

A G E N D A
PIQUA CITY COMMISSION
TUESDAY, FEBRUARY 17, 2009
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

REGULAR CITY COMMISSION MEETING

1. **APPROVAL OF MINUTES** Approval of the minutes from the February 2, 2009 Regular Piqua City Commission Meeting

2. **RES. NO. R-20-09** A Resolution authorizing application to the Ohio Department of Natural Resources for funding through the Natural Works Program for certain improvements at Mote Park

3. **RES. NO. R-21-09** A Resolution entering into a Joint Cooperative Agreement with Auglaize County, Shelby County, Miami County and the cities of Troy and Sidney for the Administration of the State of Ohio's Regional Neighborhood Stabilization program

4. **RES. NO. R-22-09** A Resolution to adopt the Solid Waste Management Plan for the Miami County solid waste management district

5. **RES. NO. R-23-09** A Resolution authorizing the purchase of two properties located at 214 and 217 North Roosevelt Avenue, Piqua Miami County, Ohio

EXECUTIVE SESSION

Move into Executive Session to prepare for and review negotiations on compensation or other terms and conditions of employment for City personnel.

ADJOURN

**MINUTES
PIQUA CITY COMMISSION
MONDAY, FEBRUARY 2, 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, Vogt, Fess, and Terry. Absent: None.

REGULAR CITY COMMISSION MEETING

APPROVAL OF MINUTES

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the minutes of the December 17, 2008 Piqua City Commission Work Session, and the January 20, 2009 Regular City Commission Meeting be approved. Voice vote, Aye: Terry, Martin, Fess, Vogt, and Hudson. Nay: None. Motion carried unanimously.

RES. No. R-15-9

A Resolution awarding contracts for the purchase of transformers for the Power System

There was discussion on the number of transfers required, the need for the various sizes, warranties on the transformers, and the time frame for delivery. Ed Krieger, Assistant Power System Director gave a brief explanation on all the questions.

Public Comment

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

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

Res. No. R-16-09

A Resolution awarding a contract to Pohlkat Incorporated in the amount not to exceed \$100,000 for removal and disposal of lime residual from the lime lagoon at the Water Plant

There were several questions concerning the current lime lagoon status, what type of business can use the lime from the lagoon, and the number of bids that were received. City Manager Enderle stated the lime lagoon was cleaned up last year, and there are many different options for the use of the lime, but a special truck is needed to get the lime out and most companies do not have that type of truck. Finance Director Cynthia Holtzapple explained the bid process, and stated three bids were received out of the ten packets sent out.

Public Comment

No one came forward to speak for or against Resolution No. 16-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-16-09 be adopted. Roll call, Aye: Martin, Terry, Hudson, Fess, and Vogt, Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-16-09 adopted.

RES. No. R-17-09

A Resolution to allow only the City of Piqua aggregate demand response of retail customers in accordance with FERC Order 719 and taking other actions in connection therewith

Ed Krieger, Assistant Power System Director gave a brief overview of the reason for this resolution, and explained what a demand response is, and how it would affect the retail customers.

Commissioner Martin voiced concern over Section 6 in the Resolution that states: "That the City Manager is authorized to adopt any necessary regulations to implement this Resolution." Commissioner Martin asked if it should not be the responsibility of the Power System Director instead. Mr. Enderle explained the reason for the City Manager to have the power to implement the resolution.

There was discussion on what effects opting out of the program would have on customers, and also the benefits it would have. Mr. Krieger explained how opting out of the program would affect customers, and also what the benefit would be.

Mayor Hudson stated citizens why the City of Piqua no longer produces their own power, and why we can't go back to doing so have asked him. Mr. Krieger explained the cost of the cooling towers was going to be very expensive to replace, which was required by the EPA, and that it was cheaper in the long run to purchase power. Mr. Krieger gave a brief overview of process to purchase the power, and the advantages of purchasing the power at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-17-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-17-09 be adopted. Voice vote, Aye: Fess, Terry, Hudson, Martin, and Vogt. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-17-09 adopted.

RES. No. R-18-09

A Resolution authorizing the renaming of the Fort Piqua Plaza to the "Piqua Plaza"

All of the Commissioners were in agreement that they had received the most telephone calls and emails ever on this resolution to change the name of the Fort Piqua Plaza to the Piqua Plaza. All the calls received stated they would like to keep the current name, Fort Piqua Plaza.

Public Comment

Bill Shinell, New Haven Road, voiced his opinion on the name change of the Fort Piqua Plaza, and asked the Commission to consider keeping the current name of Fort Piqua Plaza.

Ruth Koon, Park Avenue, explained the reason she had asked for the name change of the Fort Piqua Plaza by dropping the word "Fort". Mrs. Koon stated she was glad to see so much citizen input.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-18-09 be adopted. Roll call, Aye: None. Nay: Fess, Vogt, Martin, Terry, and Hudson. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-18-09 defeated.

RES. No. R-19-09

A Resolution requesting authorization to issue a purchase order to Rawdon Myers, Inc. for SCADA (Supervisory Control and Data Acquisition) System Hardware Upgrade, Programming and Integration at the Wastewater Plant

Dave Davis, Assistant Superintendent of Wastewater explained how the SCADA System performs for the City of Piqua.

Commissioner Vogt stated he thought bids should have been sent out for this upgrade package.

There was discussion on the need for the upgrade, and the reason that bids were not taken at this time. Dave Burtner, Wastewater Superintendent stated they have spoken to other vendors and they are all overloaded with customers and could not take on anymore at this time. Also RMI is a qualified company who is familiar with our particular system, and can provide the service we need without jeopardizing the stability of our SCADA System.

Public Comment

No one came forward to speak for or against Resolution No. R-19-09.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-19-09 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay, None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-19-09 adopted.

OTHER

Monthly Reports – December 2008

Monthly Reports for December 2008 were accepted.

PUBLIC COMMENT

Luke Bolin, Ann Street, voiced his concern over the shoveling of the snow from the sidewalks and if it is a City Ordinance. City Manager Enderle explained what the City of Piqua's policy is on the removal of snow from the sidewalks.

Jim Cline, Clark Avenue, voiced his concern over the four properties purchased by the Piqua Improvement Corporation, and where the money came from to purchase these properties. Mr. Enderle explained how the properties were purchased.

Steve Stiefel, Brentwood Avenue, voiced his concern over the City of Piqua possibly purchasing water from another city, the effect it would have on industry present and in the future, and possible future rate increases. Mr. Enderle explained they will look at several alternatives before making any decisions, but will do the best for the long term for the city.

Mr. Stiefel also voiced his concern about a "Blackball List" he feels the city has against businesses in the city. All of the commissioners agreed that part of their jobs, as Commissioners is being a buffer between the citizens and the city departments to help resolve problems. The City Commission does not have control over the day-to-day operations of the city.

Roy Howard, Spiker Road, voiced his opinion on snow removal on residential and city sidewalks. Law Director Stacy Wall explained the city's position on snow removal.

Commissioner Fess stated there are people and organizations that can help citizens who need help in clearing their sidewalks, they just have to call and ask.

Commissioner Vogt stated he was given a tour of the Water Plant several years ago and voiced his opinion on the status of the water plant at this time.

Commissioner Vogt had several announcements, one a new Senior Center is set to open on February 10, 2009 in the YMCA Youth Center on High Street, and the 5th Annual Park Car Show is scheduled for August 1, 2009.

Commissioner Martin inquired about snow plowing trucks, and the repairs made to the trucks. City Manager Enderle explained all of the snowplows are back in service and running again at this time, they were only down for a short period of time. Mr. Enderle stated the Police Department's four-wheel drive was also utilized to plow the back parking lot of the Municipal Government Complex area.

