49 as it violates home rule authority and other constitution provisions. Several things the bill does is that it dictates that the city has to adopt certain ordinance language, and if it does not do so by January 31, it takes away the income taxing authority of the city. A lawsuit was filed by 130 other municipalities in Franklin County and the City of Piqua is joining in litigation against the state.

Commissioner Wilson voiced his concerns if the city does not participate.

Mayor Hinds stated she feels the city is doing the right thing by joining with the other cities.

Commissioner Martin asked several questions; Law Director Wall provided answers and additional information.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-143-17.

Motion made by Commissioner Martin, seconded by Commissioner Wilson. Roll Call vote: Aye: Martin, Hinds, Terry, and Wilson. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-143-17 adopted.

RES. NO. R-144-17

A Resolution authorizing the lease of portions of 8620 North County Road 25-A

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

The property located at 8620 N. County Road 25-A has been identified as a suitable temporary location for the Underground Utilities Department. The department must vacate their current location due to abatement and remediation of hazardous materials by the US Department of

Energy, owner of the existing location. The lease will commence on December 1, 2017 and continue for three years at an agreed amount of \$3100 per month.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-144-17.

Motion made by Commissioner Wilson, seconded by Commissioner Terry. Voice vote: Aye: Martin, Hinds, Terry, and Wilson. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-144-17 adopted.

RES. NO. R-145-17

A Resolution authorizing a ten year lease with Piqua City Schools for Hardman Field

Law Director Stacy Wall provided the Staff Report.

The terms needed amended and a new lease has been agreed upon by the parties for the continued use of Hardman Field by the baseball team.

The City Manager is authorized to enter into a 10-Year Lease with the Piqua City School and/or Piqua Board of Education for the use of Hardman Field. The school will be responsible for the maintenance of the field.

Commissioner Terry stated the improvements were very much needed.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-145-17.

Motion made by Commissioner Terry, seconded by Commissioner Martin. Voice vote: Aye: Martin, Hinds, Terry, and Wilson. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-145-17 adopted.

COMMENT

A Garnsey Street resident came forward and voiced her concerns about the removal of the stop sign on Garnsey and the speeding traffic on College Street. City Manager Huff stated he would look into it.

Kris Lee, High Street, candidate elect from the 3rd Ward came forward and thanked the citizens of Piqua, his family, and God for their support in helping him win the 3rd Ward Commission Seat. Mr. Lee further stated "it is not he, it is about we as a community". Mr. Lee also thanked Commissioner Terry and Commissioner Wilson for their service to the citizens of Piqua, and the City Commission.

Mayor Hinds stated she is looking forward to working with Mr. Lee and 4th Ward Commissioner David Short in January 2018.

City Manager Report

City Manager Huff announced the City of Piqua offices will be closed on Thursday November 23rd and Friday November 24 in observance of the Thanksgiving Holiday. City Manager Huff reminded citizens that refuse collection will be moved back one day with Thursday's pickup being on Friday, and Fridays being on Saturday.

City Manager Huff stated the city employees are involved in the G.I.V.E. Program and are promoting a White Ribbon Campaign in supporting Lung Cancer Awareness Month in honor of

Retired Piqua Assistant Fire Chief Jeff Meckstroth who is fighting lung cancer. City Manager Huff commended the city employee's for promoting this.

City Manager Huff wished everyone a safe and happy Thanksgiving.

COMMISSIONERS' COMMENTS

Commissioner Wilson congratulated all of the First Responders and Austin Cox.

Commissioner Terry congratulated all of the First Responders and Austin Cox, stating these are homegrown people and we are all proud of them.

Commissioner Terry also wished everyone a Happy Thanksgiving.

Mayor Hinds commented that Mr. Byrnes, the newly appointed Park Board member, just completed the Government Academy and is already becoming involved with the City.

Commissioner Martin commended all of the city employees for their service.

Mayor Hinds thanked the Water Treatment Plant for the new water bottles the Commissioners were using at the meeting.

Mayor Hinds stated she ate lunch with the 3rd Grade Washington Primary School students.

Mayor Hinds reminded citizens that Saturday November 25 was Shop Small Saturday in Downtown Piqua and to support our local businesses.

Mayor Hinds stated she had a proclamation she would be presenting on Giving Tuesday, November 28, to the Meckstroth family along with the money that was raised by the city employees for the Lung Cancer Research.

Mayor Hinds reminded citizens of all of the upcoming activities in the community, they include:

- December 1, Christmas on the Green
- December 2, Holly Jolly Run
- December 2, Downtown Christmas Parade
- December 3, Civic Band at Westminster Church
- December 3, Library Concert at 7:00 P.M.

Motion made by Commissioner Martin to adjourn from the Regular Commission Meeting at 9:02 P.M., seconded by Commissioner Wilson, motion was carried unanimously.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

