

**MINUTES
PIQUA CITY COMMISSION
Tuesday, June 3, 2014
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, Terry, Wilson, and Vogt. Absent: None.

PROCLAMATION

**Treasurer of the State of Ohio – Josh Mandel
Taste of the Arts-MainStreet Piqua Presented to Lorna Swisher MainStreet Piqua Director**

Mayor Fess read the Proclamation from Treasurer of State Josh Mandel and presented it to MainStreet Director Lorna Swisher. Ms. Swisher stated the Taste of the Arts would not happen without the tremendous support of the City of Piqua, as the city employees always go above and beyond to help. Mayor Fess further stated she appreciates the volunteers and citizens who help with the Taste of the Arts.

**Flag Day for the Month of June 2014 –
Presented to Mr. Tom Pohlman and Gary Felver of the Piqua Knights of Columbus**

Mayor Fess read the Flag Day Proclamation and presented it Tom Pohlman and Gary Felver of the Piqua Knights of Columbus. Mr. Pohlman thanked the City Commission, City Manager Huff, Police Chief Jamison, Fire Chief Rindler and all of the City employees for all they have done for the citizens of Piqua, and the Piqua Knights of Columbus.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the May 20, 2014 Regular Piqua City Commission Meeting

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

OLD BUSINESS

ORD. NO. 3-14 (2nd Reading)

An Ordinance repealing Schedule A of Chapter 33 of the Piqua Code and adopting a new Schedule A of Chapter 33 of the Piqua Code, relating to wages of certain Municipal Employees

Elaine Barton, Human Resource Director provided the staff report stating Ordinance No. 3-14 revises Schedule A which cover non-union employees. The changes include two new positions IT Administrator and SCADA Administrator, and reinstates the positions of Assistant Water Superintendent and Assistant Wastewater Superintendent, and adjusts the title of the Water Distribution Supervisor to Assistant Underground Utilities Superintendent at the same pay range as the other Assistant positions.

Public Comment

No one came forward to speak for or against Ordinance No. 3-14.

Ordinance No. 3-14 was given a second reading.

ORD. NO. 4-14 (2nd Reading)

An Ordinance repealing Schedule A-1 Chapter 33 of the Piqua Code and adopting a new Schedule A-1 of Chapter 33 of the Piqua Code and adopting a new Schedule A-1 of Chapter 33 of the Piqua, relating to wages of certain Municipal Employees

Elaine Barton, Human Resource Director provided the staff report stating Ordinance No. 4-14 makes changes to include the position of SCADA Administrator and reflect the change for the Golf Course to include the use of a golf cart if available to the summer laborers.

Public Comment

No one came forward to speak for or against Ordinance No. 4-14.

Ordinance No. 4-14 was given a second reading.

ORD. NO. 5-14 (2nd Reading)

An Ordinance to vacate a portion of Public Right of Way

Chris Schmiesing, City Planner provided the staff report, stating this is the next step in the process to vacate a portion of the Public Right of Way. The Piqua City School District would like to modify the alignment of a portion of public alley right of way located between Nicklin Avenue and Camp Street. This will require the existing public alley right of way to be vacated and a new public alley right of way be dedicated. The proposed alley realignment will allow the new school site improvements to physically separate the alley from the traffic generated by the school. The proposed alley realignment will remain accessible to local residents and passable by public utility vehicles The Piqua Planning Commission held a public hearing with only one resident attending, and he spoke favorably of the vacation. The Planning Commission unanimously approved the Vacation of the Public Right of Way, stated Mr. Schmiesing.

Roger Ely Piqua City School Business Coordinator and Curt South Piqua City School representative came forward and provided additional information. Mr. South stated he met with Mr. Schmiesing to discuss the turn radius in the alley, and several other concerns that were raised at the last City Commission Meeting. Signage will be installed to direct drivers in the right direction on Ann Street., stated Mr. South.

There was discussion concerning the use of the alley and large trucks and trailers being able to turn in with the current radius. It was suggested that the turning radius be increased to 15'. Also discussed was the possibility of restricting the parking space directly across from the alley on Nicklin Avenue. Mr. South explained how the bus traffic would come in and out of the parking area.

Commissioner Martin asked if it would be possible to get a new drawing showing the changes they are making, and include it in the Commission packet for the next meeting.

Commissioner Wilson asked if it would be possible to have someone park a car in the parking space by the alley to see if a large vehicle would be able to make the turn.

City Manager Huff stated they will look at the parking situation.

Public Comment

No one came forward to speak for or against Ordinance No. 5-14.

Ordinance No. 5-14 was given a second reading.

