

**MINUTES
PIQUA CITY COMMISSION
SEPTEMBER 8, 2009
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 Hudson called the meeting to order. Also present were Commissioners Martin, Fess, Vogt, and Terry. Absent: None.

Moved by Commissioner Terry, seconded by Commissioner Martin, to accept amended Resolution No. R-87-09 before going into Executive Session. Voice vote, Aye: Hudson, Martin, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously.

RES. NO. R-78-09

Resolution of Appreciation for the Public Service of Ed Siders as a City Employee.

Mayor Hudson read the resolution and presented it to Mr. Siders. Mr. Siders stated it was a great honor to be of service to the citizens of Piqua, and thanked the Commission for the Resolution of Appreciation.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-78-09 be adopted. Voice vote, Aye: Martin, Fess, Hudson, Terry, and Vogt. Nay: None. Mayor Hudson then declared Resolution No. R-78-09 adopted.

ADJOURN INTO EXECUTIVE SESSION

EXECUTIVE SESSION:

Moved by Commissioner Vogt, seconded by Commissioner Terry, to adjourn into Executive Session to consider the purchase or sale of property for public purposes. Roll call, Aye: Hudson, Martin, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Commissioners adjourned into Executive Session at 7:35 P.M.

Moved by Commissioner Fess, seconded by Commissioner Martin, to adjourn from Executive Session and convene as the Piqua City Commission at 8:05 P.M. Voice vote, Aye: Hudson, Vogt, Terry, Martin, and Fess. Nay: None. Motion carried unanimously.

REGULAR CITY COMMISSION MEETING

APPROVAL OF MINUTES

Moved by Commissioner Terry, seconded by Commissioner Vogt, that the minutes of the Regular City Commission Meeting of August 17, 2009 and the City Commission Work Session of August 31, 2009 be approved. Voice vote, Aye: Hudson, Terry, Vogt, Martin, and Fess. Nay: None. Motion carried unanimously.

ORD. NO. 14-09 ((2nd Reading))

An Ordinance amending Chapter 131 Offenses Against Property

Public Comment

No one came forward to speak for or against Ordinance No. 14-09

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 14-09 be given a second reading.

ORD. NO. 15-09

An Ordinance to levy special assessments to pay for the cost of nuisance abatement assessments

Public Comment

No one came forward to speak for or against Ordinance No. 15-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 15-09 be read on three separate days be suspended. Voice vote, Aye: Hudson, Martin, Fess, Terry, and Vogt. Nay, None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 15-09 be adopted. Voice vote, Aye: Fess, Terry, Martin, Vogt, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 15-09 adopted.

RES. NO. R-79-09

A Resolution approving the Fiscal-Year 2009 Community Development Block Grant Downtown Revitalization program application

There was discussion on the number of applications received, the length of the program, amount of grant money available, and the type of properties that the funds could be used for. Community Development Director Bill Lutz explained the program, and stated they do not have a final list yet, but are still collecting information.

Public Comment

No one came forward to speak for or against Resolution No. R-79-09.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that Resolution No. R-79-09 be adopted. Voice vote, Aye: Hudson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-79-09 adopted.

RES. No. R-80-09

A Resolution authorizing the Executive Director of the Miami County Park District to file an application to the State of Ohio to participate in the Clean Ohio Assistance Fund for property within the City of Piqua

There was discussion on the amount of money that the City of Piqua would receive from the clean Ohio Assistance Fund, and the plan is to use the money to help defray some of the cost of the demolition of the Power Plant in the future.

Power System Director Ed Krieger stated the cost to take down the power plant will be in excess of five million dollars and that will depend on the environmental study when it comes in. Mr. Krieger further stated the power plant has been shut down for over five years, and as it stands is a liability for the City.

City Manager Enderle stated an assessment was conducted, and the power plant is not feasible to be utilized for anything else, thus the need to take it down.

Public Comment

No one came forward to speak for or against Resolution No. R-80-09.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-80-09 be adopted. Voice vote, Aye: Vogt, Martin, Fess, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson declared Resolution No. R-80-09 adopted.

RES. NO. 81-09

A Resolution authorizing the City Manager to execute agreements for the City-Wide Vehicle Fleet Maintenance program

City Manager Enderle explained currently each department is responsible for their own vehicle maintenance, and stated quantity discounts was something we thought would save the city some money. RFP notification letters were sent out to forty-six possible vendors for the services required by the city for vehicle maintenance. Seventeen companies responded to the request for proposals. This resolution will authorize the issuance of eight contracts to various local companies for vehicle maintenance and repairs to city vehicles.

