



**PIQUA CITY COMMISSION  
MINUTES  
TUESDAY, APRIL 16, 2019  
6:00 P.M.**

Piqua City Commission met in the Municipal Government Complex – 201 West Water Street

Vice Mayor Vogt called the meeting to order at 6:00 PM followed by the Pledge of Allegiance.

Roll Call as follows: Present: Mayor Hinds, Commissioners Lee, Short, Martin and Vogt. Absent: Mayor Hinds

Karen S. Jenkins, Commission Clerk advised that Mayor Hinds is absent tonight and was there a motion to excuse Mayor Hinds.

Commissioner Lee, moved for the absence of Mayor Hinds, motion was seconded by Commissioner Martin. Motion carried unanimously

**ANNOUNCEMENTS OTHER THAN AGENDA ITEMS:**

Bill Jaqua, questioned if this was the time he would get 5 minutes. City Manager Gary Huff advised him that unless he had an event announcement he would speak at the end of the meeting under Public Comment

Jeff Lange, 9586 N. St. Rt. 66 Advised he has made contact with Brian Brookhart at the Street Department and asked him again for the support for the clean sweep of the Great Miami River, the section from south Sidney to south Piqua. Brian has taken care of all that, he just would ask that Mr. Huff notify the police and fire that we will be out there. This will be the 16<sup>th</sup> year of doing it on July 20, you can go to [www.protectingourwaterways.org](http://www.protectingourwaterways.org) there is a tab on the far right to contact Jeff if you want to get involved. In the past 15 years the cleanup crew has removed a lot of trash from the river and are looking forward to seeing the numbers going down.

**CONSENT AGENDA**

**MINUTES FROM MARCH 19, 2019 REGULAR COMMISSION MEETING**

Approval of the minutes from the March 19, 2019 Regular City Commission Meeting.

**RES. NO. R-40-19**

A Resolution appointing Karen S. Jenkins as Clerk of Commission for the City of Piqua.

**RES. NO. R-41-19**

A Resolution authorizing the City Manager to enter into a Lease Agreement to permit the usage of a portion of the Bike Path Waterfront behind the Old Power Plant to Mainstreet Piqua.

**RES. NO. R-42-19**

A Resolution authorizing the City Manager to enter into a lease agreement to permit the usage of Piqua Veterans Memorial Park to Piqua Veterans Association

Commission Martin moved for the approval of the Consent Agenda, motion was seconded by Commissioner Lee. Vice Mayor Vogt called for a roll call

Motion was carried unanimously, and Vice Mayor Vogt declared the **Consent Agenda adopted.**

## **NEW BUSINESS**

### **ORD. NO. 2-19** (1<sup>st</sup> Reading)

An Emergency Ordinance enacting and adopting a supplement to the Code of Ordinances for the City of Piqua

Gary Huff stated that this Ordinance actually allows us to publish in our Code of Ordinances the Ordinances that have been adopted by the City Commission over the past year. These pieces of legislation have already been enacted and we may want to consider waiving the 3 reading rule so that we can go ahead and get these published.

Commissioner Martin asked if we do this more than once a year. Mr. Huff responded that we generally do it about once a year. Commissioner Martin moved that the 3 reading rule be waived, seconded by Commissioner Lee.

Commissioner Martin moved for the adoption of Ord. No. 2-19, motion was seconded by Commissioner Short.

Vice Mayor Vogt called for a roll call.

Motion was carried unanimously, and Vice Mayor Vogt declared that Ordinance No. 2-19 has been adopted.

### **ORD. NO. 3-19** (1<sup>st</sup> Reading)

An Ordinance amending Chapter 51 of the Piqua Municipal Code (Sewers)

Chris Melvin reported that we have had recommendations from the Ohio EPA due to an EPA industrial pretreatment program audit and with those recommendations we went to the EPA for a program modification. Since they have approved that, we have had our legal review and with those recommendations we are back for review and hopeful approval. Chris reported there is need for some some definition changes or additions, there are some general discharge prohibitions that were added. City Enforcement procedures were updated. The language for industrial discharge permit information was inserted into the sewer use ordinance which is the same language we have in all the industrial pretreatment permits as well.

City Manager Huff asked if these are required to mirror the state code requirement.

Chris responded - We essentially copied and pasted what they were asking for and our legal advisor has reviewed and approved it.

Vice Mayor Vogt asked for comments from audience and commission, there were none. This will serve as the first reading.

### **RES. NO.R-43-19**

A Resolution affirming the street name Jean Street

Chris Schmiesing reported that this is what you might describe as a house keeping matter as it relates to the original intentions for Jean Street. The source of the concern is the discrepancy in the street name for Jean Street as it is shown as Jean Street in the Peters Subdivision plat. This was originally adopted in 1957 and resulted in the development of the majority of the street length. Subsequently, there was a reference to Jean Drive on the Sunset Acres Subdivision plat, adopted in 1961 which in effect resulted in the construction of the remaining portion of Jean Street. Street signs posted read Jean Street not Jean Drive and all but one of the homes actually fronts that portion referred to as Jean Street on the plat. This was brought to the City's attention by 911 Communications Center when they discovered the discrepancy on the platting and asked for clarification. Legislation was presented to the

Planning Commission and they held a public hearing. It was determined to be a scrivener's error and recommend that the Jean Street name be affirmed as the proper street name for the entire length. No one was present at the meeting to speak for or against this item.

Commissioner Martin moved for the adoption of Ord. No. 43-19, motion was seconded by Commissioner Lee. Motion passed unanimously.

RES. NO R-43-19 adopted

**RES. NO. R-44-19**

A Resolution awarding a contract to Fleetcor Technologies Operating Company LLC DBA Superfleet Mastercard for our City-Wide Fuel purchasing program for the years 7/1/19 – 6/30/24

Cynthia Holtzaple requested approval to enter into a five year contract with Fleetcor Technologies who does business as Speedway for city wide fuel services as the current fuel contract ends on June 30. This bid package was properly distributed and advertised with bids opened on March 28, 2019. Fleetcor Speedway was the lone bidder at a cost of 8 cents over their wholesale cost or retail minus 1 cent, whichever is less. For locations other than Speedway, the retail price will be paid. Fleetcor Speedway has been our fuel provider for several years and the City continues to be happy with their product quality, customer service, training and support. Approval is requested tonight to allow ample time for contract review and approval within the time frame.

Commissioner Martin asked in the event that both Speedways were closed down, could they use the MasterCards somewhere else to get fuel. Cindy replied they can use it for gasoline only at other gas stations at retail cost.

Commissioner Lee moved for the adoption of RES. NO. R-44-19 motion was seconded by Commissioner Martin.

Vice Mayor Vogt called for a roll call.

Motion was carried unanimously, and Vice Mayor Vogt declared that RES. NO. R-44-19 has been passed.

RES. R-44-19 adopted

**RES. NO. R-45-19**

A Resolution authorizing a purchase order to Finley Fire Equipment for the purchase of a Fire Engine for the Fire Department

Chief Pohlschneider reported that the Fire Department had in their capital budget for the replacement of the 1985 Engine that is known as engine 6. The vehicle research committee visited many vendors and stations to see those engines that are in service at their location. The Committee recommended the Pierce Impel Pumper, which had many more safety features, better stopping distance and better history of reliability. This new engine should be excellent for our community for many years to come stated Chief Pohlschneider. Plans are to remove Engine 6 from inventory and put it out for bid to bring money back into the city. Engine 10 (1992) would be removed from the fleet with the intent of bolstering safety service and the training center out at the old water plant for the anticipated training at that facility. The newest engine currently in the fleet is a 2009 fire engine.

Commissioner Lee commented that it would take the Fire Department down to 3.

Chief Pohlschneider said yes, we currently have 4 in our fleet but with the reliability with 2009 model we feel that will be sufficient for the number of calls that we do and will be bolstered with vehicle extrication equipment as well to increase versatility.

Commissioner Lee inquired as to when he thought we might need another one.

Chief Pohlschneider said another 10 years plus, before evaluation for another engine

Commissioner Martin moved for the adoption of RES. NO. R-45-19, motion was seconded by Commissioner Lee

Vice Mayor Vogt called for a roll call.

Motion was carried unanimously, and Vice Mayor Vogt declared that RES. NO. R-45-19 has been passed.

RES. NO. R-45-19 adopted.

**RES. NO. R-46-19**

A Resolution authorizing the City Manager to sign the Program Year (PY) 2019 CHIP Program Partnership Agreement by and between the Miami County Board of Commissioners, the City of Piqua, the City of Tipp City, and the City of Troy for the Ohio Development Services Agency (ODSA) Community Housing Impact and Preservation (CHIP) Program

Janel Ranly reported that this Resolution will allow the City of Piqua to once again enter into a partnership agreement with Miami County to apply for the program year 2019 Community Housing and Impact and Preservation Program. The application is due May 3<sup>rd</sup>. The partnership will apply for \$650,000 total program dollars with \$276,000 being dedicated to Piqua specific projects focusing on private owner rehabilitation and repair projects. The City should find out in the fall if we have been funded and we will start administering the new grant cycle in January of 2020.

Commissioner Martin asked if we had CHIP money left from 2 years ago?

Janel Ranly reported the City is currently in the 2017 program cycle which runs through October but we are low on funds now so we are working on several of the last projects now.

Commissioner Lee moved for the adoption of RES. NO. R-46-19 , motion was seconded by Commissioner Short

Vice Mayor Vogt called for a roll call.

Motion was carried unanimously, and Vice Mayor Vogt declared that RES. NO. R-46-19 has been passed.

RES. NO. R-46-19 adopted

**RES. NO. R-47-19**

A Resolution authorizing an amendment to Zoning Map to change the Zoning Designation of Parcels N44-078782 and N44-078780 from R-PUD (Residential Planned Unit Development) to OS (Open Space)

Chris Schmiesing reported that this pertains to a request received from the owner of the subject properties which are located in the area referred to as Swift Run Estate which was previously platted. There are approximately 260 acres in the two parcels involved here that were previously platted well over a decade ago in anticipation of developing the area with residential units. The new owner was not interested in developing the properties and has asked that the zoning be changed to OS to better reflect the land characteristics. This is consistent with the recommendation for the land use designation found in the plan at Plan It Piqua Comprehensive Plan Conservation and Development Map, which indicates

the characteristics of this land and its adjacency to Swift Run Lake make it a desirable conservation area.

The Planning Commission conducted a public hearing to receive public comment and deliberate on this matter and in doing so the Planning Commission found that the change in the zoning designation of the parcels from R-PUD (Residential Planned Unit Development) to OS (Open Space) is warranted and they recommended approval.

Commissioner Martin moved for the adoption of RES. NO. R-47-19, seconded by Commissioner Short.

Motion was carried unanimously, and Vice Mayor Vogt declared that RES. NO. R-47-19 has been passed

RES. NO. R-47-19 adopted

### **PUBLIC COMMENT**

Jim Burkhardt, 1003 Westview Drive, spoke in regards to the lease agreement with Main Street Piqua for the 6<sup>th</sup> annual Down A River Down A Beer This event has been held the last five years at Lock Nine Park, but with the construction going on the plan is to move it to behind the power plant this year. The format will be similar with adjustments to the river activities and they are still looking for input from Fire Department on how to ignite the river fire rings. There will be food and music and the group Reflections will play. The event runs from 6:00 p.m.-10:00 p.m. and on August 10<sup>th</sup>.

Bill Jaqua of 607 N. Sunset Drive stated he is not against bars or alcohol but wants to tell commission that gun fire has to be stopped. He stated he has been on the record for several years complaining about this problem and he won't get off the record until something is done. Mr. Jaqua stated the City has removed bars on Main Street in the past that didn't want to be good citizens and work has continued until now. He also stated Main Street is safer and nicer because of that but also stated gunfire draws and breeds drug traffic and further stated he has been around the drug business but not as a drug dealer.

Mr. Jaqua stated he is currently running a Banquet facility in Springfield and liquor licenses there are not issued on availability, but on demand.

Mr. Jaqua stated that some citizens are concerned about speaking out and feel they have been bullied and he has advised these citizens to speak out and lobby commissioners. Mr. Jaqua also said he has text messages that he will show in private not in public in regards to this topic.

Mr. Jaqua stated that years ago the utility rates were raised one too many times and former City Manager Mark Rohr got ran out of town and further stated Mr. Patrizio was part of that.. The second thing he stated was there were shady goings on between the former City Manager and one of the Commissioners. He stated Bob Debrosse was a good friend and he used to meet with him after Commission Meetings at One More bar to discuss topics.

Mr. Jaqua stated the City should be above board and he feels the City hand selected a restaurant and feels this could be challenged in court but not on his dime. He further stated he is happy for the City of Piqua and they are doing a great job but need more balance. He stated the city could have been more open and bid or advertised for the restaurant opening to get more ideas from various people. He stated he is not suggesting the City did anything illegal, but suggesting it was unethical. Mr. Jaqua said the City is doing a good job but needs to make some adjustments with regard to "closed doors."

For over two years he has been making his case until Manager Huff called him in to apologize to him about an incident in the past. He stated Mr. Huff called him in with Law Director to say he was sorry that he was wrong and that Bill was right. Gary asked Bill to clarify what he apologized for.

Mr. Jaqua responded I think that you and the City Law Director at that time can clarify that. Mr. Jaqua stated it was a public meeting so there has to be a record of that meeting. Mr. Jaqua stated you called me into that meeting for the fact that our banquet hall was hand selecting people who she wanted to be up there.

Mr. Huff stated that he just wanted to make sure we were clarifying it was an employee action not a selection of a restaurant or anything like that.

Mr. Jaqua responded by saying at that time yes sir; and you did the right thing and I appreciate that.

**CITY MANAGER'S REPORT**

Gary Huff congratulated Corbin Peltier who is one of our firefighters for winning the Firefighter Combat Challenge. Corbin competed against professional firefighters from all across the nation and won the competition in Indianapolis which is pretty amazing and speaks to the quality of employees and in this particular case the firefighters that we have. It is a pretty grueling challenge and he did a fantastic job. We are very proud of Corbin

**COMMISSIONERS COMMENTS**

Commissioner Short commented that Mr. Jaqua brought up the shooting and Commissioner Short stated that he did not know the facts of the case but wanted to say that he noted that not only our agency but several agencies came to assist the City of Piqua. Commissioner Short stated we are not immune to this type of incident. Commissioner Short saw a lot of negativity on Facebook about the City of Piqua and feels it is unjustified. On the reverse Commissioner Short stated we had a young lady missing from PCS and he was impressed how the City came together as a community to help find that little girl.

Motion was made by Commissioner Vogt, seconded by Commissioner Lee to adjourn from the Regular Piqua City Commission meeting at 6:35 P.M. Motion carried unanimously.

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KATHRYN B. HINDS, MAYOR

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

ATTEST: \_\_\_\_\_  
KAREN S. JENKINS  
CLERK OF COMMISSION