ORD. NO. 6-14 (2nd Reading)

An Ordinance authorizing an amendment to Ordinance No. 42-96 and the zoning map attached thereto to change the zoning designation of a portion of Parcel N44-075900, to R-1AA One-Family Residential

Chris Schmiesing, City Planner provided the staff report. This is the next step in the process to change the I-2 Heavy Industrial zoning designation of Parcel N44-075900 to R-1AA One –Family Residential. This item was presented to the Planning Commission at the request of the owner to change the zoning designation of a portion of the property from I-2 Heavy Industrial to R-1AAA One Family Residential. The Planning Commission held a Public Hearing on May 13, 2014 and the property owner provided information regarding the reason for the zoning change, stating they would like to construct a single-family dwelling on a portion of the property. The Planning Commission unanimously recommended approval of the proposed zoning change, stated Mr. Schmiesing.

Nate Gudorf, Keystone Homes was present to answer any questions.

Commissioner Martin asked when they were scheduled to begin construction. Mr. Gudorf stated they had planned on starting about two weeks ago.

Moved by Commissioner Wilson, seconded by Commissioner Terry that the rule requiring Ordinance No. 6-14 be read fully and distinctly on three separate days be suspended. Roll call: Aye: Fess, Wilson, and Terry. Nay: Martin and Vogt.

Law Director Stacy Wall stated under Section 10 of the City Charter in order to suspend an Ordinance that is not an emergency there has to be 75% of the Commission approval, and in this case there was not a 75% approval. Therefore the Ordinance could not be suspended at this time.

Commissioner Martin stated this does not seem to be a emergency, and he felt the ordinance did not warrant a waiver of the three reading rule at this time.

Public Comment

No one came forward to speak for or against Ordinance No. 6-14.

Ordinance No. 6-14 was given a second reading.

ORD. NO. 7-14 (2nd Reading)

An Ordinance to vacate a portion of public right-of-way

Chris Schmiesing, City Planner provided the staff report. Piqua American Legion Post 184 would like to vacate a portion of public right of way located between Campbell Street and Downing Street. The existing alley right of way is currently surrounded by the American Legion parking lot and they plan to make improvements to the building in the future, and will continue to use the pavement to support the adjoining parking area. The Planning Commission held a Public Hearing and all surrounding property owners were notified, no one from the public attended the meeting to speak for or against the vacation.

Gary Felver, of the American Legion explained the use of the alley by the residents would not be impacted by the vacation of the public right of way.

Jim Gariety, Post Commander/Grounds Chairman came forward and provided information regarding the long-range plans for future improvements and construction of a new building with additional parking spaces.

Mr. Schmiesing provided additional clarification of the information listed on the map provided.

Public Comment

No one came forward to speak for or against the Ordinance.

Ordinance No. 7-14 was given a second reading.

NEW BUSINESS

ORD. NO. 8-14 (1st Reading)

An Emergency Ordinance amending Ordinance No. 34-08 and codified as Ordinance No. 52.20, Exhibit A, Electrical Service Rates and Terms

Law Director Stacy Wall provided the staff report. The City of Piqua entered into a Power Sales Contract on November 1, 2007. The Piqua Codified Ordinance 52.20, Exhibit A defines power cost but was written prior to the idea of a power consortium. The definition needs amended to reflect the contemplated power supply resources as they are due and payable as an obligation under the Power Sales Contract. The Piqua Energy Board has recommended approval of this.

Public Comment

No one came forward to speak for or against Ordinance No. 8-14.

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

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Ordinance No. 8-14 be adopted. Roll call, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 8-14 adopted.

RES. NO. R-73-14

A Resolution amending the employment agreement with Gary A. Huff, ICMA-CM, City Manager

Elaine Barton provided the staff report. City Manager Huff has been with the City of Piqua since September, 2011. The City Commission has evaluated his performance as per the agreement would like to change the effective date of the agreement to run indefinitely in accordance with Section 30 of the Piqua Charter. City Manager Huff will receive a two percent (2%) increase in his annual salary to be effective May 1, 2014 and a two percent (2%) increase on January 1, 2015.

Commissioner Wilson stated the increase is the same as the other City Employees received this year.

Mayor Fess stated City Manager Huff has been with the City almost 3 years now and has refused to accept any wage increase before the City Employees received one.

Public Comment

No one came forward to speak for or against Resolution No. R- 73-14.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-73-14 be adopted. Roll call vote, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-73-14 adopted.

RES. NO. R-74-14

A Resolution approving the Fiscal Year 2014 Community Housing Improvement Program Application and authorizing the City Manager to submit the application

Bill Lutz, Development Program Manager provided the staff report. Since 2001 the City of Piqua has received over 2.5 million dollars in competitive grant funding to administer the local Community Housing Improvement Program. The City of Piqua is applying for \$350,000 for providing housing services and opportunities to low and moderate income households. This amount is lower than the past amounts of \$500,000 as severe funding cuts have caused the competition for these funds to be much more competitive, and in response the Ohio Development Services Agency has lowered the maximum amount available to \$350,000. A Public Meeting was held on April 2, 2014 to gather information to prioritize the activities proposed in the application. The high priorities include Home Repair, Private Owner Rehabilitation, and New Construction. Medium activity included Rental Rehabilitation.

Commissioners asked several questions regarding the request and the use of the grant money.

Commissioner Martin stated the amount on the first page of Resolution No. R-74-14, Section 3, under Section 1 in the next to last sentence the total amount was listed incorrectly. It reads as \$20,000 per year per unit, and should read as **\$33,500** per unit.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to amend Resolution R-74-14 in Section 3, under Section 1 in the next to last line to read as **\$33,500** instead of \$20,000 per unit. Roll call, Aye: Terry, Vogt, Martin, Wilson, and Fess. Nay, None. Motion carried unanimously.

Public Comment

No one came forward to speak for or against Resolution No. R-74-14.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-74-14 be adopted, as amended. Roll call, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-74-14 adopted as amended.

RES. NO. R- 75-14

A resolution approving the Community Development Block Grant Formula Allocation Program Application for Fiscal Year 2014

Bill Lutz, Development Program Director provided the staff report. Each year the City receives an allocation from the Ohio Development Services Agency to implement local activities through the Community Development Block Grant program. The allocation for 2014 is \$75,000 which is the same amount as received in 2013. Projects were solicited from city staff and a public hearing was held in January. It was determined that the project should be proposed for replacement of sidewalks on Garnsey Street between Downing Street and Roosevelt Avenue, with an estimated cost of \$63,000 in which the grant would cover \$60,000 and the city picking up the additional \$2,000. The remaining \$15,000 in grant dollars goes toward administrative and fair housing costs, as required by the State of Ohio.

Several questions were raised concerning the sidewalk repair in conjunction with the Commercial Street connector, and the bike path, and if the money could be used for anything else but sidewalks. Law Director Wall stated there are a few property issues at this time in that area they are working on. A question was raised if sidewalk repairs could only be done in the area specified with the grant funds or used elsewhere. Commissioner Wilson voiced concern for those residents who had to pay for their sidewalk assessments in the past.

City Manager Huff stated there are a lot of sidewalks in the city that are in need of repair, and we will look at the code and see if it would be possible to find other ways to make the needed repairs to the sidewalks without accessing the property owners when using government funds.

Public Comment

No one came forward to speak for or against Resolution No. R-75-14.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-75-14 be adopted. Roll call, Aye: Terry, Vogt, Fess, Martin, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-75-14 adopted.

PUBLIC COMMENT

No one came forward at this time.

CITY MANAGER'S REPORT

City Manager Huff stated the city is making progress on the mowing and pot hole repairs, further stating he wanted to apologize for the streets as we had a very hard winter. We are in the process of crack sealing and are looking at ways to improve the sidewalks to, stated City Manager Huff.

City Manager Huff announced the City of Piqua was named one of the Healthiest Employers by the Dayton Business Journal for 2014. City Manager Huff stated the City of Piqua was the only government entity awarded this out of the entire list of recipients. City Manager Huff gave credit to the city employees and department heads for helping to achieve this award.

City Manager Huff announced the Piqua Municipal Swimming Pool is up and running, and so far attendance has been good.

City Manager Huff also announced Winan's Fine Chocolates and Coffee has purchased the old Piqua Daily Call building on Spring Street and will be moving their operations to that location. This will be a huge addition to the downtown and will help with tourism in the future. Also the Rick James property located on Co Rd 25-A has been sold, and they hope to establish a business park at that location. The Piqua Board of Education has been offered the old Fifth Third Bank Building on Main Street and the parking lot behind for use as their Board of Education Offices. This too would be a boost to the Downtown and appreciates Fifth Third for making the offer to the School Board. Finally a new retailer has decided to locate in the anchor store at the Miami Valley Centre, but they are not ready to release the details at this time, but will announce their plans in the near future, stated City Manager Huff. There are a lot of exciting things happening in Piqua.

Mayor Fess stated the local manufactures are looking for employees to fill the positions they have and encouraged potential employees to come to Piqua to live, work and play. Contact Economic Development Director/Assistant City Manager Justin Sommer for additional information.

COMMISSIONERS COMMENTS

Commissioner Martin stated there seems to be a lot of trash lying in the curbs around town and asked citizens to please pick up and to throw trash in the proper containers.

Commissioner Terry reminded residents not to blow their grass out into the curbs and street, and also asked if would be possible to have a 25 mile per hour sign installed at the bottom of Park Avenue Hill. Commissioner Terry asked about the condition of some of the plants along Rt 36 coming into town. City Manager Huff stated that the plants are under warranty and will be replaced by the company that planted them.

Commissioner Wilson stated he received several calls about residents walking their dogs and not cleaning up after them, and reminded citizens to pick up after their dogs. Commissioner Wilson asked if it would be possible to hold a Special Commission Meeting before the next Regular Commission Meeting to hear the third reading for Ordinance No. 42-96.

Mayor Fess announced the Rock Piqua Concert will be held on Saturday June 14, a from 7:00 P.M. to 11:00 P.M. at Lock Nine Park, and invited citizens to mark their calendars to attend.

Mayor Fess further stated the Piqua Bikefest will be held downtown Piqua on September 19-20, 2014 and to keep that date open to attend.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION