

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday August 17, 2010  
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 Fess called the meeting to order. Also present were Commissioners Martin, Vogt, Terry, and Wilson. Absent: None.

**REGULAR CITY COMMISSION MEETING**

**PROCLAMATION: Piqua Lions Club – 90<sup>th</sup> Anniversary Celebration**

Mayor Fess read the Proclamation and presented it to Joanie Crawford, President of the Piqua Lions Club along with several other members that were present. Ed Mann also a member of the Lions Club presented the Mayor and Commissioners with a lapel pin depicting the Lions Club 90<sup>th</sup> Anniversary.

**Consent Agenda**

**Approval of Minutes**

Approval of the minutes from the July 28, 2010 Piqua City Commission Work Session, and the August 3, 2010 Regular City Commission Meeting

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the July 28, 2010 Piqua City Commission Work Session, and the Regular City Commission Meeting of August 3, 2010 be approved as amended. Voice vote, Aye: Wilson, Fess, Terry, Martin, and Vogt. Nay: None. Motion carried unanimously.

**NEW BUSINESS**

**ORD. NO. 24-10 (2nd Reading)**

An Ordinance determining to proceed with and levying assessments for the improvement of Riverside Drive Street Reconstruction

City Manager Enderle stated this is the second reading of Ordinance No. 24-10 and is a request to authorize the submission of the unpaid sidewalk, curb and gutter assessments to be certified to the county auditor's office to be placed on the property tax duplicate. Mr. Enderle further stated residents still have the opportunity to pay their assessments before they are sent to the auditor's office to be assessed on their property taxes.

**Public Comment**

No one came forward to speak for or against Ordinance No. 24-10.

Ordinance No. 24-10 was given a second reading.

**ORD. NO. 25-10 (1<sup>st</sup> Reading)**

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

City Manager Enderle stated residents have a choice to either pay the assessments, or have them assessed with their property taxes for a five or ten year period. Nuisance Abatement assessments are the result of non-compliance by property owners and are their responsibility.

There were several questions raised including whether banks/mortgage companies pay the assessments or they are assessed to the property taxes, and if repeat offenders could be penalized. City Manager Enderle stated usually the banks or mortgage companies are not local, and the assessments go on the property taxes. There is a penalty in place now for repeat offenders, and that is why some of the fees are so high.

**Public Comment**

Deron Yingst, Adams Street, came forward and voiced his concerns about some of the property owners on the assessment list not being notified of the original bills. City Manager Enderle asked that Mr. Yingst meet with Health & Sanitation Director Amy Welker to review the reports. Property owners are responsible for having a proper address for notification, stated City Manager Enderle.

Ordinance No. 25-10 was given a first reading.

**ORD NO, 26-10 (1ST Reading)**

An Ordinance to levy special assessments to pay Miami County for demolition per terms of National Stabilization Program Grant Agreement

City Manager Enderle stated Miami County Commissioners entered into a Federal Grant Program to use Federal Funds to demolish buildings in Shelby and Miami Counties. Piqua entering into a sub recipient agreement to demolish buildings within the city limits, and that agreement provides that half of the cost of demolition must be assessed to the property owner. The National Stabilization program grant provides funds to demolish properties not in compliance with city codes, said City Manager Enderle.

**Public Comment**

No one came forward to speak for or against Ordinance No. 26-10.

Ordinance No. 26-10 was given a first reading.

**RES. NO. R-92-10**

A Resolution appointing a member to the Community Diversity Committee

City Manager Enderle stated Resolution No. R-92 appoints Karen Schultz to fill the unexpired term of Debra Osborn as a member of the Community Diversity Committee for a term to expire on March 1, 2011.

**Public Comment**

No one came forward to speak for or against Resolution No. R-92-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-92-10 be adopted. Voice vote, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-92-10 adopted.

**RES. NO. R-93-10**

A Resolution authorizing the City Manager to enter into a contract with Burgess and Niple, Inc. for all services required to complete the Phase II Environmental Assessment of the Piqua Hospital site at a cost not to exceed \$199,903

City Manager Enderle stated on July 26, 2010 the State Controlling Board approved a Clean Ohio Assistance Fund request of \$199,903 to the City of Piqua to perform a Phase II Environmental Assessment at the Piqua Hospital site.

There was discussion on what the Phase II Assessment encompassed, if the building next to the hospital was included in the demolition, if there is any historical value to that building, and the timeframe for the process to be completed. By working with Burgess and Niple, Inc. they will ensure that the proper procedures are followed in leading to the environmental remediation of the Piqua Hospital Site, said City Manager Enderle.

Assistant City Manager/Economic Development Director William Murphy explained the process for the Phase II Environmental Assessment, and stated it should be completed by the end of the November. It was also noted that Burgess and Niple, Inc. have done several other hospital cleanups.

**Public Comment**

No one came forward to speak for or against Resolution No. R-93-10.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-93-10 be adopted. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-93-10 adopted.