Commissioner Fess complimented the City Street crews on the wonderful job they have been doing with the large amount of snow we received in such a short period of time. Mrs. Fess further stated if the elderly or handicapped needed help in getting shoveled out they should contact the city, and they can be referred to a list of volunteers that can assist them.

Commissioner Terry stated she noticed the recycling was up this month, the most it has been since 1994, and urged citizens to continue to recycle.

Commissioner Terry thanked all citizens who called to voice their opinion on the name change for the Fort Piqua Plaza. Mrs. Terry also complimented the City Street crews on getting the streets cleared in a timely manner.

City Manager Enderle stated it has only been within the last 2-3 years the Water Plant has received pressure from the EPA to comply with the upgrades, and he gives credit to all the Water Plant employees for keeping the plant up.

Mayor Hudson inquired about the Water Study that was compiled for the Franz Pond area, and when it would be finalized. City Manager Enderle stated Engineering Department is planning to have a work-study session in the near future.

Mayor Hudson thanked Commissioner Vogt and Frank Barhorst for their efforts on helping to establish the Senior Center, it is something Piqua has needed for a long time.

Mayor Hudson also congratulated Ruth Koon on receiving the Order of George Civic Achievement Award.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 9:05 P.M. and to move into Executive Session to prepare for and review negotiations on compensation or other terms and conditions of employment for City personnel. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Fess to adjourn Executive Session at 9:35 P.M.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-20-09

**A RESOLUTION AUTHORIZING APPLICATION TO THE OHIO
DEPARTMENT OF NATURAL RESOURCES FOR FUNDING
THROUGH THE NATURAL WORKS PROGRAM FOR CERTAIN
IMPROVEMENTS AT MOTE PARK**

WHEREAS, The State of Ohio through the Ohio Department of Natural Resources administers financial assistance for public recreation purposes through the State of Ohio Natural Works Program; and

WHEREAS, The City of Piqua desires financial assistance under the State of Ohio's Natural Works Program.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring:

SEC. 1: The City Manager hereby approves the filing of an application for financial assistance.

SEC. 2: That the City Manager, Frederick E. Enderle, is authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance.

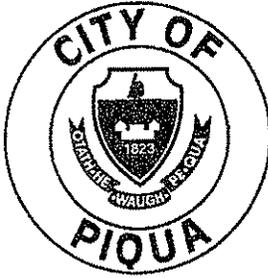
SEC. 3: That the City of Piqua does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Natural Works Program.

SEC. 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



PARKS & RECREATION DEPARTMENT

Rob Stanford – Recreation Coordinator
201 West Water Street • Piqua, Ohio 45356
(937) 778-2085 • FAX (937) 778-5165
E-Mail: rstanford@piquaoh.org

February 6, 2009

MEMORANDUM

TO: Frederick E. Enderle, City Manager

RE: **REQUEST FOR COMMISSION AUTHORIZATION TO APPLY FOR AN OHIO
DEPARTMENT OF NATURAL RESOURCES GRANT**

The Public Works Department will be applying for funding through the Ohio Department of Natural Resources' Nature Works Program. The funds will be used for design, consultation and site preparation for a skate park at Mote Park. The funding application is due March 1st.

The Public Works Department has estimated that the overall cost of the skate park will be approximately \$500,000. The grant will provide \$18,228 of \$25,000 planned for design and site preparation. The remaining funds will be raised through community fundraising and an undetermined match from the City.

In order to complete the application package, the City Commission must adopt the resolution attached. Due to the deadline on this application, action will be required at the commission meeting on February 17.

Please let me know if you have any questions pertaining to this matter.

Respectfully submitted,

Robert M. Stanford,
Recreation Coordinator

RMS

Attachment

c: Doug Harter, Streets Superintendent

RESOLUTION NO. R-21-09

A RESOLUTION ENTERING INTO A JOINT COOPERATIVE AGREEMENT WITH AUGLAIZE COUNTY, SHELBY COUNTY, MIAMI COUNTY AND THE CITIES OF TROY AND SIDNEY FOR THE ADMINISTRATION OF THE STATE OF OHIO'S REGIONAL NEIGHBORHOOD STABILIZATION PROGRAM

WHEREAS, The Ohio Department of Development has notified Auglaize County, Shelby County, Miami County and the cities of Piqua, Sidney and Troy on the availability of funds authorized by the Housing and Economic Recovery Act of 2008; and

WHEREAS, Auglaize County, Shelby County, Miami County and the cities of Piqua, Sidney and Troy have unanimously agreed to allow Miami County to be the lead applicant for the funds distributed by the Ohio Department of Development and authorized by the Housing and Economic Recovery Act of 2008; and

WHEREAS, the Ohio Department of Development has required Auglaize County, Shelby County, Miami County and the cities of Piqua, Sidney and Troy to enter into a Joint Cooperative Agreement.

NOW, THEREFORE BE IT RESOLVED b the City of Piqua, Ohio, a majority of all Commission members elected or appointed thereto concurring, that:

SEC. 1: That Frederick E. Enderle, City Manager is hereby authorized and directed to enter into a Joint Cooperative Agreement with Auglaize County, Shelby County, Miami County and the cities of Piqua, Sidney and Troy.

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____

Rebecca J. Cool
Clerk of Commission



DEVELOPMENT OFFICE

William Lutz – Development Program Manager
201 West Water Street • Piqua, Ohio 45356
(937) 778-2062 • FAX (937) 778-0809
E-Mail: blutz@piquaoh.org
Web: <http://www.piquaoh.org>

To: Fred Enderle, City Manager
From: Bill Lutz, Development Program Manager
Date: February 4, 2009
Subj.: Neighborhood Stabilization Program

Fred:

As you may be aware, the City of Piqua is in line to receive funds from the Ohio Department of Development for undertaking eligible activities authorized under the Neighborhood Stabilization Program. At this point the activities that will be performed include the demolition of abandoned and vacant properties and the rehabilitation of foreclosed properties to benefit low to moderate income households.

The Ohio Department of Development has grouped Auglaize County, Shelby County, Miami County and the cities of Piqua, Sidney and Troy in a collective region. This region is in line to receive \$1.1 million and projects will be undertaken in those communities that have demonstrated need. Representatives from the region have rated Piqua's need as high and can expect to receive a significant amount of funding from the Neighborhood Stabilization Program. Additionally, Miami County will be the grantee of the funds and will distribute the funds to the other communities for project implementation.

As part of the application process, the Ohio Department of Development is requiring communities to enter in a Joint Cooperative Agreement which clearly delineates the grantee of the funds. The Joint Cooperative Agreement is attached for adoption by the City Commission.

If you have any further comments or questions, please do not hesitate to contact me.

**JOINT COOPERATIVE AGREEMENT
FOR
STATE OF OHIO REGIONAL NEIGHBORHOOD
STABILIZATION PROGRAM (NSP) GRANTEES**

This Agreement made and entered into on the day and date set forth hereinbelow upon which the final signatory of this Agreement to do so executes the same, by and among Miami County, Ohio, an Ohio county, hereinafter referred to as “Miami County” and the “Lead Entity”; and Shelby County, Ohio, an Ohio county, hereinafter referred to as “Shelby County”; Auglaize County, Ohio, an Ohio county, hereinafter referred to as “Auglaize County”; the City of Sidney, an Ohio municipal corporation, hereinafter referred to as “Sidney”; the City of Piqua, Ohio, an Ohio municipal corporation, hereinafter referred to as “Piqua”; and the City of Troy, Ohio, an Ohio municipal corporation, hereinafter referred to as “Troy”, each of which shall be designated herein as a “Cooperating Entity”; and

WHEREAS, the State of Ohio has made available funding to be utilized in relation to the Ohio Regional Neighborhood Stabilization Program (NSP); and

WHEREAS, said funds are to be distributed to qualified grantees on a regional basis; and

WHEREAS, a prerequisite to the distribution of NSP funds is the entry by all of the qualified grantees within a particular region into a Joint Cooperating Agreement which complies with state mandates incident thereto; and

WHEREAS, Section 307.15 of the Ohio Revised Code generally authorizes and empowers an Ohio county, acting through its board of commissioners, to enter into agreements with the legislative authority of any municipal corporation and/or the board of commissioners of any other county or counties, and said other entities to enter into agreements with the originating county whereby the board of commissioners of the originating county undertakes and is authorized by the other contracting subdivisions to exercise any power, perform any function, or render any service, on behalf of the other contracting subdivisions or the legislative authorities of the same, that such subdivisions or legislative authorities may exercise, perform, or render; and

WHEREAS, for the purpose of facilitating the distribution, expenditure, and use of Ohio Regional Neighborhood Stabilization Program funds, it is the desire and intention of the parties hereto to enter into this Joint Cooperative Agreement pursuant to which Miami County is designated as the Lead Entity for the NSP Region, and the parties hereto contract and agree to implement the program in compliance with Community Development Block Grant requirements as modified by the Housing Economic Recovery Act of 2008 (HERA); the United States Department of Housing and Urban Development NSP Notice; the State of Ohio’s Consolidated Plan; and the NSP application guidelines; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto contract and agree that:

1. Miami County be, and said county hereby is designated as the Lead Entity for the purpose of the State of Ohio Regional Neighborhood Stabilization Program (NSP) as the same is applicable to each and all of the parties hereto, and in relation to the disbursement of NSP funds incident thereto; and

2. The administration and implementation of said program and the distribution of NSP funds incident thereto shall be effected in full compliance with Community Development Block Grant requirements as modified by the Housing Economic Recovery Act of 2008 (HERA); the United States Department of Housing and Urban Development NSP Notice; the State of Ohio's amended Consolidated Plan; and the NSP application guidelines; and

3. Entry into this Agreement shall be authorized by the Board of Commissioners of Miami County; the Board of Commissioners of Auglaize County; and the Board of Commissioners of Shelby County, and said Agreement shall be executed by each of the members of each said board of commissioners; and

4. Entry into this Agreement shall be authorized by the legislative authorities of the Cities of Piqua, Sidney, and Troy, and said Agreement shall be executed, pursuant to the respective, applicable authorization, by the executive officer of each said entity; and

5. This Agreement shall be accompanied by a legal opinion offered and executed by the Prosecuting Attorney of Miami County, Ohio, whereby said officer indicates and sets forth his opinion that the terms and provisions of this Agreement are authorized fully by the laws of the State of Ohio and that the same are permissible thereunder, and that this Agreement provides full legal authority for Miami County, as the Lead Entity, to act in compliance herewith so as to effect fully the completion of the terms and purposes of the same; and

6. This Agreement covers the NSP program as to funds awarded from the State of Ohio's NSP allocation as the same relate and are attributable to the parties hereto;

7. This Agreement shall be effective, and shall remain in full force and effect until the NSP funds related hereto and program income received are expended fully, and the funded activities related to said processes are completed and closed out; and neither this Agreement nor any term or provision of the same shall be terminated, rendered void, abrogated, or otherwise negated, and no withdrawal by any party hereto from this Agreement or any term or provision of the same shall be permitted by the action of the Lead Agency, the action of any of the Cooperating Entities; or the action of any combination or common action of said entities; and

8. The parties hereto shall take any and all actions which are necessary to assure compliance with the certification required under Section 104(b) of Title I of the Housing Community Development Act of 1974, as amended, including Title VI of the civil Rights Act of 1964; the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974; and any and all other applicable laws and regulations; and

