

A G E N D A
PIQUA CITY COMMISSION
TUESDAY, JANUARY 19, 2010
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

REGULAR CITY COMMISSION MEETING

1. **APPROVAL OF MINUTES** Approval of the minutes from the January 4, 2010 Regular City Commission meeting

2. **ORD. NO. 1-10** An Emergency Ordinance amending Chapter 34 (1st Reading) of the Piqua Municipal Code to permit the City to participate in Joint Purchasing programs

3. **RES. NO. R-11-10** A Resolution appointing two members to the (Tabled-1-4-2010) Community Diversity Committee (Amended)

4. **RES. NO. R-12-10** A Resolution appointing a member to the Board of Zoning Appeals as the Planning Commission Representative

5. **RES. NO. R-13-10** A Resolution authorizing the City of Piqua to participate in the State of Ohio Cooperative Purchasing program

6. **RES. NO. R-14-10** A Resolution rescinding Resolution No. R-107-09 and establishing a new Piqua City Commission 2010 calendar of meetings

7. **RES. NO. R-15-10** A Resolution authorizing purchase orders to Municipal Water Solutions, Standard Purification, Chemrite, Inc., Huron Lime, Chemical Services, Bonded Chemicals and the City of Dayton for the 2010 purchase of various Water Treatment chemicals

8. **RES. NO. R-16-10** A Resolution authorizing application to the Ohio Department of Natural Resources for funding through the Recreational Trails Program for repairs to the Linear Park

9. **RES. NO. R-17-10**

A Resolution authorizing the submittal of applications for the jobs for Main Street Act of 2010 funds through the Miami Valley Regional Planning Commission

ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
JANUARY 4, 2010
7:30 P.M.**

Piqua City Commission met at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Fess called the meeting to order. Also present were Commissioners Martin, Vogt, Terry, and Wilson. Absent: None.

OATH OF OFFICE – MAYOR LUCINDA L. FESS

Law Director Wall administered the Oath of Office of Mayor to Lucinda L. Fess

OATH OF OFFICE – VICE MAYOR WILLIAM VOGT

Law Director Wall administered the Oath of Office of Vice Mayor to William Vogt

OATH OF OFFICE – THIRD WARD COMMISSIONER – JOSEPH WILSON

Law Director Wall administered the Oath of Office to Third Ward Commissioner Joseph Wilson

Mayor Fess welcomed Commissioner Wilson.

JOINT MEETING WITH WASHINGTON TOWNSHIP TRUSTEES

Moved by Commissioner Martin, seconded by Trustee McMaken, that the minutes of the January 5, 2009 Joint Meeting of the Washington Township Trustees and Piqua City Commission be adopted. Voice vote, Aye: Fess, Martin, Vogt, Wilson, Terry, McMaken, Hiegel, and Holfinger. Nay: None.

RES. R-1-10

A Resolution reappointing a member to the Board of Trustees of Forest Hill Union Cemetery

City Manager Enderle stated this reappoints Harlen Smoot to the Board of Trustees of Forest Hill Union Cemetery for a term to expire on December 31, 2012.

Public Comment

Trustee Hiegel stated it has been his pleasure to work with Mr. Smoot the past fourteen years on the Forest Hill Union Cemetery Board and moved to adopt Resolution R-1-10, seconded by Commissioner Vogt, to adopt Resolution No. R-1-10. Voice vote, Aye: Fess, Martin, Terry, Vogt, Wilson, McMaken, Holfinger, and Hiegel. Nay, None. Motion carried unanimously. Mayor Fess stated she to has worked with Mr. Smoot on the Cemetery Board over the years and he does a great job.

Moved by Trustee Holfinger, seconded by Commissioner Martin, to adjourn from the Joint Meeting with the Washington Township Trustees at 7:40 P.M. Voice vote, Aye: Martin, Terry, Fess, Wilson, Vogt, Hiegel, Holfinger, and McMaken. Nay: None.

REGULAR CITY COMMISSION MEETING

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the Regular City Commission Meeting of December 21, 2009 be approved. Voice vote, Aye: Wilson, Fess, Terry, Martin, and Vogt. Nay: None.

RES. NO. R-2-10

A Resolution of Appreciation for the Public Service of Rich Donnelly as City Employee

Mayor Fess read the Resolution of Appreciation and presented it to Mr. Donnelly. Mayor Fess thanked Mr. Donnelly for his thirty-one years of service to the City of Piqua and wished him the best of luck.

Public Comment

No one came forward to speak for or against Resolution No. R-2-10.

Moved by Commissioner Terry, seconded by Commissioner Vogt, to adopt Resolution No. R-2-10. Voice vote, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-2-10 adopted.

RES. No. R-3-10

A Resolution of Appreciation for the Public Service of James MacKellar as a City Employee

Mayor Fess read the Resolution of Appreciation and presented it to Mr. MacKellar. Mayor Fess thanked Mr. MacKellar for his thirty years of service to the City of Piqua and wished him the best of luck.

Public Comment

No one came forward to speak for or against Resolution No. R-3-10.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-3-10 be adopted. Voice vote, Aye: Fess, Terry, Wilson, Vogt, and Martin, Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-3-10 adopted.

RES. NO. R-4-10

A Resolution honoring Thomas D. Hudson for his service to the City

Mayor Fess read the Resolution of Appreciation and presented it to Mr. Hudson. Mayor Fess thanked Mr. Hudson for his service as Third Ward Commissioner and Mayor the last four years to the citizens of the City of Piqua.

Public Comment

No one came forward to speak for or against Resolution No. R-4-10 at this time.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-4-10 be adopted. Voice vote, Aye: Terry, Wilson, Martin, Vogt, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-4-10 adopted.

RES. No. R-5-10

A Resolution authorizing the City Purchasing Analyst to advertise for bids to make certain purchases during the 2010 year

City Manager Enderle gave a brief overview of what items that were to be advertised for bids during the 2010 year.

Public Comment

No one came forward to speak for or against Resolution No. R-5-10.

Moved by Commissioner Terry, seconded by Commissioner Martin. that Resolution No. R-5-10 be adopted. Voice vote, Aye: Wilson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-5-10 adopted.

RES. NO. R-6-10

A Resolution authorizing a purchase order to Miami Valley Risk Management Association for purchase of insurance

City Manager Enderle gave a brief explanation for the purchase order to Miami Valley Risk Management Association, and some of the benefits the city would receive.

Commissioner Martin inquired about the closing out of the 2003 and 2005 years and asked why the 2004-year was not closed out at this time. Law Director Stacy Wall explained that all the claims have been cleared in the 2003 and 2005 years, but there are still open claims in the 2005 year that have to be completed first before closing out.

There was discussion of the city requesting bids for better rates. It was stated that it is more cost effective to be in a pool with approximately twenty other cities where the rates are better due to the number of members. Generally the cities get a return of some of their money at the end of the year, depending on the number of claims they have had. There were questions in regards to the money that is returned, and to what fund is it put into. Law Director Wall stated the money is sometimes applied to the next year's premium or sometimes it is put in the reserves. City Manager Enderle stated they look at the reserves to see what they have available when putting the budget together. Law Director Wall stated the premium is based on the number of employees and the assets the city has.

The money will not be received until the year is closed and there are no outstanding claims, said Mayor Fess. Law Director Wall stated the 2005-year would be closed sometime in 2010.

Public Comment

No one came forward to speak for or against Resolution No. R-6-10.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-6-10 be adopted. Roll call, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-6-10 adopted.

RES. NO. R-7-10

A Resolution reappointing two members to the Piqua Energy Board

City Manager Enderle stated Resolution No. R-7-10 reappoints Bill Vogt and John Martin to the Piqua Energy Board for another two-year term to expire on December 31, 2011.

Public Comment

No one came forward to speak for or against Resolution No. R-7-10.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-7-10 be adopted. Voice vote, Aye: Fess, Vogt, Martin, Terry and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-7-10 adopted.

RES. NO. R-8-10

A Resolution appointing a member to the Miami County Council

City Manager Enderle stated Resolution No. R-8-10 appoints Joseph Wilson to the Miami County Council for a two-year term expiring on December 31, 2011.

Commissioner Martin stated he would like to amend Resolution No. R-8-10 to change the name of Joseph Wilson to John Martin, seconded by Commissioner Wilson to amend Resolution No. R-8-10. Voice vote, Aye Terry, Martin, Wilson, Fess, and Vogt. Nay, None. Motion carried unanimously.

Public Comment

No one came forward to speak for or against Ordinance No. R-8-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-8-10 be adopted, as amended. Voice vote, Aye: Wilson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-8-10 adopted as amended.

RES. NO. R-9-10

A Resolution appointing two members to the Governing Board of the Piqua Improvement Corporation

City Manager Enderle stated Resolution No. R-9-10 appoints John Martin and reappoints Julia Terry to the Governing Board of the Piqua Improvement Corporation.

Commissioner Martin stated he would like to amend Resolution No. R-9-10 to change the name of John Martin to Joseph Wilson, seconded by Commissioner Wilson. Voice vote, Aye: Martin, Fess, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously.

Public Comment

No one came forward to speak for or against Resolution No. R-9-10.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-9-10 be adopted as amended. Voice vote, Aye: Martin, Fess, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-9-10 adopted as amended.

