

**REVISED 10-02-2013**

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday September 17, 2013  
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 Terry, Wilson, Vogt, and Martin.

**REGULAR CITY COMMISSION MEETING**

**PROCLAMATION: CRIME STOPPERS MONTH IN THE CITY OF PIQUA**

Mayor Fess read the proclamation and presented it to Police Chief Bruce Jamison and Piqua Area Chamber of Commerce Director Kathy Sherman.

**Consent Agenda**

Approval of the minutes from the September 3, 2013 Regular Piqua City Commission Meeting.

**RES. NO. R-119-13**

A Resolution appointing a member to the Stormwater Utility Board

City Manager Huff stated Resolution No. R-119-13 appoints Jesse Dotson to the Stormwater Utility Board for a 3 year term to expire on August 1, 2016.

**RES. NO. R-120-13**

A Resolution appointing a member to the Stormwater Utility Board

City Manager Huff stated Resolution No. R-120-13 appoints Stacy Stang to the Stormwater Utility Board for a 1 year term to expire on August 1, 2014

Moved by Commissioner Martin, seconded by Commissioner Wilson, to approve the Consent Agenda. Voice vote, Aye: Martin, Fess, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously.

**New Business**

**ORD. NO. 14-13** (1st Reading)

An Ordinance amending Section 151.135, 151.70, 151.71, and 151.73 of Chapter 151 of the City of Piqua Code of Ordinance to establish construction performance requirements for subdivision improvements

Chris Schmiesing, City Planner gave a brief overview of reason for the changes at this time. This will amend the subdivision regulations to include construction performance requirements for subdivision improvements. The proposed amendments will provide a 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 improvement will be complete prior to any individual lot improvements being permitted.

Mr. Schmiesing stated the Piqua Planning Commission held a Public Hearing on September 10, and hearing no objections unanimously recommended the amendments be made to Code Section 151.35, 151.70, 151.71 and 151.73 at this time.

Several questions were raised concerning the changes including the timeframe and fees. Commissioner Martin inquired if field tiles are cut who is responsible for repairing them? Mr. Schmiesing explained, further stating that if the field tiles are cut that it is covered under the drainage calculations that are submitted by the contractor.

City Manager Huff stated this is extremely important as the performance bond enables the City to complete the project if the contractor fails to do so.

**Public Comment**

No one came forward to speak for or against Ordinance No. 14-13.

After a brief discussion Ordinance No. 14-13 was given a first reading.

**RES. NO. R- 121-13**

A Resolution requesting authorization to enter into an agreement with LJB Inc. for the Right-of-Way Acquisition Services for the Garnsey Street/Commercial Street Corridor Neighborhood Connector Project

Amy Havenar, City Engineer, explained in June of 2009 the City Commission approved the submission of the Garnsey Street/Commercial Street Corridor Neighborhood Connector Project to the Miami Valley Regional Planning Commission for funding under the Congestion Mitigation/Air Quality (CMAQ) program, and was selected.

We are at the point now to proceed with the right-of-way acquisitions. LJB, Inc. is currently working on the engineering design of the project with one of the major focuses being the right-of-way contract, identifying/defining the right-of-way in the vicinity of Garnsey/ Commercial/College/Roosevelt intersection, as well as showing ownership of the portion of Commercial Street that was once owned by the railroad (between Wood Street & Grant Street).

This project will be funded with 100% local funds. The City received \$421,462 in grant funding from the MVRPC for the construction of the project, with the total cost of the construction estimated at \$527,000, stated Ms. Havenar.

Several questions were raised concerning how much of the properties would be needed, and how the property owners would be compensated. It was noted there are three different railroads companies involved in this along with some city property that would need to be addressed.

**Public Comment**

No one came forward to speak for or against Resolution No. R-121-13.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-121-13 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-121-13 adopted.

**RES. NO. R-122-13**

A Resolution approving the Tax Rates for the City as determined by the Miami County Budget Commission

City Manager Huff explained that every year about this time, the Finance Department requests an approval of the certified tax rates which will be used to levy property tax on all general duplicates for 2013 to be collected in 2014. These certified rates require the approval of the City Commission and certification to Miami County before October 1, 2013.

Commissioner Wilson stated there are no changes, this is just a continuation of the current tax.

**Public Comment**

No one came forward to speak for or against Resolution No. R-122-13.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Resolution No R-122-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, Wilson, and Fess. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-122-13 adopted.

**RES. NO. R-123-13**

A Resolution approving the fiber connectivity to various power system sites and other municipal sites

City Manager Huff stated on February 5, 2013 Resolution No, R-157-12 was approved by the City Commission to retain the services of Efaces/ACS as a professional firm to design, install and maintain a fiber optic network for Supervisory Control and Data Acquisition (SCADA) Connectivity to electric substations and other municipal sites for the Power System and the City.

IT Director Dean Burch provided a brief overview of the project stating Efaces/ACS is currently installing a fiber optic network for Supervisory Control and Data Acquisition (SCADA) Connectivity. The approved Phase 2 connection being proposed in 2013 are:

Golf Club House; Fire Department; Hetzler Road Water Pump Station; Police Department; Street/Sanitation; Wastewater Plant; Ziegler Road Water Pump Station; and Redundant Ring Connectivity. Additional Power System connections are being proposed in 2013 with equipment to eliminate leased lines for the four DP&L SCADA/metering locations saving money.

There were several questions raised by the Commissioners regarding the fiber optics and reason for the use of fiber optics versus the use of wireless. This project is a continuation of laying the groundwork for the use of the network for City facilities and for non-City entities to use the high speed fiber network, stated IT Director Dean Burch. Commissioner Martin raised several questions and expressed his concern over the use of fiber optics versus wireless in several of the City departments, including the Golf Course.

**Public Comment**

Mark Kiner, Boone Street, came forward stating he just moved to the City of Piqua, and he is happy to see the fiber optics network coming to the City of Piqua at this time.

Steve Yenney, Echo Lake Dr. came forward and voiced his opinion on the use of fiber optics versus wireless within the City departments and especially at the Golf Course. Mr. Yenney ~~does not believe it is necessary to have that type of connection at the Golf Course, and be spending the amount of money they are for the connection~~ wanted to know how the City justifies spending \$8059.00 per year for the connection to the Golf Course. City Manager Huff explained the reason for the connection to the Golf Course. Mr. Yenney stated he read the narrative on the report and has a lot of questions regarding the use of the fiber optics versus the wireless connection. Assistant Power System Director Nick Berger provided further information regarding the fiber optics system and the use with the SCADA System. Mr. Yenney continued to voice his opinions regarding the use of fiber optics. City Manager Huff, IT Director Dean Burch, and Assistant Power Systems Director Nick Berger provided the necessary information that was being requested.

Craig Grissom, Piqua resident and owner of Skynet, came forward and loudly voiced his opinion and asking questions concerning the Golf Course use of fiber optics and other issues with the fiber optics system and its use. Mr. Grissom continued by asking the commissioners what speed their internet connection is. Mr. Grissom was politely asked to ~~set~~ sit-down.

After a lengthy discussion Commissioners moved by Commissioner Wilson, seconded by Commissioner Terry, to adopt Resolution No. R-123-13. Roll call, Aye: Vogt, Terry, Wilson, and Fess. Nay, Martin. Motion carried on a 4-1 vote.

**RES. NO. R-124-13**

A resolution of intent to vacate public Right-of-Way

City Planner, Chris Schmiesing explained Resolution No. R-124-13 is a resolution requesting the vacation of a portion of platted public right-of-way know as Hardin Road Alternate (Old State Route 66). The subject right of way is located within the boundaries of the new Water Treatment Plant construction site. The time frame for this project includes the City Commission declaring the intent to vacate the property, the Planning Commission will review this at their next meeting, and will come back to the City Commission in the form of an ordinance for final approval, stated Mr. Schmiesing.

Several questions were raised concerning the two home owners still living on the road, and if they would still have access to St. Rt. 66. Mr. Schmiesing explained.

Law Director Stacy Wall further stated she would be filing the annexation paperwork on this property on Wednesday, September 18, 2013 with the Miami County Recorder's office.

#### **Public Comment**

John Owsiany, Shawnee Trail came forward and asked for clarification on the property being vacated. Mr. Schmiesing clarified the properties that are being vacated at this time and where they are located. Mr. Owsiany thanked Mr. Schmiesing for the clarification.

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Resolution No R-124-13 be adopted. Roll call, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

#### **RES. NO. R-125-13**

A Resolution authorizing the City Manager to apply for, accept, and enter into an Ohio Water Development Authority (OWDA) Fresh Water Loan Program Loan Fund Agreement on behalf of The City of Piqua for planning, design, and/or construction of water facilities; and designating a dedicated repayment source for the loan

City Manager Huff explained based on the age of the current Water Treatment Plant, and its inability to maintain compliance with the current and future Ohio EPA regulations, the City Commission authorized staff to proceed with a new Water Treatment Plant. The first step includes a detailed design of a new Water Treatment Plant which is being completed by CDM Smith. Funding for the design is estimated to be \$2.2 million. Currently the interest rate on the loan we are apply for is 4.24% and may change from now until the loan is actually awarded in December of 2013, stated City Manager Huff.

#### **PUBLIC COMMENT**

No one came forward to speak for or against Resolution No. R-125-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No R-125-13 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously.

#### **RES. NO. R-126-13**

A Resolution authorizing a purchase order to Germain Ford for the purchase of two Ford Police Interceptor Utility vehicles

Police Chief Bruce Jamison explained it has been over five years since the long term capital improvement fleet replacement program was abandoned. The City purchased five used vehicles last year to help save money in the budget. The plan is to purchase two police utility vehicles to replace two 2005 Ford Expeditions that have over 140,000 miles on them those are used by supervisors. The new plan would increase the total life expectancy of vehicles to five years. Other departments the same size as Piqua are currently using the utility vehicles and are very pleased with them. No other responses were received to the bid requests to see if we could do any better than the state contract, stated Chief Jamison.

Commissioners asked several questions regarding the old vehicles, and what the plans were for the vehicles.

**PUBLIC COMMENT**

No one came forward to speak for or against Resolution No. R-126-13.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No R-126-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, Wilson, and Fess. Nay: None. Motion carried unanimously.

**PUBLIC COMMENT**

No one came forward to speak at this time.

**City Manager's Report – Police Department Update- Chief Bruce Jamison**

Police Chief Bruce Jamison presented a brief presentation on Crime Stopper tips to help citizens better understand how they can help the Police Department. Chief Jamison provided information on how the Crime Stopper tips are used in solving crime, and how important the tips provided by citizens are to the Police Department. Information and forms are available on the City webpage under the Police Department, and all information and tips provided are kept confidential, stated Chief Jamison.

City Manager Huff stated there are a lot of construction projects going on in the City of Piqua. They include: Improvements to the Rt 36 Interchange; County Road 25A Reconstruction Project; College Street Signalization Project; Fountain Park Bridge Replacement; and the Phase 1 Project at the Power Plant. City Manager Huff further stated they have received numerous comments about all of the projects going on at the same time making travel around the city difficult. City Manager Huff explained when the City is using Federal and State grant money they dictate when the project has to be done and completed by in order to utilize the funding.

City Manager Huff announced the City received a \$148,000 grant for the Riverfront Project, and a \$20,000 grant for a Handicapped Accessible Playground, which must be used for that project only. It was also noted that the Arrowhead Subdivision street has been paved.

**Commissioners Comments**

Commissioner Wilson stated he received an email regarding the fire pit presentation recently, and asked that he remind citizens to make sure they put the campfire out completely before going in. Commissioner Wilson stated the Piqua Area Chamber of Commerce Steak Fry will take place on Thursday, September 19<sup>th</sup>. Also on Saturday, September 21 Dancing in the Moonlight will take place Downtown Piqua with a Car Show beginning at 5:00 P.M. downtown, the Moonlight Stride and Ride along the river on the Path will begin at 7:45, and a Chili Cook-Off is planned. Mark your calendars to attend the downtown Piqua festivities on Saturday for a fun filled evening.

Commissioner Martin inquired where the Corporation limits are located going west on High Street. City Planner, Chris Schmiesing explained where the Corporation limits are located.

Commissioner Vogt stated he attended the Energy Board Meeting and they approved the fiber optics system. The Energy Board stated they wanted all the work to be completed by the same company. By having the same company complete the project, it insures that all of the various components will be compatible, and the project will be completed in a timely manner.

Adjournment to Executive Session to consider the purchase or sale of property for public purposes.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting and move into Executive Session at 8:45 P.M. Voice vote, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously.

Convened into Executive Session at 8:52 P.M. Roll call, Aye, Terry, Martin, Fess, Wilson, and Vogt. Nay: None.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Executive Session at 9:35 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Fess. Nay, None.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, to adjourn from the Regular Commission Meeting at 9:38 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Fess. Nay, None.

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LUCINDA L. FESS, MAYOR

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

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CLERK OF COMMISSION