There was discussion on the type of repairs and maintenance that is to be performed by the vendors, and questions were asked concerning specialized major problems and repairs on the heavy trucks, and how they are going to be handled. The idea was mentioned the City have their own maintenance department in house to take care of the vehicles. City Manager Enderle explained how the maintenance and repairs would be done, and further stated it would be very costly to have an in house maintenance department due to cost of purchasing equipment and mechanics.

City Manager Enderle stated Purchasing Director Beverly Yount did a great job on assembling the Vehicle Maintenance Committee, sending out the RFP's, and putting the together the proposals for this Resolution.

Public Comment

No one came forward to speak for or against Resolution No. R-81-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-81-09 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-81-09 adopted.

RES. NO. R- 82-09

A Resolution approving the tax rates for the City as determined by the Miami County Budget Commission

City Manager Enderle stated this sets the tax rate to be collected in 2010, and this is the same as last year.

Public Comment

No one came forward to speak for or against Resolution No. R-82-09

Moved by Commissioner Fess, seconded by Commissioner Terry, to adopt Resolution No. R-82-09. Voice vote, Aye: Fess, Martin, Terry, Vogt, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson declared Resolution No. R-82-09 adopted.

RES. NO. R-83-09

A Resolution authorizing the City Manager to execute a Memorandum of Understanding with Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Firefighters)

City Manager Enderle stated the Fire Unions came to the City and volunteered to take a wage freeze this last year of their contract in exchange for exempting firefighters from layoffs in the 2010 budget year. All other provisions of their contract would remain the same. Mr. Enderle further stated he greatly appreciates the Fire Unions stepping up and showing some leadership and understanding and offering to do this at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-83-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-83-09 be adopted. Voice vote, Aye: Hudson, Martin, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-83-09 adopted.

RES. NO. 84-09

A Resolution authorizing the City Manager to execute a Memorandum of Understanding with Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Fire Officers)

Public Comment

No one came forward to speak for or against Resolution No. R-84-09.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-84-09 be adopted. Voice vote, Aye: Martin, Fess, Vogt, Terry, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-84-09 adopted.

RES. NO. R-85-09

A Resolution awarding a contract to Barrett Paving Material, Inc. for the 2009 Street Resurfacing Program

City Manager Enderle stated 2.12 miles of streets are scheduled to be resurfaced at a cost of \$363,600 that includes four alternate bids.

There were questions regarding the money available for the resurfacing in the budget, and the time frame on completing the project.

Finance Director Cynthia Holtzapfle explained there was \$200,000 in the original budget, and we appropriated an additional \$150,000 and \$100,000.

City Engineer Amy Havenar explained they plan to have the contractor start next month, and should be completed by the end of October.

Public Comment

No one came forward to speak for or against Resolution No. R-85-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-85-09 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-85-09 adopted.

RES. NO. R-86-09

A Resolution approving the purchase of 420-422 Garnsey Street

Law Director Stacy Wall gave a brief explanation on the reason for the purchase of this property. There have been numerous problems that have occurred with this property including a large number of Police contacts, and nuisance violations. Currently the property is under a condemnation order for the standards, and is currently vacant at this time. There are various serious conditions in question including a fire hazard in the basement, structural damage inside the home, and debris and trash issues that are constant problem. The Police and Health Departments completed a six-year review of issues with the property recently. This home is situated on a lot that is not viable for renovation or rebuilding due to the size and the zoning regulations, said Ms. Wall.

There are Community Development Block Grant funds available, there are funds available from the Neighborhood Stabilization Program, and funds have been set-aside in the Neighborhood Improvement Team budget to purchase or demolish property, said City Manager Enderle.

Police Chief Bruce Jamison gave a brief overview of the number and type of calls that were received over the past six-years at the property in question.

There was discussion on the reason the city plans to purchase and demolish the property, if the property could be rehabilitated, and the possibility of one of the neighbors interested in acquiring the empty lot. It was stated that no City funds would be used to acquire this property. By utilizing the Neighborhood Improvement Team the city hopes to prevent a situation like this in the future, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-86-09.

Moved by Commissioner Terry, seconded by Commissioner Fess, that Resolution No. R-86-09 be adopted. Voice vote, Aye: Martin, Vogt, Terry, Hudson, and Fess. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-86-09 adopted.

RES. NO. R-87-09

A Resolution requesting authorization to issue a purchase order to Burch Hydro, Inc. for biosolids removal and land application at the Wastewater Plant for the next three years

There was discussion on the reason for not bidding out the contract at this time, and why they were going to stay with Burch Hydro, Inc. Wastewater Superintendent Dave Davis gave a brief explanation for not going out for bids, and the reason for extending the three-year contract with Burch Hydro, Inc.

Commissioner Martin voiced his concern why the city did not go out for bids when we sent this to Burch Hydro Inc. for their quote on the next three years. Commissioner Martin stated he would like to see the original contract with Burch Hydro Inc. and would like to table the resolution until he is able to see it.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to table Resolution No. R-87-09 at this time. Roll call, Aye: Vogt, Martin. Nay: Fess, Terry, and Hudson. Roll call vote resulted in a 3-2 vote against the motion to table Resolution No. R-87-09. Motion denied.

Commissioner Vogt also voiced his opinion on the bidding process, and the possibility of getting lower bids if it could have went out for bids. Utilities Director Dave Burtner, gave a brief explanation for not rebidding at this time, stating the quality of work they have maintained, the fact the City has not had any complaints or issues with the EPA since using Burch Hydro, Inc. are all part of the reasons they would like to continue to work with them.

There was discussion on the number of companies that would bid on this process, and the reason for such an increase in price from the last three years.

Public Comment

No one came forward to speak for or against Resolution R-87-09.

Moved by Commissioner Terry, seconded by Commissioner Fess, that Resolution No. R-87-09 be adopted. Roll call, Aye: Fess, Terry, and Hudson. Nay: Vogt and Martin. Motion carried on a 3-2 vote to adopt Resolution No. R-87-09.

OTHER

Proclamation-National Preparedness Month

Mayor Hudson read the Proclamation.

Monthly Reports

Monthly Reports were accepted.

Public Comment

Mike Perando, Third Street, gave a brief update on the Neighborhood Blood Drive that took place recently, and thanked all who participated. The North Parks Neighborhood won the Neighborhood challenge this year.

Mr. Perando announced the next Shawnee Neighborhood meeting is scheduled for Thursday, September 24, 2009 at 7:00 in the Staunton School. There are plans to possibly have an ice skating rink set up at Mote Park this year, there will be more information to come later, said Mr. Perando.

Mayor Hudson stated Mr. Perando handed out information on the Shawnee Neighborhood happenings to the City Commissioners.

Terry Wright, W. North Street, stated he inquired about six months ago as to the possibility of the City Commission meetings being put on DVD, and copies given to the Public Library for citizens to take home and view at a later date. Mr. Wright asked what the status was on this request. Information Technology Director Dean Burch stated they are still looking into it. Mayor Hudson stated he would have an answer for Mr. Wright by the first of October.

Commissioner Vogt congratulated Mr. Siders on his retirement, and the Heritage Festival Committee and all the volunteers on another excellent festival.

Commissioner Martin congratulated Mr. Siders on his retirement, and also the great job the Heritage Festival Committee and volunteers did. Commissioner Martin inquired if it would be possible to post a "Cross Traffic Does Not Stop" sign at Looney and Garbry Roads.

Commissioner Fess also congratulated Mr. Siders on his retirement, and thanked the Fire Unions for offering to take the wage freeze at this time. Commissioner Fess stated enough can't be said about the Heritage Festival and congratulated all the volunteers and attendees on another great festival. Commissioner Fess stated she has had several inquires as to the possibility of a Dog Park being placed in the City of Piqua.

Commissioner Terry congratulated Mr. Siders on his retirement, and thanked the Firefighters and Fire Officers for their willingness to take a wage freeze at this time.

Commissioner Terry inquired about the detour sign for Riverside Drive, stating it is not clear for direction to get through town.

Commissioner Terry stated she has received calls about the bricks coming out at Ash and Main Streets, and the manholes that are sinking in various areas. City Manager Enderle stated they are working on replacing the bricks, and raising the manholes at this time.

Mayor Hudson inquired if sidewalks were going to be placed on the levy side of Riverside Drive when completed. City Engineer Amy Havenar explained where the sidewalks would be placed along Riverside Drive.

Mayor Hudson inquired as to the status of the hospital demolition project on Park Avenue. City Manager Enderle stated there has been nothing new to report at this time.

Mayor Hudson stated the Bike Path has been the target of vandalism recently, and asked citizens to observe the area when they are near or on the path, and to report anything they see to the Police Department.

Mayor Hudson asked when Toone P. Wiggins plans to open in the Piqua Plaza. City Manager Enderle stated they plan to open in mid September.

Mayor Hudson inquired as to the location of an old black and white film about Piqua-The Atomic City, and asked if anyone has it, or knows someone who does. Power System Director Ed Krieger stated he would look into it.

Mayor Hudson stated the first Piqua Triathlon will be held on Sunday September 13, 2009 and invited all to participate. It was noted that Law Director Stacy Wall would be participating in the Triathlon.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission at 9:28 P.M. Voice vote, Aye: Vogt, Martin, Terry, Hudson, and Fess. Nay: None. Motion carried unanimously.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION