

**MINUTES
PIQUA CITY COMMISSION
MONDAY, JUNE 16, 2008
7:30 P.M.**

Piqua City Commission met in Joint Session with Washington Township Trustees at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Vice Mayor Fess called the meeting to order. Also present were Commissioners Martin, Vogt, and Terry. Absent: Mayor Hudson.

REGULAR CITY COMMISSION MEETING

APPROVAL OF MINUTES

Moved by Commissioner Terry, seconded by Commissioner Martin, that the minutes of the June 2, 2008 Regular City Commission Meeting and the Work Session of June 9, 2008 be approved. Voice vote, Aye: Terry, Martin, Vogt, Hudson, and Fess. Nay: None. Motion carried unanimously.

ORD. NO. 15-08
(3rd Reading)

An Ordinance amending Zoning Ordinance No. 42-96 and map of the City for rezoning of Outlot 180 from R-1 (One Family Residential) to OS (Open Space)

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 15-08 be adopted. . Voice vote, Aye; Hudson, Martin, Fess, Vogt, and Terry. Nay, None. Motion carried unanimously. Vice Mayor Fess then declared Ordinance No. 15-08 adopted.

ORD. NO. 16-(A)-08-Tabled
(2nd Reading)

Moved by Commissioner Vogt, seconded by Commissioner Martin, to remove Tabled Ordinance No.16-(A)-08 from the table. Voice vote, Aye: Martin, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously to take Ordinance No. 16-(A)-08 off the table.

An Ordinance authorizing the submission of a proposed amendment of Section 64 of the Piqua Charter to the electors.

Gary Felver, Park Avenue, explained the reason for the request to the Charter at this time.

Commissioner Terry asked Mr. Felver if he was satisfied with the language in the Ordinance at this time. Mr. Felver stated he was satisfied with the language the way it is written in the Ordinance at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the rule requiring the ordinance to be read on three separate days be suspended. Roll call, Aye: Fess, Vogt, Martin, and Terry. Nay, None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Ordinance No. 16-08 be adopted. Roll call, Aye: Fess, Vogt, Martin and Terry. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Ordinance No. 16-(A)-08 adopted.

ORD. NO. 17-08
(1ST Reading)

An Ordinance amending Sections 154.005, 154.020 through 154.026, 154.121 and 154.122 of the Piqua Code relating to residential private garages

Commissioner Vogt questioned if a 24 ft. x 30 ft. garage was the largest allowed at this time, but if a homeowner had an extra large lot could they request a larger garage be built? City Planner Chris Schmiesing explained as the code is written the largest size for a garage at this time is a 24 ft. x 30 ft. A resident may apply for a special use permit that would go before the Planning Commission to allow them to build a larger garage, said Mr. Schmiesing.

Ordinance No. 17-08 was given a first reading at this time.

ORD. NO. 18-08
(1ST Reading)

An Ordinance amending Sections 154.005 and 154.108 of the Piqua Code relating to special event signs

Commissioner Martin inquired as to the "Period of display" on Exhibit A, page 19, section 4 (a). Mr. Schmiesing explained the time frame of the sign displays.

Commissioner Terry asked if Mr. Schmiesing would give a few examples of signs that the Ordinance would cover. Mr. Schmiesing explained signs such as the United Way Sign placed on the square, and Public Sales signs placed at the Armory on Rt. 36 were several of the event signs that would be included in this ordinance.

Ordinance No. 18-08 was given a first reading.

ORD. NO. 19-08
(1ST Reading)

An Ordinance amending Sections 154.127 and 154.143 of the Piqua Code relating to demolition standards

Commissioner Fess asked if the old hospital would be included in this? City Manager Enderle stated unfortunately they have already applied and received their demolition permit for the demolition of the old hospital.

Commissioner Martin inquired as to what department would be responsible for enforcing the code, and would there be a need for an engineer to look at the project first? City Manager Enderle stated Code Enforcement Officer Devon Alexander would be responsible for enforcing the code, and the person taking down the structure would be responsible for providing the information to the city on the demolition of the structure.

Commissioner Terry asked if any structure over two hundred square feet would be required to have a demo permit to take it down? City Manager Enderle stated the standards would be different for the smaller structures such as sheds and garages.

Chuck Starrett, 4244 Demming Road, came to the podium and voiced his concern over several issues concerning demolition of structures. Commissioner Fess explained the need for this ordinance came about with the demolition project of the old hospital. The ordinance was not put in place for the small projects, it is to be placed on the books for future large projects like the hospital, said Commissioner Fess.

Ordinance No. 19-08 was given a first reading.

RES. NO. R-64-08

A Resolution fixing the time and place for a Public hearing on the proposed City Tax Budget for Miami County for the calendar year 2009 and Draft Ordinance

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-64-08 be adopted. Voice vote, Aye: Martin, Vogt, Fess, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-64-08 adopted.

RES. NO. R-65-08

A Resolution awarding a contract for the purchase of a pick-up truck for the Police Department

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-65-08 be adopted. Voice vote, Aye: Terry, Fess, Martin, and Vogt. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-65-08 adopted.

RES. NO. R-66-08

A Resolution requesting preliminary legislation for the Ohio Department of Transportation (ODOT) to resurface State Route 185 from the Miami/Darke County line to the west corporation limit of the City of Piqua

Commissioner Fess asked where the actual Miami/Darke County line is located? Public Works Director Tom Zechman stated Miami/Darke County line is the centerline on State Route 721.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-66-08 be adopted. Voice vote, Aye: Martin, Vogt, Fess, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-66-08 adopted.

RES. NO. R-67-08

A Resolution authorizing the City Manager to enter into a lease agreement to permit the usage of a portion of Fountain Park, Hardman Field and Hance Pavilion to the Piqua Fourth of July Association.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-67-08 be adopted. Voice vote, Aye: Terry, Martin, Vogt, and Fess. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-67-08 adopted.

RES. NO. R-68-08

A Resolution authorizing a purchase order to Warren Fire Equipment for the purchase of self contained breathing apparatus for the Fire Department

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-68-08 be adopted. Roll call, Aye: Terry, Fess, Vogt, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-68-08 adopted.

RES. NO. R-69-08

A Resolution approving the fiscal year 2008 formula allocation program application

Commissioner Martin asked where the two properties were located that the city was to acquire?

City Manager Enderle stated the estimate is up to two properties the City could possibly acquire, and if they will both be in the two target areas in Resolutions No. R-70-08 and R-71-08.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-69-08 be adopted. Voice vote, Aye: Vogt, Terry, Martin, and Fess. Nay:None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-69-08 adopted.

RES. NO. R-70-08

A Resolution declaring ad designating a blighted area in the City of Piqua, Ohio

City Manager Enderle explained the boundaries of the blighted area as stated in the resolution. For purposes of the Community Development Block Grant (CDBG) Program at least twenty-five percent of the properties throughout the area must experience one or more of five various conditions listed in the resolution. It has been determined that approximately thirty-one percent or (39 of 126 properties) are substandard by reason of age, obsolence or lack of maintenance, said Mr. Enderle. There is a limited amount of funds to acquire the two to four properties. These properties must be abandoned or have been vacant for a long period of time. The properties would be land banked for future development or use. The banks will invest in a fund to rehab properties as single-family dwellings.

Commissioner Fess asked if the banks and the grants will cover this project, and what is the city's part in this project. City Manager Enderle stated the City's part in the project would be in-kind services. There will be no actual dollars coming out of City funds at this time stated Commissioner Fess.

Commissioner Martin asked where did the \$88,588 come from? City Manager explained this is from the assessor's market value of the homes.

Commissioner Terry stated if an area is determined to be blighted how does it affect the other houses in the neighborhood that are not blighted, and will they be demolished? City Manager Enderle explained the blighted status and stated it would not affect the other homes, and stated this may even increase the value of the other properties by removing or rehabbing the blighted ones. It depends on the condition of the property whether it would be demolished or not.

Commissioner Fess asked if the money would go back into the fund once the property has been taken care of. City Manager Enderle stated yes, that is the agreement the city has with the banks, we will use their dollars to acquire the properties, rehab them, and then sell the properties. Any profit will go back into the fund unencumbered for future use, said Mr. Enderle.

Commissioner Fess asked what is the city's responsibility to the bank? City Manager Enderle stated the city would pay some quarterly interest expense to use the money, and hope that the money will grow for future investment in the city. The banks are looking at this as an investment in the city and hopes it will pay off. Commissioner Fess asked what would happen if the program does not work, would the City have to pay the money back? City Manager Enderle stated we are still working on the details, but the only obligation the city has is to pay the quarterly interest.

Commissioner Martin asked if there was another term that could be used instead of blighted? City Manager Enderle stated no, not by HUD standards, if we do not adopt it like it is written, it would not be accepted.

Brad Boehringer, 132 E. Main Street, voiced several concerns on the use of the land after the houses have been removed, and the term blighted. City Manager Enderle explained the use of the land and Commissioner Fess stated the term blighted would no show up on anything else other than the application.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-70-08 be adopted. Voice vote, Aye: Martin, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-70-08 adopted.

RES. NO. R-71-08

A Resolution declaring and designating a blighted area in the City of Piqua, Ohio

Commissioner Terry asked if the money would have to be used in the two different areas? City Manager Enderle stated the money would be used in the area that best suits the need, it does not have to be used in both areas.

Commissioner Martin stated this would give us two specific areas to apply for funds.

Jean Franz, 114 Parkridge Place, stated she encouraged the Commissioners to pass the resolution.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution no. R-71-08 be adopted. Voice vote, Aye; Vogt, Fess, Terry, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Fess then declared Resolution No. R-71-08 approved.

RES. NO. R-72-08

A Resolution authorizing a contract addendum with Bollinger Enterprises to provide Administrative Services for the FY 2006 Community Housing Improvement Program

Commissioner Fess asked if this was a two-year contract? City Manager Enderle stated the contract will be in effect until we close out the 2006 Community Housing Improvement Program.

Commissioner Fess voiced concern over the language difference in the original request and the addendum. City Manager Enderle explained the reason for the difference in the language, citing there have been several walk-aways, thus the need for the extension of the contract to complete the project at this time.

Commissioner Terry asked if the \$7500 would be covered by the CHIP Funds? City Manager Enderle stated yes, it would be covered by the CHIP Funds, and no general fund dollars are going into this program.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-72-08 be adopted. Voice vote, Aye: Fess, Terry, Vogt, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Hudson then declared Resolution No. R-72-08 adopted.

RES. NO. R-73-08

A Resolution awarding a contract for Engineering Design Services for the Riverside Drive Reconstruction Phase I and Broadway Avenue Reconstruction Phase II Projects

Commissioner Vogt voiced his concern over the need for a consultant for the project. City Manager Enderle explained smaller projects could be done in house but not the larger projects such as this one.

Public Works Director Tom Zechman stated this is a major reconstruction project, and this extensive project would not be able to be designed in house.

Commissioner Terry stated this is \$93,000 below what we budgeted for this project.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-73-08 be adopted. Roll call, Aye: Terry, Fess, Vogt, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Hudson then declared Resolution No. R-73-08 adopted.

Brad Boehringer, 132 E. Main Street, stated he would like to commend the City Commission on the action they took on Ordinance No. 16-08 by taking the steps to place it on the November ballot. Mr. Boehringer also asked that citizens remember the veterans by writing cards and letters to them.

Mr. Boehringer voiced concern about the condition of City Seal at the Heritage Green Park, citing it was in need of painting and he offered to repaint it if the city would provide the paint. Vice Mayor Fess stated they will take it under advisement and thanked Mr. Boehringer for his offer.

Jeff Lange, 9586 N. St. Rt. 66 thanked the city for their support of the 5th Annual Clean Sweep of the Miami River, which is scheduled for July 12, 2008. Vice Mayor Fess stated the City owes Mr. Lange a big thank you along with all the volunteers who help with the project.

Jean Franz, 114 Parkridge Place, representing the Southview Neighborhood Association stated they replaced the missing landscaping at Mote Park as their project. The Southview Neighborhood does not have a designated green space area, so they have adopted the area at Mote Park. Vice Mayor Fess thanked Mrs. Franz and the SouthView Neighborhood Association for their efforts, citing volunteers make Piqua a great place.

Linda Blakley, 650 S. Roosevelt Avenue, voiced her concern about lawn mowing of various areas in her neighborhood. Ms. Blakely also voiced concern over a police matter. Vice Mayor Fess stated they will look into the grass-mowing situation, and Police Chief Willcox asked Ms. Blakely to see him after the meeting.

Commissioner Vogt asked if it would be possible to have a citywide garage sale and asked citizens to contact their Commissioner to voice their opinion. Commissioner Vogt thanked Steve Willcox for passing out flyers for the City Car Show at the Strawberry Festival. Commissioner Vogt also thanked citizens for their calls of concern this past week after his accident. Your concerns are were much appreciated, said Commissioner Vogt.

Commissioner Martin voiced his concern about high grass on Clark Avenue along the railroad. City Manager Enderle stated he would look into it. Commissioner Martin further stated the Shawnee Neighborhood Association would be holding their Neighborhood Garage Sale on June 26, 27, & 28th.

Commissioner Fess stated she was glad that Commissioner Vogt was not injured more seriously, and is glad that he is able to be in attendance at the meeting.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn into Executive Session at 8:50 P.M. for the purpose of discussing pending litigation. Roll call, Aye: Martin, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Terry, to return to the Regular City Commission Meeting at 9:20 P.M. Voice vote, Aye; Martin, Vogt, Fess, and Terry. Nay: None.

Moved by Commissioner Martin, seconded by Commissioner Terry, to adjourn from the Piqua City Commission Meeting at 9:22 P.M. Voice vote, Aye: Fess, Hudson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION