CALL TO ORDER
1. Chair Comments
   Opening Remarks
2. Roll Call
   Clerk Calls the Roll

OLD BUSINESS
3. Meeting Minutes
   September 10, 2013 Meeting Minutes

NEW BUSINESS
4. Resolution PC 13-13
   A Resolution to consider the Vacation of a portion of Public Right of Way
   known as Hardin Road Alternate (Old State Route 66)

ADJOURNMENT
CALL TO ORDER

6:00 P.M. – Chairman Spoltman called the meeting to order. Mr. Spoltman noted for the record the hearing of each item would be conducted according to a modified Roberts Rules of Order, more specifically as follows:

A. Clerk to State the Agenda Item
B. Staff Comments
C. Applicant/Agent Comments
D. Other Affected Parties Comments
E. Board Member Comments and Questions
F. Board to Take Action on the Item

ROLL CALL

Members Present: Jim Oda, Mark Spoltman, Mike Taylor, Cindy Pearson, Gary Koenig
Members Absent: None
Staff Members: Chris Schmiesing, Becky Cool
Attendees: City Manager Gary Huff

MEETING MINUTES

Chairman Spoltman asked if there were any additions, deletions or corrections to the revised meeting minutes included in the agenda packet. Mr. Oda made a motion to approve the August 8, 2013 Special Meeting minutes as submitted, Ms. Pearson seconded the motion. Voice vote, Mr. Oda, Aye: Mr. Koenig, Aye: Mr. Taylor, Aye: Ms. Pearson, Aye: Mr. Spoltman, Aye. Nay: None. A voice vote resulted in a 5-0 vote supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

PC 12-13

A Resolution amending the Zoning Code to amend the Subdivision Regulations Section 151

Chris Schmiesing City Planner provided the staff report stating this will amend the subdivision regulations to include construction performance requirements for subdivision improvements. The proposed amendments will provide the means for ensuring that the approved subdivision improvements will be constructed within a reasonable timeframe and that all of the work items incidental to the approved improvements will be completed prior to any individual lot improvements being permitted.

Sections 151.35- Recording of Plat; Requirements for Construction of Improvements, 151.70-, General; 151.71- Plans; and 151.73-Agreements and Guarantees are being amended. Mr. Schmiesing went over each of the sections that are being amended and explained the changes in each section.
There was discussion on the types of bonds that would be required, and what they would cover. Mr. Schmiesing stated the Law Director has reviewed the language and the amendments.

**PUBLIC COMMENT**

City Manager Gary Huff came forward stating this is a very important piece of legislation, and further stating he has worked in other cities that have these same regulations on their books and they are very pleased with the results they achieve.

Mr. Schmiesing stated he would like to amend PC-12-13 in the second line to remove the wording “amend the zoning code to” as it does not apply to this particular Resolution.

Moved by Mr. Oda, seconded by Mrs. Pearson, to amend PC Resolution 12-13 in the second line to remove the wording “amend the zoning code to”. Voice vote, Mr. Oda, Aye; Mr. Reindel, Aye; Mrs. Pearson, Aye; Mr. Koenig, Aye; and Mr. Spoltman, Aye. Nay: None. Motion carried unanimously to amend PC Resolution 12-13.

After discussion of the requirements stated in the legislation, all of the Board Members present were in agreement that the information that was presented was very informative and provided the necessary requirements to approve the request at this time.

Moved by Mr. Oda, seconded by Mr. Koenig, to adopt amended PC 12-13. Roll call vote, Mr. Oda, Aye; Mr. Koenig, Aye; Mr. Taylor, Aye; Mrs. Pearson, Aye; Mr. Spoltman, Aye. Motion carried on a 5-0 vote.

**OTHER BUSINESS**

None

**Monthly Reports**

City Planner Chris Schmiesing stated the board members received an email with the monthly permit activity report, and asked if there were any questions regarding the report at this time.

**Adjournment**

With no further business to conduct it was moved and seconded that the regular meeting be adjourned. With all those present in favor the regular meeting was adjourned at 6:35 P.M.
RESOLUTION No. PC 13-13

WHEREAS, City of Piqua, owner of the adjacent parcels located in the City of Piqua, being in a district zoned OS (Open Space), has submitted a request to vacate a portion of platted public right of way, known as Hardin Road Alternate (Old State Route 66); and,

WHEREAS, the City of Piqua City Commission has declared their intent to consider the vacation of the subject right of way and referred the item to the Planning Commission for study and a recommendation; and,

WHEREAS, section 98 of the Piqua Charter provides the procedure for considering a right of way vacation request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the portion of public right of way proposed for vacation:

☐ Is unimproved and does not provide essential access to surrounding properties
☐ Is unoccupied by public utilities or other uses commonly located within public right of way
☐ Is not identified on any transportation plan indicating the right of is or will be necessary
☐ Is not essential to any existing or future development or use of the surrounding properties

NOW THEREFORE BE IT RESOLVED, board member __________ hereby moves to _________ the request, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member __________, and the voting record on this motion is hereby recorded as follows.