**RES. NO. 94-10**

A Resolution authorizing a Miami Valley Regional Plan for Sustainable Development Consortium Partnership Agreement

City Manager Enderle stated the Federal government has released dollars to fund a Sustainable Communities Regional Grant Program and Miami Valley Regional Planning Commission has an interest in seeking funding assistance to establish a Miami Valley Regional Plan For Sustainable Development. The program is generally designed to advance collaborative efforts promoting sustainable development practices related to transportation, housing, economic competitiveness, existing infrastructure, and the coordination of policies. The Development Department has reviewed the MVRPC Sustainable Communities Regional Planning Grant Program and recommends the City of Piqua support the MVRPC grant application. The City of Piqua will make no financial commitment in support of the MVRPC application, with the only obligation being commitment of staff time, said City Manager Enderle.

**Public Comment**

No one came forward to speak for or against Resolution No. R-94-10.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-94-10 be adopted. Voice vote, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-94-10 adopted.

**RES. NO. R-95-10**

A Resolution adopting the Electric Fund Capitalization Policy

Power Systems Director Ed Krieger gave a brief power point presentation on the Power System's Electric Fund Capitalization Policy. AMP projects can receive higher bond ratings if project participants are financially sound and creditworthy, and this results in lower borrowing costs and subsequently lower power costs for project participants, said Mr. Krieger.

Piqua's Electric Fund Capitalization Policy has been in place since 1987. There is no cost associated with the Electric Fund Capitalization Policy, and approval of Resolution No. R-95-10 ensures lower AMP borrowing cost and lower power costs for Piqua electric customers, stated Mr. Krieger.

City Manager Enderle stated the Energy Board unanimously recommended adoption of the Power System's Electric Fund Capitalization Policy at their March 23, 2010 meeting.

**Public Comment**

Brad Boehringer, Mound Street, came forward and asked several questions concerning the need for the policy, and what the credit score means to the City of Piqua in terms of borrowing.

Mr. Krieger explained how the credit score affects the purchase of power for the City of Piqua, and how important it is to help keep the rates low for the electric customers.

Mayor Fess thanked Mr. Krieger for his presentation, and stated he is doing a great job in looking out for the City of Piqua's electric customers.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-95-10 be adopted. Voice vote, Aye: Fess, Terry, Martin, Vogt, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-95-10 adopted.

**RES. No. R-96-10**

A Resolution appointing one member to the WOTVC Board

City Manager Enderle stated the Code of Regulations specifies that of the City's representatives, the City Manager shall appoint two members, recommending one be the IT Director. The third member is to be appointed by the Commission. Resolution No. R-96-10 appoints Lloyd Shoemaker as the citizen representative to the WOTVC Board.

City Manager Enderle further stated the current APTA Board is being dissolved and replaced with the Western Ohio TV Consortium ("WOTVC"). This change is the result of a change in franchise laws by the State of Ohio and the termination of the City's franchise agreement with Time Warner. There is a need to replace the outdated equipment that is currently being used by APTA. The WOTVC was created with the consortium of partners consisting of the City of Piqua, Edison Community College, Upper Valley Joint Vocational School, Piqua City School District, and the Piqua Public Library, to enlarge the scope of public access television in the community.

This is a wonderful opportunity for the City of Piqua, and is really APTA growing up, said Mayor Fess.

**Public Comment**

No one came forward to speak for or against Resolution No. R-96-10.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-96-10 be adopted. Roll call, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-96-10 adopted.

**RES. NO. R-97-10**

A Resolution appointing one member to the Board of Zoning Appeals

City Manager Enderle stated Resolution No. R-97-10 appoints Daniel Patrizio to fill the unexpired term of Rebecca Harrison on the Board of Zoning Appeals for a term to expire on March 1, 2013.

Commissioner Martin asked what the Board of Zoning Appeals does. City Manager Enderle explained the Board of Zoning Appeals hears appeals on various building and zoning code determinations, including property maintenance.

There was discussion on the appointment of Mr. Patrizio to the BZA Board, stating the other applicant has background in the building field. City Manager Enderle explained there is a need to have a mix of technical and business people who can take a step back and look at the situation in question.

### **Public Comment**

No one came forward to speak for or against Resolution No. R-97-10.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-97-10 be adopted. Roll call, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-97-10 adopted.

### **OTHER**

Finance Director Cynthia Holtzapple gave a brief update on the Fort Piqua Plaza Operating Summary. Ms. Holtzapple went over the revenues and expenditures including the reimbursements and the transfer in Fund 001. Report figures show the revenues from January through June 2010 with the total operating income at \$74,645 against the \$132,000 budgeted for 2010. (See enclosed report)

There were several questions regarding rental fees and it was noted that Winans is not behind in their rent, but Toon P's at the Plaza is behind a number of months on their rent. City Manager Enderle stated they have met with the owner of Toon P's and worked out a "memorandum of understanding" in order to collect the back rent. City Manager Enderle further stated we are not doing as well as we had hoped to be doing on the rentals, but a lot of this has to do with the economy

Ms. Holtzapple stated we are getting close to the busy rental season starting late summer and into fall, and going in the holiday season, we hope to boost the room rentals towards the end of the year.

There was discussion and questions on several of the fund balances by the Commissioners, and these were answered and explained by City Manager Enderle and Ms. Holtzapple.

Brad Boehringer, Mound Street, came forward and voiced his opinion on several items including the number of caterers on the list for the Banquet Facility in the Ft. Piqua Plaza, and the use of the restaurant space for Toon P's at the Plaza. Law Director Stacy Wall explained how the base rental fees were set up.

### **Economic Development Update**

Presented by - Mr. Bill Murphy, Assistant City Manager/Director of Economic Development

Mr. Murphy gave a brief overview of some of the permits and building activity going on in the City of Piqua. Mr. Murphy also gave a power point presentation on the Dayton Region Partnerships. Several highlights include: Core Industry Clusters, Transportation & Logistics; Continuing & Technical Education; Water Resources; Dayton Development Coalition Website with GIS; Ohio Tax Reform and State Taxes in Ohio.

### **Public Comment**

Jean Franz, resident, voiced her concern over the money being spent in the north end of town that was supposed to be earmarked for specifically for Mote Park. Mrs. Franz stated she counted the number of shelters (3), benches (7), picnic tables (13) and grills (3) in Fountain Park. Mote Park only has four benches, no grills, and no picnic tables. Mrs. Franz also voiced her concern over the three new parks in the north end while there have been no new parks established or updated in the south end. Mrs. Franz further stated she is questioning why the money was shifted to the north end from the Mote Park fund.

City Manager Enderle explained the reason the money was transferred from the Mote Park fund, and stated the city is continuously looking for grants at this time to be used at Mote Park.

Commissioner Martin asked if the money that was earmarked for Mote Park was still there. City Manager Enderle stated yes the money is still there, and explained what was done.

Mayor Fess stated she is aware that Mote Park is in need of repair, and stated it would be nice to possibly put a shelter and some benches there in the future.

Jeff Lange, St. Rt. 66, representing P.O.W. River Clean Up came forward and gave a brief overview of the days events and thanked all the volunteers and sponsors who helped with this years clean up. Mr. Lange read the names of the sponsors and provided the statistics on the number of various items that were picked up this year.

Mayor Fess thanked Mr. Lange for his update on the cleanup, and for his leadership in putting together the River Clean Up again this year.

Bill Hogston, President of the Piqua Firefighter's Association, came forward and provided information to the Commissioners with regards to the City of Piqua applying for Staffing for Adequate Fire and Emergency Response (SAFER) grants through the Department of Homeland Security. The City Management must submit the application and Mr. Hogston asked the City Manager to assist the firefighters in applying for these funds. Lee Adams, of the Piqua Fire Department is responsible for the writing of grants for the Piqua Fire Department, said Mr. Hogston.

### **City Commission Comments**

Commissioner Wilson stated the Downtown has never looked better with the planters full of beautiful flowers, the inviting store fronts, the street sweeping that is being done weekly, it really makes Piqua look good.

Commissioner Wilson stated he attended the Music Warehouse Program held in Hance Pavilion on August 13 & 14. It was a very exciting program with over 273 children participating, and a big thanks goes to Director Tom Westfall for another outstanding job, said Commissioner Wilson.

Commissioner Terry thanked the Piqua City Schools, Neighborhood Associations, POINT Group, and all the City volunteers for their participation in the City Cleanup on Saturday August 14, 2010.

Commissioner Terry reminded citizens The Piqua Heritage Festival will be held on Labor Day Weekend, September 4th, 5th, 6th, 2010, and encouraged people to come out to the festival and support the non-profit organizations.

Commissioner Terry stated the Music Warehouse did an outstanding job again despite the heat.

Commissioner Terry stated school will be opening soon and to be careful while driving and watch out for children crossing the streets.

Commissioner Vogt stated he took offense to Ms. Franz comments about the city not doing anything for the South end parks and Mote Park. Commissioner Vogt reviewed several projects the city participated in renewing the areas in the south end. Maybe we should be more pro-active instead of re-active when doing some of the projects, but we are not only putting money in the north end areas, said Commissioner Vogt.

Commissioner Martin stated he participated in the City Cleanup on Saturday, and thanked all the volunteers and groups that came out to help.

Mayor Fess stated there was a packed crowd for the Music Warehouse programs, and further stated the community is so blessed to have such a wonderful group of children, and such a talented director to put these programs together.

Mayor Fess announced City Manager Fred Enderle has decided to retire and the city will begin an extensive search for his replacement. The city has decided not hire a consultant at this time, but will use various avenues such as sending out letters, advertisements in the International City Manager Magazine, placing information on the city website. Citizens interested in offering their input into what

qualifications they would like to see in the new City Manager may go on line to offer their information to the Human Resources Department or send a letter.

Information Technology Director, Dean Burch gave a brief overview for citizens on the steps to reach the City of Piqua's website, and how to utilize the website to place their information or to get information.

Mayor Fess stated they hope to have a new City Manager on board by the end of the year so that person can spend a month with City Manager Enderle getting acquainted with the city departments and practices.

**Adjournment**

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 9:25 P.M. Voice vote, Aye: Wilson, Martin, Terry, Fess, and Vogt. Nay: No. Motion carried unanimously.

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LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION