

A G E N D A
PIQUA CITY COMMISSION
TUESDAY SEPTEMBER 8, 2009
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADJOURN INTO EXECUTIVE SESSION

EXECUTIVE SESSION:

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

ADJOURN

REGULAR CITY COMMISSION MEETING

1. **APPROVAL OF MINUTES** Approval of the minutes from the August 17, 2009 Regular City Commission Meeting and the August 31, 2009 Piqua City Commission Work Session

2. **ORD. NO. 14-09** An Ordinance amending Chapter 131 Offenses
 2nd Reading Against Property

3. **ORD. NO. 15-09** An Ordinance to levy special assessments to pay for
 2nd Reading the cost of nuisance abatement assessments

4. **RES. NO. R-78-09** Resolution of Appreciation for the Public Service of
 Ed Siders as a City Employee

5. **RES. NO. R-79-09** A Resolution approving the Fiscal-Year 2009
 Community Development Block Grant Downtown
 Revitalization program application

6. **RES. NO. R-80-09** A Resolution authorizing the Executive Director of the
 Miami County Park District to file an application to the
 State of Ohio to participate in the Clean Ohio
 Assistance Fund for property within the City of Piqua

7. **RES. NO. R-81-09** A Resolution authorizing the City Manager to execute agreements for the City-Wide Vehicle Fleet Maintenance program

8. **RES. NO. R-82-09** A Resolution approving the tax rates for the City as determined by the Miami County Budget Commission

9. **RES. NO. R-83-09** A Resolution authorizing the City Manager to execute a Memorandum of Understanding with Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Firefighters)

10. **RES. NO. R-84-09** A Resolution authorizing the City Manager to execute a Memorandum of Understanding with Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Fire Officers)

11. **RES. NO. R-85-09** A Resolution awarding a contract to Barrett Paving Materials, Inc. for the 2009 Street Resurfacing Program

12. **RES. NO. R-86-09** A Resolution approving the purchase of 420-422 Garnsey Street

13. **RES. NO. R-87-09** A Resolution requesting authorization to issue a purchase order to Burch Hydro, Inc. for; biosolids removal and land application at the Wastewater Plant for the next three years

OTHER:

- ***Proclamation-National Preparedness Month***
- ***Monthly Reports – July 2009***

ADJOURN

**MINUTES
PIQUA CITY COMMISSION
AUGUST 17, 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, Fess, Vogt, and Terry. Absent: None.

ADJOURN INTO EXECUTIVE SESSION

EXECUTIVE SESSION:

Moved by Commissioner Fess, seconded by Commissioner Vogt, to adjourn into Executive Session to prepare for and review negotiations on compensation or other terms and conditions of employment for City personnel. Roll call, Aye: Fess, Terry, Vogt, Martin, and Hudson. Nay: None. Motion carried unanimously. Commissioners adjourned into Executive Session at 7:35 P.M.

Moved by Commissioner Terry, seconded by Commissioner Martin, to adjourn from Executive Session and convene as the Piqua City Commission at 8:05 P.M. Voice vote, Aye, Hudson, Vogt, Terry, Martin, and Fess. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to add the City of Piqua Mid Year Financial Update, and Resolution No. R-77-09 to the end of the regular City Commission agenda. Voice vote, Aye: Martin, Fess, Hudson, Terry, and Vogt. Nay: None. Motion carried unanimously.

REGULAR CITY COMMISSION MEETING

APPROVAL OF MINUTES

Moved by Commissioner Terry, seconded by Commissioner Vogt, that the minutes of the Regular City Commission Meeting of August 3, 2009 be approved. Voice vote, Aye: Hudson, Terry, Vogt, Martin, and Fess. Nay: None. Motion carried unanimously.

City Manager Enderle introduced Barry Strock, of Barry Strock Consultants Inc. he is advising the City on the upgrading of the Financial Management System. Mr. Strock was involved in putting together the proposals, and is helping to evaluate the demonstration of the four vendors that were chosen, and to select the best possible one to work with the City. Mr. Strock has over forty years of experience, and his services are invaluable to the City of Piqua, stated City Manager Enderle.

ORD. NO. 10-09 (2nd Reading)

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 121-122 and 127 the Recall

Commissioner Fess stated the Charter Review Committee will stay in place the next two years, to oversee the ballot issues that will be going on the ballot the next two years, and asked if any formal action should be taken. Law Director Wall explained it was stated the entire packet was accepted at the August 3, Piqua City Commission Meeting as public record, and in the report it states that the Charter Review Committee would stay in place for two-years, so no formal action needs to be taken at this time.

Commissioner Martin stated from all the information he has heard, the Charter Review Committee did a good job, and this Ordinance is going to allow the public to vote on the Charter changes recommended by the Charter Review Committee.

Law Director Wall stated the Law Department has not received any comments either way, and there has been no further discussion as far as the committees recommendations. Commissioner Fess stated everything she has heard has been positive, and people feel it clarifies a lot of the areas, and she is hearing what a good job the Charter Review Committee did. Commissioner Vogt added they are only hearing positive comments from both sides.

Public Comment

No one came forward to speak for or against Ordinance No. 10-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 10-09 be read on three separate days be suspended. Voice vote, Aye: Hudson, Martin, Fess, Terry, and Martin. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 10-09 be adopted. Voice vote, Aye: Martin, Terry, Hudson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 10-09 adopted.

ORD. NO. 11-09

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 14, 16, 21, 25, 27-29 Initiative and Referendum Process

Public Comment

Larry Starrett, Fairfax Avenue, came forward and stated he could not hear what the Commissioners were saying, and asked if they would move forward and speak into their microphones. Mr. Starrett further stated he was not sure what they were voting on at this time and asked if someone would explain it.

City Manager Enderle explained the Ordinance and the various amendments that were being discussed.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the rule requiring Ordinance No. 11-09 be read on three separate days be suspended. Voice vote, Aye: Vogt, Martin, Fess, Terry, and Hudson. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 11-09 be adopted. Voice vote, Aye: Fess, Terry, Martin, Hudson, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 11-09 adopted.

ORD. NO. 12-09

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Section 135 Miscellaneous Provisions

Law Director Wall explained Ordinance No. 12-09 explains how the Charter Amendments get to the ballots. It clarify's the number of signatures required for charter amendments, said Ms. Wall.

Public Comment

Bradley Boehringer, Mound Street, came forward and said he wanted to state for the record this Ordinance is for initiated Charter Amendments, not the ones that the Charter Review Committee would put forth. Law Director Wall replied that is correct.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 12-09 be read on three separate days be suspended. Voice vote, Aye: Martin, Hudson, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Ordinance No. 12-09 be adopted. Voice vote, Aye: Vogt, Hudson, Fess, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 12-09 adopted.

ORD. 13-09 (1st Reading)

An Emergency Ordinance to make Appropriations for the City of Piqua, Ohio for the year 2009

City Manager Enderle explained the need for the ordinance at this time.

There was discussion of several of the funds receiving stimulus money, it was explained at mid year they go back and reappropriated the grants and miscellaneous expenses and revenues, and it was made clear that the money has already been appropriated and approved previously, and this was just the transferring of the money into the appropriate funds at this time.

Finance Director Cynthia Holtzapfle gave a brief overview of the changes, and explained several of the new changes that have occurred this year.

Commissioner Martin stated there was a misspelling in the first Whereas of Ordinance No. 13-09 and asked if it could be corrected, the word was "meansures", and should read as "measures".

City Manager Enderle further stated if the Ordinance is passed the City could consider an additional \$250,000 in street projects this year.

Public Comment

No one came forward to speak for or against Ordinance No. 13-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 13-09 be read fully and distinctly on three separate days be suspended. Voice vote, Aye: Hudson, Martin, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 13-09 be adopted. Voice vote, Aye: Terry, Martin, Hudson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 13-09 adopted.

ORD. NO. 14-09 (1st Reading)

An Ordinance amending Chapter 131 Offenses Against Property

Law Director Wall gave a brief explanation on the need for the changes to Chapter 131, citing Ordinance No. 14-09 relates to scheduled and dangerous prescription drugs and their usage. There was discussion on how the scheduled or prescription drugs are transported, and what happens if they are not in the prescription bottle they are issued in, and the fact that the prescription drugs need to remain in the bottle they are issued in. Police Chief Jamison explained some of the dangerous situations the police department has encountered involving the dangerous drugs. Chief Jamison further stated prescription drugs are the number one drug being abused by kids, with painkillers topping the list. It was explained the Ohio Revised Code does not cover these types of offenses, thus the need for Ordinance No 14-09 at this time.

Public Comment

Regina Favorite, New Haven Road, voiced her concern about students taking drugs to school and the fact they need to inform the teacher of their need for the prescription drug.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Ordinance No. 14-09 be given a first reading.

ORD. NO. 15-09

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

City Manager Enderle explained the type of assessments, and stated property owners have until September 2, 2009 to pay off their assessments before they are assessed to their taxes.

There was discussion of several of the higher assessments and fees on the list, and a grass mowing that took place before a home was purchased. City Manager gave a brief explanation on how the assessments are applied, and when. City Manager Enderle further stated the purchaser should contact the City to see if there are any assessments outstanding on a property before purchasing the property.

Commissioner Martin inquired about the high fee for grass mowing at a property located on S. Downing Street.

Health & Sanitation Director Amy Welker explained the reason for some of the high fees.

Mayor Hudson asked the amount of non-pay of electrical bills each month. Finance Director Holtzapple stated it is about \$12,000 a month but the City does recoup a portion of the money, the average is \$75,000 - \$100,000 a year. Mayor Hudson asked why there is no assessment for non-payment of electric bills. Ms. Holtzapple stated there are certain guidelines that need to be followed, but she would look into it.

Public Comment

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

Moved by Commissioner Terry, seconded by Commissioner Martin that Ordinance No. 15-09 be given a first reading.

RES. NO. R-75-09

A Resolution relating to the application for annexation of certain real property to the City

Commissioner Fess asked if the property being annexed would go all the way to R.M. Davis Parkway.

City Planner Chris Schmiesing explained where the annexed property was located.

Mayor Hudson asked if Resolution No. R-75-09 is approved is it ready to be annexed. Mr. Schmiesing stated yes, all the paperwork has been filed. Commissioner Fess inquired about the JEB Limited property, and asked if it had been sold at auction recently. Mr. Schmiesing stated it was entertained, but not sold as far as he knows.

Public Comment

No one came forward to speak for or against Resolution No. R-75-09.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-75-09 be adopted. Voice vote, Aye: Hudson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-75-09 adopted.

RES. No. R-76-09

A Resolution authorizing the Law Director to petition the Board of County Commissioners of Miami County, Ohio for a change in the boundary lines of Washington Township

Commissioner Fess asked about the length of time permitted, and the amount of the fees to be paid back to the Township. Mr. Schmiesing explained how the fees are paid back and the length of time.

Public Comment

No one came forward to speak for or against Resolution No. R-76-09.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-76-09 be adopted. Voice vote, Aye: Vogt, Martin, Fess, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson declared Resolution No. R-76-09 adopted.

OTHER

Mid-Year Financial Update – Cindy Holtzapple

Finance Director Cindy Holtzapple presented a power point overview of the Enterprise Usages through July 2008 and July 2009, Actual General Fund Revenues through July 2008 and July 2009, Actual Tax Revenues and a breakdown by Type through July 2008 and July 2009, and General Fund Projects 2006-2008 by going through each area and explaining the projections.

Commissioner Fess asked if Ms. Holtzapple would explain the difference between the Enterprise Fund and the General Fund. Ms. Holtzapple explained how the money was distributed in each of the two funds.

A copy of the Mid Year Update was given to each Commissioner, and is on file in the Finance Department.

City Manager Enderle stated with the 1.7 million ending balance we should make it through 2009 ok, but if the revenues don't bounce back very significantly there could be some problems. The focus for 2010 is the 13.6 million expenditure level that needs to be reduced by at least 2.0 million, or the revenues will have to increase by that much. City Manager Enderle further stated he was glad they had put the Lottery winnings in savings, and the estate money the city received this year.

Commissioner Fess stated this does not take into consideration the State may make additional cuts to municipalities because they have not finished their budgets yet. Ms. Holtzapple stated yes, we are uncertain what our funding levels will be, and will be watching the State Legislature closely to see where they are going to try and balance their budget.

Commissioner Fess stated the City of Piqua is not alone in their struggle to balance the budget, other communities are having the same issues.

Resolution No. R-77-09 was added to the City Commission Agenda at the August 17, 2009 meeting after an Executive Session was held at the beginning of the Commission Meeting.

RES. NO. R- 77-09

A Resolution rejecting the Fact-Finders decision regarding contractual matters between the City of Piqua and the American Federation of State, County and Municipal Workers, Inc. (AFSCME), Ohio Council 8, Local 984

Law Director Wall explained the subsequent changes to the contract issues in the resolution. Ms. Wall further stated the City of Piqua has ten days to accept or reject the contract, which involves the decision of the Fact-Finder on eight articles, including wages and health insurance that was issued on August 14, 2009. This resolution rejects the contract that was presented to the City of Piqua by the Fact-Finders, said Ms. Wall.

City Manager Enderle stated we would have to cut services, and possibly lay people off to pay for the increases as proposed, and he believes the Fact-Finder erred in his judgment, and strongly recommends we reject this report.

Commissioner Fess asked what exactly does it mean to reject the Fact-Finders decision. Law Director Wall explained what it means, and stated the Union has the right to strike, but must give a ten-day notice before doing so. Commissioner Fess stated the City has had several unusually high health care claims recently, which could increase the premiums in the future. Law Director Wall explained what the insurance companies look at, and stated the City will receive the insurance quotes in October of this year.

Public Comment

No one came forward to speak for or against Resolution No. R-77-09.

Moved by Commissioner Fess, seconded by Commissioner Vogt, to adopt Resolution No. R-77-09. Roll call vote, Aye: Fess, Martin, Terry, Vogt, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson declared Resolution No. R-77-09 adopted.

Public Comment

Bradley Boehringer, Mound Street, stated the Charter Review Committee did an excellent job, and were well appointed, and he is looking forward to seeing the changes implemented if voted in.

Mr. Boehringer voiced his concern on whether the City of Piqua is being fiscally responsible, and if it is necessary to lay-off personnel where would it be, and would it be possible to give unpaid time off, and furloughs instead.

James Cruse, N. County Rd. 25-A, voiced his concern over weeds on County Road 25-A west of the Indian Ridge subdivision. City Manager Enderle stated he would check into it and get back to him.

Joe Francis, W. Parkway Drive, voiced his concern about the Route 36 paving and if the city annexes property in, would the city be responsible for any of the new area of the road. City Manager Enderle stated we would receive state aid if we had to repave it at this time, it would be something we would have to work out with ODOT.

Commissioner Vogt stated he had received several calls regarding the \$50,000 funding for the playground equipment at Kiwanis Park and Das Park, and would it have to come to the City Commission before being spent. City Manager Enderle stated yes, the resolution would come before the City Commission.

Commissioner Fess stated she wanted to respond to the comment about the City of Piqua being fiscally responsible. Commissioner Fess believes the Commission and the Administration are working as hard as they can to make sure everything they are doing is responsible, and doing the best they can under these tough circumstances. Commissioner Fess further stated we are no position to say who and where the lay-offs will be. Hopefully we can do this without any lay-offs, which is our goal, and lay-offs would be our last resort.

Commissioner Fess also stated she has several citizens ask her about seeing Street Department employees working overtime on Saturdays and asked if this was putting us over in the budget. City Manager Enderle explained the reason for the Street Department employees working on Saturdays doing weed cutting and etc. and further stated it does not impact the budget.

Commissioner Terry inquired if the Street Schedule was on track or behind at this time, and if they are concentrating on the alley's and potholes. City Manager Enderle stated they are on schedule and believes they are doing very well.

Commissioner Terry stated the north end has had several break-ins, and reminded citizens to lock their cars and report any suspicious activity to the Police Department.

Commissioner Terry also inquired as to the Hospital Demolition Project and the EPA involvement.

City Planner Chris Schmiesing explained that they are in Phase II of the project and are looking into grants and Brownfield Funds to help the owner with the expenses.

Commissioner Fess asked if the city had any other means to go after the property owner to get things done. Mr. Schmiesing explained the process, and the EPA's involvement, and stated they are looking to move to the next step soon.

Commissioner Terry thanked Tom Westfall and all the students involved for another great performance of the Music Warehouse. Commissioner Terry announced the Neighborhood Associations are challenging each other in a blood drive to be held on September 1, 2009 at the Piqua Fire Department, and asked citizens to come and donate and vote for their particular Neighborhood Association. Commissioner Terry also reminded citizens of the Piqua Heritage Festival that will take place Labor Day Weekend.

City Manager Enderle stated he believes the City of Piqua is fiscally responsible and will be considering all options on reducing workdays and etc. and are considering all possible solutions. We are going to do what is best for the City in terms of providing the level of service that our citizens expect given the situation, said City Manager Enderle.

Mayor Hudson reminded citizens that students go back to school on Monday, August 24, 2009, and to watch for children crossing the streets and on the sidewalks. Also, they have installed new yellow speed bumps on Indian Trail this year, so be prepared to slow down when coming in and out of school.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission at 9:38 P.M. Voice vote, Aye: Vogt, Martin, Terry, Hudson, and Fess. Nay: None. Motion carried unanimously.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

MINUTES
PIQUA CITY COMMISSION WORK SESSION
AUGUST 31, 2009
5:00 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

Piqua City Commission met in a Special Work Session in the administrative Conference Room in the Municipal Government Complex, 201 W. Water Street for a work session. Mayor Hudson called the meeting to order at 5:00 P.M. Also present were Commissioners Martin, Fess, and Vogt. Absent: Terry. Also in attendance: City Manager Fred Enderle, City Planner Chris Schmiesing, City Engineer Amy Havenar, Police Chief Bruce Jamison, Acting Fire Chief Rick Maggert, Power Systems Director Ed Krieger, Street Superintendent Doug Harter, Assistant Street Superintendent Don Seeberger, Power Plant Representative Bill Wheelock, Jim Swartz and Rachel Lloyd. Also present Nathan Moore from Kleingers & Associates.

Purpose of the Special Meeting is to discuss the Intersection Improvement Study Implementation Plan

City Manager Fred Enderle gave a brief explanation of the Intersection Improvement Study.

City Planner Chris Schmiesing introduced Nathan Moore of Kleingers & Associates, the plan developer.

Mr. Schmiesing stated the team members included the City Planner, City Engineer, Chief of Police, Fire Chief, Street Superintendent, Assistant Street Superintendent, Traffic Signal Technician, and a representative from the Electric System.

Mr. Schmiesing provided a general overview power point presentation on the recommendations that were made, and the evaluation of the twenty-seven intersections within the city. The Engineering Study included: Evaluation of Intersections, Collection of Data, Public Input/Awareness Meetings, Analysis of Findings, and Recommendations.

There was discussion of the procedures that were to be followed in notifying the public of the changes that were going to occur with the removal of some of the traffic signals, and replacing them with stop signs or no signs. Mr. Schmiesing passed around copies of various types of signage to be used for the Commissioners to review.

Mr. Schmiesing stated there would be a phase in period with signage and flashing lights to make citizens aware of the changes taking place. City Engineer Amy Havenar stated typically there is a ninety-day period to help increase public awareness of the changes being made at the intersections, and during this time there will be increased Police presence in these areas.

Mr. Schmiesing went over the funding of the plan, and there was discussion on who would be contributing to the plan. There would be In-Kind Resources and Contractual Costs associated with the plan, along with anticipated State/Federal Funding, and an Annual Operations Cost Savings of over \$18,000 per year with full pay back of the implementation plan within 9.22 years. City Manager Enderle stated out of the City of Piqua's portion some of the funding will come from the Power Fund, and the rest from the Street Department Fund.

Mr. Schmiesing explained the Prioritization process and how it was established. There will be Public Awareness Campaign on the What, Why, How, When presented at the Neighborhood Association Meetings, Organizational Meetings, YMCA, Mainstreet Piqua, Etc., and other public forums, including Press Releases/News Media, and APTA programs, said Mr. Schmiesing. City Manager Enderle further stated the plan is to talk to the neighbors, and look at safety standards that apply today before implementing the plan.

There was discussion of several busy intersection locations and questions by Commissioners, and the time frame on the completion of the plan. Mr. Schmiesing went over the anticipated changes in 2010 and 2011, and stated this plan is subject to change but is scheduled for completion in 2011. This may be extended out into 2012 based upon funding availability, public safety protocol, seasonal conditions and other factors. There was discussion if it would be possible to have an article in the newspaper to inform citizens on the process that will be followed in making the changes to the intersections.

Commissioner Fess stated Chris Schmiesing, Amy Havenar and the team did a good job on putting together the information, and in a few years the traffic flow through the city will be greatly improved.

Nathan Moore of Kleingers & Associates stated he felt the City of Piqua should be commended for putting forth the effort and going with the plan.

Mayor Hudson thanked everyone for attending the meeting.

Moved by Commissioner Fess, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Work Session at 5:35 P.M. Voice vote, Aye: Martin, Fess, Hudson and Vogt. Motion carried unanimously.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 14-09

**AN ORDINANCE AMENDING CHAPTER 131
OFFENSES AGAINST PROPERTY**

WHEREAS, Chapter 131 of the Piqua Municipal Code establishes offenses against property including alcohol and drug offenses; and

WHEREAS, the Ohio Revised Code does not cover drug offenses where the drug is not a scheduled drug as defined by the Federal Food, Drug and Cosmetic Act or possession of dangerous drugs not in the proper prescription container; and

WHEREAS, there is a significant amount of drugs on the street that are encountered and individuals possessing dangerous drugs need to be held accountable.

NOW THEREFORE, BE IT ORDAINED BY the Piqua City Commission, a majority of its members concurring that:

SECTION 1. That the City of Piqua hereby amends Chapter 131 of the Piqua Municipal Code as set forth below:

§ 131. __ DANGEROUS DRUGS.

(A) No person, other than a registered wholesale distributor of dangerous drugs, a licensed terminal distributor of dangerous drugs, a manufacturer of dangerous drugs, a pharmacist, a practitioner, or carriers or warehousemen but only for the purpose of carriage or storage, for any of the foregoing, shall have in such person's possession any prescription drug, except those obtained pursuant to a prescription or dispensed by a practitioner.

(B) Proof of possession of a prescription drug, other than in a container labeled to indicate the date of sale, the name and address of the person for whom the drug was prescribed, instructions for taking, and the name of the pharmacy where sold, together with the prescription number, shall constitute prima facie evidence of a violation of this section.

(C) For the purpose of this section, the term "prescription drug" shall mean:

- (1) Any drug which, under the "Federal Food, Drug and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and

- pursuant to Chapters 3715 and 3719 of the Ohio Revised Code, may be dispensed only upon a prescription; or
- (2) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body; or
 - (3) Any drug listed within the standard pharmaceutical reference manual as defined in 2925.01(M) of the Ohio Revised Code which may be dispensed only upon a prescription; or
 - (4) Any drug or drug product the commercial package of which bears a label containing the legend, "Caution: Federal Law Prohibits Dispensing Without Prescription" or "Federal Law Restricts This Drug To Use by or on the Order of a Licensed Veterinarian" or any similar restrictive statement.

(D) For the purpose of this section, the term "prescription" shall have the meaning ascribed to it in Section 4729.01(H) of the Ohio Revised Code.

(E) For the purpose of this section, the term "person," "terminal distributor of dangerous drugs," "registered wholesale distributor of dangerous drugs," "manufacturer of dangerous drugs," "practitioner," "pharmacist," and "prescription" shall have the meanings ascribed to them in Ohio Revised Code section 4729.01.

(F) Whoever violates this section shall be guilty of possessing a prescription drug, a misdemeanor of the first degree.

SECTION 2. All other sections of Chapter 131 of the Piqua Municipal Code not amended herein shall remain in effect as is.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading 8-17-2009

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CITY COMMISSION CLERK

ORDINANCE NO. 15-09

**AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS
TO PAY FOR THE COST OF NUISANCE ABATEMENT
ASSESSMENTS**

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

SEC. 1: The assessment of the cost and expense of improving a certain lot, as herein set out, by nuisance abatement on said property, as reported to this Commission in Exhibit "A" attached hereto, are hereby adopted and confirmed, and that there be and is hereby levied and assessed upon the lot improved by the aforementioned nuisance abatement, the amount reported as aforesaid which assessment, together with the description of said lot is now on file in the office of the Clerk of this Commission and in the office of the Director of Finance and is not in excess of the special benefits to said property, and is not in excess of a statutory limitation.

SEC. 2: The total assessment against said lot shall be payable in cash or at the option of the owner, in two equal semiannual installments. All cash payments of assessments and installments shall be made to the Director of Finance. All assessments and installments thereof remained unpaid shall be certified by the Clerk of this Commission to the County Auditor, as provided by law, to be by him placed on the tax duplicate and collected as other taxes are collected. Said assessment shall include the cost of publishing and serving of any and all notices, ordinances and resolutions required.

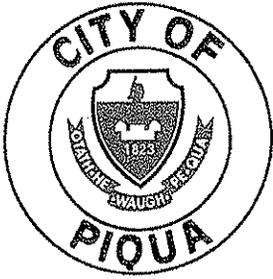
SEC. 3: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

1ST Reading 8-17-2009

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



FINANCE DEPARTMENT

Cynthia A. Holtzapple – Director of Finance
201 West Water Street • Piqua, Ohio 45356
(937) 778-2065 • FAX (937) 778-1130
E-Mail: choltzapple@piquaoh.org

September 2, 2009

Mr. Fred Enderle,
City Manager

Reference: Special Assessments for Nuisance Abatement and Weed Cutting

I am requesting this ordinance be placed on the agenda for the City Commission meeting of August 17, 2009. This is for authorization to certify the unpaid billings for property maintenance, property demolition, mowing, trimming or trash removal by the City to the County Auditor's office to be placed on the property tax duplicate. The total amount of \$43,085.19 will be assessed for collection in two installments during the year of 2010.

We have sent billings to the property owners and are accepting payments in the Finance office through September 2, 2009. Assessments must be to the County Auditor's Office by September 14, 2009; therefore, we are requesting this as the first reading with passage by City Commission on September 8, 2009.

If you need additional information, please let me know.

Sincerely,

Cynthia A. Holtzapple,
Director of Finance



**2009 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"**

	INVOICE	LOCATION	LOT NO.	PARCEL	TYPE	AMOUNT	DUE	DUE
	NO.			NO.			DEC 2009	JUNE 2010
Absolute Construction	003-09	408 N. Wayne St.	84	N44002230	Maint.	\$84.00	\$40.50	\$40.50
Ann Wead	090-09	114 Cassell St.	1459	N44022330	Grass	\$105.00	\$52.50	\$52.50
Ann Wead	002-09	114 Cassell St.	1459	N44022330	Maint.	\$215.00	\$107.50	\$107.50
Anne Wead	153-08	114 Cassell St.	1459	N44022330	Grass	\$60.00	\$30.00	\$30.00
Atlantic Coast House	091-09	218 E. Water St.	143	N44000020	Grass	\$52.50	\$26.25	\$26.25
B First Properties	178-08	8866 N. Cty. Rd. 25A	7432	N44073890	Grass	\$130.00	\$65.00	\$65.00
Barbara Brumbaugh	071-09	N. Cty. Rd. 25A	8657	N44078446	Grass	\$87.50	\$43.75	\$43.75
Bethany Enos	079-09	810 W. Water St.	1326	N44020650	Grass	\$70.00	\$35.00	\$35.00
Brar-Gursewak	085-09	4241 E. Ash St.	6908	N44072750	Grass	\$140.00	\$70.00	\$70.00
Brar-Gursewak	093-09	4241 E. Ash St.	6908	N44072750	Maint.	\$305.00	\$152.50	\$152.50
Brent Hoes	126-08	1513 Forest Ave.	2002	N44027650	Trash	\$115.00	\$57.50	\$57.50
BWC Enterprises LLC	154-08	948 Washington Ave.	4778	N44026080	Grass	\$60.00	\$30.00	\$30.00
BWC Enterprises LLC	096-09	948 Washington Ave.	4778	N44026080	Trash	\$75.00	\$37.50	\$37.50
Carmen Barhorst	004-09	1530 Washington Ave.	2005	N44027680	Demo	\$2,535.00	\$1,267.50	\$1,267.50
Carnes Investments	024-09	715 S. Downing St.	753	N44013020	Trash	\$55.00	\$27.50	\$27.50
Carnes Investments	010-09	715 S. Downing St.	753	N44013020	Grass	\$70.00	\$35.00	\$35.00
Carnes Investments	005-09	530 Cottage Ave.	2122	N44028900	Trash	\$95.00	\$47.50	\$47.50
Carnes Investments	142-08	739 South St.	5278	N44058700	Trash	\$155.42	\$77.71	\$77.71
Charles Sherwood	040-09	1139 Covington Ave.	2247	N44030150	Grass	\$70.00	\$35.00	\$35.00
Church of Jesus	175-08	400 block of Wood St.	591-595	N44028481	Grass	\$77.50	\$38.75	\$38.75
Citifinancial Inc.	047-09	414 Camp St.	287	N44006195	Grass	\$70.00	\$35.00	\$35.00
Citimortgage Inc.	037-09	501 Caldwell St.	331	N44006880	Grass	\$105.00	\$52.50	\$52.50
Clyde Kiefer	011-09	618 Beverly Dr.	6125	N44066990	Grass	\$105.00	\$52.50	\$52.50
CSX Transportation	028-09	S. Roosevelt Ave.	4740	N44999101	Trash	\$140.00	\$70.00	\$70.00
Dale Tiderington	057-09	815 Vine St.	175	N44027230	Grass	\$70.00	\$35.00	\$35.00
Danielle Bianchi	155-08	317 Riverside Dr.	4426	N44050720	Grass	\$68.75	\$34.38	\$34.38
Danielle Bianchi	001-09	317 Riverside Dr.	4426 35	N44050720	Maint.	\$162.00	\$81.00	\$81.00
Darla Liette	026-09	434 E. Ash St.	466	N44009030	Trash	\$80.00	\$40.00	\$40.00
Darla Liette	048-09	434 E. Ash St.	466	N44009030	Grass	\$122.50	\$61.25	\$61.25
Dayton Power & Light Co.	149-08	Clark Ave.		N44400142	Grass	\$95.00	\$47.50	\$47.50
Dayton Power & Light Co.	138-08	Clark Ave.		N44400142	Grass	\$130.00	\$65.00	\$65.00
Debra Adams	073-09	222 E. High St.	4	N44000120	Grass	\$70.00	\$35.00	\$35.00
Delmar Crowell	058-09	707 McKinley Ave.	3103	N44038450	Grass	\$70.00	\$35.00	\$35.00
Delmar Crowell	032-09	707 McKinley Ave.	3103	N44038450	Grass	\$122.50	\$61.25	\$61.25
Delmar Crowell	083-09	707 McKinley Ave.	3103	N44038450	Maint.	\$152.50	\$76.25	\$76.25
Deutsche Bank National	097-09	222 First St.	3552	N44042750	Grass	\$87.50	\$43.75	\$43.75
Donald & Edith Lance	169-08	422 W. High St.	444-445	N44008550	Grass	\$60.00	\$30.00	\$30.00
Doug Liette	170-08	1106 S. Roosevelt Ave.	6645&4026	N44046950	Grass	\$60.00	\$30.00	\$30.00
Douglas & Edwin Liette	016-09	127 Morrow St.	2272	N44030400	Grass	\$87.50	\$43.75	\$43.75
Douglas & Edwin Liette	077-09	127 Morrow St.	2272	N44030400	Maint.	\$88.00	\$44.00	\$44.00
Dustin Huber	056-09	924 Linden Ave.	3172	N44039090	Grass	\$87.50	\$43.75	\$43.75
Dustin Shaffer	033-09	104 Second St.	3613	N44043410	Grass	\$122.50	\$61.25	\$61.25
Ed Liette	006-09	727 Young St.	2041	N44028030	Trash	\$60.00	\$30.00	\$30.00
Edward Weaver	102-09	E. Water St.	20	N44000590	Grass	\$70.00	\$35.00	\$35.00
Eric Barhorst	177-08	511 Park Ave.	268	N44005770	Grass	\$60.00	\$30.00	\$30.00
Erna Bondurant	080-09	134 S. Wayne St.	3461	N44041940	Maint.	\$70.00	\$35.00	\$35.00
Evelyn Kiefer	036-09	1714 Cambridge Ave.	6654	N44072085	Grass	\$70.00	\$35.00	\$35.00
Forest Martin	045-09	706 Leonard St.	2436	N44032030	Grass	\$70.00	\$35.00	\$35.00
Forest Martin	139-08	706 Leonard St.	2436	N44032030	Grass	\$77.50	\$38.75	\$38.75
Forest Martin	072-09	706 Leonard St.	2436	N44032030	Grass	\$135.00	\$67.50	\$67.50
Forest Martin	140-08	706 Leonard St.	2436	N44032030	Grass	\$235.38	\$117.69	\$117.69
Forest Martin	099-09	706 Leonard St.	2436	N44032030	Grass	\$535.00	\$267.50	\$267.50
Forest Martin	191-08	706 Leonard St.	2436	N44032030	Demo	\$10,955.00	\$5,477.50	\$5,477.50
Frank Pulfer	087-09	927-929 W. Greene St.	1583	N44023900	Grass	\$105.00	\$52.50	\$52.50
Fred Hall	131-08	630 Wood St.	1568	N44023710	Trash	\$65.00	\$32.50	\$32.50
Fred Hall	018-09	1312 South St.	2603	N44033500	Grass	\$152.50	\$76.25	\$76.25

2009 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

	INVOICE NO.	LOCATION	LOT NO.	PARCEL NO.	TYPE	AMOUNT	DUE	DUE
							DEC 2009	JUNE 2010
Fred Hall	147-08	1312 South St.	2603	N44033500	Grass	\$152.50	\$76.25	\$76.25
Fred Hall	054-09	1312 South St.	2603	N44033500	Grass	\$535.00	\$267.50	\$267.50
Fred Hall	086-09	1312 South St.	2603	N44033500	Grass	\$535.00	\$267.50	\$267.50
Gary Jones	078-09	817 Elm St.	2725-26	N44034720	Maint.	\$105.00	\$52.50	\$52.50
Ginger-Willecox	471-08	4624 Grant St.	5945	N44064880	Grass	\$86.25	\$43.13	\$43.13
Glen & Arlene Baker	189-08	906 Brice Ave.	2937	N44036760	Maint.	\$99.49	\$49.75	\$49.75
Glen Baker	159-08	508 Kitt St.	2289	N44030570	Grass	\$60.00	\$30.00	\$30.00
Hope Chapel	012-09	624 Broadway	264	N44250450	Grass	\$140.00	\$70.00	\$70.00
Hope Chapel	063-09	624 Broadway	264	N44250450	Grass	\$152.50	\$76.25	\$76.25
HSBC Bank	009-09	611 Park Ave.	630	N44011240	Grass	\$70.00	\$35.00	\$35.00
Jan Pearce	070-09	506 Cleveland St.	3649	N44043880	Grass	\$87.50	\$43.75	\$43.75
Jeffery Simmons	041-09	418 First St.	4806	N44054750	Grass	\$140.00	\$70.00	\$70.00
Jessica Kays	136-08	410 Pinewood Ave.	5756	N44063360	Grass	\$60.00	\$30.00	\$30.00
John Probst	162-08	633 S. Downing St.	759	N44013140	Maint.	\$36.90	\$18.45	\$18.45
John Probst	164-08	633 S. Downing St.	759	N44013140	Grass	\$135.00	\$67.50	\$67.50
John Probst	069-09	633 S. Downing St.	759	N44013140	Grass	\$535.00	\$267.50	\$267.50
John Probst	100-09	633 S. Downing St.	759	N44013140	Grass	\$535.00	\$267.50	\$267.50
John Probst	008-09	633 S. Downing St.	759	N44013140	Grass	\$552.50	\$276.25	\$276.25
John Probst	046-09	633 S. Downing St.	759	N44013140	Grass	\$552.50	\$276.25	\$276.25
John Schwab	065-09	417 Broadway	450	N44008670	Trash	\$50.00	\$25.00	\$25.00
John W Spruance	180-08	1003 Covington Ave.	2229	N44029970	Trash	\$60.00	\$30.00	\$30.00
John W Spruance	161-08	1003 Covington Ave.	2229	N44029970	Grass	\$70.00	\$35.00	\$35.00
John W Spruance	157-08	1003 Covington Ave.	2229	N44029970	Grass	\$77.50	\$38.75	\$38.75
John Weigel	014-09	1804 Britton Dr.	6803	N44072621	Grass	\$70.00	\$35.00	\$35.00
John Weigel	052-09	1804 Britton Dr.	6803	N44072621	Grass	\$87.50	\$43.75	\$43.75
John Weigel	101-09	1804 Britton Dr.	6803	N44072621	Grass	\$135.00	\$67.50	\$67.50
Judith Buechter	150-08	317 Third St.	3606	N44043340	Grass	\$95.00	\$47.50	\$47.50
Julia & Douglas Melvin	137-08	123 South St.	575	N44010410	Grass	\$60.00	\$30.00	\$30.00
Julia & Douglas Melvin	050-09	123 South St.	575	N44010410	Grass	\$140.00	\$70.00	\$70.00
Kalisa Roark	094-09	337 Ellerman St.	1425	N44021970	Trash	\$50.00	\$25.00	\$25.00
Kelly Long	152-08	1215 Forest Ave.	1879	N44026810	Grass	\$165.00	\$82.50	\$82.50
Kent Lee	015-09	523 Cottage Ave.	821	N44013880	Grass	\$70.00	\$35.00	\$35.00
Kimberly Seger	039-09	601 Park Ave.	1081	N44017850	Grass	\$105.00	\$52.50	\$52.50
Lawrence Liette	034-09	1538 South St.	5860	N44064330	Grass	\$87.50	\$43.75	\$43.75
Lawrence Liette	075-09	1538 South St.	5860	N44064330	Maint.	\$88.00	\$44.00	\$44.00
Lori Hedberg	095-09	829 Camp St.	1674	N44024980	Trash	\$50.00	\$25.00	\$25.00
Louis Levan	049-09	525 Lindsey St.	4399	N44050460	Grass	\$70.00	\$35.00	\$35.00
Margo Gibson	060-09	829 W. Water St.	1345	N44020920	Grass	\$105.00	\$52.50	\$52.50
Mark Carnes	129-08	1117 Park Ave.	1693	N44025210	Trash	\$50.00	\$25.00	\$25.00
Mark Vondenberger	066-09	621 Gordon St.	7254	N44073321	Grass	\$87.50	\$43.75	\$43.75
Mary Atkins	019-09	358 Ellerman St.	2370	N44031320	Grass	\$87.50	\$43.75	\$43.75
Mary Atkins	051-09	358 Ellerman St.	2370	N44031320	Grass	\$105.00	\$52.50	\$52.50
Mary Atkins	081-09	358 Ellerman St.	2370	N44031320	Maint.	\$170.00	\$85.00	\$85.00
Mary Kindell	144-08	610 Boone St.	623	N44011110	Grass	\$42.50	\$21.25	\$21.25
Mary Kindell	062-09	610 Boone St.	623	N44011110	Maint.	\$70.00	\$35.00	\$35.00
Mary Kindell	082-09	427 McKinley Ave.	2614	N44033620	Maint.	\$135.00	\$67.50	\$67.50
Mary Kindell	141-08	427 McKinley Ave.	2614	N44033620	Grass	\$152.50	\$76.25	\$76.25
Mary Kindell	059-09	427 McKinley Ave.	2614	N44033620	Grass	\$170.00	\$85.00	\$85.00
Mary Kindell	187-08	427 McKinley Ave.	2614 50	N44033620	Demo	\$7,165.00	\$3,582.50	\$3,582.50
Mary Kindell	182-08	329 Harrison St.	4755-4756	N44054300	Trash	\$90.00	\$45.00	\$45.00
Mary Lockhart	027-09	318 Young St.	796	N44013440	Trash	\$60.00	\$30.00	\$30.00
Mary Lockhart	044-09	318 Young St.	796	N44013440	Grass	\$105.00	\$52.50	\$52.50
Michael Wilcox	023-09	1207 Chevy Ln.	8045	N44077334	Trash	\$45.00	\$22.50	\$22.50
Michael Wilcox	184-08	1170 Chevy Lane	8051	N44077346	Trash	\$300.00	\$150.00	\$150.00
Michael Wilcox	190-08	1171 Chevy Ln.	8044	N44255120	Trash	\$110.00	\$55.00	\$55.00
Mitchell Bolin	183-08	1614 W. High St.	5273	N44058630	Trash	\$45.00	\$22.50	\$22.50

2009 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

	INVOICE NO.	LOCATION	LOT NO.	PARCEL NO.	TYPE	AMOUNT	DUE DEC 2009	DUE JUNE 2010
Murray Property Investment LLC	145-08	406 W. High St.	340-341	N44007050	Grass	\$152.50	\$76.25	\$76.25
Murray Property Investment LLC	168-08	406 W. High St.	340-341	N44007050	Grass	\$170.00	\$85.00	\$85.00
Norma Budach	074-09	511 Orr St.	1376	N44021500	Maint.	\$88.00	\$44.00	\$44.00
Patricia Shroyer	176-08	424 W. High St.	444-445	N44008530	Grass	\$60.00	\$30.00	\$30.00
Patricia Shroyer	092-09	424 W. High St.	444	N44008530	Grass	\$152.50	\$76.25	\$76.25
Randall Hammons	084-09	500 Kitt St.	2287	N44030550	Grass	\$105.00	\$52.50	\$52.50
Robert Basye	042-09	823 Broadway	249	N44005420	Grass	\$105.00	\$52.50	\$52.50
Robert Basye	061-09	823 Broadway	249	N44005420	Grass	\$135.00	\$67.50	\$67.50
Roy Howard	130-08	541 W. Water St.	436	N44008440	Trash	\$40.00	\$20.00	\$20.00
S. Bryant & C. Harrison	122-08	629 Brice Ave.	2171	N44029390	Trash	\$50.00	\$25.00	\$25.00
Scott Tobe	088-09	511 Boal Ave.	2111	N44028780	Grass	\$87.50	\$43.75	\$43.75
Sec. of Housing & Urban Dev.	173-08	531 New St.	506	N44009440	Grass	\$112.50	\$56.25	\$56.25
Sec. of Housing & Urban Dev.	067-09	1426 Washington Ave.	1963	N44027490	Grass	\$87.50	\$43.75	\$43.75
Sec. of Housing & Urban Dev.	151-08	1601 Clark Ave.	3127	N44038640	Grass	\$95.00	\$47.50	\$47.50
Sec. of Housing & Urban Dev.	057-09 (2)	1601 Clark Ave.	3127	N44038640	Grass	\$187.50	\$93.75	\$93.75
Sec. of Housing & Urban Dev.	132-08	414 Cleveland St.	3644	N44043780	Grass	\$60.00	\$30.00	\$30.00
Sec. of Housing & Urban Dev.	047-09	1205 S. Roosevelt Ave.	6539	N44071040	Grass	\$240.00	\$120.00	\$120.00
Secretary of Veterans Affairs	076-09	1101 W. Water St.	1354	N44021000	Maint.	\$123.00	\$61.50	\$61.50
Sharon Arnett	121-08	536 Boone St.	1082-1083	N44017870	Trash	\$80.00	\$40.00	\$40.00
Shawn Gambill	022-09	212 W. Ash St.	84	N44002220	Trash	\$45.00	\$22.50	\$22.50
Shawn Gambill	148-08	212 W. Ash St.	84	N44002220	Grass	\$60.00	\$30.00	\$30.00
Sheryl Kern, Trustee	053-09	1000 S. Roosevelt Ave.	3405	N44041420	Grass	\$105.00	\$52.50	\$52.50
Shirley Bell LeMaster	031-09	305 McKinley Ave.	5311	N44059000	Grass	\$70.00	\$35.00	\$35.00
Shirley Bell LeMaster	163-08	305 McKinley Ave.	5311	N44059000	Maint.	\$1,775.00	\$887.50	\$887.50
Shirley Bell LeMaster	186-08	305 McKinley Ave.	5311 45	N44059000	Demo	\$3,910.00	\$1,955.00	\$1,955.00
Shirley Stonerock	025-09	715 Willard St.	2425	N44031910	Trash	\$110.00	\$55.00	\$55.00
Shirley Stonerock	167-08	715 Willard St.	2425	N44031910	Grass	\$275.00	\$137.50	\$137.50
Steve Stantz	035-09	408 Brentwood Ave.	5729	N44063090	Grass	\$70.00	\$35.00	\$35.00
Suzanne Popp	135-08	420 Glenwood Ave.	5544	N44061340	Grass	\$60.00	\$30.00	\$30.00
Sylvia Stewart	068-09	1624 Haverhill Dr.	7108	N44073155	Grass	\$105.00	\$52.50	\$52.50
Thomas Cline	038-09	438 S. Downing St.	388	N44007750	Grass	\$113.75	\$56.88	\$56.88
Thomas Wray	125-08	209 Cedarbrook Dr.	5166	N44057620	Grass	\$135.00	\$67.50	\$67.50
Tim Donut US Ltd.	179-08	607 W. Water St.	8924	N44008485	Grass	\$130.00	\$65.00	\$65.00
US Bank National	055-09	501 Broadway	452	N44008710	Grass	\$87.50	\$43.75	\$43.75
US Bank National	098-09	501 Broadway	452	N44008710	Grass	\$87.50	\$43.75	\$43.75
Walter Messer	156-08	435 Wood St.	1574	N44023810	Grass	\$60.00	\$30.00	\$30.00
Wells Fargo Bank	089-09	1206 Camp St.	1721	N44025560	Grass	\$70.00	\$35.00	\$35.00
Wells Fargo Bank	104-09	520 Kitt St.	2292	N44030600	Grass	\$87.50	\$43.75	\$43.75
Wells Fargo Bank	013-09	520 Kitt St.	2292	N44030600	Grass	\$135.00	\$67.50	\$67.50
William Lester	181-08	1107 Covington Ave.	2238	N44030060	Trash	\$65.00	\$32.50	\$32.50
William Richard	160-08	507 S. Main St.	993	N44016400	Grass	\$60.00	\$30.00	\$30.00
Winifred Maher	007-09	117 W. North St.	135	N44003320	Maint.	\$81.50	\$40.75	\$40.75
TOTAL						\$43,085.19	\$21,542.60	\$21,542.60

RESOLUTION NO. R-78-09

**A RESOLUTION OF APPRECIATION FOR
THE PUBLIC SERVICE OF ED SIDERS
AS A CITY EMPLOYEE**

WHEREAS, Ed Siders has retired as a Power Plant Maintenance employee in the Power Distribution Department; and

WHEREAS, his retirement follows 23 years of faithful and dedicated service to the City and its citizens;

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

SEC. 1: In recognition and appreciation of the service of Ed Siders as a Power Plant Maintenance employee, this Commission tenders its unanimous and respectful tribute by this Resolution, which shall be a matter of public and permanent record;

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

RESOLUTION NO. R-79-09

A RESOLUTION APPROVING THE FISCAL YEAR 2009 COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN REVITALIZATION PROGRAM APPLICATION

WHEREAS, the City of Piqua is a unit of local government that possesses the legal authority to apply for Small Cities Community Development Block Grant funding available through the State of Ohio, under the Housing and Community Development Act of 1974, as amended, and;

WHEREAS, the City of Piqua has downtown and community development needs that can be improved and alleviated with State assistance, and

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

SEC. 1. The Fiscal-Year 2009 Community Development Block Grant Downtown Revitalization Program is hereby approved and the City Manager is hereby authorized and directed to submit the City's program application to the Ohio Department of Development, including all understandings and assurances therein. The approved activities are: Commercial Building Rehabilitation Grants.

SEC. 2. The City Manager is to be the designated agent of the program in connection with the application and is authorized to execute all agreements in conjunction with the Fiscal-Year 2009 Community Development Block Grant Downtown Revitalization Program.

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 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

CC: William Murphy, Development Director/Asst. City Manager

Date: August 26, 2009

Subj.: Request for Resolution – FY 2009 Tier II Downtown Revitalization Program

Fred:

Attached please find a resolution that is requested to be adopted by the City Commission at their September 8th meeting. The resolutions authorize the city to file with the Ohio Department of Development an application through the Tier II Downtown Revitalization Program.

As you may be aware, the City of Piqua is one of a handful of communities that have been invited to prepare an application to the Ohio Department of Development for Community Development Block Grant Downtown Revitalization Funds. Through this program, the Ohio Department of Development will provide assistance of \$2,500,000.

The resolution allows the City to actually apply to the funding for program. For this particular request, the City of Piqua will be working with Mainstreet Piqua, Inc. to administer the program to provide commercial rehabilitation to approximately five buildings in the downtown area and the community is requesting the amount of \$200,000. All rehabilitation will meet local building and trade codes and will meet the design standards of the Downtown District Design Review Board. Additionally, assistance provided to individual property owners will be in the form of a grant that will provide 50% of the total rehabilitation cost, with the property owner responsible for the other 50%.

As you may recall, last year the city applied for \$400,000 in funding through the program and while the Ohio Department of Development informed us that the application was very competitive, the department stated that our odds of success would be better if the community would focus efforts on a smaller portion of the slum and blight district. Therefore, this application focuses on the 100 block of both North and South Main Street and the 100 block of West Water Street, this area has been identified in the comprehensive plan as a redevelopment area and with the close proximity to both Lock Nine Park and the Great Miami River, providing improvements to these buildings should help is leveraging past investments in the area.

Sincerely,

William Lutz

RESOLUTION NO. R-80-09

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE MIAMI COUNTY PARK DISTRICT TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND FOR PROPERTY WITHIN THE CITY OF PIQUA

WHEREAS, the State of Ohio, Department of Development, provides financial assistance to local park districts for the purpose of addressing local needs; and

WHEREAS, the Miami County Park District desires to participate in the Program to receive financial assistance for the Phase II Environmental Study which is required for us to move forward with the Demolition of the City of Piqua's Decommissioned Power Plant under the Clean Ohio Assistance Fund; and

WHEREAS, the Miami County Park District Board has the authority to apply for financial assistance and to administer the amounts received from the State of Ohio, Department of Development, Clean Ohio Assistance Fund; and

WHEREAS, the Miami County Park District Board must direct and authorize the Executive Director to act in connection with the application and to provide such additional information as may be required; and

WHEREAS, on August 24, 2009, the Board of Park Commissioners of the Miami County Park District adopted a resolution authorizing the Executive Director of the Miami County Park District to participate in the Clean Ohio Assistance Fund; and

WHEREAS, the Miami County Park District is requesting financial assistance from the Clean Ohio Assistance Fund for a project within the corporate limits of the City of Piqua; and

WHEREAS, the City of Piqua, is required, by the rules and regulations of the Clean Ohio Assistance Fund to authorize the Executive Director of the Miami County Park District to participate in the Clean Ohio Assistance Fund,

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

SEC. 1: That the City of Piqua authorizes Jerry R. Eldred, Executive Director of the Miami County Park District, as the official representative of the City of Piqua Power Plant application to participate in the State of Ohio, Department of Development, and provide all information and documentation required in said Application for State of Ohio, Department of Development, Clean Ohio Assistance Fund submission.

SEC. 2: That the City of Piqua hereby approves filing an application for financial assistance under the Clean Ohio Assistance Fund.

SEC. 3: That the City of Piqua hereby understands and agrees that participation in the Program will require compliance with program guidelines and assurances.

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



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

CC: William Murphy, Economic Development Director/Asst. City Manager
Cynthia Holtzapple, Finance Director/Asst. City Manager

Date: August 25, 2009

Subj.: Request for Resolution – Clean Ohio Assistance Fund Application

Fred:

Please find the attached resolution that is being requested for approval by the City Commission on September 8th to authorize the Miami County Park District to apply for funding through the Clean Ohio Assistance Fund for a project located within the City of Piqua.

The project in question is the abandoned Power Plant located at 919 S. Main St. and the assistance will provide for the completion of a Phase II Environmental Assessment. The assessment is critical as it will provide guidance to level of clean up necessary to remediate the environmental concerns that exist at the facility.

The Miami County Park District is the applicant since the City of Piqua was precluded from being an applicant for the project since the city is owner and potential pollutant of the property. However, after reviewing the policies and procedures of the Clean Ohio Fund, the Miami County Park District was identified as an eligible applicant and on August 25th, the Board of Park Commissioners adopted a resolution agreeing to apply for the assistance.

A resolution is needed by the City Commission since the project is located within the corporate limits of the City, as required by the policies and procedures of the Clean Ohio Fund.

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

Most Sincerely,

William Lutz
Development Program Manager

RESOLUTION NO. R-81-09

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS FOR THE CITY-WIDE VEHICLE FLEET MAINTENANCE PROGRAM

WHEREAS, the City of Piqua established a Vehicle Maintenance Committee comprised of various department personnel within the City to review needed services for City vehicles; and

WHEREAS, following the Committee's review of equipment and needed services, the City Purchasing Analyst prepared a Request for Proposals (RFP); and

WHEREAS, a pre-bid conference was held with sixteen company representatives in attendance and seventeen companies responding to the RFP; and

WHEREAS, attached hereto as Exhibit "D" for approval, is the compiled listing of primary and secondary vendors for the City's Vehicle Fleet Maintenance Services.

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:

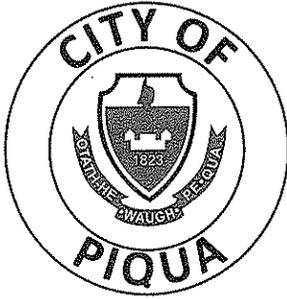
SEC. 1: That the Piqua City Commission authorizes the City Manager to execute agreements for the city wide Vehicle Fleet Maintenance program as attached hereto as Exhibit "D."

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



FINANCE DEPARTMENT

Beverly M. Yount – Purchasing Analyst
201 West Water Street • Piqua, Ohio 45356
(937) 778-4002 • FAX: (937) 778-1130
E-mail: byount@piquaoh.org

MEMORANDUM

TO: Frederick E. Enderle, City Manager
FROM: Beverly M. Yount, Purchasing Analyst *BMY*
RE: Vehicle Fleet Maintenance RFP # 9016
DATE: Monday, August 31, 2009

+++++

At your request, we established a vehicle maintenance committee comprised of Dave Davis (Wastewater), Kevin Ganger (Fire), Tom Christy (Police), Bob Bowman (Power), Todd Brandenburg (Water), Don Seeberger (Streets/Parks), and Fred Langston (Sanitation). Currently, each department is responsible for their vehicle maintenance and they decide which vendors they wish to use and obtain bids as needed for repairs. Oil changes for cars and light trucks were the only services we have previously bid out. Our goal was to distribute a Request for Proposal (RFP) for a city-wide fleet maintenance and service program to see if there was a better system available for our city to save money. While we think our current system is working pretty well through the process of bidding expensive work, the idea of quantity discounts is appealing to us as well.

We mailed our RFP notification letter to 46 possible vendors and we had a few that found it from our web site. We also held a pre-bid conference in which 16 company representatives attended. Seventeen companies responded to our request with a proposal, a list of those companies is attached for your reference. All of the vendors were scored according to the "Attachment C" within the RFP and we wish to award to all of the vendors that scored a 75 or higher. There is also a chart attached showing the eight vendors and which category they are to be awarded in. We named a primary and also a secondary vendor where appropriate. Two companies, The Service Co. and Kirk National Lease, were so close in comparison that we named them equally as primary vendors. This would allow the departments with the large diesel trucks and equipment to choose either vendor depending on the situation.

If you should have any questions, please let me know.

RFP 9016 Bid Opening 7/28/09 at 2:00 p.m. City of Piqua Fleet Maintenance Services

List of Companies that responded in alphabetical order:

Company Name:	Address:	City, State, Zip:	Attachment "C" Score
1 A.R.M.S. Inc.	PO Box 379	Anna, OH 45302	80
2 Automotive Armature Works, Inc.	1015 W. High St.	Piqua, OH 45356	100
3 Buckeye Ford	2343 W. Michigan Ave.	Sidney, OH 45365	60
4 Bushnell Collision & Restoration	741 Staunton St.	Piqua, OH 45356	95
5 Dick Lumpkin's Auto Body, Inc.	PO Box 639	Piqua, OH 45356	75
6 Kirk National Lease Co.	PO Box 4369	Sidney, OH 45365	95
7 Mark Knupp Muffler & Tire, Inc.	950 S. College St.	Piqua, OH 45356	80
8 Paul Sherry	PO Box 742	Piqua, OH 45356	95
9 Piqua Express Care	1608 Covington Ave.	Piqua, OH 45356	50
10 Purk Automotive	310 W. Statler Rd.	Piqua, OH 45356	70
11 Reliable Transmission Service Midwest, Inc.	317 Warren St.	Dayton, OH 45402	45
12 Rick James Chevrolet, Inc.	PO Box 602	Piqua, OH 45356	40
13 Safeway Auto Lubes	2 locations	Piqua, OH 45356	50
14 Serco Inc.	1818 Library St.	Reston, VA 20190	55
15 Service Co.	700 Mote Dr.	Covington, OH 45318	95
16 Troy Ford Inc.	3230 S. County Rd. 25-A	Troy, OH 45373	65
17 Vern's Auto Sales	222 Spring St.	Piqua, OH 45356	50

ATTACHMENT C

PROPOSAL EVALUATION CRITERIA

	<u>SCORE</u>
<u>CONTRACTOR'S EXPERIENCE</u>	
Measured in terms of Contractor's performance in fleet management and maintenance services for public clients. Contractor must have an ASE Certified Master Mechanic on staff and other maintenance technicians must possess a minimum of five years experience in performing fleet management and maintenance with fleets of comparable size.	/20
<u>UNDERSTANDING OF THE PROJECT</u>	
Measured in terms of Respondent's proposed approach to meeting the requirements of the STATEMENT OF WORK and satisfying the City's goals as outlined in the INTENT section	
Minimum RFP Requirements (10)	
Proximity and quality of facility (10)	
Proposed Quality Control Program (10)	/30
<u>COST</u>	
Measured as the proposed maintenance performance costs.	/40
<u>QUALIFICATION OF KEY PERSONNEL</u>	
Measured in terms of relevant experience of key personnel and their ability to execute the project.	/10
<u>TOTAL</u>	/100

Note: Insufficient management experience and/or support services as determined by the City may be deemed as a cause for rejection of proposal.

Exhibit "D"

RFP 9016 Bid Opening 7/28/09 at 2:00 p.m.

City of Piqua Fleet Maintenance Services

Preventative Maintenance/Engine Work/Body Work/Towing

	Cars/Vans/SUVs/ & Light Trucks (no towing)	Diesel Trucks	Special Heavy Duty Equipment
Primary Vendor	Paul Sherry	Service Co. or Kirk NationalLease	Service Co. or Kirk NationalLease
Secondary Vendor	Dick Lumpkins		
Towing	Bushnell's Collision & Restoration		

Oil Changes

	Cars/Vans/SUVs/ & Light Trucks	Diesel Trucks up to one ton
Primary Vendor	Paul Sherry	Paul Sherry

Brake Service

	Cars/Vans/SUVs/ & Light Trucks	Diesel Trucks	Special Heavy Duty Equipment
Primary Vendor	Mark Knupp Muffler & Tire, Inc.	Service Co. or Kirk NationalLease	Service Co. or Kirk NationalLease

Specialty Electrical Work

Automotive Amature Works, Inc.

All types of vehicles

Collision Repair and Painting

Bushnell's Collision & Restoration

All types of vehicles

Fire Department Specialty Vehicles & Equipment

A.R.M.S. Inc.

New tires for cars/vans/SUVs/light trucks will be purchased through state bid vendors and installed by Paul Sherry's as needed.

New tires for diesel trucks and special heavy duty equipment will be purchased through state bid vendors and installed by Service Co. as needed.

Vehicles under warranty are exempt from this award as well as any specialized equipment on our vehicles which have very particular requirements for repair and maintenance (ie. Hydraulics on power trucks).

RESOLUTION NO. R-82-09

**A RESOLUTION APPROVING THE TAX RATES FOR
THE CITY AS DETERMINED BY THE MIAMI COUNTY
BUDGET COMMISSION**

WHEREAS, on August 25, 2009, the Miami County Budget Commission has, pursuant to general law, certified the following rates of tax to be levied in the City of Piqua for municipal purposes on the general tax duplicate of 2009, subject to any additional levies approved by the electorate; and

WHEREAS, said certified rates of tax require the approval of this Commission;

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 rates of tax to be levied as follows in the City of Piqua for municipal purposes on the general tax duplicate of 2009 (subject to any additional levies approved by the electorate) are hereby approved and certified;

<u>FUND</u>	<u>MILLS</u>	<u>AMOUNT</u>
<u>Ten Mill Limitation</u>		
General	3.70	\$1,219,525
Police Pension	.30	98,880
Fire Pension	.30	98,880
<u>No Limitation</u>		
General Conservancy	.12	\$ 39,552

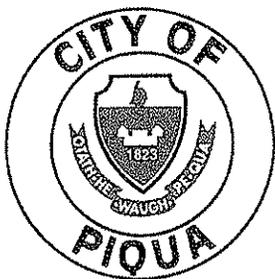
SEC. 2: The Clerk of this Commission is directed to file a certified copy of this Resolution with the Miami County Auditor forthwith;

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 J. COOL
CLERK OF COMMISSION



FINANCE DEPARTMENT

Cynthia A. Holtzapple – Director of Finance
201 West Water Street • Piqua, Ohio 45356
(937) 778-2065 • FAX (937) 778-1130
E-Mail: choltzapple@piquaoh.org

MEMORANDUM

TO: Frederick E. Enderle, City Manager
FROM: Cynthia Holtzapple, Finance Director *CH*
RE: Miami County Budget Commission – 2009 Tax Rate Certification
DATE: September 1, 2009

+++++

The Miami County Budget Commission has requested the City to adopt the property tax rates for the year 2009 for collection during 2010. The rates need to be adopted by our commission prior to October 1st and placing them on the September 8th agenda will satisfy the legal requirement.

The rates of property tax millage for the General Fund, Fire Pension, Police Pension and Miami Conservancy remain the same as last year. The estimated property tax receipts are about \$75.00 more than current collections.

I would be glad to address any other questions you might have.



OFFICE OF THE MIAMI COUNTY BUDGET COMMISSION

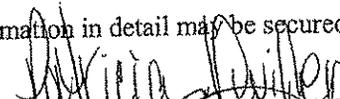
To the City Commission:

The Miami County Budget Commission hereby certifies the following rates of tax to be levied in the **PIQUA CITY** for municipal purposes on the general duplicates of **2009**. Rates are subject to any additional levies approved by vote.

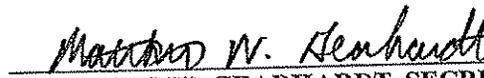
<u>FUND</u>	<u>MILLS</u>	<u>REVENUE</u>
Ten Mill Limitation:		
General Fund	3.70	\$ 1,219,525.00
Fire Pension	0.30	98,880.00
Police Pension	0.30	98,880.00
No Limitation:		
Miami Conservancy - Cont	0.12	39,552.00

Please examine the above rates carefully. If there are questions, information in detail may be secured from the County Auditor.

Approved: AUG 25 2009



PATRICIA QUILLEN, PRESIDENT



MATTHEW W. GEARHARDT, SECRETARY



GARY A. NASAL, MEMBER

[MIAMI COUNTY BUDGET COMMISSION]

TO THE MIAMI COUNTY BUDGET COMMISSION:

At a meeting of the Council/Commission of the City/Village of **PIQUA CITY** held on the _____ day of _____, 2009, a motion was made by _____, that the rates of tax as determined by the Miami County Budget Commission for the year **2009** be accepted. The motion was seconded by _____ with the following vote being recorded:

_____	_____	_____
President	Member	Member
_____	_____	_____
Member	Member	Member
_____	_____	
CLERK	DATE	

RETURN ONE ORIGINAL TO THE MIAMI COUNTY AUDITOR BY OCTOBER 1

RESOLUTION NO. R- 83-09

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
MEMORANDUM OF UNDERSTANDING WITH LOCAL UNION 252, INTERNATIONAL
ASSOCIATION OF FIREFIGHTERS,
AFL-CIO-CLC (FIREFIGHTERS)**

WHEREAS, the City Manager and Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Firefighters) have discussed the financial situation of the city and in particular the general fund; and

WHEREAS, the Firefighters understand the need to preserve the general fund and in response have agreed to freeze wage rates, foregoing any wage increase for the third year of the collective bargaining agreement;

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 memorandum of understanding (Exhibit A) between the City and Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Firefighters), to be in effect through 8/31/2010 inclusive, is hereby approved, and the City Manager is hereby authorized to execute said memorandum of understanding on behalf of this Commission;

SEC. 2: This resolution and the wages included will replace the wages of the bargaining unit employees listed in Schedule C (Firefighters), Chapter 33 of the Piqua 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 J. COOL
CLERK OF COMMISSION

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING is entered into this ____ day of _____, 2009 between the City of Piqua and the International Association of Firefighters, Local 252 (Firefighters), for this collective bargaining agreement for Firefighters.

WHEREAS, the general fund of the City of Piqua is not sustaining any growth and all fund balance is being depleted; and

WHEREAS, in an effort to save the general fund and ensure a fund balance, the Management has proposed a wage freeze for 2009/2010 contract year; and

WHEREAS, the Firefighters understand the need to preserve the general fund and in response has offered and agreed to the wage freeze in return for retaining current (2009 percentages) health insurance benefits and will not sustain any layoffs of any firefighter in 2009 or 2010 should the City be faced with layoffs in consideration for the Union's concession of its wage increase for the 2009-2010 contract year. The City makes no other promises or assertions with regards to the budget of the fire department or actions that may need to be taken due to the health of the general fund or the fire department budget.

NOW THEREFORE, the City of Piqua and the International Association of Firefighters, Local 252 (Firefighters) agree to the following:

I. Article 14 – Wages

The wage rates for Firefighters will be frozen and will remain as follows:

Effective September 1, 2009	Months	Code	Wage	Code	Wage
	Completed	without Paramedic		with Paramedic	
Firefighter I	0	640.1	\$954.13	640.11	\$982.75
Firefighter II	12	640.2	\$973.26	640.22	\$1,002.46
Firefighter III	24	640.3	\$992.32	640.33	\$1,022.09
Firefighter IV	36	640.4	\$1,071.39	640.44	\$1,103.53
Firefighter V	48	640.5	\$1,133.73	640.55	\$1,167.73
Firefighter VI	84	640.6	\$1,145.05	640.66	\$1,179.40
Firefighter VII	180	640.7	\$1,156.49	640.77	\$1,191.18
Firefighter VIII	276	640.8	\$1,168.06	640.88	\$1,203.10

II. Other

All other articles, terms and conditions of the CBA not discussed herein shall remain the same as if fully restated herein. The parties agree that all remaining articles, terms and conditions not mentioned herein shall remain as is through the CBA expiration on August 31, 2010.

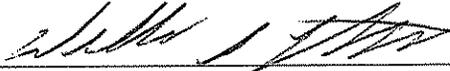
III. Signatures

This Memorandum of Understanding is executed this _____ day of _____, 2009 between the City of Piqua and the International Association of Firefighters, Local 252 (Firefighters) and has been duly adopted by the attached Resolution by the City Commission.

City of Piqua:

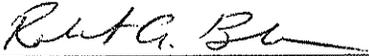
International Association of Firefighters, Local 252
(Firefighters):

City Manager Frederick E. Enderle



Union President William Hogston

Human Resources Director
Elaine Barton



RESOLUTION NO. R- 84-09

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
MEMORANDUM OF UNDERSTANDING WITH LOCAL UNION 252, INTERNATIONAL
ASSOCIATION OF FIREFIGHTERS,
AFL-CIO-CLC (FIRE OFFICERS)**

WHEREAS, the City Manager and Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Fire Officers) have discussed the financial situation of the city and in particular the general fund; and

WHEREAS, the Fire Officers understand the need to preserve the general fund and in response have agreed to freeze wage rates as previously agreed to in the memorandum of understanding dated June 15, 2009;

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 memorandum of understanding (Exhibit A) between the City and Local Union 252, International Association of Firefighters, AFL-CIO-CLC (Fire Officers), to be in effect through 8/31/2010 inclusive, is hereby approved, and the City Manager is hereby authorized to execute said memorandum of understanding on behalf of this Commission;

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

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING is entered into this ____ day of _____, 2009 between the City of Piqua and the International Association of Firefighters, Local 252 (Fire Officers), for this collective bargaining agreement for Fire Officers.

WHEREAS, the general fund of the City of Piqua is not sustaining any growth and all fund balance is being depleted; and

WHEREAS, in an effort to save the general fund and ensure a fund balance, the Management has proposed a wage freeze for 2009/2010 contract year; and

WHEREAS, the Fire Officers understand the need to preserve the general fund and in response has offered and agreed to the wage freeze in return for retaining current (2009 percentages) health insurance benefits and will not sustain any layoffs of any Fire Officer in 2009 or 2010 should the City be faced with layoffs in consideration for the Union's concession of its wage increase for the 2009-2010 contract year. The City makes no other promises or assertions with regards to the budget of the fire department or actions that may need to be taken due to the health of the general fund or the fire department budget.

NOW THEREFORE, the City of Piqua and the International Association of Firefighters, Local 252 (Fire Officers) agree to the following:

I. Article 14 – Wages

The wage rates for Fire Officers will be frozen and will remain as detailed in the Memorandum of Understanding dated June 15, 2009.

II. Other

All other articles, terms and conditions of the CBA not discussed herein shall remain the same as if fully restated herein. The parties agree that all remaining articles, terms and conditions not mentioned herein shall remain as is through the CBA expiration on August 31, 2010.

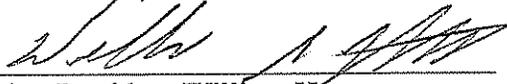
III. Signatures

This Memorandum of Understanding is executed this _____ day of _____, 2009 between the City of Piqua and the International Association of Firefighters, Local 252 (Fire Officers) and has been duly adopted by the attached Resolution by the City Commission.

City of Piqua:

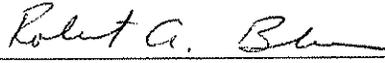
International Association of Firefighters, Local 252
(Fire Officers):

City Manager Frederick E. Enderle



Union President William Hogston

Human Resources Director
Elaine Barton



RESOLUTION NO. R-85-09

**A RESOLUTION AWARDED A CONTRACT TO
BARRETT PAVING MATERIALS, INC. FOR
THE 2009 STREET RESURFACING PROGRAM**

WHEREAS, on January 5, 2009, this Commission passed Resolution No. R-2-09 authorizing the City Purchasing Agent to advertise for bids, according to law, for the 2009 Street Resurfacing Program; and

WHEREAS, after proper advertisement, bids were opened resulting in the tabulation of bids as listed in Exhibit "A" attached hereto;

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: A contract is hereby approved with Barrett Paving Materials, Inc.; as the lowest, responsible bidder for the 2009 Street Resurfacing Program and the City Manager is hereby authorized to execute a contract with said bidder pursuant to contract specifications.

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$363,600.00.

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 J. COOL
CLERK OF COMMISSION

Frederick E. Enderle
Page Two
September 1, 2009

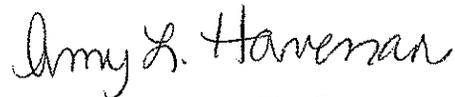
This request for legislation includes approximately 10% contingency for items of work, which may be required, but are not included in the specifications.

As with all Public Works projects, a detailed bid tabulation is available on the City's web site.

Barrett Paving has successfully completed projects in Piqua, including the 2008 Street Resurfacing Program and the east US 36 resurfacing project from the river bridge to the east corporation limit for ODOT in 2007.

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

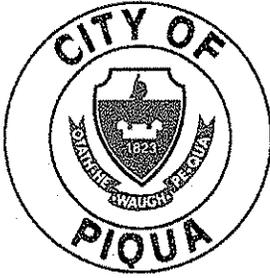
Respectfully submitted,



Amy L. Havenar, City Engineer

ALH/jc

c: Doug Harter, Street Superintendent



ENGINEERING DEPARTMENT

Amy L. Havenar, P.E. – City Engineer
 201 West Water Street • Piqua, Ohio 45356
 (937) 778-2044 • FAX (937) 778-5165
 E-Mail: ahavenar@piquaoh.org

September 1, 2009

MEMORANDUM

TO: Frederick E. Enderle, City Manager

RE: **Request for Commission authorization to award a contract to Barrett Paving Materials, Inc. for the 2009 Street Resurfacing Program Total cost not to exceed \$363,600**

On Monday, August 31, 2009 two bids were received for the above referenced project as shown:

Contractor	Base Bid	Alternate Bid's 1-4	Total Bid
Barrett Paving Materials, Inc	\$173,102.22	\$157,474.73	\$330,576.95
Walls Bros. Asphalt Co., Inc.	\$189,135.72	\$163,876.51	\$353,012.23

We took four alternate bids in case unit prices were lower than anticipated. Because of the favorable bids we recommend including the four alternate bids.

The 2009 budget included \$200,000 for resurfacing and an additional \$250,000 was approved in the August 17th Appropriations by City Commission, which will cover the alternate bids.

The streets included in this year's paving program are as follows:

Sunset Dr. from Peters Dr. to Grant St.	0.39 miles
Clark Ave. from McKinley Ave. to Roosevelt Ave. (24' wide)	0.81 miles
ALT #1 – S. Downing St. from Clark Ave. to Meteor St.	0.20 miles
ALT #2 – Meteor St. from S. Downing St. to S. Main St.	0.11 miles
ALT #3 – S. Roosevelt Ave. from Clark Ave. to Hemm Rd.	0.29 miles
ALT #4 – Sunset Dr. from Grant St. to South St.	0.32 miles

TOTAL

2.12 miles



RESOLUTION NO. R-86-09

A RESOLUTION APPROVING THE PURCHASE OF 420-422 GARNSEY STREET

WHEREAS, 420-422 Garnsey Street was the subject of a foreclosure and was sold at sheriff's sale for 2/3rds of its appraised value; and

WHEREAS, 420-422 Garnsey Street has been considered a public nuisance for public health and safety reasons, receiving 14 nuisance and property maintenance violations in the past six years, including receiving orders to abate bed bugs and roaches as well structural issues needing abated; and

WHEREAS, in the past six years, the Piqua Police Department has had 112 calls to 420 Garnsey Street and 386 calls to 422 Garnsey Street; and

WHEREAS, the Neighborhood Improvement Team evaluates problem properties for acquisition and demolition and utilizes grant dollars where available for such acquisition and/or demolition; and

WHEREAS, grant dollars are available to assist in the acquisition and demolition of 420-422 Garnsey Street; and

WHEREAS, it is the public interest to acquire and demolish 420-422 Garnsey Street in order to abate a public nuisance.

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::

SECTION 1. The City Manager is hereby authorized to purchase 420-422 Garnsey Street for an amount not to exceed two-thirds of the appraised value at the sheriff's sale.

SECTION 2. If grant dollars are available, all effort should be used to pay for the acquisition with grant dollars before utilizing budgeted city funds.

SECTION 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.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CITY COMMISSION CLERK

RESOLUTION NO. R-87-09

**A RESOLUTION REQUESTING AUTHORIZATION TO
ISSUE A PURCHASE ORDER TO BURCH HYDRO, INC.
FOR; BIOSOLIDS REMOVAL AND LAND APPLICATION
AT THE WASTEWATER PLANT FOR THE NEXT THREE
YEARS**

WHEREAS, the present operations of the City of Piqua's Wastewater Treatment Plant requires Biosolids removal and Land Application; and

WHEREAS, Burch Hydro, Inc. has been supplying these services for the last 3 years without incident; and

WHEREAS, the City desires to extend the current contract for an additional 3 year period starting January 1st, 2010, at the new rates; and

WHEREAS, Burch Hydro, Inc. is qualified and capable of providing said services efficiently and competently.

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: A contract for said services is hereby authorized and approved.

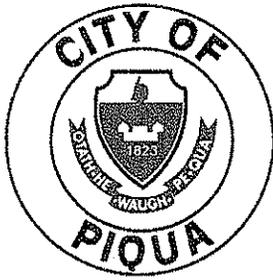
SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the City treasury in payment according to this Resolution.

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 J. COOL
CLERK OF COMMISSION



WASTEWATER SYSTEM

121 Bridge Street • Piqua, Ohio 45356
(937) 778-2088 • FAX (937) 778-5167

August 5, 2009

Mr. Fred Enderle
City Manager
City of Piqua

Re; City of Piqua Wastewater Plant, extension of Biosolids Removal Contract,

Mr. Enderle,

I have received the attached letter from Burch Hydro in response to our letter pertaining to the possible extension of the current contract from 1-3 years. As you can see Burch Hydro would like to extend the current contract with a new pay schedule for the next 3 years.

This is not a new thing to the wastewater plant as we extended the last contract we had with Synagrow for an additional 3 years period also.

I have attached a spreadsheet that shows some comparisons from the last 2 years of the contract along with estimating the next 3 years cost for Biosolids removal.

I recommend that we extend this contract with Burch Hydro for 2010, 11 & 12 years. It is also the hopes that around the time that we would be talking about bidding this service again, we would have some information from our engineers on the change to Class A Biosolids which is currently an option by the OEPA, but very well could become a rule. And our direction of removal could change completely.

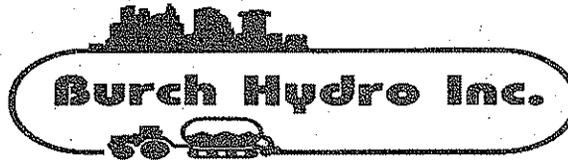
Thanks for your attention to this matter and if you have any further questions please contact me at the plant.

Respectfully,

Dave Davis
City of Piqua
Wastewater Plant Superintendant

Cc/Dave Burtner





17860 Ankneytown Road
P.O. Box 230
Fredericktown, Ohio 43019-0230

Affiliate: Burch Hydro Trucking, Inc.

Phone (740) 694-9146
Fax (740) 694-4188
WWW.BURCHHYDRO.COM

July 20, 2009

Mr. Dave Burtner
City of Piqua
121 Bridge Street
Piqua, OH 45356

Re: Renewal of Biosolids Contract
City of Piqua Wastewater Treatment Plant

Dear Dave:

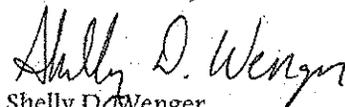
In response to your letter, Burch Hydro Inc. appreciates the opportunity to renew our biosolids contract with the City for the next few years. We have analyzed our costs for the past three years. Based upon our analysis and on expected pricing trends for fuel and polymer for the next three years, we would like to propose the following prices for the extension period:

2010	\$485.00 per dry ton
2011	\$502.00 per dry ton
2012	\$519.60 per dry ton

Please let us know as soon as possible if this pricing is acceptable to the City so that we may pass the information along to our on-site employee - as he is anxious to know whether his job will still be available after the end of the initial contract period! It has been a pleasure working with the City and with the staff at the plant for the past few years and we hope to be able to continue doing so. Thank you and please do not hesitate to call if you have any questions regarding this letter.

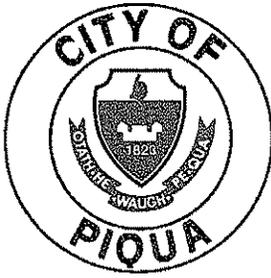
Sincerely,

BURCH HYDRO, INC.


Shelly D. Wenger
Engineer

enclosures

COPY



WASTEWATER SYSTEM

David T. Burtner – Wastewater System Superintendent
121 Bridge Street • Piqua, Ohio 45356
(937) 778-2088 • FAX (937) 778-5167
E-Mail: dburtner@piquaoh.org

To: Burch Hydro Inc.
17860 Ankneytown Road
Fredericktown, Ohio
43019-0230

Mike or Brian Burch,

The City of Piqua is looking at the option to extend our current contract for Biosolids Removal and land application. Under #10 of the Information for Bidders, We (The City of Piqua) are notifying you in writing of our intention to extend the period of this contract.

Please include the pricing for at least one year or if you would like you may quote all 3 years to extend. That choice is yours.

The owner reserves the right to reject any and all quotes to extend this contract.

Thank You and we look forward to hearing from you.

Sincerely,

David T. Butner
Wastewater Systems Superintendent
City of Piqua



2009 Biosolids Removal Extention Bids for the Wastewater Plant

Bidders of Project 2006 Burch Hydro 2006 Synagro

& Years of Service	Bid		Actual Costs		
	Bid	Bid			
2007	409.50	478.00	per/dry/ton	\$107,698.50	
2008	420.33	495.34	per/dry/ton	\$108,445.14	
2009	431.54	513.31	per/dry/ton	\$129,462 Budgeted amount at 300 Dry Ton	
Proposed Bid Extention	Burch Hydro Extention	2007 T onage Highest of 2 years	Estimated Annual Cost	2008 T onage	Estimated Annual Cost 08 T onage
2010	485.00	263	\$127,555.00	258	\$125,130.00
2011	502.00	263	\$132,026.00	258	\$129,516.00
2012	519.60	263	\$136,654.80	258	\$134,056.80
Proposed Bid Extention	% increase from previous year				
2010	0.1238				
2011	0.0350				
2012	0.0350				