<table>
<thead>
<tr>
<th>Mr. Jim Oda</th>
<th>AYE</th>
<th>NAY</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Gary Koenig</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Mr. Mike Taylor</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Mrs. Cindy Pearson</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Mr. Mark Spoltman</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
</tbody>
</table>
RESOLUTION NO. R-124-13

A RESOLUTION OF INTENT TO VACATE
PUBLIC RIGHT-OF-WAY

WHEREAS, pursuant to Piqua Charter Section 98, this Commission must adopt a resolution expressing its intention to vacate platted right-of-way located prior to such action being considered; and,

WHEREAS, a petition requesting the vacation of a portion of platted public right of way known as Hardin Road Alternate (Old State Route 66), as shown in Exhibit "A" attached hereto, has been filed with the Clerk of Commission;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: This Commission hereby intends to vacate a portion of platted public right of way known as Hardin Road Alternate (Old State Route 66), as shown on Exhibit "A" attached hereto. The City Manager or his duly authorized representative is hereby directed to cause notice of this Resolution to be served by certified mail upon all persons whose property abuts said tract. Said notice shall state the time and place at which objections can be heard by the Planning Commission.

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

[Signature]
LUCINDA L. FESS, MAYOR

PASSED: September 17, 2013

ATTEST: [Signature]
REBECCA J. COOL
CLERK OF COMMISSION
<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>September 6, 2013</th>
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</thead>
<tbody>
<tr>
<td>REPORT TITLE</td>
<td>A RESOLUTION OF INTENT TO VACATE PUBLIC RIGHT-OF-WAY</td>
</tr>
<tr>
<td>SUBMITTED BY</td>
<td>Chris Schmiesing, City Planner</td>
</tr>
<tr>
<td>Development Department</td>
<td></td>
</tr>
<tr>
<td>AGENDA CLASSIFICATION</td>
<td>☒ Resolution</td>
</tr>
<tr>
<td>☐ Consent</td>
<td>☐ Ordinance</td>
</tr>
<tr>
<td>APPROVALS/REVIEWS</td>
<td>☐ City Manager</td>
</tr>
<tr>
<td>☐ Asst. City Manager/Development</td>
<td>☐ Law Director</td>
</tr>
<tr>
<td>☒ City Planner</td>
<td>☐ Planning Commission</td>
</tr>
<tr>
<td>BACKGROUND</td>
<td>The applicant desires to vacate a platted portion of Hardin Road Alternate (Old State Route 66) right of way between Hardin Road and State Route 66. The subject right of way is located within the boundaries of the new water treatment plant construction site.</td>
</tr>
<tr>
<td>BUDGET/FINANCIAL IMPACT</td>
<td>Budgeted $: 0</td>
</tr>
<tr>
<td>Expenditure $: 0</td>
<td></td>
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<tr>
<td>Source of Funds: N/A</td>
<td></td>
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<tr>
<td>Narrative: Approving the resolution will forward the request to the Planning Commission for study and recommendation.</td>
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<tr>
<td>OPTIONS</td>
<td>1. Adopt the resolution to declare intent to vacate and forward the item to the Planning Commission for consideration.</td>
</tr>
<tr>
<td>2. Defeat the resolution and deny the request to consider the petition to vacate the subject right of way.</td>
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</tr>
<tr>
<td>PROJECT TIMELINE</td>
<td>September 2013 – City Commission – Declare Intent to Vacate</td>
</tr>
<tr>
<td>November 2013 – Planning Commission – Public Hearing</td>
<td></td>
</tr>
<tr>
<td>November/December 2013 - City Commission – Reading of Ordinance</td>
<td></td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>Approve the proposed resolution.</td>
</tr>
<tr>
<td>ATTACHMENTS</td>
<td>Petition to Vacate Public Right of Way</td>
</tr>
</tbody>
</table>
September 20, 2013

LEGAL NOTICE

Pursuant to Section 98 of the City of Piqua Charter, notice of the City of Piqua City Commissions’ declaration of intent to vacate a portion of platted public right of way known as Hardin Road Alternate (Old State Route 66), and notice of the City of Piqua Planning Commission meeting date, time, and location, at which a public hearing will be conducted concerning this matter, said meeting to be held on Tuesday, October 8, 2013 at 6:00 P.M. in the Commission Chambers located on the 2nd floor of the Municipal Government Complex, 201 West Water Street, Piqua, Ohio, is hereby provided.

Contact: Chris Schmiesing
City Planner
(937) 778-2049

PUBLISH: Monday, September 23, 2013