9. No NSP funding which is incident to this Agreement shall be expended for activities within, or in support of any Cooperating Entity unit of local government which does not affirmatively further fair housing within its jurisdiction or that impedes the Lead Entity's actions and efforts to comply with its fair housing certification; and

10. The parties hereto acknowledge and agree that all Cooperating Entity units of general government have adopted and are enforcing:

A. A policy which prohibits the use of excessive force by law enforcement agencies within its jurisdiction against any individual's engaged in non-violent civil rights demonstrations; and

B. A policy for the purpose of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction; and

11. No party hereto shall enjoy the power or privilege of veto or other restriction which allows or permits any party to this Agreement, or any combination of the same to obstruct the implementation of the approved NSP program during the period covered hereby; and

12. The Lead Entity shall have and enjoy the final responsibility for selecting NSP activities hereunder, and for submitting application as to the same to the State of Ohio; and

13. Pursuant to 24 CFR 570.501(b), if any unit of local government undertakes assisted activities, it shall be subject to the same requirements applicable to subrecipients, including the requirement of a written agreement as described in 24 CFR 570-503. The execution of a Joint Cooperation Agreement between the Lead Entity and Cooperating Entities, in and of itself, shall not satisfy the requirement for a written subrecipient agreement, however; and where a Cooperating Entity carries out an eligible NSP activity or project, it shall be the responsibility of the Lead Entity to assure that there is executed a written subrecipient agreement with the units of government containing the minimum requirements of 24 CFR 570-503 before disbursing any NSP funds for any such activity or project, which subrecipient agreement shall be effective and shall remain in full force and effect during any period that the unit of government has control over NSP funds and activities, including program income; and

14. This document and Agreement and the terms and provisions set forth herein shall constitute and comprise the full and complete agreement and understanding of the parties hereto as to the matters incident to the same without reference or regard to any document, communication, or matter other than that which is set forth herein; and

15. The entry into this Agreement by the parties hereto shall create only the relationship among them or between any of their number as is set forth specifically herein, and this Agreement shall not create, and it shall not be construed or interpreted to create any further relationship, understanding, or obligations as to the parties hereto except as is expressly set forth herein.

IN WITNESS WHEREOF, the foregoing document was executed by representatives of the parties hereto as set forth hereinbelow:

MIAMI COUNTY, OHIO,
Lead Entity:

BY: _____
JOHN W. O'BRIEN, PRESIDENT

BY: _____
RON WIDENER, VICE PRESIDENT

BY: _____
JOHN F. EVANS

Date: _____, 2009

Action authorized by Resolution Number _____ adopted by the Board of Commissioners of Miami County, Ohio, on the _____ day of _____, 2009, as is reflected upon the official record and journal of said body.

ATTEST: _____
CLERK
The Board of Commissioners
Miami County, Ohio

APPROVED AS TO FORM ONLY:

The Prosecuting Attorney of Miami County, Ohio

AUGLAIZE COUNTY, OHIO
Cooperating Entity

BY: _____
COMMISSIONER

BY: _____
COMMISSIONER

BY: _____
COMMISSIONER

Date: _____, 2009.

Action authorized by Resolution Number _____ adopted by the Board of Commissioners of Auglaize County, Ohio, on the _____ day of _____, 2009, as is reflected upon the official record and journal of said body.

ATTEST: _____
CLERK
The Board of Commissioners
Auglaize County, Ohio

APPROVED AS TO FORM ONLY:

The Prosecuting Attorney of Auglaize County, Ohio

SHELBY COUNTY, OHIO
Cooperating Entity

BY: _____
COMMISSIONER

BY: _____
COMMISSIONER

BY: _____
COMMISSIONER

Date: _____, 2009.

Action authorized by Resolution Number _____ adopted by the Board of
Commissioners of Shelby County, Ohio, on the _____ day of _____, 2009, as is
reflected
upon the official record and journal of said body.

ATTEST: _____
CLERK
The Board of Commissioners
Shelby County, Ohio

APPROVED AS TO FORM ONLY:

Prosecuting Attorney of Shelby County, Ohio

THE CITY OF PIQUA, OHIO
COOPERATING ENTITY

BY: _____
Frederick E. Enderle, City Manager

Date: _____, 2009.

Action authorized by Resolution/Ordinance Number _____ adopted by the
Commission of the City of Piqua, Ohio, on the _____ day of _____, 2009, as is
reflected upon the official record and journal of said body.

ATTEST: _____
Rebecca J. Cool, Clerk
The City Commission of Piqua, Ohio

APPROVED AS TO FORM ONLY:

Law Director of the City of Piqua, Ohio

THE CITY OF SIDNEY, OHIO
COOPERATING ENTITY

BY: _____
CHIEF EXECUTIVE OFFICER

Date: _____, 2009.

Action authorized by Resolution/Ordinance Number _____ adopted by the Council/Commission of the City of Sidney, Ohio, on the _____ day of _____, 2009, as is reflected upon the official record and journal of said body.

ATTEST: _____
CLERK
The City Council/Commission of Sidney, Ohio

APPROVED AS TO FORM ONLY:

Law Director of the City of Sidney, Ohio

THE CITY OF TROY, OHIO
COOPERATING ENTITY

BY: _____
CHIEF EXECUTIVE OFFICER

Date: _____, 2009.

Action authorized by Resolution/Ordinance Number _____ adopted by the
Council of the City of Troy, Ohio, adopted on the _____ day of _____, 2009, as
is reflected upon the official record and journal of said body.

ATTEST: _____
CLERK
The City Council of Troy, Ohio

APPROVED AS TO FORM ONLY:

Law Director of the City of Troy, Ohio

RESOLUTION NO. R-22-09

**A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR
THE MIAMI COUNTY SOLID WASTE MANAGEMENT DISTRICT**

WHEREAS; the City of Piqua is located within the jurisdiction of the Miami County Solid Waste Management District.

WHEREAS; the District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53, 3734.54, and 3734.55.

WHEREAS; the City of Piqua must decide whether it approves of said Solid Waste Management Plan within ninety days of receipt of the Final Draft Plan.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the City of Piqua:

SEC. 1: That the City of Piqua approves the District Solid Waste Management Plan.

SEC. 2: The Clerk is hereby directed to send the District a copy of this Resolution to the attention of Ms. Cindy Bach, Solid Waste Coordinator, Miami County Solid Waste Management District, 2200 North County Road 25-A, Troy, OH 45373.

- a. That it is found and determined that all formal actions of this Commission concerning and relating to the passage of this Resolution were adopted in an open meeting of this Commission and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA A. COOL
CLERK OF COMMISSION

MEMORANDUM

February 12, 2009

To: Frederick E. Enderle, City Manager
From: Amy Welker, Director of Health & Sanitation

Re: Legislation for City Commission adoption of the Miami County Solid Waste Management Plan

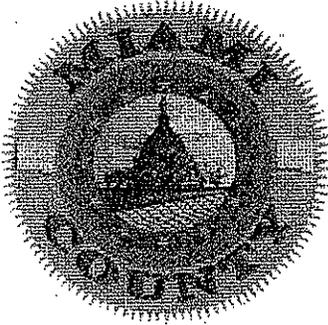
Every Solid Waste District in the State of Ohio is required to adopt a solid waste management plan and from time to time update that plan. The county is asking that the City of Piqua adopt the latest update to the existing plan.

The plan is basically the same as previous years with some minor adjustments. Items that are new to the plan or have changed include:

- 1) Litter grant for the County Municipal Court. The funding had been through a grant from ODNR, but that grant had been stopped, so tipping fees were raised for this.
- 2) A Debris Management Plan for the county was added.
- 3) Started an electronics recycling program in 2005.
- 4) Started a separate household hazardous waste program in 2006. Previous, there had been a program with Montgomery County.
- 5) Started a Special Event recycling program in 2006.
- 6) Redesigning the website so that more educational items will be included.

After a review of this plan, I recommend the plan for adoption.

If you need any further information regarding this matter, please let me know.



OFFICE OF
COMMISSIONERS OF MIAMI COUNTY

Sanitary Engineering Department
2200 N County Rd 25-A • Troy, Ohio 45373
(937) 440-3488 • Fax (937) 335-4208

December 19, 2008

*Mayor Tom Hudson
City of Piqua
201 W. Water St.
Piqua, Ohio 45356*

Re: Miami County Solid Waste Management District
Solid Waste Management Plan Update Ratification

Dear Mayor Hudson:

Enclosed you will find a copy of the Miami County Solid Waste Management District (District) draft Solid Waste Management Plan. The development of the Plan Update is a requirement of Ohio law. Every solid waste management district in Ohio must periodically revise and update the solid waste management plan.

The District held a thirty day public comment period from October 1, 2008 to October 31, 2008 and a public hearing was held on November 5, 2008 for interested residents, businesses or political jurisdictions to provide comments on the Plan Update. On December 16, 2008, the District's Policy Committee adopted the Plan Update. Once the Policy Committee adopts the Plan Update, Ohio law requires the District to deliver a copy to the County Commissioners and the legislative authority of each municipal corporation and township that are under the District's jurisdiction. The District has chosen the ratification period to be: January 5, 2009 until April 4, 2009.

Within ninety days of receiving a copy of the draft plan, the Board of County Commissioners and the legislative authority of each municipal corporation and township shall approve or disapprove the draft plan by ordinance or resolution to the District. The District determines that the Plan has been ratified when a combination of municipal corporations and townships with a combined population comprising 60 percent of the District has approved the Plan. That combination must include the approval of the County Commissioners and the municipal corporation having the largest population within the District.

Because of the 90 day timeframe, which cannot be extended, we would appreciate your immediate attention to this request.

A sample resolution is attached for your convenience. Please mail your resolution or ordinance approving or disapproving the Plan to:

Ms. Cindy Bach
Solid Waste Coordinator
Miami County Solid Waste Management District
2200 North County Road 25-A
Troy, OH 45373

Phone: 937-440-3488
Fax: 937-335-4208

We look forward to hearing from you no later than 90 days from the date of this letter. Please do not hesitate to contact me if you have any questions regarding the ratification process or the solid waste plan update document. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Bach".

Cindy Bach
Solid Waste Coordinator

Enclosure

RESOLUTION NO. R-23-09

**A RESOLUTION AUTHORIZING THE PURCHASE OF
TWO PROPERTIES LOCATED AT 214 AND 217 NORTH
ROOSEVELT AVENUE, PIQUA, MIAMI COUNTY, OHIO**

WHEREAS, the City of Piqua desires to purchase 214 and 217 North Roosevelt Avenue, Piqua, Miami County, Ohio, for the redevelopment land bank program; and

WHEREAS, the Roosevelt Avenue properties are located within an identified redevelopment area where CDBG funding has been approved for acquisition; and

WHEREAS, both properties were the subject of foreclosure, were acquired by the Piqua Improvement Corporation and are being purchased for the land value.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: The purchase of the property located at 214 North Roosevelt Avenue, Piqua, Miami County, Ohio is hereby approved for the purchase price of \$18,399.00 from the 2008 CDBG acquisition/demolition program and funding;

SEC. 2: The purchase of the property located at 217 North Roosevelt Avenue, Piqua, Miami County, Ohio is hereby approved for the purchase price of \$12,899.00 from the 2008 CDBG acquisition/demolition program and funding;

SEC. 3: The Finance Director is hereby authorized to draw her warrant on the appropriate account of the City treasury in payment according to this resolution;

SEC. 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

THOMAS HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION