

**MINUTES
PIQUA CITY COMMISSION
TUESDAY, May 1, 2018
6:00 P.M.**

Piqua City Commission met at 6:00 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 Lee, Short, Vogt, and Martin. Absent: None.

REGULAR CITY COMMISSION MEETING

ANNOUNCEMENTS

Larry Ealy, of Dayton came forward and introduced himself as a Democratic candidate running for Ohio Governor, and further stating he would be the first black governor if elected.

Mayor Hinds reminded citizens they need to get out and vote.

PROCLAMATION- MUNICIPAL CLERKS WEEK

Mayor Hinds read the proclamation for Municipal Clerks week and presented it to Clerk of Commission Rebecca Cool.

PROCLAMATION-POLICE WEEK

Mayor Hinds read the proclamation for Police Week and presented it to Jeremy Weber, Piqua Police Officer of the Year.

PROCLAMATION-BIKE MONTH

Mayor Hinds read the proclamation for Bike Month and presented it to a group of the Bike Piqua Members and other bicyclists. Elizabeth Gutmann spoke on behalf of the Piqua Group thanking the city for their support and all they do for the cyclists. There were over 51,000 people who used the Bike Trails last year and hope to have more use it this year, stated Mrs. Gutmann. Jeff Lange came forward and thanked Jim Hemmert and Paul Sullenberger for their help with the Bicycle Safety Training program at Piqua Catholic School, and they will be training over 650 Piqua Central Intermediate School students on Bicycle Safety in the near future.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the Minutes from the April 17, 2018 Regular City Commission Meeting.

Resolution No. R-68-18

A Resolution appointing a member to the Board of Zoning Appeals

City Manager Huff stated Nathaniel Funderburg is being appointed to the Board of Zoning Appeals for a term of five years to expire on March 1, 2023.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to approve the Consent Agenda at this time. Voice vote, Aye: Martin, Short, Hinds, Lee, and Vogt. Nay: None. Consent Agenda was unanimously approved.

NEW BUSINESS

RES NO. R-68-18

A Resolution retaining the services of the Auditor of State for the 2017 annual audit of the City of Piqua

Cynthia Holtzapple, Finance Director provided the Staff Report.

Annually the City of Piqua undergoes an audit of the financial statements. This is for the fiscal period of January 1, 2017 through December 31, 2017, and the cost is not to exceed \$43,500.

PUBLIC COMMENT

No one came forward to speak at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-68-18 be adopted. Voice vote, Aye: Hinds, Lee, Short, Martin, and Vogt. Nay: None. Motion carried unanimously.

RES. NO. R-69-18

A Resolution requesting authorization to enter into a contract with Vectren Energy Delivery of Ohio for the installation of gas facilities at 156 Robert M. Davis Parkway for the new Health & Sanitation facility

Amy Havenar, City Engineer provided the Staff Report.

During the design process of the new Health & Sanitation Facility, it was noted that there was no natural gas service located along Robert N. Davis Parkway. This resolution authorizes the City to enter into a Contract with Vectren Energy Delivery Service of Ohio to run a new gas main from Commerce Drive to the proposed Health & Sanitation Facility site. Should any other businesses located along Robert M. Davis Parkway decided to connect into the gas service within the next five and one-half years, the City will receive a refund from Vectren for this connection, stated Ms. Havenar.

PUBLIC COMMENT

No one came forward to speak at this time.

Moved by Commissioner Lee, seconded by Commissioner Short, that Resolution No. R-69-18 be adopted. Voice vote, Aye: Hinds, Martin, Vogt, Short, and Lee. Nay: None. Motion carried unanimously.

RES. NO. R-70-18

A Resolution authorizing the City Manager to enter into the LPA Federal ODOT-LET project agreement with the Ohio Department of Transportation (ODOT) for the Great Miami River Trail bridge project

Amy Havenar, City Engineer provided the Staff Report.

In March of this year the City was notified of the award for funding under the Surface Transportation Program (STP) through the Miami Valley Regional Planning Commission for the construction of the Great Miami River Trail Bridge. Due to the complexity of the project it is being programmed as an ODOT-LET project which means that ODOT will oversee the plan review, and handle the project bidding and construction inspection.

The project will consist of the replacement of the existing, inadequate pedestrian bikeway bridge with a new, ADA accessible bike path bridge over the Great Miami River adjacent to Goodrich Giles Park. This project will also include the construction of a multi-use path from the existing bridge to the newly constructed bridge, stated Ms. Havenar.

PUBLIC COMMENT

No one came forward to speak at this time.

Moved by Commissioner Short, seconded by Commissioner Lee, that Resolution No. R-70-18 be adopted. Voice vote, Aye: Hinds, Lee, Short, Martin, and Vogt. Nay: None. Motion carried unanimously.

RES. NO. R-71-18

A Resolution authorizing the City Manager to enter into the LPA Federal ODOT-LET project agreement with the Ohio Department of Transportation (ODOT) for the Great Miami River Trail bridge project

Amy Havenar, City Engineer provided the Staff Report.

In the March of this year the City was notified of the award for funding under the Transportation Alternatives (TA) Program through the Miami Valley Regional Planning Commission for the construction of the Ohio Indiana Trail Bridge. Due to complexity of the project it is being programmed as an ODOT-LET project which means that ODOT will oversee the plan review, and handle the project bidding and construction inspection.

The project will consist of the replacement of the existing wooden bridge decking with concrete and the construction of an ADA compliant ramp on the west side of the bridge, stated Ms. Havenar

PUBLIC COMMENT

No one came forward to speak at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-71-18 be adopted. Voice vote, Aye: Hinds, Lee, Short, Martin, and Vogt. Nay: None. Motion carried unanimously.

RES. NO. R-72-18

An Emergency Resolution objecting to the renewal of Liquor Permit #5558350 held by Marlo Investments, LLC, DBA Z's Sportsbar, 319 N. Wayne Street, Piqua, Ohio

Stacy Wall Law Director provided the Staff Report.

The City of Piqua Police Department has had significant contact with Z's Sportsbar resulting in multiple court cases and a drain on City resources that affect the community as a whole.

The City Commission is objecting to the renewal of Liquor Permit #5558350, held by Marlo Investments LLC, 319 N. Wayne Street, for statutory reasons. The City Commission requests the Department of Liquor Control to reject the application for renewal for good cause and requests a hearing.

Commissioner Vogt stated he frequents Z's several nights a week and has not seen anything out of order when he is there. Z's has a new owner and he is trying real hard to get the job done. Commissioner Vogt stated when he was on the Police Force they did walking tours of the local bars, and suggested they look at having an officer walk around the area at night.

Commissioner Lee asked for clarification on the objection, will it stop Z's from selling alcohol? Law Director Wall stated it will be up the Division of Liquor Control, but the commission can also rescind their objection to the renewal of the Liquor Permit at a later date, but the objection has to be filed now.

Commissioner Martin asked if they could compare police calls to the dates they stated. Ms. Wall stated there were three pages of calls for Z's starting in January 2017, with approximately 50 calls per page, Bings had two calls, and 311 Draffhouse had approximately 20 calls during that same time.

PUBLIC COMMENT

Don Winters, owner of Z's came forward and provided information on the various things he is trying to do to create a better atmosphere, further stating he has installed cameras and has worked with the Police Department on where to locate them. Mr. Winters stated he has only owned Z's for five months and believes the last few months have been better.

Holly Osborn came forward stating she goes to Z's and it is like a family for her. Ms. Osborn voiced her opinion on the objection to the Liquor Permit for Z's, asking why pull their liquor license. Ms. Wall explained the reason for objection to the Liquor Permit at this time.

Brad Boehringer, Mound Street came forward and voiced his opinion, stating he feels the problems will just move to another establishment if we object to this, and asked that the objection be tabled at this time.

Brad Clement, came forward and inquired as to the reason Resolution No. R-72-18 is being considered an Emergency Resolution at this time. Ms. Wall explained the reason for the request for the Emergency Resolution, citing the Charter requirements.

Mr. Winters stated he has cooperated with the Police Department during the calls, and attributed the large number of calls to the previous owner.

Another member of the audience came forward stating he feels welcome at Z's as a member of the LGBT community, calling Z's his home.

Art Love, a volunteer at Z's came forward and stated there are usually four security guards there in the evenings. Mr. Winters offers the second floor to the younger patrons so they have a place to gather. Mr. Love further stated he feels the commission should give Mr. Winters a chance.

Commissioner Martin asked how long Mr. Winters has owned the business ? Mr. Winters stated he has owned the business since November of 2017. Ms. Wall provided additional information on other calls received and explained the various issues.

Commissioner Lee stated they will not lose their license at this time, it goes to a hearing right. If Mr. Winters complies and makes the changes, the city does not have to go to the hearing correct? Ms. Wall explained further stating the Liquor License is due for renewal in June of 2018.

Mr. Winters stated he has tried to work with the Police Department. Ms. Wall stated once this is voted on it goes to the state, but the city still has the option to object.

Commissioner Lee asked Mr. Winters if he was willing to meet with the Police Chief to work on the issues. Mr. Winters stated yes.

Mayor Hinds stated neighboring business owners have complained about the litter and trash in the parking lots.

Moved by Commissioner Lee, seconded by Commissioner Vogt, that Resolution No. R-72-18 be adopted. Voice vote, Aye: Hinds, Martin, Lee, Short, and Martin. Nay: Vogt. Motion carried on a 4-1 vote.

RES. No. R-73-18

A Resolution authorizing participation in Ohio Department of Transportation (ODOT) Cooperative Purchasing Program

Amy Havenar, City Engineer provided the Staff Report.

In order to use an ODOT cooperative bid, the city must pass a Resolution and submit it to the ODOT Administrator in the Office of Contracts for approval. Once this is approved it will remain effective for two years for use by any of the City Departments.

PUBLIC COMMENT

No one came forward to speak at this time.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-73-18 be adopted. Voice vote, Aye: Hinds, Lee, Short, Martin, and Vogt. Nay: None. Motion carried unanimously

PUBLIC COMMENT

Brad Boehringer came forward stating he participated in the City of Piqua Annual Clean-Up Downtown. Mr. Boehringer asked citizens not to dispose of their cigarette butts properly, and not in the flower pots.

CITY MANAGER REPORT

City Manager Huff reminded Commissioners of the photo op on Thursday April 19, at 3:30 at Mote Park for the Miami Valley Regional Planning Commission Annual Report.

City Manager Huff stated the Piqua Clean-Up Day was very successful Saturday April 14th. We had 115 volunteers who collected over 600 lbs. of trash from the Trails, Parks, Downtown area, and the streets. City Manager Huff stated they appreciate all of the volunteers who came out to help with the clean-up.

COMMISSIONERS COMMENT

Commissioner Vogt stated it is grass mowing time and reminded citizens not to blow their grass out into the streets and curbs as it clogs up the sewers and may cause accidents. The Public Works Department works hard on keeping our streets clean.

Commissioner Vogt also stated he previously received calls about the state of disrepair the tennis courts were in. The City has repaired the courts and installed new nets, but Commissioner Vogt said he is not seeing the tennis courts being used. Also the City installed Pickle Ball Courts and he is not seeing them getting any use either.

Commissioner Lee offered his condolences to Commissioner Short in the passing of his father recently.

Commissioner Lee stated it is nice to hear from the public on the issue that was before them, but a decision had to be made in the best interest of the city.

Commissioner Short reminded citizens of the Police Memorial Ceremony on Wednesday April 18, at 12:00 P.M. to be held in Troy between the old Court House and the Safety Building.

Commissioner Short congratulated Jeremy Weber on being named Officer of the Year.

Commissioner Short stated on a personal note he wanted to thank everyone for their support during the passing of his father.

Mayor Hinds reminded citizens that the weather is getting nice and to watch for bicycles, motorcycles, and runners when traveling. Also to get out and use the Trail System it is a wonderful asset the citizens of Piqua have. Ride your bike, take a walk, get out and enjoy the Trail System!

Mayor Hinds stated the Taste of the Arts will be held on Friday May 11th Downtown Piqua.
Mayor Hinds announced Piqua Music Video filming was a success as the weather cooperated.

Mayor Hinds stated she is very proud of the City, and all who participated in the making of the video. Mayor Hinds announced the premier of the video will be held on July 4th.

Motion made by Commissioner Vogt, to adjourn from the Regular Commission Meeting 7:05 P.M. seconded by Commissioner Martin, motion was carried unanimously.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION