

A G E N D A
PIQUA CITY COMMISSION
MONDAY DECEMBER 21, 2009
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

OATHS OF OFFICE – PIQUA FIRE DEPARTMENT

- ASSISTANT FIRE CHIEF BRENT E. POHLSCHNEIDER
- FIRE CAPTAIN CHAD L. KENNEDY

PRESENTATION: *MAYOR'S "MAKING A DIFFERENCE" AWARD*

REGULAR CITY COMMISSION MEETING

1. **APPROVAL OF MINUTES** Approval of the minutes from the December 7, 2009 Regular City Commission Meeting

2. **ORD. NO. 20-09** An Ordinance repealing Schedule A of Chapter 33 of the Piqua Code and adopting a new Schedule A of Chapter 33 of the Piqua Code, relating to wages of certain Municipal Employee
 (2nd Reading)

3. **ORD. NO. 21-09** An Ordinance repealing existing Chapter 33 and enacting a New Chapter 33 of the Piqua Code, relating to Employee Policy
 (2nd Reading)

4. **ORD. NO. 22-09** An amended Ordinance to make appropriations for the City of Piqua, Ohio for the year 2010
 (2nd Reading-Amended)

5. **ORD. NO. 23-09** An Emergency Ordinance to make Appropriations For the City of Piqua, Ohio for the year 2009
 (1st Reading)

6. **RES. NO. R-117-09** A Resolution of Intent to provide services to certain territory proposed for annexation

7. **RES. NO. R-118-09** A Resolution of Intent to provide services to certain territory proposed for annexation

8. RES. NO. R-119-09 A Resolution of Intent to provide services to certain territory proposed for annexation
9. RES. NO. R-120-09 A Resolution of Intent to provide services to certain territory proposed for annexation
10. RES. NO. R-121-09 A Resolution authorizing the sale of city owned real estate
11. RES. NO. R-122-09 A Resolution appointing a member to the Downtown District Design Review Board
12. RES. NO. R-123-09 A Resolution approving the purchase of excess liability insurance
13. RES. NO. R-124-09 A Resolution authorizing the execution of an Administration Agreement with the Ohio Department of Development for Housing Resolving Loan Funds and Program Income for funds generated from the Federal Community Development Block Grant and State of Ohio Home Investment Partnerships program funds
14. RES. NO. R-125-09 A Resolution authorizing transfers of cash from the General Fund to the other funds for the Fiscal Year 2010
15. RES. NO. R-126-09 A Resolution authorizing transfers of cash from the General Fund to the other funds for the Fiscal Year 2009

ECONOMIC DEVELOPMENT UPDATE

Presented by – Mr. Bill Murphy, Assistant City Manager/Director of Economic Development

EXECUTIVE SESSION:

Pursuant to Charter Sections 4 (a), (b) and (f) for purposes of considering the employment condition of the City Manager, to discuss pending litigation and to discuss the purchase of property.

ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
DECEMBER 7, 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.

REGULAR CITY COMMISSION MEETING

PRESENTATION: **2009 National Preservation Awards Ceremony
October 15, 2009 in Nashville, TN (Ft. Piqua Plaza)**

City Manager Enderle gave a brief power point presentation on the 2009 National Preservation Awards Ceremony held in Nashville, TN on October 15, 2009.

Moved by Commissioner Terry, seconded by Commissioner Fess, that the minutes of the October 26, 2009 Piqua City Commission Work Session, and the Regular City Commission Meeting of November 16, 2009 be approved. Voice vote, Aye: Hudson, Fess, Terry, Martin, and Vogt. Nay: None.

ORD. NO. 20-09 (1st Reading)

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

City Manager Enderle explained the changes that were made in Schedule A of Chapter 33 and stated, as employees are retiring not all the positions are being filled at this time.

Moved by Commissioner Fess, seconded by Commissioner Terry to give Ordinance No. 20-09 a first reading. Voice vote, Aye: Hudson, Martin, Fess, Vogt and Terry. Nay: None. Motion carried unanimously.

ORD. NO. 21-09 (1st Reading)

An Ordinance repealing existing Chapter 33 and enacting a New Chapter 33 of the Piqua Code, relating to Employee Policy

City Manager Enderle explained the various changes in Chapter 33, which include: Employment Conditions, Vacations, Sick Leave, Funeral Leave, Insurance, and the Employee Suggestion Program.

Human Resources Director Elaine Barton explained how the vacation benefits are paid out, and that they are going to be changed starting in January 2010 with the hiring of new employees.

Public Comment

No one came forward to speak for or against Ordinance No. 21-09.

Moved by Commissioner Terry, seconded by Commissioner Martin, to give Ordinance No. 21-09 a first reading. Voice vote, Aye: Martin, Terry, Hudson, Fess, and Vogt. Nay, None. Motion carried unanimously.

ORD. NO. 22-09 (1st Reading)

An Ordinance to make appropriations for the City of Piqua, Ohio for the Year 2010

City Manager Enderle stated the Commissioners met in three study sessions to review the budget line by line to get a better understanding of the finances.

City Manager Enderle presented a power point presentation going over the changes in the appropriations and explaining the various steps that will be necessary to balance the budget, and some of the changes that may be necessary after the first six months if the economy does not pick up.

Commissioner Fess stated City Manager Enderle and the department heads have done an outstanding job on putting together the 2010 Budget.

Moved by Commissioner Fess, seconded by Commissioner Terry, to give Ordinance No. 22-09 a first reading. Voice vote, Aye: Martin, Vogt, Hudson, Terry, and Fess. Nay: None. Motion carried unanimously.

RES. NO. R-107-09

A Resolution establishing a City Commission 2010 calendar of meetings

Commissioner Vogt stated he would like the Commission to consider changing the day of the Commission Meetings to Tuesday if possible. Commissioner Vogt asked the other Commissioners to think about moving the meetings to the first and third Tuesday of each month. Law Director Wall explained the Piqua Charter states the Commission shall meet the first Monday in January following a regular municipal election and thereafter the commission shall meet at such times as may be prescribed by ordinance or resolution.

Commissioner Fess stated there are other meetings already scheduled for monthly meetings on Tuesday and it may interfere with them.

Commissioner Vogt just asked that the Commissioners give some thought into changing the day of the Commission Meetings.

Public Comment

No one came forward to speak for or against Resolution No. R-107-09.

Moved by Commissioner Fess, seconded by Commissioner Martin, to adopt Resolution No. R-107-09. Voice vote, Aye: Martin, Terry, Hudson, and Fess. Nay: Vogt. Motion carried on a 4-1 vote. Mayor Hudson then declared Resolution No. R-107-09 adopted on a 4-1 vote.

RES. No. R-108-09

A Resolution amending the total payment to Pohlkat, Inc. for the removal and disposal of lime residual from the Lime Lagoon at the Water Plant

Water Department Superintendent Don Freisthler explained the sludge process and what happens with the lime residual when it is taken from the lagoon. There was discussion if there would be a need for sludge removal if a new water treatment plant were to be built, how the sludge is disposed of and by whom, and what the actual cost of the sludge removal is. It was stated that farmers use the lime residual to put on their fields for their crops. The contractor the city contracts with sells the lime residual to the farmers after taking in from the plant. City Manager Enderle stated the city only contracts for the removal of the lime residual from the lagoon, what the contractor does with it is his business. City Manager Enderle further stated the city only pays for the actual amount of tonnage removed. There was discussion on the cost of the extra tonnage that was removed at this time and why it was a larger amount than usual. Mr. Freisthler explained the process that is utilized to remove and test the lime residual each time it is removed from the lagoon, and the reason for the increase in tonnage at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-108-09.

Moved by Commissioner Terry, seconded by Commissioner Fess, that Resolution No. R-108-09 be adopted. Roll call, Aye: Fess, Terry, and Hudson. Nay: Vogt and Martin. Motion carried on a 3-2 vote. Mayor Hudson declared Resolution No. R-108-09 adopted on a 3-2 vote.

RES. NO. R-109-09

A Resolution authorizing the City Manager to contract with the Miami County Public Defender Commission.

There was discussion on the number of citizens that use the services of the Public Defender and what the criteria is to qualify for their services. Law Director Wall stated the person in need of the Public Defenders services must file an application and pay a twenty-five dollar fee to apply for Public Defender help, and that it also depends on the income of the applicant as to their eligibility.

Public Comment

No one came forward to speak for or against Resolution No. R-109-09 at this time.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-109-09 be adopted. Voice vote, Aye: Terry, Hudson, Martin, Vogt, and Fess. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-109-09 adopted.

RES. No. R-110-09

A Resolution authorizing the City Manager to apply for membership to American Municipal Power Inc.

City Manager Enderle explained the need for the membership to the American Municipal Power.

Mayor Hudson asked what type of membership is it and what are the benefits.

Power System Superintendent Ed Krieger explained why the membership is important to the City when purchasing power, and how it is utilized in other ways to help cut costs throughout the year.

Public Comment

No one came forward to speak for or against Resolution No. R-110-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-110-09 be adopted. Voice vote, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-110-09 adopted.

RES. NO. R-111-09

A Resolution authorizing the City Purchasing Agent to purchase #2 fuel oil on the open and spot market

There was discussion on when the fuel oil is purchased, the amount of fuel purchased each time, and where it is used. It was stated that the fuel was used mostly for the testing of the equipment that is required. Several questions were asked concerning the usage of the combustion turbine generators, the reason they are put into use, and if the fuel oil goes bad if it is not used within a certain time. Mr. Krieger explained what the combustion turbine generators are used for, when they are utilized and why, and stated that the fuel oil does not go bad, but they have additives to add to the fuel if needed.

Public Comment

No one came forward to speak for or against Resolution No. R-111-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-111-09 be adopted. Voice vote, Aye: Hudson, Martin, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-111-09 adopted.

RES. NO. R-112-09

A Resolution retaining the services of Cooperative Response Center, Inc. to provide professional customer call answering and dispatch services for the City of Piqua

Commissioner Martin inquired why this contract was not put out for bids. City Manager Enderle explained this is for professional services and we send out requests for proposal. There are very few companies that do this.

Ed Krieger gave a brief explanation on the use of the call services and how it has been very helpful in covering the calls for services after hours and during outages.

Public Comment

No one came forward to speak for or against Resolution No. R-122-09.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-112-09 be adopted. Roll call, Aye: Fess, Vogt, Martin, Terry and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-112-09 adopted.

RES. NO. R-113-09

A Resolution retaining the services of Sawvel and Associates to provide professional consulting and engineering services for the City.

Commissioner Fess inquired if this resolution is for just a retainer fee or does the city pay as we utilize their services?

Ed Krieger, Power System Director stated we pay as we utilize their services. It just depends on what we need throughout the year, and it is possible we may not even reach the \$80,000 this year.

Public Comment

No one came forward to speak for or against Ordinance No. R-113-09.

Moved by Commissioner Fess, seconded by Commissioner Vogt, that Resolution No. R-113-09 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-113-09 adopted.

RES. NO. R-114-09

A Resolution to approve the form and authorize the execution of power sales contracts with American Municipal Power, Inc. and taking other actions in connection therewith regarding Meldahl and Greenup Hydroelectric project participation

City Manager Enderle asked if Power System Director Ed Krieger would explain the plan and the reason for the resolution.

Mr. Krieger explained the need for the plan and stated the benefits the city would receive from this. It was noted that Piqua did not receive its full requested allocation of 6,000 kilowatts in the previous hydro projects, due to overwhelming demand for these "green" projects. Run of the river hydro projects are currently more economical than wind or solar renewable electric generation alternatives. If Piqua receive its requested allocation, over 16% of Piqua's electricity would be generated utilizing renewable resources when these projects come on line in 2014, said Mr. Krieger.

Commissioner Fess stated this would be a tremendous asset for the City of Piqua, and the more we can do to go green the better.

Commissioner Terry stated the Energy Board unanimously voted to accept the project.

Public Comment

No one came forward to speak for or against Resolution No. R-114-09.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-114-09 be adopted. Voice vote, Aye: Martin, Fess, Vogt, Terry, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-114-09 adopted.

RES. NO. R-115-09

A Resolution authorizing the City Manager to execute a labor contract with Local Union 984, Ohio Council 8, American Federation of State, County, and Municipal Employees, Clerical-Technical Unit

There was discussion of the changes in the contract, when the changes would take place, and who would be affected.

Commissioner Vogt asked if the contract had been ratified by the Union. City Manager Enderle stated yes, the contract has been ratified by the Union.

Public Comment

No one came forward to speak for or against Resolution No. R-115-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-115-09 be adopted. Voice vote, Aye: Terry, Fess, Martin, Hudson, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-115-09 adopted.

RES. NO. R-116-09

A Resolution repealing Resolution No. C-11618 and authorizing the City Manager to adopt a policy regarding use of vehicles

There was discussion on the cost savings to the city by changing the use of city vehicles at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-116-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-116-09 be adopted. Voice vote, Aye: Terry, Hudson, Martin, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-116-09 adopted.

OTHER

Monthly Reports for October 2009

Monthly Reports for October 2009 were accepted.

Mike Perando, Third Street, stated the Shawnee Neighborhood Association would not be having a light-decorating contest this year due to lack of participation. Mr. Perando asked who owns the Rowan Park, and if there were any restrictions on decorating there. City Manager Enderle stated he would look into it for him.

Paul Stiefel, Boone Street, voiced his concern about the condition of some of the city street repairs that have taken place lately.

Joe Goetz, Wilshire Drive, voiced his concern about the fire hydrant being blocked on the corner of Main and Ash by the portable announcement stand that set up there during the Christmas Parade. Mr. Goetz also voiced his concern about the intersection of Broadway and Scott Streets and Wayne & High Street with the new traffic changes that have taken place at those intersections recently.

Commissioner Martin stated he has received numerous telephone calls regarding the Veterans Markers at Forest Hill Cemetery that have come up missing lately. Commissioner Fess stated the Cemetery Board is looking in to putting up permanent markers at this time, but he can call Jim Roth, Cemetery Superintendent at the Cemetery for more information.

Mayor Hudson thanked Mr. Krieger for meeting with the City Commissioners to explain the hydroelectric project. Mayor Hudson asked how many entrances are there into Piqua, and asked if someone could take a look at the entrance signs they are need of some attention and repair.

Joe Goetz came forward to remind citizens that December 7, 2009 was the anniversary of Pearl Harbor.

Executive Session

Move into Executive Session to consider pending or imminent litigation

Moved by Commissioner Martin, seconded by Commissioner Terry, to move into Executive Session at 9:25 P.M. for the purpose of considering pending or imminent litigation. Roll call, Aye: Terry, Hudson, Fess, Vogt, and Martin. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Executive Session at 10:10 P.M. Voice vote, Aye: Martin, Hudson, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 10:10 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

ORDINANCE NO. 20-09

**AN ORDINANCE REPEALING SCHEDULE A OF
CHAPTER 33 OF THE PIQUA CODE AND ADOPTING
A NEW SCHEDULE A OF CHAPTER 33 OF THE PIQUA
CODE, RELATING TO WAGES OF CERTAIN MUNICIPAL
EMPLOYEES**

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: Schedule A of Chapter 33 of the Piqua Code, as adopted by Ordinance No. 8-09, is hereby repealed; and

SEC. 2: Schedule A of Chapter 33 of the Piqua Code (appended hereto as Exhibit "D") is hereby adopted;

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

THOMAS D. HUDSON, MAYOR

PASSED: _____
1st Reading 12-7-2009

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

IVE January 1, 2010

Class Code CLASSIFICATION/TITLE

PAY RANGE	SCHEDULE A				Exhibit D		
	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	

Non-exempt positions: (hourly rate)

105	Custodian	21	13.2103	13.871	14.5639	15.2927	16.0572	16.8603
107	Secretary	25	14.7184	15.4544	16.2271	17.0377	17.8901	18.7846
108	Administrative Secretary	29	15.982	16.781	17.62	18.5009	19.4258	20.3973
109	Human Resources Assistant	29	15.982	16.781	17.62	18.5009	19.4258	20.3973
110	Executive Secretary	36	17.8659	18.7586	19.6972	20.6814	21.716	22.8016
112	Administrative Coordinator	36	17.8659	18.7586	19.6972	20.6814	21.716	22.8016
120	Police Records Clerk	18	11.5999	12.1798	12.789	13.4281	14.0994	14.805
121	Senior Police Records Clerk	26	15.3635	16.1316	16.9384	17.7853	18.6739	19.6076
122	Police Service Aide	29	15.982	16.781	17.62	18.5009	19.4258	20.3973
600	Police Lieutenant	53	33.4657	33.8001	34.1384	34.4794	34.8243	35.1725

Exempt positions: (weekly salary)

150	Acct. & Income Tax Mgr.	52	1056.32	1109.11	1164.59	1222.82	1283.98	1348.16
153	Utility Billing Office Manager	50	1005.57	1055.85	1108.64	1164.09	1222.27	1283.38
155	Dir.of Finance & Inc. Tax. Admin.	67	1457.22	1530.11	1606.6	1686.92	1771.29	1859.85
157	Purchasing Analyst II	46	912.09	957.69	1005.57	1055.85	1108.65	1164.09
158	Purchasing Analyst I	43	784.39	823.61	864.79	908.03	953.43	1001.11
160	Law Director	67	1457.22	1530.11	1606.6	1686.92	1771.29	1859.85
165	Human Resources Director	58	1201.17	1261.24	1324.28	1390.49	1460.03	1533.01
171	Community Development Director	52	1056.32	1109.11	1164.59	1222.82	1283.98	1348.16
170	Development Program Manager	51	1030.4	1081.92	1136.02	1192.82	1252.48	1315.08
180	Economic Development Director	58	1201.17	1261.24	1324.28	1390.49	1460.03	1533.01
206	Engineering Technician IV	45	890.11	934.61	981.33	1030.39	1081.91	1136.01
207	City Engineer	58	1201.17	1261.24	1324.28	1390.49	1460.03	1533.01
208	City Planner	51	1030.4	1081.92	1136.02	1192.82	1252.48	1315.08
209	Public Works Director	67	1457.22	1530.11	1606.6	1686.92	1771.29	1859.85
307	Director of Information Tech.	62	1308.32	1373.75	1442.45	1514.58	1590.27	1669.78
403	Golf Professional *	36	714.63	750.34	787.89	827.25	868.64	912.07
402	Recreation Coordinator	43	784.39	823.61	864.79	908.03	953.43	1001.11
404	Park/Recreation Manager	45	890.11	934.61	981.33	1030.39	1081.91	1136.01
405	Park/Recreation Superintendent	51	1030.4	1081.92	1136.02	1192.82	1252.48	1315.08
501	Health & Sanitation Director	58	1201.17	1261.24	1324.28	1390.49	1460.03	1533.01
504	Sanitarian II	44	868.67	912.11	957.71	1005.59	1055.87	1108.67
507	Sanitarian	43	784.39	823.61	864.79	908.03	953.43	1001.11
510	Code Enforcement Officer	43	784.39	823.61	864.79	908.03	953.43	1001.11
605	Police Deputy Chief	63	1707.02	1724.11	1741.32	1758.75	1776.33	1794.1
610	Police Chief	67	1769.56	1787.27	1805.14	1823.19	1841.41	1859.85
655	Most Sr. Asst. Fire Chief	63	1653.29	1669.84	1686.51	1703.39	1720.42	1737.63
660	Fire Chief	67	1769.56	1787.27	1805.14	1823.19	1841.41	1859.85
705	Assistant Street Superintendent	46	912.09	957.69	1005.57	1055.85	1108.65	1164.09
706	Street Superintendent	51	1030.4	1081.92	1136.02	1192.82	1252.48	1315.08
810	Water Distribution Supervisor	44	868.67	912.11	957.71	1005.59	1055.87	1108.67
820	Water System Superintendent	51	1030.4	1081.92	1136.02	1192.82	1252.48	1315.08
830	Storm Water Coordinator	46	912.09	957.69	1005.57	1055.85	1108.65	1164.09
845	Wastewater System Superintendent	51	1030.4	1081.92	1136.02	1192.82	1252.48	1315.08
846	Underground Utilities Superintendent	51	1030.4	1081.92	1136.02	1192.82	1252.48	1315.08
848	Utilities Director	58	1201.17	1261.24	1324.28	1390.49	1460.03	1533.01
874	Power Plant Assistant Manager	52	1056.32	1109.11	1164.59	1222.82	1283.98	1348.16
875	Power Plant Manager	57	1192.81	1252.47	1315.07	1380.84	1449.89	1522.38
881	Associate Engineer	52	1056.32	1109.11	1164.59	1222.82	1283.98	1348.16
890	Power Distribution Manager	57	1192.81	1252.47	1315.07	1380.84	1449.89	1522.38
892	Electrical Engineer	62	1347.57	1414.96	1485.72	1560.02	1637.98	1719.87
893	Asst. Power System Director	65	1449.89	1522.38	1598.48	1678.41	1762.32	1850.45
894	Power System Director	70	1590.24	1669.75	1753.25	1840.92	1932.95	2029.62
895	Assistant City Manager	67	1457.22	1530.11	1606.6	1686.92	1771.29	1859.85
896	Asst. City Manager/Development	67	1457.22	1530.11	1606.6	1686.92	1771.29	1859.85
897	Asst. City Manager/Administration	70	1590.24	1669.75	1753.25	1840.92	1932.95	2029.62

* Plus 50% of net margin on all sales of golf accessories & mdse.

ORDINANCE NO. 21-09

**AN ORDINANCE REPEALING EXISTING CHAPTER 33
AND ENACTING A NEW CHAPTER 33 OF THE PIQUA CODE,
RELATING TO EMPLOYEE POLICY**

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

SECTION 1: Existing Chapter 33 of the Piqua Code is hereby repealed;

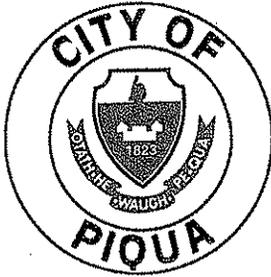
SECTION 2: Chapter 33 of the Piqua Code (appended hereto as Attachment "A") is hereby enacted;

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

THOMAS D. HUDSON, MAYOR

PASSED: _____
1st Reading 12-7-09

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



HUMAN RESOURCES DEPARTMENT

Elaine G. Barton, PHR – Human Resources Director
201 West Water Street • Piqua, Ohio 45356-5001
(937) 778-2053 • FAX (937) 778-2048
E-Mail: ebarton@piquaoh.org

December 1, 2009

MEMORANDUM

To: Frederick E. Enderle, City Manager

From: Elaine G. Barton, Human Resources Director *EGB*

Re: Update to Chapter 33 of the Codified Ordinances

Attached is the revised and updated Chapter 33, Employment Policy, of the City of Piqua Codified Ordinances. The changes include those that have been discussed over the past several months with regard to benefits to be offered to new employees.

The changes are as follows:

- Section 33.02 (B)(2) – Employment Conditions – Deleted sentence regarding the “Most Senior Assistant Fire Chief” as this position is now covered within the collective bargaining agreement.
- Section 33.04 (B)(1) – Vacations - amended vacation time to reflect that employees hired after January 1, 2010 will receive a maximum of three weeks of vacation after eight years of service. Also, changed the hours in fractions to decimals.
- Section 33.04 (B) (2) – Vacations - amended to reflect that employees hired after January 1, 2010 will not be permitted to convert vacation to cash.
- Section 33.05 (D) – Sick Leave - amended to reflect that employees hired after January 1, 2010 will not be permitted to convert sick leave to vacation.
- Section 33.05 – Sick Leave – changed days to hours (one day = eight hours) to be consistent with the way in which sick leave is accrued.
- Section 33.05 (I) – Sick Leave – added to reflect that employees hired after January 1, 2010 will be eligible to cash out a maximum of 480 hours of sick leave in the case of retirement or death.

- Section 33.07 (A) – Funeral Leave – added language of “*natural, step or in-law*” to reflect current practice and in keeping with the AFSCME union contracts.
- Section 33.08 (B) – Insurance - updated language to reflect the City’s contribution to the employee’s HSA or HRA for the 2010 health insurance plan year.
- Section 33.08 (D) – Insurance – updated language to reflect the employee’s contribution toward the health insurance premium for the 2010 health insurance plan year and in (E) updated the plan year to 2010.
- Section 33.08 (F) – Insurance - updated life insurance to reflect those positions that have now been given Department Director status (City Engineer and Utilities Director) and deleted positions that are no longer filled. Deleted \$50,000 life insurance for “Most Senior Assistant Fire Chief” as this position is now covered by the collective bargaining agreement.
- Section 33.18 – Employee Suggestion Program – Deleted entire section as this program has not been funded for several years. The City is currently updating policies and procedures and will address this program within those policies.

If you should have any questions or need additional information regarding these changes to Chapter 33, please feel free to contact me.

Attachment

CHAPTER 33: EMPLOYMENT POLICY

Section

33.01	Classifications and compensation	33.10	Pay equalization of all employees
33.02	Employment conditions	33.11	Job posting
33.03	Holidays and Personal Days	33.12	Weekly pay
33.04	Vacations	33.13	Jury duty
33.05	Sick leave	33.14	Personnel regulations
33.06	Leave of absence	33.15	Police and fire supervisors
33.07	Funeral leave	33.16	Applicability
33.08	Insurance	33.17	Wage schedules adopted
33.09	Compensable injury pay	33.18	Employee Suggestion Program

§ 33.01 CLASSIFICATIONS AND COMPENSATION.

The classifications and compensation of city employees shall be as set forth in the schedules attached and incorporated herein by reference.

('97 Code, § 31.01) (Ord. 13-01, passed 8-6-01)

§ 33.02 EMPLOYMENT CONDITIONS.

The following provisions shall apply to all Schedule A and A-1 employees except those covered under §33.15 of this chapter:

(A) *Merit increases and performance ratings.*

(1) Each of the pay ranges in Schedule A shall be divided into six steps, A through F. The minimum time in grade for each step before the employee is eligible for a merit increase is as follows.

- A - one year
- B - one year
- C - one year
- D - one year
- E - one year
- F - Top Step

(2) Each employee's performance will be rated by the employee's supervisor before the anniversary date the employee is eligible, by time in classification, for consideration for a merit increase. An employee must receive a performance rating of satisfactory or better to receive a merit increase. An employee denied a merit increase due to a less than satisfactory rating may request a reevaluation after 90 days from the denial of the merit increase.

(3) Performance ratings will also be considered as a factor in advancing probationary employees to regular status and for promoting or transferring employees into new classifications.

(4) Employees at the top step of their pay range will have their performance rated by their supervisor annually. An employee who receives two consecutive ratings of less than satisfactory may be demoted or discharged. Performance ratings, when completed, will be discussed with the employee. The employee is required to sign the performance rating as evidence of the fact that it has been reviewed. A copy will be given to the employee.

(B) *Overtime pay.* Non-exempt employees shall receive one and one-half their regular rate for all hours worked over 40 per week.

(1) The city may in its discretion grant compensatory time to non-exempt employees in place of cash overtime compensation, at the rate of one and one-half hours compensatory time for each hour of overtime worked, provided that the employee agrees in writing, before the performance of the overtime work, to compensatory time in place of cash overtime, and provided further that all FLSA compensatory time requirements are satisfied. No non-exempt employee may accumulate more than 240 hours of compensatory time.

(2) Exempt employees are exempt from overtime payment. However, such employees may receive compensatory time on an hour for hour basis for hours worked in excess of 45 hours per week, upon the approval of the supervisor, department head or City Manager. ~~Due to the 24 hour work schedule, the Most Senior Assistant Fire Chief will be eligible for compensatory time off on an hour for hour basis for time worked in excess of his/her regular scheduled workweek.~~ No exempt employee may accumulate more than 240 hours of compensatory time. Any compensatory time not used before separation from employment shall be forfeited.

(C) *Call-in pay.* Non-exempt employees required to report to work at a time outside the employee's normal work day will receive a minimum of two hours pay at one and one-half the employee's regular rate of pay. If the call-in requires more than two hours of work, then the employee will be paid for the hours actually worked at one and one-half the employee's regular rate of pay.

('97 Code, § 31.02)

(D) *Probationary employees.*

(1) New, rehired or promoted full-time employees will serve a one-year probationary period of close supervision and evaluation in order to assess their ability and adaptation. Probationary employment may be terminated at the will and discretion of the city without advance notice.

(2) The city may extend an employee's probationary period for a specified additional period when the city determines that an extension is necessary to thoroughly evaluate the employee's ability to perform the full scope of assigned duties in an effective and safe

manner. In these cases, the employee will be advised in writing of the extended duration of the probationary period before the conclusion of the initial probationary period.

(E) *At-will employment.*

(1) Completion of a probationary period or conferral of regular employee status shall not change an employee's status as an employee-at-will, or in any way restrict the city's right to terminate such employee or change the terms and conditions of employment. Nothing contained in this or other city policies or other material provided to employees in connection with their employment shall require the city to have just cause to terminate that employee, or otherwise restrict the city's right to terminate an employee at any time for any lawful reason.

(2) An employee's at-will status shall not be modified by any statements made by any person or by any writing available to employees or applicants in connection with their employment. No document, whether singly or combined, shall create an express or implied contract concerning any terms or conditions of employment.

(Ord. 55-97, passed 10-20-97; Am. Ord. 57-91, passed 11-4-91; Am. Ord. 18-95, passed 5-15-95; Am. Ord. 13-01, passed 8-6-01; Am. Ord. 3-04, passed 1-20-04)

§ 33.03 HOLIDAYS AND PERSONAL DAYS.

The following provisions shall apply to all Schedule A employees except those covered under §33.15 of this chapter.

(A) The following days are recognized as holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving Day, the day before Christmas and Christmas Day.

(B) If a holiday falls on a Saturday, the preceding Friday will be observed as a holiday. If a holiday falls on a Sunday, the following Monday will be observed as a holiday. For employees who work other than a normal schedule, their first day off shall be their Saturday and their second day off shall be their Sunday.

(C) In order for an employee to receive pay for the holiday, the employee must work the employee's scheduled shift before and after the holiday. Employees on vacation, approved sick leave, or a leave of absence with pay (including paid funeral leave) shall be considered as working their regular scheduled day for purposes of this section.

(D) Eligible employees who are not scheduled to work on a designated holiday shall be paid holiday pay in an amount equal to eight hours work at their regular rate of pay. Eligible employees who work on a designated holiday shall be paid their holiday pay, plus one and one-half their regular rate of pay for all hours actually worked.

(E) Employees shall be credited with five personal leave days effective on May 1 of each year. Employees with less than one year's service with the city on May 1 shall receive a pro-rated amount of personal leave. Personal leave days may be taken only on a day mutually agreeable to the employee and the employee's supervisor. Personal leave days not taken by the following May 1 will be forfeited.

(*97 Code, § 31.03) (Am. Ord. 16-90, passed 4-16-90; Am. Ord. 43-00, passed 12-18-00; Am. Ord. 13-01, passed 8-6-01)

§ 33.04 VACATIONS.

The following provisions shall apply to all Schedule A employees except those covered under §33.15 of this chapter.

(A) For the purposes of this section, "service" shall mean service by a full-time employee of the city or any other political subdivision of the state.

(B) (1) Each regular full-time employee will receive two weeks vacation with full pay per one full year of service with the city, three weeks annual vacation with full pay after eight years of continuous service, four weeks annual vacation with full pay after 15 years of continuous service, and five weeks annual vacation with full pay after 25 years of continuous service. **Employees hired after January 1, 2010 will receive two weeks vacation with full pay per one full year of service with the city, and three weeks annual vacation with full pay after eight years of continuous service and beyond.** Vacation credit will be granted on a monthly basis as follows:

(a) An employee entitled to two weeks shall be credited with ~~6-2/3~~ **6.667** hours for each full month worked.

(b) An employee entitled to three weeks shall be credited with 10 hours for each full month worked.

(c) An employee entitled to four weeks shall be credited with ~~13-1/3~~ **13.334** hours for each full month worked.

(d) An employee entitled to five weeks shall be credited with ~~16-2/3~~ **16.3334** hours for each full month worked.

(2) Vacations must be scheduled with the employee's supervisor. The vacation period for each employee will begin on the first anniversary date of employment. In the case of retirement, resignation, dismissal, disability or death, an employee will be paid for all accumulated vacation credits.

(C) (1) Vacation credits must be used during the anniversary year that immediately follows the anniversary year during which the vacation credits were earned. Credits not used within that time will be forfeited. The City Manager may, in special and meritorious cases, permit an employee to accumulate and carry over vacation leave for an

additional time period as determined by the City Manager in his sole discretion. Vacation taken in any one continuous period shall not exceed six weeks.

(2) An employee may convert up to three weeks per calendar year to cash on an hour-for-hour basis if the employee notifies the city at least two weeks before the employee wishes the payment. **An employee hired after January 1, 2010 will not be permitted to convert vacation to cash.**

('97 Code, § 31.04) (Am. Ord. 53-87, passed 10-5-87; Am. Ord. 57-91, passed 11-4-91; Am. Ord. 35-94, passed 7-18-94; Am. Ord. 13-01, passed 8-6-01)

§ 33.05 SICK LEAVE.

The following provisions shall apply to all Schedule A and A-1 employees except those covered under §33.15 of this chapter.

(A) For the purposes of this section, "accumulated sick leave" may include up to 120 days of sick leave accumulated by a city employee during prior service with another political subdivision of the state.

(B) Regular full-time employees shall earn and accumulate sick leave credits on the basis of one and one-quarter days for each completed month of service. Regular part-time employees shall earn and accumulate sick leave credits on a pro rata basis. Credit shall be accumulated by an employee on extended sick leave only if there is an intention to and a reasonable expectation of a return to work. Subject to the limitations set forth below, unused sick leave shall be cumulative beyond the year in which it was earned.

(C) In addition to absences covered by the federal Family Medical Leave Act, sick leave may be used for absences due to injury, exposure to a contagious disease and illness in the employee's immediate family. ***IMMEDIATE FAMILY*** means spouse, parent (natural, step or in-law), children or other relative living in the employee's household. Sick leave will not be granted while an employee is on vacation unless proof of illness or injury is submitted.

(D) An employee with six or more years of service with the city may convert up to a maximum of five days in excess of 60 days accumulated sick leave for the purposes of vacation in any year. This conversion will be on the basis of one day of vacation for each one day of sick leave, without regard to when the sick leave was accumulated or credited. The employee may, at his or her option, have the same sick days converted instead into cash on the same one-for-one conversion basis during December of each year. **An employee hired after January 1, 2010 will not be permitted to convert sick leave to vacation.**

(E) For employees hired prior to January 1, 2001, accumulated sick leave up to 120 days will be payable upon permanent layoff or termination of employment other than retirement and death benefits (except discharge for theft or felony) on the following formula:

(1) Less than 8 years service: no conversion.

(2) 8 years to 15 years of service: ~~one day's~~ **eight (8) hours** pay for each three days of accumulated sick leave.

(3) 16 years to 25 years service: ~~one day's~~ **eight (8) hours** pay for each two days of accumulated sick leave.

(4) Over 25 years of service: ~~one day's~~ **eight (8) hours** pay for each day of accumulated sick leave.

(F) For employees hired before January 1, 2001, conversion of unused sick leave credited to employees who receive retirement or death benefits shall be on the basis of one day for each one day accumulated up to a maximum of ~~180 days~~ **1440 hours**.

(G) For employees hired after December 31, 2000, accumulated sick leave up to ~~60 days~~ **480 hours** will be payable upon permanent layoff or termination of employment other than retirement and death benefits (except discharge for theft or felony) on the following formula:

(1) Less than 8 years service: no conversion.

(2) 8 years to 15 years of service: ~~one day's~~ **eight (8) hours** pay for each three days of accumulated sick leave.

(3) 16 years to 25 years service: ~~one day's~~ **eight (8) hours** pay for each two days of accumulated sick leave.

(4) Over 25 years of service: ~~one day's~~ **eight (8) hours** pay for each day of accumulated sick leave.

(H) For employees hired after December 31, 2000, conversion of unused sick leave credited to employees who receive retirement or death benefits shall be on the basis of one day for each one day accumulated up to a maximum of ~~90 days~~ **720 hours**.

(I) For employees hired after January 1, 2010, conversion of unused sick leave credited to employees who receive retirement or death benefits (only) shall be on the basis of one day for each one day accumulated up to a maximum of 480 hours.

('97 Code, § 31.05) (Ord. 53-87, passed 10-5-87; Am. Ord. 57-91, passed 11-4-91; Am. Ord. 35-94, passed 7-18-94; Am. Ord. 33-00, passed 10-2-00; Am. Ord. 13-01, passed 8-6-01)

§ 33.06 LEAVE OF ABSENCE.

The following provisions shall apply to all Schedule A employees except those covered under §33.15 of this chapter.

(A) Temporary leaves of absence with or without pay, for training purposes or for any other objective related to the employee's work, may be granted and renewed by the City Manager for such periods as the City Manager may consider justifiable within the limitations of the budget.

(B) Leaves of absence without pay may be granted by the City Manager, for periods of time not to exceed one year, for any other reason that the City Manager may consider to be to the benefit of the city, including, but not limited to, leaves of absence by reason of military duties, and by reason of illness or disability not caused by or induced by the actual performance of official duties, in cases where the employee has exhausted accumulated sick leave benefits. Employees returning from military service will be placed in their former classification or one of equal pay range. Seniority will accrue when the employee is on active duty; however, vacation and sick leave do not accumulate for periods beyond six months.

(C) Any leave of absence so granted may be extended or renewed for additional periods of time not to exceed one year for each extension.

(D) If deemed necessary, the City Manager may require any employee who requests or is granted a leave of absence to submit to a medical examination, by an examiner selected by the city, to determine the medical need for the leave or the ability of the employee to perform the essential functions of the employee's position upon the termination of a leave of absence. A copy of the medical report will be furnished to the employee upon request by the employee.

('97 Code, § 31.06) (Ord. 13-01, passed 8-6-01)

§ 33.07 FUNERAL LEAVE.

The following provisions shall apply to all Schedule A and A-1 employees except those covered under §33.15 of this chapter.

(A) A regular full-time employee shall be paid for eight hours at the employee's regular rate of pay due to absence caused by death in an employee's immediate family. A maximum of three days shall be allowed under this section. *IMMEDIATE FAMILY* means spouse, parent (natural, step or in-law), child, grandparent, grandchild, brother or sister (**natural, step, or in-law**). Other relatives living in the same household as the employee shall be considered as immediate family.

One day may be granted for attendance at a funeral of the following relatives: aunt, uncle, niece, or nephew .

(B) A regular part-time employee will be granted one day to attend the funeral of an immediate family member.

(C) Proof of death and of relationship of the deceased to the employee may be required before payment of funeral leave.

(‘97 Code, § 31.08) (Ord. 13-01, passed 8-6-01; Am. Ord. 3-04, passed 1-20-04)

§ 33.08 INSURANCE.

The following provisions shall apply to all Schedule A employees except those covered under §33.15 of this chapter.

The city will provide health insurance benefits including dependent coverage (ages 19 to 25 if a full-time student or disabled). ~~Effective January 1, 2007, t~~The benefits will include a high deductible health plan (HDHP) and, at the employee’s option, either a health savings account (HSA) or a health reimbursement account (HRA). The HDHP will have “network” deductibles of \$2,000 for individual coverage and \$4,000 for family coverage.

(B) Employee HSA accounts will be funded by the City in the amount of ~~\$2,000~~ **\$1,500** for individual coverage and ~~\$4,000~~ **\$3,000** for family coverage ~~during the 2007 and 2008 plan years~~ **for the 2010 plan year**, by funding 1/12th of the annual total to be deposited the 1st of each month. ~~beginning January 2007.~~ Employee HRA accounts will be funded by the City in the amount of ~~\$2,000~~ **\$1,500** for individual coverage and ~~\$4,000~~ **\$3,000** for family coverage ~~during the 2007 and 2008 plan years~~ **for the 2010 plan year**, by funding the entire amount each year in January. ~~For the 2009 plan year, the City will fully fund employee HSA and HRA accounts if the premium increase between 2008 and 2009 does not exceed 5% (\$2,000 for individual coverage and \$4,000 for family coverage). If the increase is over 5%, the City will fund 75% of the accounts (\$1,500 for individual coverage and \$3,000 for family coverage).~~

(C) The City shall select the carrier for the HDHP annually after consulting with the Insurance Committee. The City will make every effort to maintain comparable coverage.

(D) Cost Sharing. ~~For the 2007 plan year, and employee will contribute \$8.62 weekly for individual coverage and \$25.31 weekly for family coverage. For the 2008 plan years, an employee will contribute 11% of the City’s total cost of purchasing the employee’s HDHP and funding the employee’s HSA or HRA, by weekly payroll deduction. For the 2009~~ **2010** plan year, an employee will contribute 15% of the City’s

total cost of purchasing the employee's HDHP and funding the employee's HSA or HRA, by weekly payroll deduction.

(E) Option Out. Eligible employees who decline the city offered health insurance benefits, will be entitled to receive a one-time payment per health insurance year (~~2007, 2008, 2009~~ **2010**) of \$2,000 for those eligible for family coverage and \$1,000 for individual coverage.

(F) The city shall provide and pay the necessary premium for group life insurance in an amount equal to two times (not to exceed \$180,000) salary for the following classifications: City Manager, Assistant City Manager, Finance Director, ~~Public Works Director~~ **City Engineer, Utilities Director**, Power System Director, Human Resources Director, Health and Sanitation Director, Information Technology Director, Law Director, ~~Purchasing Director, Community Development Director,~~ Economic Development Director, Police Chief and Fire Chief.; ~~\$50,000 for Most Senior Assistant Fire Chief, and \$50,000 for all other employees.~~

('97 Code, § 31.09) (Am. Ord. 16-90, passed 4-16-90; Am. Ord. 13-01, passed 8-6-01; Am. Ord. 3-04, passed 1-20-04; Am. Ord. 9-04, passed 5-20-04; Am. Ord. 29-08, passed 12-15-08)

§ 33.09 COMPENSABLE INJURY PAY.

The following provisions shall apply to all Schedule A employees except those covered under §33.15 of this chapter.

(A) *Definitions.*

COMPENSABLE INJURY. An injury to a city employee which occurs during the course of his or her employment and while the employee is performing assigned tasks, and which requires the employee to be absent from work, or which renders him or her unable to perform his or her normal duties, and which is determined to be compensable under workers' compensation regulations.

INJURY PAY. The pay provided under this section.

SICK LEAVE. Shall be the same as provided in §33.05.

WORKERS' COMPENSATION REGULATIONS. The statutes of the state concerning workers' compensation, and the rules and regulations of the Bureau of Workers' Compensation and of the Industrial Commission of Ohio presently or hereafter in force.

(B) If an employee suffers a compensable injury during the course of employment with the city and while performing an assigned task, the city will pay the difference between the employee's normal weekly wage and the weekly amount of compensation paid by the state Industrial Commission, for a period of time from one

week after the date of injury up to six months after that date. The city may, at its discretion, elect to pay the injured employee the employee's full weekly rate of pay, to take the place of the employee's receipt of temporary total disability payments.

(C) Accrued sick leave may be used for the first week of a compensable injury.

(D) The city may provide and require an employee to perform other duties, within the limitations of the injury, in place of injury pay.

('97 Code, § 31.10) (Ord. 13-01, passed 8-6-01)

§ 33.10 PAY EQUALIZATION OF ALL EMPLOYEES.

(A) All employees of the city who are not otherwise subject to Chapter 36 of this code shall have deducted from their salaries, wages, commission or other personal service compensation the applicable percentage of income tax as provided in Chapter 36, which sum shall be deposited in the income tax fund.

(B) The administrator of Chapter 36 of this code is authorized and directed, subject to the approval of the Board of Review, to adopt, promulgate, and enforce rules, regulations and agreements to the end that a nonresident employee of the city shall be obligated to pay the equivalent of only one municipal income tax.

('97 Code, § 31.11) (Ord. 13-01, passed 8-6-01)

§ 33.11 JOB POSTING.

Except as otherwise provided for those positions listed in Schedules B, C, D and E, job vacancies shall be posted for a minimum of three working days. When an examination is to be given, reasonable notice of the time and place of the examination shall be given.

('97 Code, § 31.12) (Ord. 13-01, passed 8-6-01)

§ 33.12 WEEKLY PAY.

The Director of Finance is authorized and directed to pay on a weekly basis all full-time employees and part-time employees every Friday for wages and salaries earned for the previous week ending at midnight on the Sunday before pay day. Police Department employees shall be paid every Friday for wages and salaries earned the previous week ending at midnight on the Saturday before pay day. The City may switch from paying employees on a weekly basis to paying employees once every two weeks, provided that the City gives employees at least 8 weeks notice before putting such a change into effect.

('97 Code, § 31.13) (Ord. 13-01, passed 8-6-01; Am. Ord. 3-04, passed 1-20-04)

§ 33.13 JURY DUTY.

Schedule A employees, except those covered under §33.15 of this chapter, required to serve on a jury before a court empowered by law to require that service shall be excused from duty for the time required for that service, and shall be paid the difference between jury pay and regular hourly rate of pay. Employees must present proof of the amount of jury pay received before pay for the hours absent is granted, and must report for duty whenever released from jury service.

('97 Code, § 31.14) (Ord. 13-01, passed 8-6-01)

§ 33.14 PERSONNEL REGULATIONS.

(A) The City Manager is authorized and directed to formulate, establish and promulgate such personnel regulations and procedures as the City Manager deems appropriate in the exercise of sound discretion to control the detailed terms and conditions of employment of employees in the classified and unclassified services of the city.

(B) The policies and procedures established pursuant to division (A) shall not be inconsistent with the terms and conditions of employment of those employees established by the Charter and ordinances of the city or other applicable law.

('97 Code, § 31.15) (Ord. 13-01, passed 8-6-01)

§ 33.15 POLICE AND FIRE SUPERVISORS.

(A) The Chief of Police, Deputy Police Chiefs, and Police Lieutenants are supervisory and management employees covered by Schedule A. Police Lieutenants shall have the benefits provided by the Police Lieutenants "Letter of Understanding" as approved by the City Manager. Deputy Police Chiefs and the Chief of Police shall have the benefits provided by the Deputy Police Chiefs "Letter of Understanding" as approved by the City Manager. Deputy Police Chiefs and the Chief of Police shall not be paid overtime.

(B) The Fire Chief is a supervisory and management employee covered by Schedule A, Assistant Fire Chiefs and the Fire Chief shall not be paid overtime except as approved in a memorandum of understanding or collective bargaining agreement.

(C) Due to the unique operations of the Police and Fire Departments, the Chief of Police and Fire Chief, with the prior approval of the City Manager, are authorized and directed to formulate and adopt such personnel regulations and procedures as each Chief deems appropriate in the exercise of sound discretion to control the detailed term's and conditions of employment of employees in the Police and Fire Departments. The policies and procedures adopted pursuant to this section shall not be inconsistent with the terms and conditions of employment of such employees established by the Charter, the

ordinances of the city, applicable collective bargaining agreements and other applicable law.

('97 Code, § 31.16) (Am. Ord. 16-90, passed 4-16-90; Am. Ord. 13-01, passed 8-6-01; Am. Ord. 3-04, passed 1-20-04, Am. Ord. 6-09, passed 6-15-09)

§ 33.16 APPLICABILITY.

The provisions of this chapter shall be applicable to all employees of the city except as otherwise specified herein or in any collective bargaining contract authorized by the city.

('97 Code, § 31.17) (Ord. 34-86, passed 7-21-86; Am. Ord. 20-97, passed 2-17-97; Am. Ord. 21-97, passed 3-3-97; Am. Ord. 22-97, passed 3-3-97; Am. Ord. 13-01, passed 8-6-01)

§ 33.17 WAGE SCHEDULES ADOPTED.

(A) The wages schedules listed in division (B) of this section are hereby adopted by reference and shall be treated as if set forth in full herein. Such wage schedules shall be maintained in the office of the City Manager. The City Commission may amend any schedule by adoption of an appropriate ordinance or resolution. Such ordinances or resolutions and schedules shall not be codified herein, but the City Manager, or his or her designee, shall cause the appropriate change to be made to the applicable schedule so that each schedule shall remain current. Current copies of all wage schedules shall be available for public inspection.

(B) The wage schedules of the city include the following:

Schedule A: All full-time management employees and any other full-time employees not specifically covered by any other schedule

Schedule A-1: All part-time, temporary, and seasonal employees

Schedule B: All full-time employees represented by AFSCME Local No. 984 (Blue Collar)

Schedule C: All full-time firefighters/paramedics, Fire Captains, Assistant Fire Chiefs, (except Most Senior Assistant Fire Chief).

Schedule D: All full-time sworn Police Officers represented by the Fraternal Order of Police, Ohio Labor Council, Inc.

Schedule E: All full-time employees represented by AFSCME Local No. 984 (Clerical -Technical)

(‘97 Code, Appendix: Standard Pay Range) (Ord. 21-96, passed 4-15-96; Am. Ord. 39-96, passed 8-19-96; Am. Ord. 47-96, passed 10-7-96; Am. Ord. 21-97, passed 3-3-97; Am. Ord. 22-97, passed 3-3-97; Am. Ord. 62-97, passed 12-1-97; Am. Ord. 2-98, passed 1-5-98; Am. Ord. 598, passed 2-2-98; Am. Ord. 11-98, passed 3-2-98; Am. Ord. 6-99, passed 2-15-99; Am. Ord. 1499, passed 4-19-99; Am. Ord. 26-99, passed 8-16-99; Am. Ord. 32-99, passed 10-4-99; Am. Ord. 6-00, passed 1-17-00; Am. Ord. 9-00, passed 2-7-00; Am. Ord. 15-00, passed 4-17-00; Am. Ord. 17-00, passed 5-1-00; Am. Ord. 29-00, passed 8-7-00; Am. Ord. 36-00, passed 11-20-00; Am. Ord. 13-01, passed 8-6-01; Am. Ord. 26-02, passed 10-21-02; Am. Ord. 4-03, passed 2-18-03; Am. Ord. 12-03, passed 6-2-03; Am. Ord. 3-04, passed 1-20-04)

~~§ 33.18 EMPLOYEE SUGGESTION PROGRAM.~~

~~(A) — *Overview.* The city recognizes that employees often discover ways to make improvements. Therefore, an employee suggestion program has been established to encourage employees to submit creative ideas that financially benefit a particular department of the city or the city as a whole.~~

~~(B) — *Suggestions may be considered that:* cut costs; improve productivity; increase efficiencies; improve services; improve safety; or generate revenue (without increasing taxes or fees). Suggestions must clearly support the city's Strategic Plan and/or Mission Statement (see Attachment B to Ordinance No. 8-02, passed April 15, 2002), but not reduce the level of services currently enjoyed by the citizens of Piqua.~~

~~(C) — *Suggestions must include:*~~

~~(1) — A brief description of the suggestion.~~

~~(2) — A plan for implementation.~~

~~(3) — Who will be impacted by the suggestion and how.~~

~~(4) — Who will benefit from the suggestion and how.~~

~~(5) — An estimate of cost savings.~~

~~(6) — Time line to implement the suggestion.~~

~~(D) — *Committee.*~~

~~(1) — The Suggestion Committee shall be comprised of rotating members and shall include:~~

~~(a) — Committee Chairperson — department director;~~

~~(b) — Member — department director;~~

~~(c) — Member — supervisor or director;~~

~~(d) — Member — supervisor;~~

~~(e) — Member — Bargaining Unit Representative.~~

~~(2) — Members shall serve one year terms and shall be selected by the City Manager from an alphabetical list of all employees in the same member group (i.e., supervisor, director, etc.).~~

~~(3) — The Committee is responsible for determining if suggestions meet the criteria to qualify for the program. If a suggestion is submitted from a department whose director sits on the Committee, the director shall excuse him/herself and request an alternate director member consider the suggestion. The input of the excused director will however be allowed. A formal report of the Committee's findings will then be submitted to the City Manager.~~

~~(E) — *Suggestions will not be approved if:*~~

~~(1) — They fall under an employee's normal job responsibilities. For example, the Director of Human Resources cannot submit a suggestion to reduce turnover by promoting a new retention plan. This is a normal job function.~~

~~(2) — They have a negative impact, either direct or indirect, upon another department or area of the city, or reduce the level of services currently being enjoyed by the citizens of Piqua.~~

~~(3) — They suggest something that has already occurred.~~

~~(4) — The Committee has the discretion to recommend to the City Manager approval or disapproval of suggestions submitted or may add to suggestions to enhance their overall value or effectiveness.~~

~~(F) — *Eligibility.*~~

~~(1) — All city employees (including part time) are eligible to participate. Members of the Suggestion Committee who submit entries will not directly discuss their suggestion with other Committee members, but will utilize the standardized procedure of formal documentation and submission and will forfeit voting privileges.~~

~~(2) — Salaried employees are eligible for rewards based upon suggestions not within their areas of responsibility or assigned duties.~~

~~(G) — *Reward.*~~

~~(1) — Minimum — \$100.~~

~~(2) — Maximum — \$5,000.~~

~~(3) — The amount of reward is to be determined by multiplying the identified net financial benefit by 10% over a one-year period from the date of implementation. If this calculation is less than \$100, the employee will be awarded \$100. No award will exceed a maximum of \$5,000. Rewards from an implemented suggestion will not be given on a reoccurring annual basis.~~

~~(4) — In the event a suggestion is submitted by an employee that does not have an identifiable financial benefit to the city but warrants implementation, the employee shall be awarded \$25.~~

~~(H) — Procedure.~~

~~(1) — To submit a suggestion, employees must complete a Suggestion Form (attached to Ordinance No. 8-02, passed April 15, 2002), which must include a plan for implementation. After completion, the form is submitted to the Suggestion Committee Chairperson. The original suggestion is filed and a copy is sent to each committee member, and a confirmation of receipt is sent to the submitting employee(s).~~

~~(2) — Suggestions are designated as having either department specific or general (city wide impact). The Chairperson shall assign responsibility for analysis of the suggestion to the department director(s) who is responsible for the area the suggestion is intended to impact. The director has four weeks to make a recommendation, in writing, to the Committee Chairperson, who will then submit each suggestion and recommendation to the Suggestion Committee for review at the next Suggestion Committee meeting. Suggestions recommended for adoption will also require analysis by the Finance Department. The director reviewing the suggestion shall work with the Finance Director to develop the financial review.~~

~~(3) — The Suggestion Committee will meet monthly. When the Suggestion Committee has completed its review and has made a recommendation, the recommendation will be submitted to the City Manager for final approval. After approval of the City Manager on the recommendation, the Chairperson shall inform the employee of the decision. The determination of the City Manager will be final. Formalized minutes shall be maintained of each Suggestion Committee meeting.~~

~~(4) — Suggestions will be tracked for the suggestion date, employee name, department, idea, assignee, approval/disapproval, follow-up date for implementation, follow-up date to determine overall savings, and award amount.~~

~~(5) — Following the adoption of a suggestion, the Department Director responsible for implementing the suggestions will be notified by sending a copy of the suggestions and a copy of all backup/research material. The director responsible for implementation of a suggestion shall inform the Chairperson with the expected date of implementation.~~

~~(6) — The Committee Chairperson is responsible for following up on suggestions/implementation and reporting the status of suggestions to the committee.~~

(Ord. 8-02, passed 4-15-02)

ORDINANCE NO. 22-09
AN AMENDED ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO FOR THE YEAR 2010

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

SEC. 1: That there be appropriated from the GENERAL FUND (001)

<u>ACCOUNT</u>	<u>2010</u> <u>APPROPRIATIONS</u>
<u>City Building</u>	\$50,814
Personal Services/Administrative Support	\$73,635
Operation and Maintenance	(\$29,340)
Allocated Expenses	<hr/>
TOTAL	\$95,109
<u>City Commission</u>	\$34,123
Personal Services/Administrative Support	\$44,913
Operation and Maintenance	<hr/>
TOTAL	\$79,036
<u>City Manager</u>	\$226,931
Personal Services/Administrative Support	\$20,311
Operation and Maintenance	(\$180,981)
Allocated Expenses	<hr/>
TOTAL	\$66,261
<u>Civil Service</u>	\$16,300
Operation and Maintenance	<hr/>
TOTAL	\$16,300
<u>Engineering</u>	\$343,004
Personal Services/Administrative Support	\$30,980
Operation and Maintenance	(\$304,498)
Allocated Expenses	<hr/>
TOTAL	\$69,486
<u>Finance</u>	\$583,882
Personal Services/Administrative Support	\$24,747
Operation and Maintenance	(\$421,536)
Allocated Expenses	<hr/>
TOTAL	\$187,093
<u>Health</u>	\$346,431
Personal Services/Administrative Support	\$104,177
Operation and Maintenance	<hr/>
TOTAL	\$450,608
<u>Law</u>	\$192,353
Personal Services/Administrative Support	\$16,788
Operation and Maintenance	(\$124,648)
Allocated Expenses	<hr/>
TOTAL	\$84,493
<u>Planning & Zoning</u>	\$179,288
Personal Services/Administrative Support	\$34,768
Operation and Maintenance	\$100
	<hr/>
TOTAL	\$214,156
<u>General Government</u>	\$201,930
Operation and Maintenance	\$125
	<hr/>
TOTAL	\$202,055

<u>Human Resources</u>	
Personal Services/Administrative Support	\$183,096
Operation and Maintenance	\$18,898
Allocated Expenses	<u>(\$173,412)</u>
TOTAL	\$28,582
<u>Purchasing</u>	
Personal Services/Administrative Support	\$75,215
Operation and Maintenance	\$4,603
Allocated Expenses	<u>(\$77,902)</u>
TOTAL	\$1,916
<u>Income Tax</u>	
Personal Services/Administrative Support	\$200,012
Operation and Maintenance	<u>\$180,097</u>
TOTAL	\$380,109
<u>Transfers</u>	
Transfer to NIT Fund 104	\$26,300
Transfer to Parks Fund 105	\$320,000
Transfer to Safety Fund 106	\$4,200,000
Transfer to Forest Hill Mausoleum Fund 110	\$5,650
Transfer to Pro Piqua Fund 128	\$42,497
Transfer to Building Facility Bonds Fund 248	\$543,295
Transfer to Hotel Debt Service Fund 252	\$351,095
Transfer to Golf 409	\$130,000
Transfer to Ft. Piqua Plaza 410	\$132,000
Transfer to Swimming Pool Fund 415	<u>\$108,020</u>
TOTAL	\$5,858,857
TOTAL GENERAL FUND	\$7,734,061
SEC. 2:	That there be appropriated from the STREET DEPARTMENT FUND (101)
Personal Services/Administrative Support	\$948,448
Operation and Maintenance	\$1,093,139
Capital Outlay (including labor)	<u>\$130,200</u>
TOTAL	\$2,171,787
SEC. 3:	That there be appropriated from the STREET INCOME TAX FUND (103)
Operation and Maintenance	\$276,083
Capital Outlay (including labor)	\$1,690,399
Non Government/Transfers/Refunds	<u>\$63,816</u>
TOTAL	\$2,030,298
SEC. 4:	That there be appropriated from the NEIGHBORHOOD IMPROVEMENT TEAM FUND (104)
Personal Services/Administrative Support	\$4,424
Operation and Maintenance	<u>\$21,876</u>
TOTAL	\$26,300
SEC. 5:	That there be appropriated from the PARK AND RECREATION FUND (105)
Personal Services/Administrative Support	\$432,941
Operation and Maintenance	\$253,507
Capital Outlay (including labor)	\$101,000
Non Government/Transfers/Refunds	<u>\$400</u>
TOTAL	\$787,848

SEC. 6: That there be appropriated from the PUBLIC SAFETY FUND (106)

<u>009 Fire Department</u>	
Personal Services/Administrative Support	\$3,271,165
Operation and Maintenance	\$384,633
Capital Outlay (including labor)	\$329,980
Non Government/Transfers/Refunds	<u>\$70,707</u>

TOTAL \$4,056,485

<u>014 Police Department</u>	
Personal Services/Administrative Support	\$3,958,214
Operation and Maintenance	\$577,999
Capital Outlay (including labor)	\$198,300
Non-Government/Transfers/Refunds	<u>\$17,187</u>

TOTAL \$4,751,700

TOTAL PUBLIC SAFETY \$8,808,185

SEC. 7: That there be appropriated from the PIQUA TREE FUND (107)

Operation & Maintenance	<u>\$11,517</u>
-------------------------	-----------------

TOTAL \$11,517

SEC. 8: That there be appropriated from the D.U.I. EDUCATIONAL FUND (109)

Operation & Maintenance	<u>\$7,000</u>
-------------------------	----------------

TOTAL \$7,000

SEC. 9: That there be appropriated from the FOREST HILL MAUSOLEUM FUND (110)

Operation & Maintenance	<u>\$5,650</u>
-------------------------	----------------

TOTAL \$5,650

SEC.10: That there be appropriated from the MADATORY DRUG FINE FUND (111)

Operation and Maintenance	<u>\$1,800</u>
---------------------------	----------------

TOTAL \$1,800

SEC. 11: That there be appropriated from the RENEW PIQUA FUND (114)

Operation and Maintenance	<u>\$6,914</u>
---------------------------	----------------

TOTAL \$6,914

SEC. 12: That there be appropriated from the NATIONAL STABILIZATION PROGRAM FUND (118)

Operation and Maintenance	<u>\$353,000</u>
---------------------------	------------------

TOTAL \$353,000

SEC. 13: That there be appropriated from the C.H.I.P. PROGRAM INCOME FUND (119)

Operation and Maintenance	<u>\$24,945</u>
---------------------------	-----------------

TOTAL \$24,945

SEC. 14: That there be appropriated from the POLICE AUXILIARY FUND (120)

Operation & Maintenance	<u>\$3,125</u>
-------------------------	----------------

TOTAL \$3,125

SEC. 15:	That there be appropriated from the COMMUNITY DEVELOPMENT BLOCK GRANT FUND (122)	
	Operation and Maintenance	\$57,700
	Capital Outlay (including labor)	\$91,818
	TOTAL	\$149,518
SEC. 16:	That there be appropriated from the WORKER'S COMP FUND (124)	
	Personal Services/Administrative Support	\$275,000
	TOTAL	\$275,000
SEC. 17:	That there be appropriated from the INSURANCE RESERVE FUND (125)	
	Operation & Maintenance	\$300,000
	TOTAL	\$300,000
SEC. 18:	That there be appropriated from the DEMOLITION DEFENSE FUND (126)	
	Non Government/Transfers/Refunds	\$35,000
	TOTAL	\$35,000
SEC. 19:	That there be appropriated from the ENTERPRISE ZONE APPLICATION FUND (127)	
	Operation & Maintenance	\$450
	TOTAL	\$450
SEC. 20:	That there be appropriated from the PRO PIQUA FUND (128)	
	Operation and Maintenance	\$42,497
	TOTAL	\$42,497
SEC. 21:	That there be appropriated from the REVOLVING LOAN FUND (130)	
	Operation and Maintenance	\$20,250
	TOTAL	\$20,250
SEC. 22:	That there be appropriated from the BROWNFIELD EPA GRANT (131)	
	Operation and Maintenance	\$400,000
	TOTAL	\$400,000
SEC. 23:	That there be appropriated from the COMPREHENSIVE HOUSING IMPROVEMENT PROGRAM FY 2008 FUND (132)	
	Operation and Maintenance	\$381,080
	TOTAL	\$381,080
SEC. 24:	That there be appropriated from the COMMUNITY DEVELOPMENT FUND (135)	
	Personal Services/Administrative Support	\$220,845
	Operation and Maintenance	\$72,154
	Allocated Expenses	(\$292,999)
	TOTAL	\$0
SEC. 25:	That there be appropriated from the DOWNTOWN REVITALIZATION (GENERAL BUSINESS) FUND (137)	
	Operation and Maintenance	\$200,000
	TOTAL	\$200,000

SEC. 26:	That there be appropriated from the FEMA FUND (139)	
Personal Services/Administrative Support		<u>\$20,000</u>
TOTAL		\$20,000
SEC. 27:	That there be appropriated from the ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (141)	
Operation and Maintenance		<u>\$200,000</u>
TOTAL		\$200,000
SEC. 28:	That there be appropriated from the AGRICULTURAL REVOLVING LOAN FUND (142)	
Operation and Maintenance		<u>\$90,000</u>
TOTAL		\$90,000
SEC. 29:	That there be appropriated from the SPECIAL ASSESSMENT DEBT SERVICE FUND (202)	
Operation and Maintenance		\$69,070
Non Government/Transfers/Refunds		<u>\$28,526</u>
TOTAL		\$97,596
SEC. 30:	That there be appropriated from the OWDA-1995 LOAN WASTEWATER DEBT SERVICE FUND (210)	
Non Government/Transfers/Refunds		<u>\$506,538</u>
TOTAL		\$506,538
SEC. 31:	That there be appropriated from the SIB 25A NOTE '08 FUND (216)	
Non Government/Transfers/Refunds		<u>\$86,343</u>
TOTAL		\$86,343
SEC. 32:	That there be appropriated from the SWIMMING POOL DEBT SERVICE FUND (221)	
Non Government/Transfers/Refunds		<u>\$8,613</u>
TOTAL		\$8,613
SEC. 33:	That there be appropriated from the ELECTRIC G O BONDS DEBT SERVICE FUND (238)	
Non Government/Transfers/Refunds		<u>\$404,072</u>
TOTAL		\$404,072
SEC. 34:	That there be appropriated from the GOLF COURSE EXPANSION G.O. BONDS DEBT SERVICE FUND (243)	
Non Government/Transfers/Refunds		<u>\$170,805</u>
TOTAL		\$170,805
SEC. 35:	That there be appropriated from the BUILDING FACILITY G. O. BONDS DEBT SERVICE FUND (248)	
Non Government/Transfers/Refunds		<u>\$545,746</u>
TOTAL		\$545,746
SEC. 36:	That there be appropriated from the PFD PENSION G. O. BONDS DEBT SERVICE FUND (249)	
Non Government/Transfers/Refunds		<u>\$39,688</u>
TOTAL		\$39,688

SEC. 37:	That there be appropriated from the WATER TOWER DEBT SERVICE FUND (250)	
	Non Government/Transfers/Refunds	<u>\$132,822</u>
TOTAL		\$132,822
SEC. 38:	That there be appropriated from the WATER TOWER DEBT SERVICE FUND 2006 (251)	
	Non Government/Transfers/Refunds	<u>\$14,351</u>
TOTAL		\$14,351
SEC. 39:	That there be appropriated from the HOTEL CONSTRUCTION DEBT SERVICE FUND (252)	
	Non Government/Transfers/Refunds	<u>\$353,112</u>
TOTAL		\$353,112
SEC. 40:	That there be appropriated from the INFORMATION TECHNOLOGY '08 G.O. DEBT SERVICE FUND (253)	
	Non Government/Transfers/Refunds	<u>\$75,466</u>
TOTAL		\$75,466
SEC. 41:	That there be appropriated from the EQUALIZATION TANK '08 NOTE (OWDA) DEBT SERVICE FUND (254)	
	Non Government/Transfers/Refunds	<u>\$413,858</u>
TOTAL		\$413,858
SEC. 42:	That there be appropriated from the FIRE EQUIPMENT '08 G.O. NOTE FUND (255)	
	Non/Government/Transfers/Refunds	<u>\$48,788</u>
TOTAL		\$48,788
SEC. 43:	That there be appropriated from the NORTH CO. 25A RECONSTRUCTION FUND (302)	
	Operation and Maintenance	\$5,917
	Capital Outlay (including labor)	<u>\$11,852</u>
TOTAL		\$17,769
SEC. 44:	That there be appropriated from the SWIMMING POOL CONSTRUCTION FUND (323)	
	Non Government/Transfers/Refunds	<u>\$25</u>
TOTAL		\$25
SEC. 45:	That there be appropriated from the POWER SYSTEM FUND (401)	
	Personal Services/Administrative Support	\$2,254,734
	Operation and Maintenance	\$20,893,679
	Capital Outlay (including labor)	\$1,335,716
	Overhead Transfers	(\$220,000)
	Non Government/Transfers/Refunds	<u>\$404,892</u>
TOTAL		\$24,669,021
SEC. 46:	That there be appropriated from the WATER SYSTEM FUND (403)	
	Personal Services/Administrative Support	\$1,236,972
	Operation and Maintenance	\$1,594,233
	Capital Outlay (including labor)	\$1,138,280
	Non Government/Transfers/Refunds	<u>\$146,713</u>
TOTAL		\$4,116,198

SEC. 47: That there be appropriated from the WASTEWATER SYSTEM FUND (404)

Personal Services/Administrative Support	\$1,129,705
Operation and Maintenance	\$1,216,515
Capital Outlay (including labor)	\$1,006,900
Non Government/Transfers/Refunds	<u>\$707,613</u>
TOTAL	\$4,060,733

SEC. 48: That there be appropriated from the GARBAGE AND REFUSE FUND (405)

Personal Services/Administrative Support	\$540,631
Operation and Maintenance	\$1,152,248
Capital Outlay (including labor)	<u>\$119,000</u>
TOTAL	\$1,811,879

SEC. 49: That there be appropriated from the CITY INCOME TAX
ADMINISTRATION FUND (407)

Non Government/Transfers/Refunds	<u>\$7,500,000</u>
TOTAL	\$7,500,000

SEC. 50: That there be appropriated from the INFORMATION TECHNOLOGY
FUND (408)

Personal Services/Administrative Support	\$281,818
Operation and Maintenance	\$88,030
Capital Outlay (including labor)	\$1,200,000
Non Government/Transfers/Refunds	<u>\$89,998</u>
TOTAL	\$1,659,846

SEC. 51: That there be appropriated from the GOLF COURSE FUND (409)

Personal Services/Administrative Support	\$245,799
Operation and Maintenance	\$303,948
Non Government/Transfers/Refunds	<u>\$186,601</u>
TOTAL	\$736,348

SEC. 52: That there be appropriated from the FORT PIQUA PLAZA FUND (410)

Operation & Maintenance	\$223,163
Non Government/Transfers/Refunds	<u>\$3,000</u>
TOTAL	\$226,163

SEC. 53: That there be appropriated from the STORM WATER UTILITY FUND (411)

Personal Services/Administrative Support	\$322,553
Operation and Maintenance	\$403,177
Capital Outlay (including labor)	<u>\$359,000</u>
TOTAL	\$1,084,730

SEC. 54: That there be appropriated from the METER READERS FUND (412)

Personal Services/Administrative Support	\$239,351
Operation and Maintenance	\$26,565
Allocated Expenses	<u>(\$265,916)</u>
TOTAL	\$0

SEC. 55: That there be appropriated from the UTILITIES BUSINESS OFFICE
FUND (413)

Personal Services/Administrative Support	\$473,822
Operation and Maintenance	\$321,074
Allocated Expenses	<u>(\$794,896)</u>
TOTAL	\$0

SEC. 56: That there be appropriated from the SWIMMING POOL FUND (415)

Personal Services/Administrative Support	\$78,604
Operation and Maintenance	\$78,551
Capital Outlay (including labor)	\$20,000
Non Government/Transfers/Refunds	<u>\$9,558</u>
TOTAL	\$186,713

SEC. 57:	That there be appropriated from the ELECTRIC METER DEPOSIT FUND (603)	
	Non Government/Transfers/Refunds	<u>\$210,000</u>
TOTAL		\$210,000
SEC. 58:	That there be appropriated from the WATER METER DEPOSIT FUND (604)	
	Non Government/Transfers/Refunds	<u>\$75,000</u>
TOTAL		\$75,000
SEC. 59:	That there be appropriated from the STORM WATER METER DEPOSIT FUND (605)	
	Non Government/Transfers/Refunds	<u>\$45,000</u>
TOTAL		\$45,000
SEC. 60:	That there be appropriated from the LAW ENFORCEMENT TRUST FUND (609)	
	Capital Outlay (including labor)	<u>\$11,000</u>
TOTAL		\$11,000
SEC. 61:	That there be appropriated from the CONSERVANCY FUND (611)	
	Operation and Maintenance	<u>\$46,750</u>
TOTAL		\$46,750
SEC. 62:	That there be appropriated from the CITY HEALTH INSURANCE FUND (614)	
	Personal Services/Administrative Support	\$500
	Operation and Maintenance	\$3,070,000
	Non Government/Transfers/Refunds	<u>\$350,000</u>
TOTAL		\$3,420,500
SEC. 63:	That there be appropriated from the EMPLOYEE FLEXIBLE SPENDING FUND (615)	
	Administrative Support	<u>\$185,000</u>
TOTAL		\$185,000
SEC. 64:	That there be appropriated from the WEED CUTTING FUND (735)	
	Operation and Maintenance	<u>\$65,000</u>
TOTAL		\$65,000
SEC. 65:	That there be appropriated from the RIVERSIDE DRIVE PHASE I RECONSTRUCTION FUND (753)	
	Capital Outlay (including labor)	<u>\$121,756</u>
TOTAL		\$121,756
SEC. 66:	That there be appropriated from the SAFETY EQUIPMENT RESERVE FUND (809)	
	Non Government/Transfers/Refunds	<u>\$357,800</u>
TOTAL		\$357,800

SEC. 67: That the sums appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2010. Future commitments representing encumbrances of fund balance or future receipts will be appropriated in the future year when those services or goods are rendered to the city.

SEC. 68: That the sums expended from the appropriations and which are proper charges against any other department or against any person, firm or corporation which are repaid with the period covered by such appropriations shall be considered reappropriated for such original purposes; provided, that the net total of expenditures under any item of said appropriations shall not exceed the amount of the item.

SEC. 69: That the Director of Finance is hereby authorized and directed to draw her warrant upon the City Treasury for the amounts appropriated in this order when claims are properly presented and approved, the same to be chargeable to the appropriations for the year 2010 when passed and legally contracted for in conformity by law.

SEC. 70: That the Finance Director at the discretion of the City Manager make temporary advances from the General Fund to any Fund to cover temporary shortages of cash until revenues or permanent transfers become available to repay that temporary advance. That these advances shall not exceed \$650,000 in the aggregate nor extend past December 31, 2010; except those that are to be reimbursed by federal or state grant programs that were previously approved by this Commission.

SEC. 71: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION
AMENDED

ORDINANCE NO. 23-09
AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO FOR THE YEAR 2009

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

SEC. 1: That there be appropriated from the GENERAL FUND (001)

<u>ACCOUNT</u>	<u>2009 INITIAL</u> <u>APPROPRIATIONS</u>	<u>2009 REVISED</u> <u>APPROPRIATIONS</u>	<u>2009 FINAL</u> <u>APPROPRIATION</u>
<u>City Building</u>			
Personal Services/Administrative Support	\$50,818	\$50,818	\$49,758
Operation and Maintenance	\$75,500	\$75,500	\$64,050
Allocated Expenses	(\$29,340)	(\$29,340)	(\$28,730)
TOTAL	\$96,978	\$96,978	\$105,078
<u>City Commission</u>			
Personal Services/Administrative Support	\$34,123	\$34,123	\$34,123
Operation and Maintenance	\$42,238	\$43,088	\$40,503
TOTAL	\$76,361	\$77,211	\$74,626
<u>City Manager</u>			
Personal Services/Administrative Support	\$324,760	\$324,760	\$311,936
Operation and Maintenance	\$23,746	\$23,746	\$25,579
Allocated Expenses	(\$255,106)	(\$255,106)	(\$247,061)
TOTAL	\$93,400	\$93,400	\$90,454
<u>Civil Service</u>			
Operation and Maintenance	\$31,300	\$44,000	\$44,000
TOTAL	\$31,300	\$44,000	\$44,000
<u>Engineering</u>			
Personal Services/Administrative Support	\$319,317	\$319,317	\$280,450
Operation and Maintenance	\$41,204	\$41,204	\$33,905
Allocated Expenses	(\$293,536)	(\$293,536)	(\$255,948)
TOTAL	\$66,985	\$66,985	\$58,407
<u>Finance</u>			
Personal Services/Administrative Support	\$485,061	\$485,061	\$477,871
Operation and Maintenance	\$30,340	\$30,340	\$25,820
Allocated Expenses	(\$356,967)	(\$356,967)	(\$348,856)
TOTAL	\$158,434	\$158,434	\$154,835
<u>Health</u>			
Personal Services/Administrative Support	\$383,413	\$383,413	\$365,610
Operation and Maintenance	\$112,940	\$112,940	\$105,730
TOTAL	\$496,353	\$496,353	\$471,340
<u>Law</u>			
Personal Services/Administrative Support	\$181,399	\$181,399	\$177,459
Operation and Maintenance	\$25,194	\$25,194	\$19,632
Allocated Expenses	(\$123,129)	(\$123,129)	(\$117,466)
TOTAL	\$83,464	\$83,464	\$79,625
<u>Planning & Zoning</u>			
Personal Services/Administrative Support	\$168,738	\$168,738	\$162,888
Operation and Maintenance	\$34,730	\$34,730	\$32,967
Non Government/Transfers/Refunds	\$0	\$100	\$200
TOTAL	\$203,468	\$203,568	\$196,055

	2009 INITIAL APPROPRIATIONS	2009 REVISED APPROPRIATIONS	2009 FINAL APPROPRIATION
<u>General Government</u>			
Operation and Maintenance	\$1,412,990	\$2,512,865	\$2,187,072
Non Government/Transfers/Refunds	\$0	\$65	\$125
TOTAL	\$1,412,990	\$2,512,930	\$2,187,197
<u>Human Resources</u>			
Personal Services/Administrative Support	\$175,121	\$175,121	\$169,361
Operation and Maintenance	\$26,338	\$26,338	\$23,613
Allocated Expenses	(\$172,953)	(\$172,953)	(\$165,398)
TOTAL	\$28,506	\$28,506	\$27,576
<u>Purchasing</u>			
Personal Services/Administrative Support	\$62,607	\$62,607	\$62,607
Operation and Maintenance	\$7,155	\$7,155	\$4,780
Allocated Expenses	(\$68,088)	(\$68,088)	(\$65,770)
TOTAL	\$1,674	\$1,674	\$1,617
<u>Income Tax</u>			
Personal Services/Administrative Support	\$210,849	\$200,849	\$172,520
Operation and Maintenance	\$188,299	\$198,299	\$186,703
Capital	\$8,000	\$8,000	\$3,500
TOTAL	\$407,148	\$407,148	\$362,723
<u>Transfers</u>			
Transfer to NIT Fund 104	\$144,700	\$144,700	\$45,180
Transfer to Parks Fund 105	\$332,000	\$332,000	\$239,000
Transfer to Safety Fund 106	\$3,931,000	\$3,931,000	\$3,787,500
Transfer to Forest Hill Mausoleum Fund 110	\$65,240	\$65,240	\$33,513
Transfer to Pro Piqua Fund 128	\$41,648	\$41,648	\$41,648
Transfer to Building Facility Bonds Fund 248	\$535,270	\$535,270	\$535,270
Transfer to Hotel Debt Service Fund 252	\$355,040	\$355,040	\$355,040
Transfer to Great Miami Trails Fund 303	\$0	\$28,000	\$26,981
Transfer to Golf 409	\$100,665	\$100,665	\$105,665
Transfer to Ft. Piqua Plaza 410	\$110,400	\$110,400	\$145,664
Transfer to Swimming Pool Fund 415	\$82,963	\$82,963	\$82,963
TOTAL	\$5,698,926	\$5,726,926	\$5,398,424
TOTAL GENERAL FUND	\$8,855,987	\$9,997,577	\$9,251,957
SEC. 2: That there be appropriated from the STREET DEPARTMENT FUND (101)			
Personal Services/Administrative Support	\$985,485	\$985,485	\$899,972
Operation and Maintenance	\$1,049,447	\$1,199,447	\$1,054,513
Capital	\$0	\$106,511	\$107,587
Non Government/Transfers/Refunds	\$15,493	\$15,493	\$15,493
TOTAL	\$2,050,425	\$2,306,936	\$2,077,565
SEC. 3: That there be appropriated from the STREET INCOME TAX FUND (103)			
Operation and Maintenance	\$341,839	\$341,839	\$345,755
Capital Outlay (including labor)	\$1,898,058	\$1,998,058	\$1,397,500
TOTAL	\$2,239,897	\$2,339,897	\$1,743,255
SEC. 4: That there be appropriated from the NEIGHBORHOOD IMPROVEMENT TEAM FUND (104)			
Personal Services/Administrative Support	\$0	\$0	\$0
Operation and Maintenance	\$119,700	\$119,700	\$21,180
Capital Outlay (including labor)	\$25,000	\$25,000	\$36,600
TOTAL	\$144,700	\$144,700	\$57,780

SEC. 13:	That there be appropriated from the POLICE AUXILIARY FUND (120)			
	Operation & Maintenance	\$3,200	\$3,200	\$1,625
	TOTAL	\$3,200	\$3,200	\$1,625
SEC. 14:	That there be appropriated from the COMMUNITY DEVELOPMENT BLOCK GRANT FUND (122)			
	Operation and Maintenance	\$88,400	\$71,818	\$76,275
	Capital Outlay (including labor)	\$64,800	\$81,382	\$80,800
	TOTAL	\$153,200	\$153,200	\$157,075
SEC. 15:	That there be appropriated from the WORKER'S COMP FUND (124)			
	Personal Services/Administrative Support	\$275,000	\$275,000	\$275,000
	TOTAL	\$275,000	\$275,000	\$275,000
SEC. 16:	That there be appropriated from the INSURANCE RESERVE FUND (125)			
	Operation & Maintenance	\$300,000	\$300,000	\$300,000
	TOTAL	\$300,000	\$300,000	\$300,000
SEC. 17:	That there be appropriated from the DEMOLITION DEFENSE FUND (126)			
	Non Government/Transfers/Refunds	\$27,000	\$27,000	\$35,000
	TOTAL	\$27,000	\$27,000	\$35,000
SEC. 18:	That there be appropriated from the ENTERPRISE ZONE APPLICATION FUND (127)			
	Operation & Maintenance	\$600	\$600	\$450
	TOTAL	\$600	\$600	\$450
SEC. 19:	That there be appropriated from the PRO PIQUA FUND (128)			
	Operation and Maintenance	\$41,648	\$41,648	\$35,590
	TOTAL	\$41,648	\$41,648	\$35,590
SEC. 20:	That there be appropriated from the REVOLVING LOAN FUND (130)			
	Operation and Maintenance	\$10,250	\$30,000	\$10,125
	TOTAL	\$10,250	\$30,000	\$10,125
SEC. 21:	That there be appropriated from the BROWNFIELD EPA GRANT (131)			
	Operation and Maintenance	\$200,000	\$200,000	\$0
	TOTAL	\$200,000	\$200,000	\$0
SEC. 22:	That there be appropriated from the COMPREHENSIVE HOUSING IMPROVEMENT PROGRAM FY 2008 FUND (132)			
	Operation and Maintenance	\$494,700	\$494,700	\$200,528
	TOTAL	\$494,700	\$494,700	\$200,528
SEC. 23:	That there be appropriated from the COMMUNITY DEVELOPMENT FUND (135)			
	Personal Services/Administrative Support	\$219,575	\$219,575	\$184,128
	Operation and Maintenance	\$57,425	\$57,425	\$84,871
	Allocated Expenses	(\$277,000)	(\$277,000)	(\$268,999)
	TOTAL	\$0	\$0	\$0

	<u>2009 INITIAL APPROPRIATIONS</u>	<u>2009 REVISED APPROPRIATIONS</u>	<u>2009 FINAL APPROPRIATION</u>
SEC. 24: That there be appropriated from the DOWNTOWN REVITALIZATION (GENERAL BUSINESS) FUND (137)			
Operation and Maintenance	\$400,000	\$400,000	\$0
TOTAL	\$400,000	\$400,000	\$0
SEC. 25: That there be appropriated from the FEMA FUND (139)			
Personal Services/Administrative Support	\$95,000	\$119,293	\$31,169
Operation and Maintenance	\$0	\$0	\$88,124
TOTAL	\$95,000	\$119,293	\$119,293
SEC. 26: That there be appropriated from the ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (141)			
Operation and Maintenance	\$200,000	\$200,000	\$200,000
TOTAL	\$200,000	\$200,000	\$200,000
SEC. 27: That there be appropriated from the AGRICULTURAL REVOLVING LOAN FUND (142)			
Operation and Maintenance	\$0	\$90,000	\$90,000
TOTAL	\$0	\$90,000	\$90,000
SEC. 28: That there be appropriated from the SPECIAL ASSESSMENT DEBT SERVICE FUND (202)			
Operation and Maintenance	\$104,400	\$104,400	\$48,700
Non Government/Transfers/Refunds	\$37,022	\$37,022	\$37,022
TOTAL	\$141,422	\$141,422	\$85,722
SEC. 29: That there be appropriated from the OWDA-1995 LOAN WASTEWATER DEBT SERVICE FUND (210)			
Non Government/Transfers/Refunds	\$506,537	\$506,537	\$506,538
TOTAL	\$506,537	\$506,537	\$506,538
SEC. 30: That there be appropriated from the SWIMMING POOL DEBT SERVICE FUND (221)			
Non Government/Transfers/Refunds	\$8,555	\$8,555	\$8,556
TOTAL	\$8,555	\$8,555	\$8,556
SEC. 31: That there be appropriated from the ELECTRIC G O BONDS DEBT SERVICE FUND (238)			
Non Government/Transfers/Refunds	\$405,303	\$405,303	\$405,303
TOTAL	\$405,303	\$405,303	\$405,303
SEC. 32: That there be appropriated from the GOLF COURSE EXPANSION G.O. BONDS DEBT SERVICE FUND (243)			
Non Government/Transfers/Refunds	\$169,672	\$169,672	\$169,672
TOTAL	\$169,672	\$169,672	\$169,672
SEC. 33: That there be appropriated from the BUILDING FACILITY G. O. BONDS DEBT SERVICE FUND (248)			
Non Government/Transfers/Refunds	\$544,700	\$544,700	\$544,700
TOTAL	\$544,700	\$544,700	\$544,700

	<u>2009 INITIAL APPROPRIATIONS</u>	<u>2009 REVISED APPROPRIATIONS</u>	<u>2009 FINAL APPROPRIATION</u>
SEC. 34: That there be appropriated from the PFD PENSION G. O. BONDS DEBT SERVICE FUND (249)			
Non Government/Transfers/Refunds	\$40,938	\$40,938	\$40,938
TOTAL	\$40,938	\$40,938	\$40,938
SEC. 35: That there be appropriated from the WATER TOWER DEBT SERVICE FUND (250)			
Non Government/Transfers/Refunds	\$132,823	\$132,823	\$132,823
TOTAL	\$132,823	\$132,823	\$132,823
SEC. 36: That there be appropriated from the WATER TOWER DEBT SERVICE FUND 2006 (251)			
Non Government/Transfers/Refunds	\$14,351	\$14,351	\$14,351
TOTAL	\$14,351	\$14,351	\$14,351
SEC. 37: That there be appropriated from the HOTEL CONSTRUCTION DEBT SERVICE FUND (252)			
Non Government/Transfers/Refunds	\$357,352	\$357,352	\$357,352
TOTAL	\$357,352	\$357,352	\$357,352
SEC. 38: That there be appropriated from the INFORMATION TECHNOLOGY '08 G.O. DEBT SERVICE FUND (253)			
Non Government/Transfers/Refunds	\$126,785	\$126,785	\$0
TOTAL	\$126,785	\$126,785	\$0
SEC. 39: That there be appropriated from the EQUALIZATION TANK '08 NOTE (OWDA) DEBT SERVICE FUND (254)			
Non Government/Transfers/Refunds	\$414,128	\$414,128	\$0
TOTAL	\$414,128	\$414,128	\$0
SEC. 40: That there be appropriated from the FIRE EQUIPMENT '08 G.O. NOTE FUND (255)			
Non/Government/Transfers/Refunds	\$91,010	\$91,010	\$49,368
TOTAL	\$91,010	\$91,010	\$49,368
SEC. 41: That there be appropriated from the JOHN DEERE CAPITAL LEASE DEBT SERVICE FUND (260)			
Non Government/Transfers/Refunds	\$17,992	\$17,992	\$17,993
TOTAL	\$17,992	\$17,992	\$17,993
SEC. 42: That there be appropriated from the TYMCO CAPITAL LEASE DEBT SERVICE FUND (261)			
Non Government/Transfers/Refunds	\$11,767	\$11,767	\$11,767
TOTAL	\$11,767	\$11,767	\$11,767
SEC. 43: That there be appropriated from the HOTEL REHABILITATION FUND (301)			
Personal Services/Administrative Support	\$6,201	\$33,706	\$31,581
Operation and Maintenance	\$53,350	\$62,250	\$64,999
Non-Government/Transfers/Refunds	\$175,000	\$400,000	\$470,000
TOTAL	\$234,551	\$495,956	\$566,580

SEC. 44:	That there be appropriated from the NORTH CO 25A RECONSTRUCT FUND (302)			
	Operation and Maintenance	\$0	\$195,000	\$492,665
	Capital outlay (includes labor)	\$0	\$120,000	\$96,331
	TOTAL	\$0	\$315,000	\$588,996
SEC. 45:	That there be appropriated from the GREAT MIAMI RECREATIONAL TRAIL FUND (303)			
	Operation and Maintenance	\$180,000	\$97,732	\$128,580
	Capital outlay (includes labor)	\$120,000	\$148,580	\$97,732
	TOTAL	\$300,000	\$246,312	\$226,312
SEC. 46:	That there be appropriated from the SWIMMING POOL CONSTRUCTION FUND (323)			
	Non Government/Transfers/Refunds	\$25	\$40	\$40
	TOTAL	\$25	\$40	\$40
SEC. 47:	That there be appropriated from the POWER SYSTEM FUND (401)			
	Personal Services/Administrative Support	\$2,095,858	\$2,095,858	\$2,151,537
	Operation and Maintenance	\$23,299,869	\$23,299,869	\$21,754,933
	Capital Outlay (including labor)	\$1,544,604	\$1,544,604	\$1,374,737
	Overhead Transfers	(\$274,035)	(\$274,035)	(\$225,000)
	Non Government/Transfers/Refunds	\$397,049	\$397,049	\$397,049
	TOTAL	\$27,063,345	\$27,063,345	\$25,453,256
SEC. 48:	That there be appropriated from the WATER SYSTEM FUND (403)			
	Personal Services/Administrative Support	\$1,205,783	\$1,230,783	\$1,143,306
	Operation and Maintenance	\$1,704,632	\$1,780,132	\$1,504,068
	Capital Outlay (including labor)	\$270,300	\$274,312	\$326,130
	Overhead Transfers	(\$10,912)	(\$10,912)	\$0
	Non Government/Transfers/Refunds	\$142,529	\$143,748	\$143,748
	TOTAL	\$3,312,332	\$3,418,063	\$3,117,252
SEC. 49:	That there be appropriated from the WASTEWATER SYSTEM FUND (404)			
	Personal Services/Administrative Support	\$1,060,485	\$1,060,485	\$1,049,668
	Operation and Maintenance	\$1,186,401	\$1,186,401	\$1,077,828
	Capital Outlay (including labor)	\$4,625,590	\$4,625,590	\$3,707,608
	Overhead Transfers	(\$7,904)	(\$7,904)	(\$10,600)
	Non Government/Transfers/Refunds	\$501,715	\$501,715	\$501,715
	TOTAL	\$7,366,287	\$7,366,287	\$6,326,219
SEC. 50:	That there be appropriated from the GARBAGE AND REFUSE FUND (405)			
	Personal Services/Administrative Support	\$512,819	\$512,819	\$496,301
	Operation and Maintenance	\$1,157,279	\$1,157,279	\$1,087,631
	Capital Outlay (including labor)	\$109,226	\$109,226	\$99,691
	TOTAL	\$1,779,324	\$1,779,324	\$1,683,623
SEC. 51:	That there be appropriated from the CITY INCOME TAX ADMINISTRATION FUND (407)			
	Non Government/Transfers/Refunds	\$8,500,020	\$8,500,020	\$9,300,000
	TOTAL	\$8,500,020	\$8,500,020	\$9,300,000

SEC. 52: That there be appropriated from the INFORMATION TECHNOLOGY FUND (408)

Personal Services/Administrative Support	\$269,726	\$269,726	\$256,433
Operation and Maintenance	\$114,731	\$114,731	\$112,700
Capital Outlay (including labor)	\$1,000,000	\$1,000,000	\$200,000
Non Government/Transfers/Refunds	\$126,785	\$126,785	\$0
TOTAL	\$1,511,242	\$1,511,242	\$569,133

SEC. 53: That there be appropriated from the GOLF COURSE FUND (409)

Personal Services/Administrative Support	\$284,618	\$288,618	\$281,689
Operation and Maintenance	\$291,352	\$291,352	\$249,475
Non Government/Transfers/Refunds	\$171,548	\$171,548	\$170,118
TOTAL	\$747,518	\$751,518	\$701,282

SEC. 54: That there be appropriated from the FORT PIQUA PLAZA FUND (410)

Operation & Maintenance	\$293,428	\$293,428	\$208,282
Non Government/Transfers/Refunds	\$0	\$1,500	\$3,000
TOTAL	\$293,428	\$294,928	\$211,282

SEC. 55: That there be appropriated from the METER READERS FUND (412)

Personal Services/Administrative Support	\$221,486	\$221,486	\$212,902
Operation and Maintenance	\$29,768	\$29,768	\$26,293
Capital Outlay (including labor)	\$8,000	\$8,000	\$0
Allocated Expenses	(\$259,254)	(\$259,254)	(\$239,195)
TOTAL	\$0	\$0	\$0

SEC. 56: That there be appropriated from the UTILITIES BUSINESS OFFICE FUND (413)

Personal Services/Administrative Support	\$463,840	\$451,840	\$443,340
Operation and Maintenance	\$348,766	\$360,766	\$338,097
Allocated Expenses	(\$819,606)	(\$819,606)	(\$781,437)
Non-Government/Transfers/Refunds	\$7,000	\$7,000	\$0
TOTAL	\$0	\$0	\$0

SEC. 57: That there be appropriated from the SWIMMING POOL FUND (415)

Personal Services/Administrative Support	\$86,535	\$86,535	\$71,474
Operation and Maintenance	\$90,283	\$90,283	\$80,896
Non Government/Transfers/Refunds	\$8,778	\$8,778	\$8,718
TOTAL	\$185,596	\$185,596	\$161,088

SEC. 58: That there be appropriated from the ELECTRIC METER DEPOSIT FUND (603)

Non Government/Transfers/Refunds	\$190,000	\$190,000	\$190,000
TOTAL	\$190,000	\$190,000	\$190,000

SEC. 59: That there be appropriated from the WATER METER DEPOSIT FUND (604)

Non Government/Transfers/Refunds	\$60,000	\$60,000	\$60,000
TOTAL	\$60,000	\$60,000	\$60,000

SEC. 60: That there be appropriated from the CONSERVANCY FUND (611)

Operation and Maintenance	\$46,800	\$46,800	\$45,716
TOTAL	\$46,800	\$46,800	\$45,716

SEC. 61: That there be appropriated from the CITY HEALTH INSURANCE FUND (614)

Personal Services/Administrative Support	\$0	\$0	\$500
Operation and Maintenance	\$2,442,500	\$2,442,500	\$2,270,000
Non Government/Transfers/Refunds	\$300,000	\$300,000	\$250,000
TOTAL	\$2,742,500	\$2,742,500	\$2,520,500

SEC. 62: That there be appropriated from the EMPLOYEE FLEXIBLE SPENDING FUND (615)

Administrative Support	\$185,000	\$185,000	\$185,000
TOTAL	\$185,000	\$185,000	\$185,000

SEC. 63: That there be appropriated from the WEED CUTTING FUND (735)

Operation and Maintenance	\$100,000	\$100,000	\$45,000
TOTAL	\$100,000	\$100,000	\$45,000

SEC. 64: That the sums appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2009. Future commitments representing encumbrances of fund balance or future receipts will be appropriated in the future year when those services or goods are rendered to the city.

SEC. 65: That the sums expended from the appropriations and which are proper charges against any other department or against any person, firm or corporation which are repaid with the period covered by such appropriations shall be considered reappropriated for such original purposes; provided, that the net total of expenditures under any item of said appropriations shall not exceed the amount of the item.

SEC. 66: That the Director of Finance is hereby authorized and directed to draw her warrant upon the City Treasury for the amounts appropriated in this order when claims are properly presented and approved, the same to be chargeable to the appropriations for the year 2009 when passed and legally contracted for in conformity by law.

SEC. 67: That the Finance Director at the discretion of the City Manager make temporary advances from the General Fund to any Fund to cover temporary shortages of cash until revenues or permanent transfers become available to repay that temporary advance. That these advances shall not exceed \$650,000 in the aggregate nor extend past December 31, 2009; except those that are to be reimbursed by federal or state grant programs that were previously approved by this Commission.

SEC. 68: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

SEC. 69: That this ordinance is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua and shall take effect and be in force from and after passage.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION
AMENDED

RESOLUTION NO. R-117-09

**A RESOLUTION OF INTENT TO PROVIDE SERVICES TO
CERTAIN TERRITORY PROPOSED FOR ANNEXATION**

WHEREAS, the owner of a 119.165 acre parcel of land located near the intersection of Looney Road and Snodgrass Road in Springcreek Township has filed a petition for annexation of said real estate in the City, further described as set for in Exhibit "A" attached hereto; and

WHEREAS, the Clerk of this Commission has received notice of said filing from the petitioner's agent on November 18, 2009 and

WHEREAS, Ohio Revised Code Section 709.03 requires this Commission to pass a resolution adopting a statement indicating what services, if any, the City will provide to the territory proposed for annexation upon annexation;

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 City of Piqua will provide, upon annexation, access to the following services to the 119.165 acre parcel of land located near the intersection of Looney Road and Snodgrass Road in Springcreek Township, which has been proposed for annexation:

- Police
- Fire
- Emergency Medical
- Electric Power
- All other services normally provided to City of Piqua residents

SEC. 2: Upon annexation, the City of Piqua will provide the petitioner with access to connect to the nearest available water distribution main as well as the nearest available sanitary and storm sewer collection mains.

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

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

December 3, 2009

MEMORANDUM

TO: Frederick E. Enderle

CC: William P. Murphy

RE: **Looney - Snodgrass Annexation Petition – Statement of Services**

The above referenced annexation petition document has been filed with the Miami County Clerk of Commission and January 21, 2010 has been established as the public hearing date. At this time it is appropriate to request that the City Commission act on a resolution providing a statement of the services the municipality intends to make available to the territory being considered for annexation.

The proposed annexation includes a 119.165 acre parcel bounded by Looney Road to the west, Snodgrass Road to the north, and the Indian Ridge Subdivision to the south and east. The parcel is located in Springcreek Township, is currently occupied by an agricultural use, and is surrounded by a mix of agricultural, residential, and light industrial uses. The subject parcel is located within the service boundary area for the city water, wastewater, storm, and electric utility systems and the subject parcel can reasonably be serviced by police, fire, refuse, and other city services without undue difficulties. The proposed annexation will result in city departments assuming the maintenance responsibilities for approximately 0.68 lane miles of roadway. Anticipating that the current land use will likely continue for some time until development of the property occurs, it will be recommended to the Planning Commission that this property be annexed with an OS Open Space zoning designation. The OS designation is the city zoning designation most similar to the A-2 General Agriculture designation currently in place under the county zoning for this property.

Attached for reference are exhibits delineating the boundaries of the territory proposed for annexation. Please let me know if any additional information is needed concerning this request.

Sincerely,

Christopher W. Schmiesing
City Planner

Attachments

EXHIBIT "A"

ANNEXATION OF 119.165 ACRES TO THE CITY OF PIQUA

BEING A PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWN 1, RANGE 12, B.M.R.S., SPRING CREEK TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at a P.K. nail found in the Southwest corner of the Northwest quarter of section 20 and being also in the centerline of Looney Road;

thence, North $05^{\circ}-39'-36''$ East, 2106.52 feet, along the west line of the quarter and centerline of Looney Road, to a railroad spike found;

thence, South $82^{\circ}-49'-52''$ East, 536.09 feet, to an iron pin found;

thence, North $05^{\circ}-30'-02''$ East, 635.87 feet, to a railroad spike found in the north line of the quarter and centerline of Snodgrass Road;

thence, South $84^{\circ}-35'-17''$ East, 1496.27 feet, along the north line of the quarter and centerline of Snodgrass Road, to a railroad spike found;

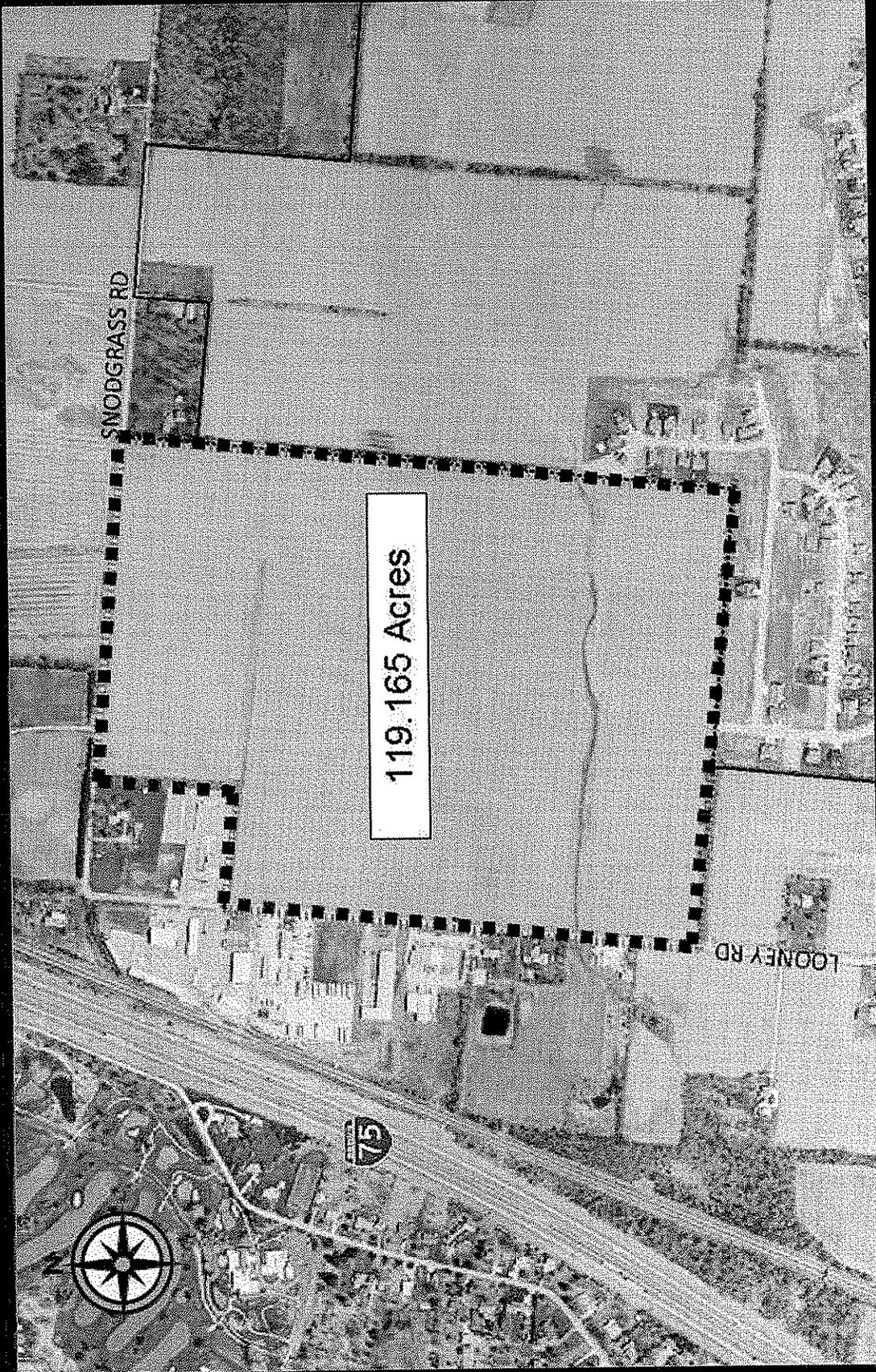
thence, South $05^{\circ}-30'-12''$ West, 2707.98 feet, along the corporation line of the City of Piqua, to an iron pin found in the south line of the quarter;

thence, North $85^{\circ}-05'-34''$ West, 2037.98 feet, along the south line of the quarter and the corporation line of the City of Piqua, leaving said corporation line at 1230.81 feet, to the principal place of beginning.

Containing 119.165 acres more or less being annexed into the City of Piqua.

The above description was prepared by Steven E. Bowersox, Ohio Professional Surveyor number 7059, based on existing surveys and deeds of record. The bearings used for same are based on those shown on a plat on file in volume 51, page 42 of the Miami County Engineer's Record of Land Surveys.

EXHIBIT A



LOONEY – SNODGRASS ANNEXATION

RESOLUTION NO. R-118-09

A RESOLUTION OF INTENT TO PROVIDE SERVICES TO CERTAIN TERRITORY PROPOSED FOR ANNEXATION

WHEREAS, the owner of a 109.493 acre parcel of land located near the intersection of Troy-Sidney Road and Statler Road in Springcreek Township has filed a petition for annexation of said real estate in the City, further described as set for in Exhibit "A" attached hereto; and

WHEREAS, the Clerk of this Commission has received notice of said filing from the petitioner's agent on November 18, 2009 and

WHEREAS, Ohio Revised Code Section 709.03 requires this Commission to pass a resolution adopting a statement indicating what services, if any, the City will provide to the territory proposed for annexation upon annexation;

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 City of Piqua will provide, upon annexation, access to the following services to the 109.493 acre parcel of land located near the intersection of Troy-Sidney Road and Statler Road in Springcreek Township, which has been proposed for annexation:

- Police
- Fire
- Emergency Medical
- Electric Power
- All other services normally provided to City of Piqua residents

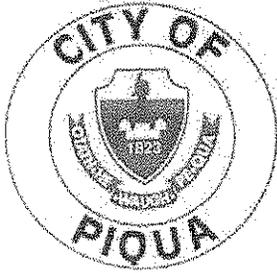
SEC. 2: Upon annexation, the City of Piqua will provide the petitioner with access to connect to the nearest available water distribution main as well as the nearest available sanitary and storm sewer collection mains.

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

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

December 3, 2009

MEMORANDUM

TO: Frederick E. Enderle

CC: William P. Murphy

RE: **Statler – Troy-Sidney Annexation Petition – Statement of Services**

The above referenced annexation petition document has been filed with the Miami County Clerk of Commission and January 21, 2010 has been established as the public hearing date. At this time it is appropriate to request that the City Commission act on a resolution providing a statement of the services the municipality intends to make available to the territory being considered for annexation.

The proposed annexation includes a 109.493 acre parcel situated in Springcreek Township at the northeast corner of the intersection of Troy-Sidney Road and Statler Road. The parcel is currently occupied by an agricultural use, and is surrounded by a mixture of agricultural and residential uses. The subject parcel is located within the service boundary area for the city water, wastewater, storm, and electric utility systems and the subject parcel can reasonably be serviced by police, fire, refuse, and other city services without undue difficulties. The proposed annexation will result in city departments assuming the maintenance responsibilities for approximately 0.73 lane miles of roadway. Anticipating that the current land use will likely continue for some time until development of the property occurs, it will be recommended to the Planning Commission that this property be annexed with an OS Open Space zoning designation, the city zoning designation most similar to the A-2 General Agriculture designation currently in place under the county zoning for this property.

Attached for reference are exhibits delineating the boundaries of the territory proposed for annexation. Please let me know if any additional information is needed concerning this request.

Sincerely,

Christopher W. Schmiesing
City Planner

Attachments

EXHIBIT "A"

ANNEXATION OF 109.493 ACRES TO THE CITY OF PIQUA

BEING 109.493 ACRES OWNED BY TEETERS REAL ESTATE INVESTMENTS, LLC, AS DESCRIBED IN DEED BOOK 780, PAGE 282 OF THE MIAMI COUNTY DEED RECORDS AND SHOWN ON LAND SURVEY 29, PLAT 78 OF THE MIAMI COUNTY ENGINEER'S RECORD OF LAND SURVEYS, SITUATE IN SECTION 18, TOWN 1, RANGE 11, SPRING CREEK TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at a railroad spike found at the Southeast corner of the Southwest Quarter of Section 18 and being on the centerline of Statler Road;

thence, North $89^{\circ}-41'-40''$ West, 2266.18 feet, along the south line of said quarter section and the centerline of Statler Road to a point and being the southeast property corner of a tract of land owned by Eddie J. and Judy E. Williams as described in Deed Book 514, Page 569;

thence, North $00^{\circ}-33'-00''$ West, 234.59 feet, along the east property line of said Williams tract to the northeast corner of said Williams tract;

thence, North $87^{\circ}-43'-05''$ West, 416.65 feet, along the north property line of said Williams tract to a railroad spike found on the west line of said quarter section and being the centerline of Troy-Sidney Road;

thence, North $01^{\circ}-37'-00''$ East, 1573.13 feet, along the west line of said quarter section and the centerline of Troy-Sidney Road to a railroad spike found at the Grantor's northwest property corner and being the southwest property corner of a tract of land owned by Gary W. and Joyce L. Jones as described in Deed Book 789, Page 839;

thence, South $89^{\circ}-36'-45''$ East, 2661.99 feet, along the Grantor's north property line to a concrete post found at the Grantor's northeast property corner;

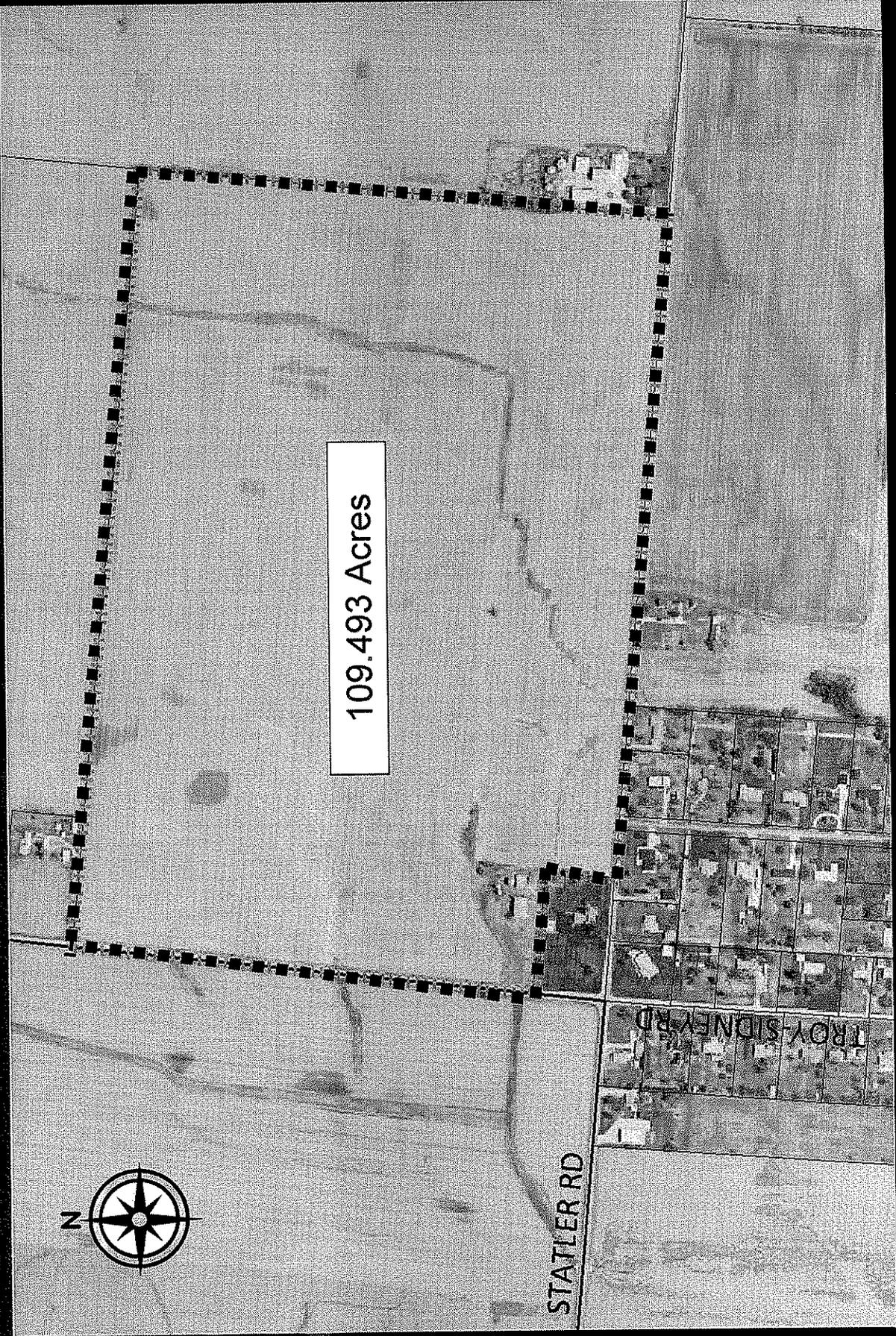
thence, South $00^{\circ}-40'-50''$ West, 1817.89 feet, along the Grantor's east property line to the place of beginning.

Containing 109.493 acres more or less with 2.283 acres more or less being within the existing road right-of-way and all being subject to any legal highways and easements of record.

The bearings are based on Land Survey 29, Plat 78 of the Miami County Engineer's Record of Land Surveys.

The above description was prepared by Wesley David Goubeaux, Ohio Professional Surveyor Number 8254, based on existing deeds and surveys of record and dated December 24, 2008.

EXHIBIT A



STATLER - TROY-SIDNEY ANNEXATION

RESOLUTION NO. R-119-09

A RESOLUTION OF INTENT TO PROVIDE SERVICES TO CERTAIN TERRITORY PROPOSED FOR ANNEXATION

WHEREAS, the owner of a 5.000 acre parcel of land and a 2.932 acre parcel of land located at the city of Piqua wastewater treatment plant in Springcreek Township has filed a petition for annexation of said real estate in the City, further described as set for in Exhibit "A" attached hereto; and

WHEREAS, the Clerk of this Commission has received notice of said filing from the petitioner's agent on November 18, 2009 and

WHEREAS, Ohio Revised Code Section 709.03 requires this Commission to pass a resolution adopting a statement indicating what services, if any, the City will provide to the territory proposed for annexation upon annexation;

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 City of Piqua will provide, upon annexation, access to the following services to the 5.000 acre parcel of land and a 2.932 acre parcel of land located at the city of Piqua wastewater treatment plant in Springcreek Township, which has been proposed for annexation:

- Police
- Fire
- Emergency Medical
- Electric Power
- All other services normally provided to City of Piqua residents

SEC. 2: Upon annexation, the City of Piqua will provide the petitioner with access to connect to the nearest available water distribution main as well as the nearest available sanitary and storm sewer collection mains.

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

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

December 3, 2009

MEMORANDUM

TO: Frederick E. Enderle

CC: William P. Murphy

RE: **WWTP Annexation Petition – Statement of Services**

The above referenced annexation petition document has been filed with the Miami County Clerk of Commission and January 21, 2010 has been established as the public hearing date. At this time it is appropriate to request that the City Commission act on a resolution providing a statement of the services the municipality intends to make available to the territory being considered for annexation.

The proposed annexation includes two separate parcels located in Springcreek Township and owned by the City of Piqua. The parcels were purchased by the City in 2008 for the purpose of accommodating the construction of an equalization basin at the wastewater treatment plant (WWTP) and to allow for additional future expansion of the WWTP facilities as the need arises. Parcel one is located northeast of the WWTP and is 5.000 acres, and parcel two is 2.932 acres and located south of the existing WWTP facilities.

The subject parcels are located within the service boundary area for the city water, wastewater, storm, and electric utility systems and the subject parcels can reasonably be serviced by police, fire, refuse, and other city services without undue difficulties. The proposed annexation will not result in city departments assuming any additional street or roadway maintenance responsibilities. The subject parcels are contiguous to an existing industrial development area and it will be recommended to the Planning Commission that the parcels be annexed with an I-2 Heavy Industrial zoning designation consistent and compatible with the zoning of the adjacent properties and the planned use of the subject parcels.

Attached for reference are exhibits delineating the boundaries of the territory proposed for annexation. Please let me know if any additional information is needed concerning this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Schmiesing", is written over a faint, larger version of the same signature.

Christopher W. Schmiesing
City Planner

Attachments

EXHIBIT "A"

**ANNEXATION OF 5.000 ACRES TO THE CITY OF PIQUA
PARCEL 1**

BEING 5.000 ACRES OWNED BY THE CITY OF PIQUA AS DESCRIBED IN DEED BOOK 792, PAGE 584 OF THE MIAMI COUNTY DEED RECORDS, SITUATE IN FRACTIONAL SECTION 29, TOWN 1, RANGE 11, SPRING CREEK TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at an iron pin found at the northeast property corner of Inlot 7875;

thence, South $31^{\circ}-01'-00''$ East, 24.47 feet, along the east property line of Inlot 7875 to an iron pin found at the northwest property corner of said 5.000-acre City of Piqua tract and being the principal place of beginning of the tract herein described;

thence, North $87^{\circ}-13'-27''$ East, 506.04 feet, along the north property line of said 5.000-acre tract to an iron pin found;

thence, South $03^{\circ}-09'-05''$ East, 811.61 feet, along the east property line of said 5.000-acre tract to an iron pin found and being on the east property line of Inlot 7877;

thence, North $41^{\circ}-11'-20''$ West, 223.42 feet, along the northeast property line of Inlot 7877 to an iron pin found at the southeast property corner of Inlot 7875;

thence, North $33^{\circ}-19'-02''$ West, 672.65 feet, along the northeast property line of Inlot 7875 to an iron pin found;

thence, North $31^{\circ}-01'-00''$ West, 64.93 feet, along the northeast property line of Inlot 7875 to the principal place of beginning.

Containing 5.000 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on Miami County Engineer's Record of Land Surveys Volume 51, Plat 52.

The above description was prepared by Wesley David Goubeaux, Ohio Professional Surveyor Number 8254, based on existing surveys and deeds of record and dated January 8, 2009.

**ANNEXATION OF 2.932 ACRES TO THE CITY OF PIQUA
PARCEL 2**

BEING 2.932 ACRES OWNED BY THE CITY OF PIQUA AS DESCRIBED IN DEED BOOK 792, PAGE 582 OF THE MIAMI COUNTY DEED RECORDS, SITUATE IN FRACTIONAL SECTION 29, TOWN 1, RANGE 11, SPRING CREEK TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at an iron pin found at the southeast property corner of Inlot 7877;

thence, South $81^{\circ}-15'-00''$ West, 15.07 feet, along the south property line of Inlot 7877 to an iron pin found at the northeast property corner of said 2.932-acre City of Piqua tract and being the principal place of beginning of the tract herein described;

thence, South $03^{\circ}-09'-05''$ East, 351.38 feet, along the east property line of said 2.932-acre tract to point;

thence, South $81^{\circ}-15'-00''$ West, 383.94 feet, along the south property line of said 2.932-acre tract to point;

thence, North $03^{\circ}-31'-31''$ East, 152.26 feet, along the west property line of said 2.932-acre tract to point;

thence, North $01^{\circ}-25'-09''$ East, 204.13 feet, along the west property line of said 2.932-acre tract to point;

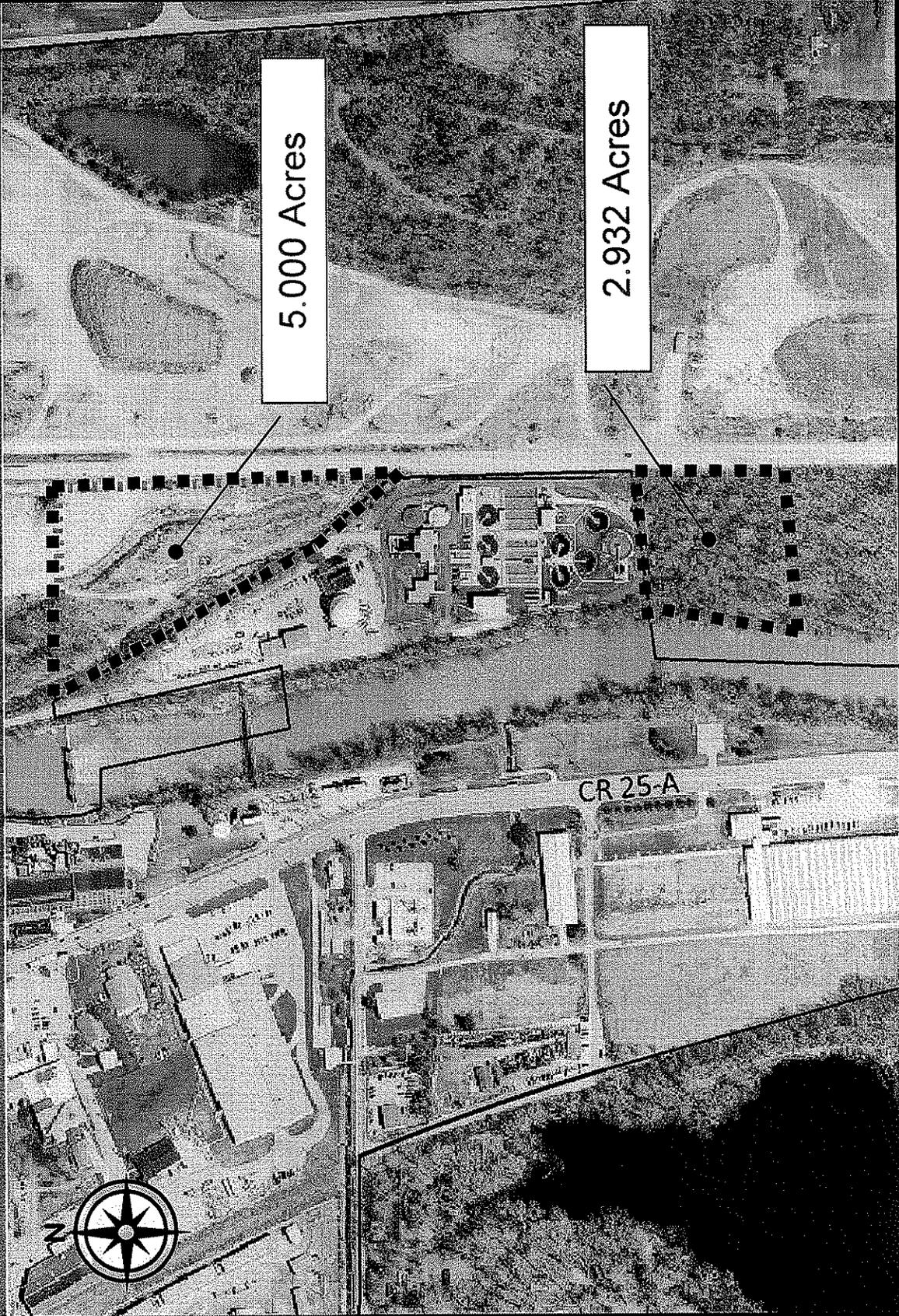
thence, North $81^{\circ}-15'-00''$ East, 349.81 feet, along the north property line of said 2.932-acre tract to the principal place of beginning.

Containing 2.932 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on Miami County Engineer's Record of Land Surveys Volume 51, Plat 80.

The above description was prepared by Wesley David Goubeaux, Ohio Professional Surveyor Number 8254, based on existing surveys and deeds of record and dated December 17, 2008.

EXHIBIT A



WASTEWATER TREATMENT PLANT ANNEXATION

RESOLUTION NO. R-120-09

A RESOLUTION OF INTENT TO PROVIDE SERVICES TO CERTAIN TERRITORY PROPOSED FOR ANNEXATION

WHEREAS, the owner of a 335.528 acre tract of land located along US Route 36 east of the intersection of USR 36 and Troy-Sidney Road in Springcreek Township has filed a petition for annexation of said real estate in the City, further described as set for in Exhibit "A" attached hereto; and

WHEREAS, the Clerk of this Commission has received notice of said filing from the petitioner's agent on November 18, 2009 and

WHEREAS, Ohio Revised Code Section 709.03 requires this Commission to pass a resolution adopting a statement indicating what services, if any, the City will provide to the territory proposed for annexation upon annexation;

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 City of Piqua will provide, upon annexation, access to the following services to the 335.528 acre tract of land located along US Route 36 east of the intersection of USR 36 and Troy-Sidney Road in Springcreek Township, which has been proposed for annexation:

- Police
- Fire
- Emergency Medical
- Electric Power
- All other services normally provided to City of Piqua residents

SEC. 2: Upon annexation, the City of Piqua will provide the petitioner with access to connect to the nearest available water distribution main as well as the nearest available sanitary and storm sewer collection mains.

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

EXHIBIT "A"

ANNEXATION OF 335.528 ACRES TO THE CITY OF PIQUA

BEING 335.528 ACRES SITUATE IN SECTION 13, TOWN 1, RANGE 12, SPRING CREEK TOWNSHIP, MIAMI COUNTY, OHIO AND SECTION 18, TOWN 1, RANGE 11, SPRING CREEK TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a Mag nail found at the Northwest corner of the Northeast quarter of Section 13 and being on the centerline of Snyder Road;

thence, South 84°-24'-33" East, 400.00 feet, along the north line of said quarter section to a railroad spike found at the northwest property corner of a 44.040-acre tract of land owned by Teeters Real Estate Investments, LLC, as described in Deed Book 780, Page 279 and being the principal place of beginning of the tract herein conveyed;

thence, South 84°-24'-33" East, 235.25 feet, along the north line of said quarter section to a railroad spike found at the northeast property corner of said 44.040-acre Teeters tract;

thence, South 05°-17'-57" West, 330.00 feet, along an east property line of said 44.040-acre Teeters tract to a point;

thence, South 84°-24'-33" East, 478.68 feet, along a north property line of said 44.040-acre Teeters tract to a point;

thence, South 05°-17'-57" West, 1692.48 feet, along the east property line of said 44.040-acre Teeters tract to a point on the north property line of a 120.101-acre tract of land owned by Teeters Real Estate Investments, LLC, as described in Deed Book 780, Page 260;

thence, South 84°-28'-03" East, 470.79 feet, along the north property line of said 120.101-acre Teeters tract to a point on the east property line of said 120.101-acre Teeters tract, witness a wood corner post South 05°-27'-07" West, 0.76 feet, from said point;

thence, South 05°-27'-07" West, 3321.37 feet, along the east property line of said 120.101-acre Teeters tract to a point on the south line of the southeast quarter of Section 13 and the north line of the northeast quarter of Section 18;

thence, South 84°-29'-29" East, 489.44 feet, along the south line of the southeast quarter of Section 13 and the north line of the northeast quarter of Section 18 to the northeast corner of a 50.057-acre tract of land owned by Fifth Third Bank of Western Ohio, N.A., Trustee as described in Deed Book 316, Page 532;

thence, South 06°-04'-44" West, 1321.79 feet, along the east property line of said 50.057-acre Fifth Third Bank tract to the southeast property corner of same;

thence, North 84°-27'-38" West, 1650.68 feet, along the south property line of said 50.057-acre Fifth Third Bank tract to a point on the west line of the southeast quarter of Section 18;

thence, South 06°-06'-56" West, 329.09 feet, along the west line of the southeast quarter of Section 18 to the southeast property corner of a 48.003-acre tract of land owned by Elizabeth Stahl, Trustee as described in Deed Book 723, Page 258;

thence, North 84°-22'-20" West, 1295.58 feet, along the south property line of said Stahl tract to the southwest corner of same;

thence, North 06°-06'-56" East, 660.00 feet, along the west property line of said Stahl tract to a point;

thence, North 84°-22'-20" West, 40.92 feet, along the west property line of said Stahl tract to a point;

thence, North 06°-06'-56" East, 990.00 feet, along the west property line of said Stahl tract to a point on the north line of northwest quarter of Section 18 and the south line of the southwest quarter of Section 13;

thence, South 84°-22'-20" East, 282.20 feet, along the north line of the northwest quarter of Section 18 and the south line of the southwest quarter of Section 13 to a point on the westerly property line of a 71.327-acre tract of land owned by Fifth Third Bank of Western Ohio, N.A., Trustee as described in Deed Book 316, Page 532;

thence, North 05°-40'-40" East, 648.25 feet, along the westerly property line of said 71.327-acre Fifth Third Bank tract to an iron pin found;

thence, North 84°-22'-20" West, 694.20 feet, along the southerly property line of said 71.327-acre Fifth Third Bank tract to a iron pin found at the southeast property corner of a tract of land owned by John S. Garby as described in Deed Book 724, Page 291;

thence, North 05°-26'-40" East, 2020.04 feet, along the west property line of said 71.327-acre Fifth Third Bank tract and the east property line of said Garby tract to a point on the north line of the southwest quarter of Section 13;

thence, South 84°-22'-27" East, 1327.46 feet, along the north property line of said 71.327-acre Fifth Third Bank tract and the north line of the southwest quarter of Section 13 to an iron pin with cap found on the west property line of said 120.101-acre Teeters tract and being the southwest corner of the northeast corner of Section 13;

thence, North 05°-13'-02" East, 2240.87 feet, along the west line of the northeast quarter of Section 13 to a point on the northerly property line;

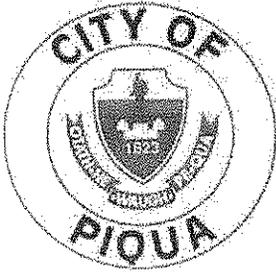
thence, South 84°-24'-33" East, 400.00 feet, along a northerly property line of said 120.101-acre Teeters tract to a point;

thence, North 05°-13'-02" East, 435.60 feet, along a westerly property line of said 120.101-acre Teeters tract to the principal place of beginning.

Containing 335.528 acres more or less with 235.468 acres more or less being within Section 13 and 100.060 acres more or less being within Section 18 and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83, GEOID 2003, Ohio South Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley David Goubeaux, Ohio Professional Surveyor Number 8254, based on field measurements and deeds and surveys of record and dated July 2, 2009.



DEVELOPMENT OFFICE

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

December 3, 2009

MEMORANDUM

TO: Frederick E. Enderle

CC: William P. Murphy

RE: **USR 36 Annexation Petition – Statement of Services**

The above referenced annexation petition document has been filed with the Miami County Clerk of Commission and January 21, 2010 has been established as the public hearing date. At this time it is appropriate to request that the City Commission act on a resolution providing a statement of the services the municipality intends to make available to the territory being considered for annexation.

The proposed annexation includes a 335.528 acre tract situated along the north and south sides of USR 36 approximately one-quarter of a mile east of the USR 36 and Troy-Sidney Road intersection. The tract contains seven separate parcels owned by four different ownership interests. Three of the four ownership interest represent 333.528 or 99.4% of the acreage included in the subject tract and have signed the annexation documents. The fourth property owner, who represents a two acre tract occupied by a single family dwelling unit surrounded by the aforementioned larger tract of land, has declined to sign the annexation petition. Because the two acre tract is encompassed by the land area to be annexed it is necessary to include the two acre tract in the territory to be annexed. All of the subject properties are located in Springcreek Township and are currently occupied by agricultural and or residential uses. The tract is surrounded by a mixture of agricultural and residential uses, with there also being an intermediate school located nearby. The subject parcels are located within the service boundary area for the city water, wastewater, storm, and electric utility systems and the subject parcel can reasonably be serviced by police, fire, refuse, and other city services without undue difficulties. The proposed annexation may result in city departments assuming the maintenance responsibilities for approximately 1.03 lane miles of roadway. Anticipating that the current uses will likely continue for some time until development occurs, it will be recommended to the Planning Commission that the properties be annexed with an OS Open Space zoning designation, the city zoning designation most similar to the A-2 General Agriculture designation currently in place under the county zoning for the majority of the parcels of land included with this tract of land.

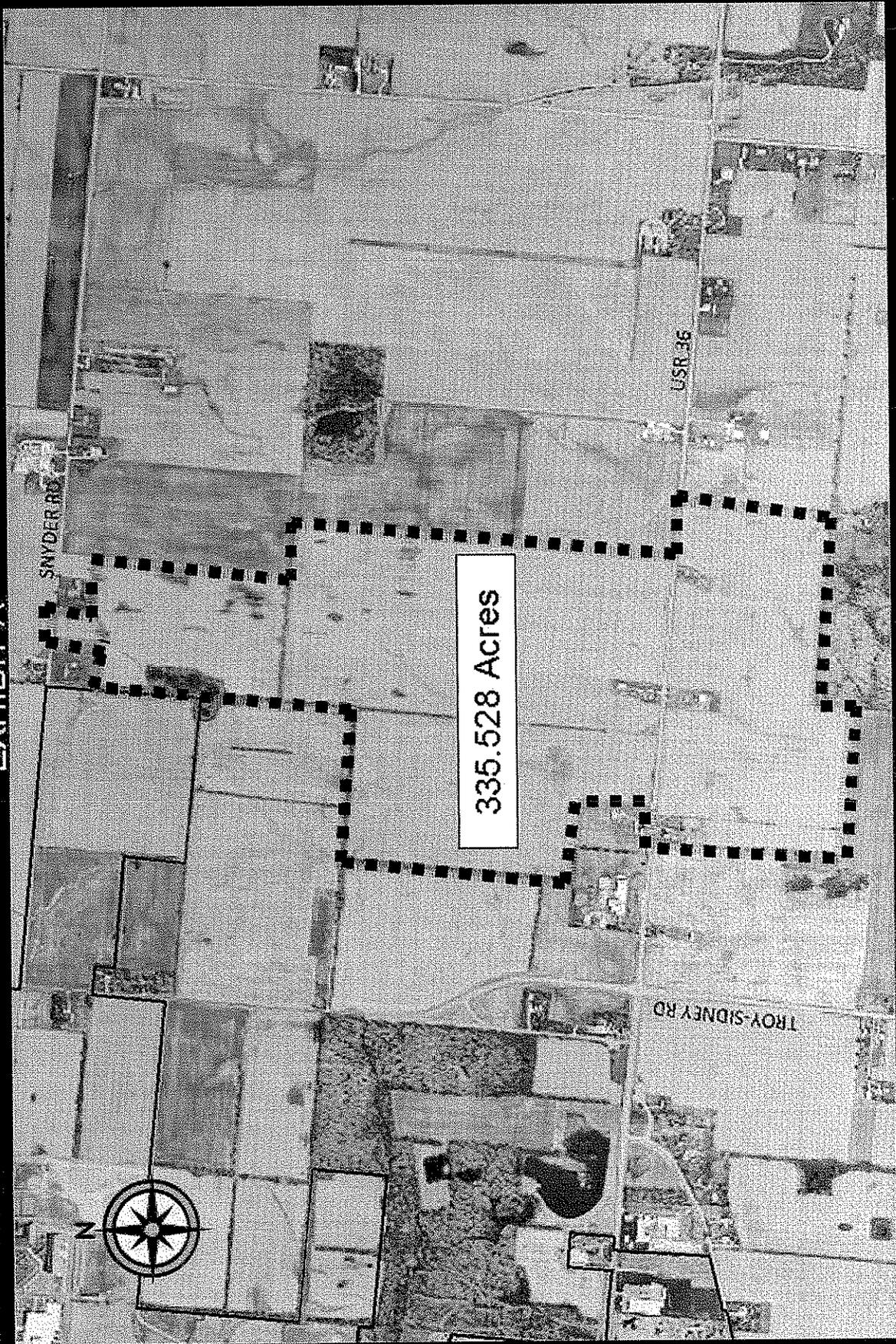
Attached for reference are exhibits delineating the boundaries of the territory proposed for annexation. Please let me know if any additional information is needed concerning this request.

Sincerely,


Christopher W. Schmiesing
City Planner

Attachments

EXHIBIT A



US ROUTE 36 ANNEXATION

ANNEXATION OF TERRITORY TO THE CITY OF PIQUA

233.488 ACRES SECTION 13 TOWNSHIP 12 RANGE 12 MIAMI COUNTY
 100.050 ACRES SECTION 18 TOWNSHIP 12 RANGE 12 MIAMI COUNTY



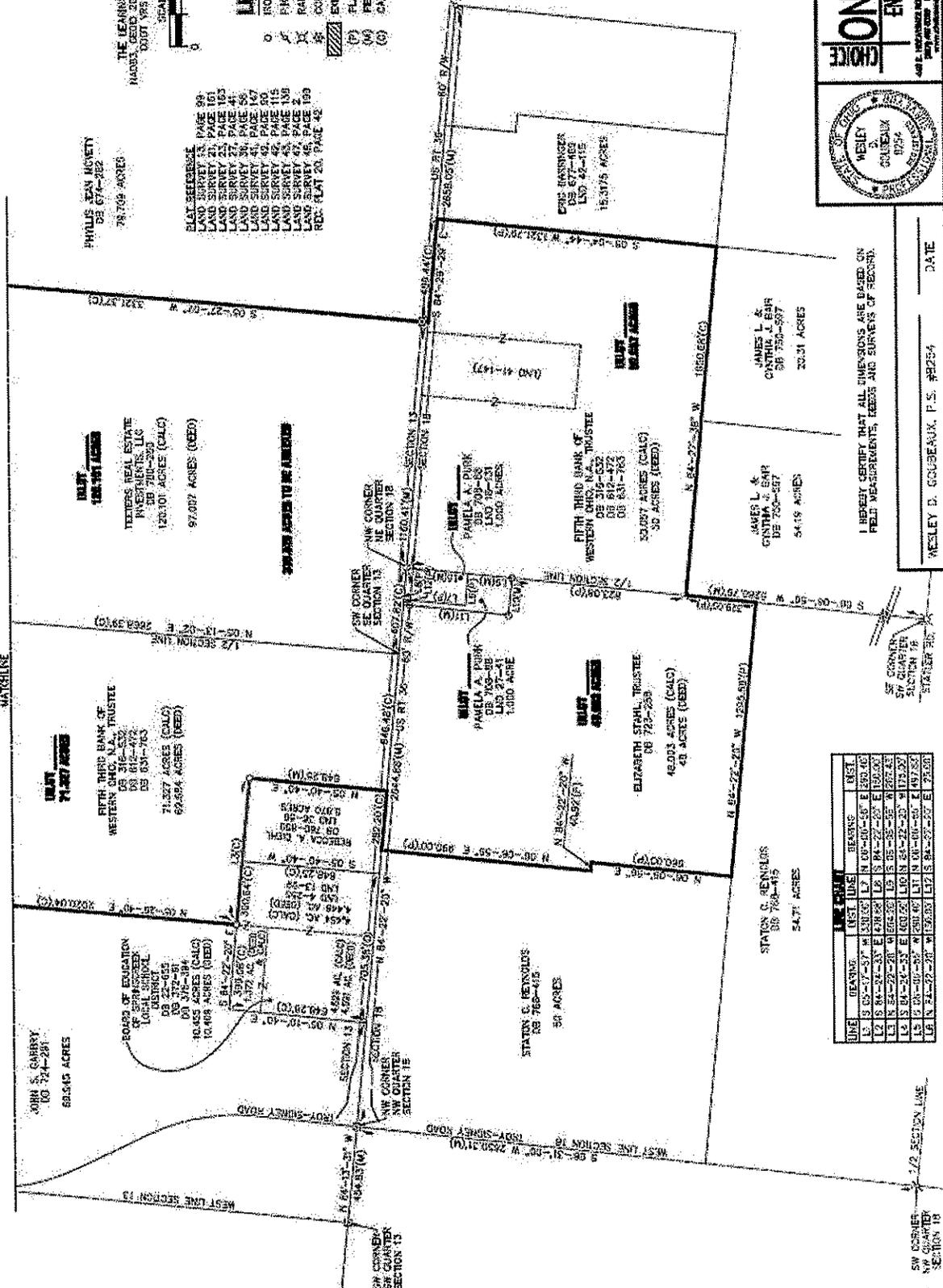
SCALE: 1"=200'

THE LEARNINGS ARE BASED ON:
 HADCO, GRID 2000, OHIO SOUTH ZONE,
 DDDT V95 CORS NETWORK.

PHILIP S. BEAN ACRES
 DB 674-252
 78.709 ACRES

- LEGEND**
- IRON PIN FOUND
 - ✕ P.C. NAIL FOUND
 - ✕ RAILROAD SPIKE FOUND
 - ✕ CONCRETE POST FOUND
 - ▨ EXISTING CORPORATION LIMITS
 - (P) PLAT OF SEED DISTANCE
 - (M) FIELD MEASUREMENT
 - (C) CALCULATED DISTANCE

PLAT REFERENCES:
 LAND SURVEY 21, PAGE 161
 LAND SURVEY 21, PAGE 163
 LAND SURVEY 27, PAGE 41
 LAND SURVEY 36, PAGE 56
 LAND SURVEY 41, PAGE 67
 LAND SURVEY 42, PAGE 68
 LAND SURVEY 42, PAGE 115
 LAND SURVEY 43, PAGE 158
 LAND SURVEY 47, PAGE 2
 LAND SURVEY 48, PAGE 199
 REC. PLAT 20, PAGE 42



LINE	BEARING	DIST.	BEARING	DIST.	
L 1	S 05-17-57" W	130.00	N 08-40-50" E	130.00	
L 2	S 84-24-33" E	4.9188	S 84-22-20" E	100.00	
L 3	S 84-22-20" E	55.555	S 05-25-35" W	57.243	
L 4	S 04-24-33" E	100.00	S 84-22-20" E	175.50	
L 5	S 05-10-50" W	250.00	N 08-40-50" E	497.50	
L 6	N 22-22-20" W	126.00	L 7	S 84-22-20" E	25.00

I HEREBY CERTIFY THAT ALL DIMENSIONS ARE BASED ON FIELD MEASUREMENTS, REELS AND SURVEYS OF RECORDS.

MESELEY D. COULBERK, P.S. #R254 _____ DATE _____

ONE CHOICE ENGINEERING

MESELEY D. COULBERK
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF OHIO, LICENSE NO. 97734

DATE: 07-02-2008
 DRAWN BY: WDC
 JOB NUMBER: 08050802-2
 SHEET NUMBER: 2 OF 2

RESOLUTION NO. R-121-09

A RESOLUTION AUTHORIZING THE SALE OF CITY OWNED REAL ESTATE

WHEREAS, the City of Piqua owns a certain portion of the real estate known as Part of Outlot 124, further described as set forth in Exhibit "A" attached hereto; and

WHEREAS, the subject property is no longer of use to the city; and

WHEREAS, the adjacent property owner has expressed an interest in purchasing the subject property to combine the tract with the adjacent parcel; and

WHEREAS, the prospective buyer and the city have agreed to terms and conditions for the purchase/sale of the property; and

WHEREAS, in the sound judgment of the City Manager the sale of the subject property would be in the best interest of the city; and

WHEREAS, City of Piqua Code of Ordinances section 34.36 requires this Commission to pass a resolution authorizing the sale of the subject property;

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 City Manager is hereby authorized to sell the portion of the real estate known as Part of Outlot 124, further described as set forth in Exhibit "A" attached hereto, to the prospective purchaser for a purchase price of \$1,000.

SEC. 2: The terms and conditions of the sale shall be as set forth in the executed Development Agreement attached hereto as Exhibit "A".

SEC. 3. The property as described in Exhibit A is no longer of use to the City and the Development Agreement as attached benefits the City in ensuring proper improvements.

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

EXHIBIT A

SUNSET COMMERCE HOLDINGS LLC DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made and entered into this 1st day of December, 2009, by and between the **CITY OF PIQUA, OHIO, a municipal corporation**, ("City") and **SUNSET COMMERCE HOLDINGS LLC**, ("Prospective Buyer").

RECITALS:

- A. Prospective Buyer desires to acquire from the City approximately 0.25 acre of real estate located on N. Sunset Drive in Piqua, Ohio as more fully shown on Exhibit 'A' attached hereto (hereinafter referred to as the "Property") for purposes of constructing a driveway improvement extending from the Sunset Drive right of way to and from the adjacent parcels owned by the Prospective Buyer, proposed driveway to support existing and future commercial development of the adjacent parcels with said improvement as more fully shown on Exhibit 'B' attached hereto (hereinafter referred to as the "Project").
- B. Prospective Buyer and City have mutual concerns and interests in connection with the planning and development of the Property.
- C. The location and scope of the Project as it relates to the right of way, utility, drainage, zoning, and other applicable standards require careful coordination and planning of the Project in advance of the construction phase.
- D. Prospective Buyer and City have examined certain issues to be included in this Agreement and as listed below. These items address specific development issues and shall be binding upon the parties through the completion of the construction of the Project.

NOW, THEREFORE, in consideration of the terms and conditions of this Agreement, the parties hereto agree as follows:

1. Securement of Property. The Prospective Buyer shall secure the professional services required to prepare prior to the conveyance of the property, the proper and necessary surveys and legal instruments for acceptance by the appropriate entity.

EXHIBIT A

SUNSET COMMERCE HOLDINGS LLC DEVELOPMENT AGREEMENT

2. Remedying of Existing Nonstandard Conditions. The Prospective Buyer shall make onsite improvements causing the removal of the existing gravel drive areas and the restoration of the same in conformance with the applicable zoning standards, said improvements to be as shown on Exhibit 'B' and include but not be limited to, the preparation, installation, and maintenance of topsoil, seeding and mulching, landscaping, pavement, curbing, pavement markings, traffic control signage, drainage infrastructure, and any other materials or work necessary and incidental to the improvements, with said improvements to be completed without undue delay, recognizing an estimated completion date of not later than May 31, 2010. Nothing herein shall require Prospective Buyer to make improvements to City owned property. City shall permit, at the expense of the Prospective Buyer, improvements designed in accordance with the applicable standards, to connect the Property to the public infrastructure adjacent to the Property.

3. Securement of Permits. The Prospective Buyer shall make application for and submit the information necessary to secure the permits and approvals needed to proceed with the construction of the Project, as shown on Exhibit 'B', with said applications and submittals to be filed within 45 days from the execution date of this Agreement.

4. Other Utilities. The Prospective Buyer shall take reasonable steps to protect existing utilities located within the Property.

5. Performance Guarantee. In the event the Prospective Buyer, successors, or assignors elects to abandon the Project without attempting to secure the necessary approvals, or in the event the necessary approvals to proceed with the Project have been secured and the Prospective Buyer, successors, or assignors otherwise fail to commence with the work on the Project by May 31, 2010 (except for causes or circumstances beyond the reasonable control of Prospective Buyer), the Prospective Buyer will reimburse the City the cost of all expenses incurred, including labor and materials, to complete the work necessary to remove the existing gravel drive areas and to restore the areas with topsoil and grass and to install physical barriers and signage suitable for preventing the travel of motor vehicles across, over or through the aforementioned areas.

6. Authorization of Sale. Both parties acknowledge and understand that the final sale of the property, and the purchase price and terms agreed hereto, and all of Prospective Buyer's obligations hereunder, are contingent upon and subject to receiving the approval of the Piqua,

EXHIBIT A

SUNSET COMMERCE HOLDINGS LLC DEVELOPMENT AGREEMENT

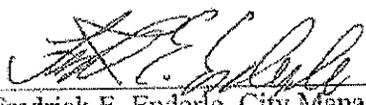
Ohio City Commission. Upon the completion of the sale transaction it shall be the responsibility of the Prospective Buyer to record the deed and to complete any and all filing of documents necessary and required to formally consummate the transfer of the property.

7. Complete Agreement. The parties hereto agree that the provisions of this Agreement and the Attachments constitute the entire agreement between the City and the Prospective Buyer in regard to the issues contained herein. With respect to any subject or matter not specifically referred to or covered in this Agreement, applicable law, including the laws, ordinances, and regulations of the City, as determined by the appropriate legislative authority, shall prevail.

IN WITNESS WHEREOF, the City and the Prospective Buyer have executed this Agreement as of the date and year first above written.

CITY OF PIQUA, OHIO

By:


Fredrick E. Enderle, City Manager
City of Piqua

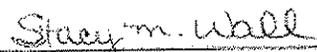
SUNSET COMMERCE HOLDINGS LLC

By:

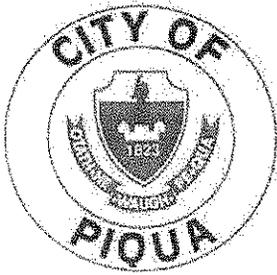

Brian West, Managing Member

Approved as to form

By:


Stacy Wall, Law Director
City of Piqua

11.30.09



PLANNING AND ZONING

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

December 7, 2009

MEMORANDUM

TO: Frederick E. Enderle

Cc: William P. Murphy

RE: **Request for Commission Authorize Sale of City Owned Real Estate - Sunset Drive Property**

Recent discussions with a local property owner concerning the city's interest in selling an adjacent portion of city owned real estate have resulted in an agreement with the property owner to purchase the property.

The subject property is located along the west side of Sunset Drive between the linear park on the south and a gas regulator facility to the north. The adjacent property owner desires to acquire the subject property to gain street frontage for the tract of land situated immediately to the west. The aforementioned street frontage will present the buyer with the opportunity to construct a paved driveway (from the existing parking lot to the existing drive apron along Sunset Drive) servicing the existing and future development of this site. The buyer also plans to install a freestanding sign along this frontage to advertise for the site.

It is believed the subject property was originally acquired by the city incidental to the Sunset Drive railroad overpass right of way needs. However, the removal of the railroad overpass and modification of the street grade has rendered the subject property no longer necessary to the roadway improvements. Likewise, city utility departments were contacted and no concerns were raised with regards to disposing of the subject property. Further, the minimal acreage of the site is not suitable for an individual building site. Therefore, it is staff's opinion that the subject property is of little value to the city and that it is in the best interest of the city to sell the property to the adjacent property owner. Section 34 of the Code of Ordinances requires the City Commission to pass a resolution authorizing such action.

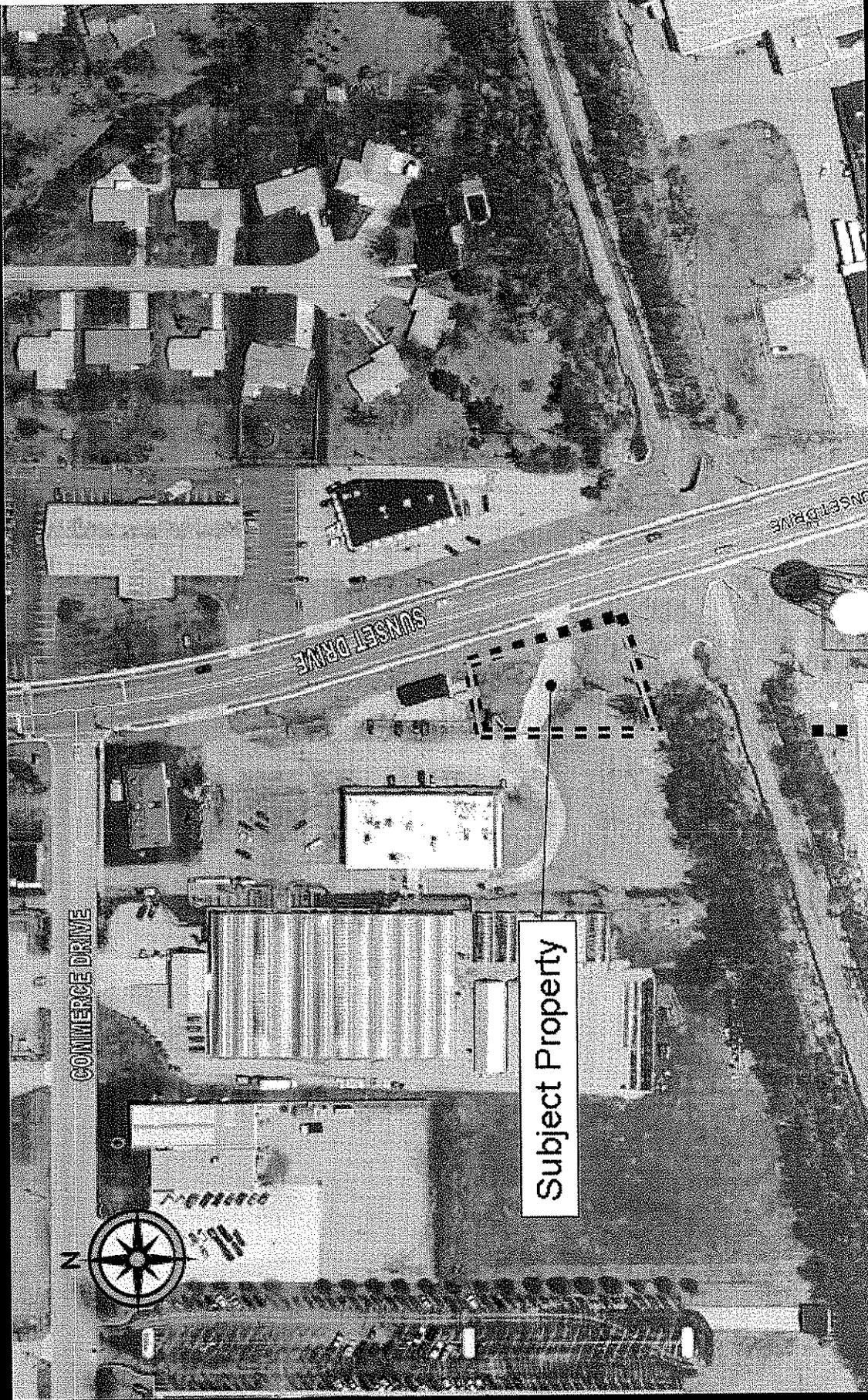
Please let me know if any additional information is needed concerning this matter.

Sincerely,

Christopher W. Schmiesing
City Planner

Attachment

LOCATION MAP



SUNSET DRIVE PROPERTY

EXHIBIT A

Exhibit 'A'

REPLAY OF INLOT 8159, INLOT 8160 & PART OUTLOT 124

SUNGLA CITY
MIAMI, FLORIDA COUNTY

DATE: 12-14-2008
DRAWN BY: WLS
SCALE: 1"=40'
SHEET NUMBER: 1 OF 1

TRANSMITTED THIS 20 DAY OF DECEMBER 2008 AT 10:00 AM.

BY: WESLEY D. SOBIECHWA
MIAMI COUNTY SURVEYOR

APPROVAL

THE REPLAY OF LOT 8159 AND LOT 8160 WAS REVIEWED AND APPROVED BY ME THIS 18 DAY OF DECEMBER 2008.

BY: CHRISTOPHER W. SCHNEIDER
CITY OF MIAMI PLANNING & ZONING SUPERVISOR

LEGEND

● 6" X 8" X 10" BEAR

○ 1" X 1" X 1" BEAR

○ 1" X 1" X 1" BEAR

○ 1" X 1" X 1" BEAR

CONSENT TO REPLAY

I, THE UNDERSIGNED, OWNER OF THE LAND HEREIN REPLICATED, DO HEREBY ACCEPT AND APPROVE THIS REPLAY AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID REPLAY.

OWNER: SUNSET COMMERCIAL HOLDINGS LLC

AUTHORIZED SIGNATURE: _____

NOTARY PUBLIC: _____

BY COMMISSION EXPIRES: _____

ACKNOWLEDGMENT

STATE OF FLORIDA, MIAMI COUNTY, SS: I, A NOTARY PUBLIC, IN AND FOR THE STATE OF FLORIDA, PERSONALLY APPEARED TO WESLEY D. SOBIECHWA, WHO CLAIMS TO BE THE OWNER, AND CHRISTOPHER W. SCHNEIDER, WHO CLAIMS TO BE THE CITY PLANNING & ZONING SUPERVISOR, AND THEY EACH INSTRUMENT IN THEIR PRESENCE AND BEING, IN TESTIMONY WHEREOF, I HAVE RECORDED SUBSCRIBED MY NAME AND AFFIRMED MY OFFICIAL SEAL AT MIAMI, FLORIDA, THIS 18 DAY OF DECEMBER 2008.

CONSENT TO REPLAY

I, THE UNDERSIGNED, OWNER OF THE LAND HEREIN REPLICATED, DO HEREBY ACCEPT AND APPROVE THIS REPLAY AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID REPLAY.

OWNER: MARTIN LEBBEF

AUTHORIZED SIGNATURE: _____

NOTARY PUBLIC: _____

BY COMMISSION EXPIRES: _____

ACKNOWLEDGMENT

STATE OF FLORIDA, MIAMI COUNTY, SS: I, A NOTARY PUBLIC, IN AND FOR THE STATE OF FLORIDA, PERSONALLY APPEARED TO WESLEY D. SOBIECHWA, WHO CLAIMS TO BE THE OWNER, AND CHRISTOPHER W. SCHNEIDER, WHO CLAIMS TO BE THE CITY PLANNING & ZONING SUPERVISOR, AND THEY EACH INSTRUMENT IN THEIR PRESENCE AND BEING, IN TESTIMONY WHEREOF, I HAVE RECORDED SUBSCRIBED MY NAME AND AFFIRMED MY OFFICIAL SEAL AT MIAMI, FLORIDA, THIS 18 DAY OF DECEMBER 2008.

DESCRIPTION

REPLAY OF INLOT 8159, INLOT 8160 AND PART OUTLOT 124, SUNDAY COMMERCIAL HOLDINGS LLC IN WYOMING TRACT AND PART IN LOT 124, SUNDAY COMMERCIAL HOLDINGS LLC IN WYOMING TRACT, AS SHOWN ON THE REPLAY BEARING DATE _____ PAGE _____

I HEREBY CERTIFY THAT ALL MEASUREMENTS SHOWN ON AN ACTUAL FIELD SURVEY.

WESLEY D. SOBIECHWA, P.S. #6254 DATE: _____

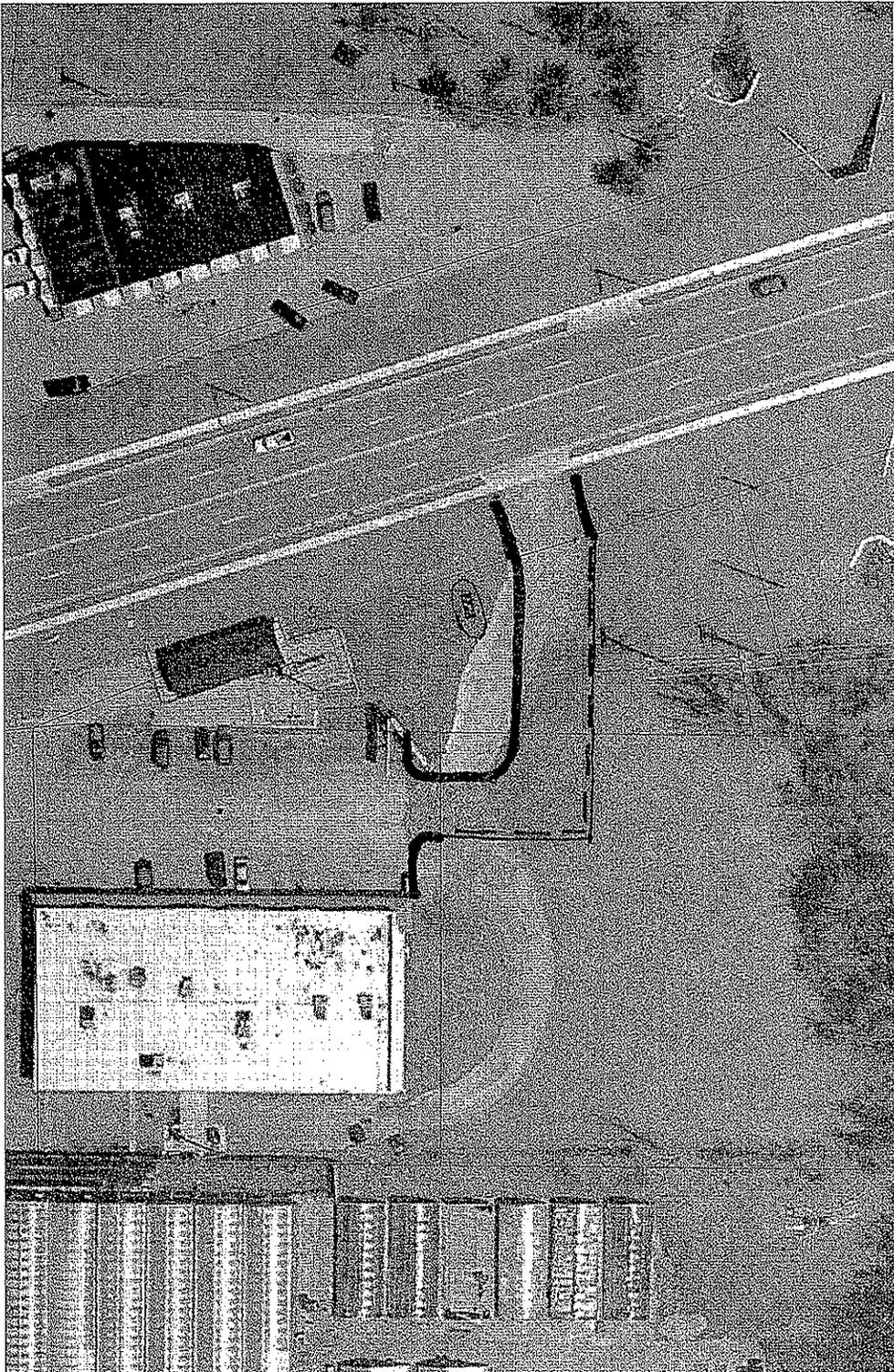
ONE CHOICE ENGINEERING

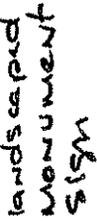
1000 N. W. 10TH AVENUE, SUITE 1000
MIAMI, FLORIDA 33136
TEL: 305.575.1111
WWW.ONECHOICEENGINEERING.COM



EXHIBIT A

Exhibit 'B'



-  N
-  = barrier curb
-  = Pavement Edge w/ bumper blocks
-  = landscaped monument sign
-  = Asphalt

RESOLUTION NO. R-122-09

**A RESOLUTION APPOINTING A MEMBER TO THE
DOWNTOWN DISTRICT DESIGN REVIEW BOARD**

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: Anna Baumeister is hereby appointed to fill the unexpired term of Mike Foster as a member of the Downtown District Design Review Board for a term to expire on March 1, 2011 or until her successor is confirmed and qualified;

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-123-09

A RESOLUTION APPROVING THE PURCHASE OF EXCESS LIABILITY INSURANCE

WHEREAS, certain specialty areas do not fall within the coverage of the City's general liability policy and excess liability insurance is needed for coverage; and

WHEREAS, excess liability insurance covers the City's dams for its lakes and canal, pollution and claims arising out of an injury or property damage as a result of an exercise of its emergency assistance agreements with other communities specifically related to power; and

WHEREAS, Associated Electric & Gas Insurance Services Limited ("AEGIS") has provided excess liability coverage to the City for its dams and power utility for over twenty years.

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: Excess liability coverage for the City's dams, pollution and emergency assistance agreements is hereby provided by Associated Electric & Gas Insurance Services Limited ("AEGIS") for 2009-2010.

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account in an amount not to exceed \$56,000.

SEC. 3: The Finance Director certifies that said funds are available.

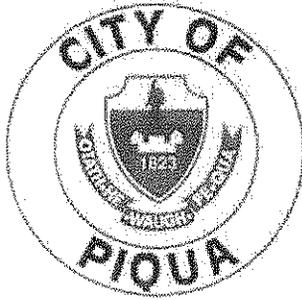
SEC. 4: This Resolution shall take effect and be in force from the earliest period allowed by law.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION



LAW DEPARTMENT

Stacy M. Wall -- Law Director
201 West Water Street * Piqua, Ohio 45356
(937) 778-2042 - FAX (937) 778-2043
E-Mail: swall@piquaoh.org

To: Mayor Tom Hudson
Commissioner Lucy Fess
Commissioner Judy Terry
Commissioner William Vogt
Commissioner John Martin

Copy: Fred E. Enderle, City Manager
Cynthia Holtzapple, Assistant City Manager
Ed Krieger, Power Director
Don Freisthler, Water Superintendent

From: Stacy M. Wall, Law Director

Date: December 14, 2009

Re: Excess Liability Insurance

The City has had liability coverage for its dams, pollution and other items related to power for over the last 20 years. I examined this coverage two years ago and again this year to determine if the coverage was needed and if so, was the coverage adequate. In making this determination, several meetings were held with MVRMA to eliminate any area where there was duplicate coverage. Additionally, given that the power plant no longer produces power, the coverage needed to accurately reflect current operations. Therefore, the areas of coverage have been thoroughly evaluated as well as the risk exposure in relation to the coverage provided.

It is recommended that the coverage be maintained through AEGIS for several reasons. AEGIS specializes in coverage for utility related claims. MVRMA did an evaluation and inquiry and was unable to obtain this type of coverage for the City due to its risk exposure, which is a result of the age of the dams. Every effort has been provided to ensure that the minimal type and amount of coverage has been obtained. By eliminating duplicate coverage, the City's premium has been reduced by approximately \$14,000.

Please do not hesitate to contact me should you have any questions.



RESOLUTION NO. R-124-09

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ADMINISTRATION AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT FOR HOUSING REVOLVING LOAN FUNDS AND PROGRAM INCOME FOR FUNDS GENERATED FROM THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT AND STATE OF OHIO HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS

WHEREAS, the State of Ohio through the Office of Housing and Community Partnerships ("OHCP") administers the federal Community Development Block Grant ("CDBG") Program and the HOME Investment Partnerships ("HOME") Program for the State of Ohio;

WHEREAS, the City of Piqua is an eligible recipient of CDBG and/or HOME funds from time to time;

WHEREAS, the City of Piqua has been awarded CDBG and/or HOME funds from the State of Ohio on a conditional basis for use to finance eligible activities that may generate program income;

WHEREAS, the State of Ohio has recognized the positive impact on community development initiatives where the use of program income is locally determined;

WHEREAS, the State of Ohio has permitted the establishment of a Housing Revolving Fund within the City of Piqua to meet the goals of improving the affordable housing stock within in the community and to provide for the affordable housing needs of low-to-moderate income individuals within the community, and

NOW, THEREFORE, be it resolved by the Commission of the City of Piqua, the majority of all members elected thereto concurring, that:

SEC. 1: The City Manager is authorized to execute all agreements in conjunction with the Housing Revolving Loan Fund Administration Agreement.

SEC. 2: The Housing Revolving Loan Fund Administration Agreement executed between the City of Piqua and the Ohio Department of Development is effectives beginning January 1, 2010 and ending December 31, 2012.

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

Date: December 14, 2009

Subj.: Housing RLF Agreement with the Ohio Department of Development

Fred:

Attached you will find a resolution in which I am requesting the City Commission adopt at their December 21, 2009 meeting. The resolution will allow the City to enter into an agreement with the Ohio Department of Development for the administration of a Housing Revolving Loan Fund.

As you know, through many of our housing related grant program, such as the Community Housing Improvement Program, we receive Program Income from activities. This Program Income is allowed to be administered locally, only if the Ohio Department of Development has a signed and current Housing Revolving Loan Fund Administration agreement with the Community.

We currently have an agreement with the Ohio Department of Development, but the agreement runs out on December 31, 2009. The attached agreement will take the place of the current agreement and will expire on December 31, 2012.

Please let me know if you have any comments or questions.

Sincerely,

Bill

RESOLUTION NO. R-125-09

**A RESOLUTION AUTHORIZING TRANSFERS OF CASH
FROM THE GENERAL FUND TO THE OTHER FUNDS
FOR THE FISCAL YEAR 2010**

WHEREAS, This Commission has authorized ORDINANCE 22-09 which includes General Fund transfers to various funds, and various other fund transfers to Debt Service Sinking Funds for the year 2010.

WHEREAS, The Auditor of State Ohio Compliance Supplement requires that: "Transfers require a resolution authorizing the transfers."

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 Finance Director be authorized to transfer from the General Fund to other funds listed in Appendix A in an amount not to exceed the Appropriation Ordinance 22-09 listed in Appendix A.

SEC. 2: That the Finance Director be authorized to transfer from the Originating Funds to the respective Debt Service Sinking Funds in an amount not to exceed the Appropriation Ordinance 22-09.

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

APPENDIX A

RESOLUTION NO. 125-09

FOR THE FISCAL YEAR 2010

Transfers from:

The General Fund 001	\$ 1,264,410
Fund 106 Safety Fund	\$ 87,844
	<hr/>
Total General Fund Transfers from	\$ 1,352,254

Transfers to:

Fund 248 Building Facility Bonds Fund	\$ 543,295
Fund 249 PFDP Pension G.O. Bonds Debt Service	\$ 39,126
Fund 252 Hotel Debt Service Fund	\$ 351,095
Fund 255 Fire Equipment 2008 G.O. Note	\$ 48,718
Fund 409 Golf Course Fund	\$ 130,000
Fund 410 Fort Piqua Plaza	\$ 132,000
Fund 415 Swimming Pool Fund	\$ 108,020
	<hr/>
Total Transfers to	\$ 1,352,254

Transfers from:

Fund 103 Street Income Tax	\$ 63,816
----------------------------	-----------

Transfers to:

Fund 216 SIB 25A Note '08	\$ 63,816
---------------------------	-----------

RESOLUTION NO. R-126-09

**A RESOLUTION AUTHORIZING TRANSFERS OF CASH
FROM THE GENERAL FUND TO THE OTHER FUNDS
FOR THE FISCAL YEAR 2009**

WHEREAS, This Commission has authorized ORDINANCE 23-09 which includes General Fund transfers to various funds, and various other fund transfers to Debt Service Sinking Funds for the year 2009.

WHEREAS, The Auditor of State Ohio Compliance Supplement requires that: "Transfers require a resolution authorizing the transfers."

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 Finance Director be authorized to transfer funds from the General Fund to other funds listed in Appendix A in an amount not to exceed the Appropriation Ordinance 23-09 listed in Appendix A.

SEC. 2: That the Finance Director be authorized to transfer from the Originating Funds to the respective Debt Service Sinking Funds in an amount not to exceed the Appropriation Ordinance 23-09.

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

APPENDIX A

RESOLUTION NO. 126-09

FOR THE FISCAL YEAR 2009

Transfers from:

The General Fund 001	\$ 1,251,583
Fund 106 Safety Fund	\$ 92,026
	<hr/>
Total General Fund Transfers from	\$ 1,343,609

Transfers to:

Fund 248 Building Facility Bonds Fund	\$ 535,270
Fund 249 PFDP Pension G.O. Bonds Debt Service	\$ 38,593
Fund 252 Hotel Debt Service Fund	\$ 355,040
Fund 255 Fire Equipment 2008 G.O. Note	\$ 53,433
Fund 303 Great Miami Trails Fund	\$ 26,981
Fund 409 Golf Course Fund	\$ 105,665
Fund 410 Fort Piqua Plaza	\$ 145,664
Fund 415 Swimming Pool Fund	\$ 82,963
	<hr/>
Total Transfers to	\$ 1,343,609

Transfers from:

Fund 101 Street Maintenance	\$ 15,493
-----------------------------	-----------

Transfers to:

Fund 261 Tymco Capital Lease	\$ 11,526
Fund 260 John Deere Capital Lease	\$ 3,967
	<hr/>
Total Transfers to	\$ 15,493