RES. NO. R-10-10

A Resolution reappointing a member to the Miami Valley Regional Planning Commission

City Manager Enderle stated Resolution No. R-10-10 reappoints William Vogt to the Miami Valley Regional Planning Commission for another one-year term expiring on March 1, 2011.

Public Comment

No one came forward to speak for or against Resolution No. R-10-10.

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

Mayor Fess explained the reason for the name changes in Resolutions # R-8-10 and # R-9-10, stating they were made to accommodate the work schedules of Commissioners Martin and Wilson who have conflicts with the times of the meetings.

RES. NO. R-11-10

A Resolution appointing two members to the Community Diversity Committee

City Manager Enderle stated Resolution No. R-11-10 appoints himself and Joseph Wilson to the Community Diversity Committee. Mr. Enderle stated he would like to have Resolution No. R-11-10 tabled at this time until the Diversity Committee meets on Tuesday, January 5, 2010. If the Committee can change the time of their meetings Mr. Wilson will be able to serve on the Committee. This appointment will be determined after the January 5, 2010 Community Diversity Committee meeting.

Public Comment

No one came forward to speak for or against Resolution No. R-11-10.

Moved by Commissioner Wilson, seconded by Commissioner Martin to table Resolution No. R-11-10 at this time. Voice vote, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-11-10 tabled.

OTHER

Monthly Reports for November 2009

Monthly Reports for November 2009 were accepted.

PUBLIC COMMENT

Leesa Baker representing the Piqua YWCA stated the YWCA will be hosting the Martin Luther King Day Celebration on Monday, January 18, 2008 at 1:00 P.M. and invited all to attend. Ms. Baker also stated that Commissioner Vogt would be participating in a skit.

Brad Boehringer, Mound Street voiced his concern over several things including the recent annexations stating he does not believe the city needs to bring in more land at this time, and feels the city needs to take care of the current infrastructure first. Mr. Boehringer inquired as to what delayed expenses were that the Commission spoke about in a previous meeting. Mayor Fess explained there is no such thing as delayed expenses, and further stated what was said was they had not made decisions yet on several things at that time to pay so they were delaying payment. Mr. Boehringer also expressed his opinion on the keeping the Health Department as City department. Mayor Fess stated we will continue looking at what is financially the most cost effective plan for the City in that respect. Mayor Fess also stated the city has numerous industrial properties available in town, and we are certainly moving on those, they are for available, but the more you have to offer the better chance you have to make a sale.

Commissioner Vogt stated he has received several calls in regards to citizen's deer hunting along the Bike Path out by the Road Side Park on State Route 66. Commissioner Vogt would like to see some type of legislation passed regarding hunting in the area of the Bike Path.

Commissioner Vogt stated he is looking forward to the Martin Luther King Celebration at the YWCA as he has a part in the skit they are presenting.

Commissioner Martin stated he had asked for the total of the 2009 Budget. Finance Director Cynthia Holtzapple stated the 2009 Budget was about \$84 million and this year was about \$79 million. A Copy was sent by email to all previously.

Commissioner Martin stated there has been a problem with a patch of ice on Looney Road between County Road 25-A and Rt. 36 from water running across the road. City Engineer Amy Havenar stated the Code Enforcement Officer has sent a letter to the property owner requesting them to repair the broken tile.

Commissioner Wilson thanked everyone in the City departments for their help in providing information on all the various city programs, committees, meetings & etc. as he is appointed to the Third Ward Commission seat. Commissioner Wilson stated the Piqua website has a new "Logo" spot to click on for volunteering of any type through the Council on Rural Services. There is an information sheet to fill

out on the type of volunteering you would like to do, said Commissioner Wilson. Also Kroger's will be collecting food on Martin Luther King Day for the St. James Pantry so be sure stop and drop off your donations, said Commissioner Wilson.

Commissioner Terry congratulated all of the retirees for their many years of service to the City of Piqua.

City Manager Enderle stated he would like to have several City Commission Work Sessions, and would like to schedule two Utility Billing Work Sessions, one Storm Water Utility Work Session, and one Goal Setting Work Session. These dates will be announced at later date and time when they are confirmed. City Manager Enderle asked that the Commissioners get public input from the citizens and forward their information.

City Manager Enderle stated there are seats available on several Boards and they include: One seat on the Civil Service Board, one seat on the Board Of Zoning Appeals, two seats on the Community Diversity Committee, one seat on the Downtown District Design Review Board, and one citizen seat on the Piqua Energy Board. Applications are available on line and can be picked up in the City Managers office in the Municipal Government Complex, said City Manager Enderle. Mayor Fess asked that a press release also be sent out regarding the board openings.

Mayor Fess asked that all citizens provide their input on any of the work sessions described, and to call, email, or send letters to the City Commissioners so they have the information that the citizens want the Commission to work on. It is very important that the citizens voice their input to the Commissioners, said Mayor Fess. With the time of day the work sessions may be held due to a conflict of several of the Commissioners work schedules, it is very important that the Commissioners get the public's input on what they would like the priorities to be for the city and what they would like to see happen in the City of Piqua. This information would be very helpful when going into the work sessions, we want the citizens to feel their city government is listening to them and are concerned about their concerns, and are here to serve them, said Mayor Fess.

Mayor Fess thanked all who viewed from home the first Commission Meeting of the new year and wished everyone a Happy New Year. Mayor Fess stated she is looking forward to working with the City Manager and the Commissioners, and realizes we all have to be a part of the team, and the Community is part of that team.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 8:30 P.M. Voice vote, Aye: Vogt, Martin, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 1-10

AN EMERGENCY ORDINANCE AMENDING CHAPTER 34 OF THE PIQUA MUNICIPAL CODE TO PERMIT THE CITY TO PARTICIPATE IN JOINT PURCHASING PROGRAMS

WHEREAS, the City of Piqua Charter Section 46 Division of Purchase and Supplies directs the Commission to establish by ordinance the procedures for advertising and competitive bidding; and

WHEREAS, the City of Piqua Municipal Code Chapter 34 regulates the purchase of supplies and disposal of property; and

WHEREAS, there is an economic benefit for the City to participate in joint purchasing programs and cooperative efforts; and

WHEREAS, in a joint purchasing program, a public agency obtains competitively solicited bids for equipment, materials, supplies and services that the City would have access to rather than having to formally conduct the competitive bid process itself; and

WHEREAS, under Article XVIII, Article 3 of the Ohio Constitution, the City of Piqua has the authority to exercise all powers of local self-government that are not in conflict with general laws.

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

SECTION 1. That the City of Piqua hereby amends Chapter 34 of the Piqua Municipal Code as set forth below: (proposed language is underlined)

GENERAL POLICIES

§ 34.01 CONTRACTS FOR PUBLIC WORKS AND IMPROVEMENTS.

(A) Contracts for public works and improvements shall be awarded to the lowest responsible bidder within a reasonable time after advertisement for bids has been published at least once in a newspaper of general circulation in the city containing a reservation that the City Manager shall have the power to reject all bids and advertise again. The City Manager may reject all bids and advertise again, but shall not be required to do so, even when the lowest bid exceeds the engineer's estimate by 10% or more.

(B) The City Manager shall determine the appropriate specifications and bidding requirements not otherwise provided in the city code. Such determination

shall be to the exclusion and preemption of R.C. Chapters 9 and 153, which are hereby rendered inapplicable to all public works and improvements in the city.

PURCHASE OF SUPPLIES

§ 34.15 PAYMENT FOR SUPPLIES AND EQUIPMENT.

Whenever articles, commodities, supplies, materials, or equipment are purchased and delivered to the storerooms or warehouses of the city in anticipation of requisitions from the several departments, divisions, and it is impracticable at the time of delivery to apportion the cost thereof or any part of the cost to the several departments, divisions, and offices, payment shall be made from the city storeroom fund of the Department of Purchases and Supplies, to be repaid by the several departments, divisions, and offices as they receive the supplies upon a requisition.

§ 34.16 ESTIMATES AND SUMMARY; AVAILABLE EQUIPMENT.

At the beginning of each year, and at such other times as contracts for supplies are to be let, the director of each administrative office shall submit to the Director of Finance an estimate of all articles, commodities, supplies, equipment, and materials anticipated to be needed by that department or office for its regular operation during the year. This estimate shall specify the quantity and character of each item needed. All estimates shall be transmitted to the Purchasing Agent, who shall prepare a summary statement which shows the total quantity estimates required by all departments and offices of each item of such articles, commodities, supplies, equipment, and materials. The estimates and the summary shall also show the amount of all articles, commodities, supplies, equipment, and materials estimated to be on hand or in stock in the departments and offices or in the city storerooms or warehouses, and the net quantity which it will be necessary or advisable to purchase during the ensuing year. The estimates and the summary shall also show the quantity, character, and estimated value of all articles, commodities, supplies, equipment, and materials or other property on hand in the several departments or in the storerooms and warehouses of the city, which are no longer usable or needed and which may be condemned and sold by the city.

§ 34.17 PURCHASING CONTRACTS; BIDS.

At such times after the passage of the annual appropriation ordinance or after any preliminary appropriation ordinance has passed in accordance with sections 49 or 50 of the Charter, bids for purchase contracts covering all or any part of the requirements of such articles, commodities, supplies, materials, services, and equipment as the city may need during the year shall be received with or without advertising or otherwise as will permit which most benefit the city.

§ 34.18 APPLICATION OF REVISED CODE.

The provisions of R.C. § 5719.042 shall have no application to any contract governed by this chapter.

§ 34.19 PUBLICATION OF BIDS; EXCEPTIONS.

No purchase of goods, supplies, or services in excess of \$25,000 shall be made until and unless advertisement for bids has been published at least once, not less than 48 hours before the opening of bids, in a newspaper of general circulation in the city, all subject to section 46 of the Charter. However, advertisement shall not be required when:

- (A) Purchases are made by contract established pursuant to [§ 34.17](#);
- (B) In unforeseen emergencies, delay would result in the interruption of or detriment to the delivery of public services, as determined by the City Manager;
- (C) The purchase consists of supplies or a replacement or supplemental part or parts for a product or equipment owned or leased by the city and the only source of supply is limited to a single supplier;
- (D) The purchase is from the federal or state government or agency thereof, or from any political subdivision;
- (E) In the sound judgment of the Purchasing Agent, subject to approval of the City Manager, advertisement for bids for any specific purchase would not be of any material benefit to the city.
- (F) The purchase consists of professional services for which no possible specifications for bids can be drawn, subject to approval by the City Commission.
- (G) The purchase is from a joint purchasing program where the equipment, material, supply or service being purchased was obtained through a competitive sealed bidding process or a competitive sealed proposal process.

§ 34.20 EQUIPMENT HAVING STANDARD SPECIFICATIONS.

In advertising for bids for the furnishing of articles, commodities, supplies, materials, or equipment for which standard specifications have been adopted, it shall be sufficient to refer thereto by the general trade name and by citing the appropriate standard specification or specifications, and by stating that standard

specifications may be examined at the office of the Purchasing Agent. The Purchasing Agent may require bidders to submit samples with their bids in cases in which it is practicable to do so.

§ 34.21 REQUISITIONS; FURNISHING ITEMS.

(A) Requisitions for articles, commodities, supplies, materials, or equipment by any department or office shall be addressed to the Purchasing Agent, approved by the director of the department or the head of the office, and if the department or office has available a sufficient appropriation balance in excess of all unpaid obligations sufficient to pay for the supply the Purchasing Agent shall either furnish the items requisitioned from the storerooms or warehouses of the city, procure them by purchase under a purchase contract previously made, or procure them by purchases in the market.

(B) Whenever any office or division of the city requires supplies or equipment which another office or division of the city is able to furnish, suitable requisition may be made, and the supplies or equipment may be furnished. In such cases bids need not be obtained. Apportionate charges and credits shall be made to accounts affected by this transaction.

§ 34.22 LOCAL PREFERENCE PURCHASING PROGRAM.

(A) *Definitions.*

(1) **COMMODITIES.** Goods that can be purchased from a manufacturer or their representative and which are purchased by the city in amounts greater than the amounts required to be bid in the Charter.

(2) **NON-PROFESSIONAL SERVICES.** Janitorial and general maintenance service orders including those for fleet management, buildings, and mowing. In addition, city printing services would be included in this category. Any prevailing wage project would not be considered part of this definition.

(3) **CITY BIDDER/SUPPLIER.** A corporation, sole proprietorship, partnership, or joint venture who maintains a place of business within the corporate limits of the city as now established, or as hereafter established in the manner provided by law, and has filed or paid a payroll or earnings tax to the city in the most recent tax quarter. When proof of situs is required, the city bidder/supplier shall authorize the Department of Income Tax to release the necessary information.

(B) *Local preference.* In awarding purchase orders for commodities and non-professional services, the city may grant a local preference to city bidder/supplier within the city. In determining the lowest responsible bidder or supplier, a 5% local preference on all local bids exceeding the lowest,

responsible, non-city bidder/supplier bids may be computed on the amount of the low bid meeting specifications by a non-city bidder/supplier. The preference may be applied up to a maximum of 5%, but not to exceed \$10,000.

(C) *Ties.*

(1) Ties between city bidder/supplier and one or more non-city bidder/supplier(s) meeting specifications shall be broken in favor of the city bidder/supplier.

(2) Ties between two or more city bidder/suppliers(s) meeting specifications will be broken through a coin toss method until the winner remains.

(D) *City Manager authorization.* The City Manager or his or her designee may promulgate rules and regulations to implement this section provided they are not inconsistent with the expressed provisions of this section.

(E) *Savings.* This section may be subject to the application of the laws of the state or the United States of America which may preempt all or a portion of this section.

(F) *Local preference certification and waiver form.*

(1) This section provides for a local preference in the purchase of commodities and non- professional services by the city.

(2) The rules and regulations adopted by the city of the administration of this section require that bidders claiming local preference complete the following form for each bid. Failure to properly complete and return this form may result in not being qualified to receive preference under this section.

PREFERENCE CLAIMED – City Bidder/Supplier

BUSINESS NAME:

STREET ADDRESS:

COUNTY: _____ STATE: _____ ZIP CODE:

TELEPHONE NO.: _____ FAX NO.:

FEDERAL I.D. NO.:

If incorporated. If a sole proprietorship, use Social Security Number of owner.

TESTIMONY AND AUTHORIZATION

The undersigned, on behalf of the aforementioned business concern, hereby authorizes the City of Piqua Department of Income Tax to provide proof of status pursuant to the Ordinance to the City of Piqua Department of Purchasing. In so doing, I authorize the Department of Income Tax to disclose such records as may be necessary to establish qualifications for local preference as required by the Ordinance or any subsequent rules and regulations adopted in the administration of the Ordinance. I, on behalf of the aforementioned business concern, hereby release the City of Piqua and its officers, employees, or agents from any and all liability for the disclosure of any information establishing these qualifications. I further attest to the fact that the business concern is physically located within the Corporate limits and boundaries of the City of Piqua, Ohio. By affixing my signature to this form, I also attest that I am a duly authorized agent of the aforementioned business concern.

Type or Print Agent Name

Agent Signature

Date

§ 34.23 JOINT PURCHASING PROGRAM

(a) The City Manager is hereby authorized to participate in any joint purchasing program operated by or through a national or state association of political subdivisions in which the City is eligible for membership.

(b) Acquisitions of equipment, material, supplies, or services, through participation in joint purchasing program under division (a) of this section, is exempt from any advertisement and competitive bidding requirements otherwise required by law, if the contract in question was awarded pursuant to a publicly solicited request for a proposal or a competitive selection procedure of another political subdivision within this state or in another state.

(c) The City Manager is hereby authorized to agree in the name of the City of Piqua to directly pay the vendor, under each such joint purchasing program

contract in which it participates, for items it receives pursuant to the contract, and that the City Manager does hereby agree to directly pay the vendor.

(d) If the expenditure of funds for the purchase of equipment, material, supplies, or services under the proposal available through participation in a joint purchasing program exceeds the amount specified by ordinance for which such purchases or services may be accomplished without advertisement and competitive bidding, such expenditure shall first be authorized and directed by ordinance.

SALE OF PROPERTY

§ 34.31 SALE AND DISPOSAL OF PROPERTY.

Under the power of local self-government conferred upon cities by Article IV of the Ohio Constitution and as a charter municipality under Article XVII of that Constitution, the City of Piqua has established the procedures described in this chapter for disposal of real and/or personal property interests, including money, in its possession. The custodial care of any such property interest and its disposal under this chapter shall be deemed to constitute a governmental function.

§ 34.32 PERISHABLE FOOD, FLAMMABLES, EXPLOSIVES, AND OTHER HAZARDOUS MATERIALS.

(A) If personal property which has been lost, mislaid, abandoned or stolen comes into the possession of the city, and if it is solid food or is a beverage (collectively referred to as "food") of such a nature that it will spoil if not used almost immediately ("perishable food"), the procedures of this section shall be followed instead of any other procedures described elsewhere in this chapter.

(B) If the city does not know the name or address of the owner of the perishable food, the city may proceed at once to use that food itself or may dispose of it by gift or other transfer to any person or entity, including but not limited to any non-profit organization, or may dispose of it as worthless rubbish.

(C) If the name or address of the owner of the perishable food is known, the city shall make an attempt to give telephone notification to the owner that the perishable food has been left in the possession of the city. If the city is not successful in giving such notice after three attempts within 24 hours or if the property is not taken away by the owners within 24 hours after the notice attempt concluded (or whatever lesser number of hours may be reasonable for notice and/or removal, based on the perishable nature of the food), the city may use that food itself or may dispose of it by gift or other transfer to any person or entity, including but not limited to any non-profit organization, or may dispose of it as worthless rubbish.

(D) The procedures listed in § 34.32 (A), (B), and (C) shall apply to flammables, explosives and/or other hazardous materials coming into the possession of the city.

§ 34.33 OPTIONAL PROCEDURE UNDER STATE STATUTE.

Personal property which has been lost, mislaid, abandoned or stolen and which has come into the possession of this city may be disposed by the city on the basis of an application for disposal of property filed with the municipal court of this county under R.C. § 2933.41, as that statute may be revised and/or renumbered from time to time. In the alternative, this charter city may dispose of such property under other sections of this chapter, and/or such written internal control policy adopted relative to property approved by the Chief of Police without necessity of any court order or judicial proceeding.

§ 34.34 PROPERTY FOUND BY EMPLOYEES BELONGS TO THE CITY.

If personal property is found by an employee of this city during the course of his or her employment, that employee shall have a duty to deliver the property into the custody of this city; and any rights which might otherwise accrue to the finder of such property shall thereafter be deemed to belong exclusively to this city.

§ 34.35 SALE OR DISPOSAL OF SCRAP AND PERSONAL PROPERTY.

(A) *Disposal of discarded personal property.*

(1) For purposes of this division (A) the following words and phrases shall have the following meanings ascribed to them respectively.

PERSONAL PROPERTY NOT NEEDED FOR PUBLIC PURPOSES.

Personal property, other than scrap, which is not needed for any of the departments of the city.

SCRAP. Personal property that has become unsuitable for use or personal property that has been condemned as useless by the City Manager or his or her designee.

(2) Scrap shall be sold by the purchasing agent for the best price obtainable without advertising for bids.

(3) Personal property not needed for public purposes, whose cost is less than \$1,000, may be sold by the Purchasing Agent without advertising for bids.

(4) A personal property item not needed for public purposes with a cost in excess of \$1,000 shall be sold by the Purchasing Agent to the highest and best bidder after advertising for bids, or with the approval of the City Commission by resolution, or by public auction, which shall include internet auctions available to the general public.

(B) *Sale of personal property.* All personal property of the city which is not needed by the department or office which has charge of the property shall be turned over to the Purchasing Agent. If any such property is suitable to be used by any other department or office of the city, the Purchasing Agent shall either sell the property at its current value to the other department or office, or place it in the city's storerooms or warehouses until it is needed by some department or office of the city.

§ 34.36 SALE OR LEASE OF CITY REAL ESTATE.

No real estate belonging to the city shall be sold or leased except in pursuance of a resolution passed by a majority vote of all members of the City Commission. This resolution shall contain the following.

(A) The reason for selling or leasing the real estate;

(B) Description of the real estate to be sold or leased;

(C) When real estate is to be leased or sold by the city to the United States Government; the State of Ohio (including any department or agency thereof) any political subdivision of the state; any nonprofit corporation, association, or organization; or any specific person or persons, firm or corporation if, in the sound judgement of the City Manager, the sale or lease would be in the best interest of the city, no advertising for bids shall be required, if the resolution provided for in this section so states.

§ 34.37 ADVERTISEMENT; REPORTING OF BIDS.

(A) Except for sales or leases provided for in division (C) of this section, when real estate is to be leased or sold by the city, the resolution provided for in [§ 34.36](#) shall be advertised, together with all pertinent matters, as in the case of other purchases and sales.

(B) The City Manager shall report to the Commission all bids received in the matter of the lease or sale of real estate, and shall take such action thereon as may be directed and authorized by ordinances of the City Commission. The City Manager shall sign all conveyances for the sale or leasing of real estate of the city.

(C) When real estate is to be leased or sold by the city to the United States Government, the state (including any department or agency thereof), any political subdivision of the state or to any nonprofit corporation, association, or organization, no advertising for bids shall be required if the resolution provided for in § [34.36](#) so states.

§ 34.38 DISPOSITION OF UNCLAIMED PROPERTY.

(A) Property that is abandoned and unclaimed for 90 days after being taken into custody by the city may be sold by the Chief of Police at public auction after giving due notice thereof by advertisement published weekly for three consecutive weeks. The Chief of Police may have the proceeds from this auction, in full or part, deposited into the Law Enforcement Trust Fund.

(B) In the alternative, the city may keep the property, or the Chief of Police may contribute proceeds, in full or part, from the auction (see division (A)) to a recognized citizens reward program for use exclusively for the payment of rewards or the Chief of Police may contribute the property to one or more public or nonprofit agencies (provided no part of the net income inures to the benefit of any private agency's shareholder or individual and no substantial part of the agency's activities consist of promulgating propaganda or otherwise attempting to influence legislation or to one or more organizations satisfying IRC 501(c)(3) or (c)(19).

(C) This section shall not apply to property required for disposition pursuant to R.C. § 2933.41 or other similar sections of the *Revised Code*, except as provided otherwise in this chapter.

(D) Bicycles that are abandoned and unclaimed for 60 days and have no value may be destroyed or otherwise disposed of by the Chief of Police without public sale.

(E) The Chief of Police or his/her designee shall determine any claimant's rights to possession of the abandoned or unclaimed property. If the claimant is dissatisfied with the decision of the Chief of Police or his or her designee, he or she may appeal the decision to the City Manager or his designee within 7 days of the decision. The City Manager and/or his or her designee shall hold a hearing within 14 days of receipt of the notice of appeal. The decision of the City Manager shall be final.

§ 34.39 DISPOSITION OF REAL AND PERSONAL PROPERTY WHICH HAS BEEN SEIZED BY AND/OR FORFEITED TO THE CITY.

(A) A person loses any right he or she may have to possession of property, which was the subject of an offense, was used in a conspiracy or attempt to commit an offense, or was used in the commission of an offense (other than a

traffic violation) if the person was a conspirator, accomplice, or offender with regard to the particular offense. In addition, a person loses any right he or she may have had to possession of property when, on the basis of the nature of the property or the circumstances involved, it is unlawful for him or her to acquire or possess it. Any such property shall be deemed to have been forfeited to the city.

(B) Forfeited property in the custody of the city may be disposed of on the basis of an Application for Disposal of Property filed with the Municipal Court of this county under R.C. § 2933.41. In the alternative, this charter city may use any of the following procedures of disposal of such forfeited property, without necessity of any court order or judicial proceedings:

(1) Drugs of abuse, as defined in Ohio statutes, shall be destroyed, or placed in the custody of the Secretary of the Treasury of the United States for disposal or use for medical or scientific purposes under applicable federal law.

(2) Alcoholic beverages, as defined in Ohio statutes, shall be destroyed, or placed in the custody of the Ohio Department of Liquor Control for disposal.

(3) Firearms and dangerous ordnance suitable for police work may be retained by the city as its property for law enforcement purposes. All other firearms shall be disposed of [§ 34.33](#) and [§ 34.38](#) above.

(4) Obscene materials shall be destroyed.

(5) Any other item of personal or real property forfeited under any law of the United States or the State of Ohio or ordinance of this city may be retained by the city for its own use. If not so retained and if the optional procedure of disposal under state statute is not used (see division (B) of this section) the property shall be disposed of under [§ 34.33](#) or [§ 34.38](#) above.

§ 34.40 REIMBURSEMENT OF CITY EXPENSES.

The right of any owner or finder to claim possession of property pursuant to this chapter shall be conditioned upon reimbursement to the city by that person of all direct expenses incurred by the city for advertising, mailing of notices and for any transportation and storage fees paid to third persons in connection with the property involved.

LAND REUTILIZATION PROGRAM

§ 34.50 LAND REUTILIZATION PROGRAM ESTABLISHED.

(A) The City of Piqua hereby adopts the procedures set forth in R.C. Chapter 5722.

(B) The proper city officials are hereby authorized to take all necessary and proper actions to adopt and implement the procedures set forth in R.C. Chapter 5722 and the City Manager is directed to promulgate rules to set up a selection review committee, to delineate property selection and documentation criteria, to establish maintenance and reporting requirements, and to determine the length of time the city may own property for the program.

(C) The Clerk of Commission is hereby directed to transmit certified copies of this section to the County Auditor, the County Treasurer and the County Prosecutor, as provided in R.C. § 5722.02.

SECTION 2. All other sections of Chapter 34 of the Piqua Municipal Code not amended herein shall remain in effect as is.

SECTION 3. 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.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CITY COMMISSION CLERK

RESOLUTION NO. R-11-10

**A RESOLUTION APPOINTING TWO MEMBERS TO
THE COMMUNITY DIVERSITY COMMITTEE**

WHEREAS, by Resolution No. R-28-08, Piqua City Commission established a Community Diversity Committee and adopted the Committee's mission and responsibilities; and

WHEREAS, The Community Diversity Committee consists of the appointment of one City Commission representative and the City Manager.

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: Frederick E. Enderle is hereby appointed to serve as one of the City officials for appointment to the Community Diversity Committee.

SEC. 2: ~~Joseph Wilson~~ Judy Terry is hereby appointed to serve as one of the City officials for appointment to the Community Diversity Committee.

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

Tabled 1-4-2010

LUCINDA L. FESS, MAYOR

PASSED: _____
(Amended) 1-19-2010

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-12-10

**A RESOLUTION APPOINTING A MEMBER TO THE BOARD
OF ZONING APPEALS AS THE PLANNING COMMISSION
REPRESENTATIVE**

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: Mark Spoltman is hereby appointed as a member of the Board of Zoning Appeals as the Planning Commission representative. This term will expire on January 1, 2011 or until his 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.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-13-10

A RESOLUTION AUTHORIZING THE CITY OF PIQUA TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM

WHEREAS, Ohio's Cooperative Purchasing Act (AM. Sub. H. B. No. 100), as signed into law on December 4, 1985; and

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the State of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials.

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 Purchasing Analyst for the City of Piqua hereby requests authority in the name of the City of Piqua to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Revised Code Section 125.04.

SEC. 2: That the Purchasing Analyst is hereby authorized to agree in the name of the City of Piqua to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs, which the Department of Administrative Services incurs as a result of the City of Piqua's participation in the contract. Further, that the Purchasing Analyst does hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Cooperative for the purpose of avoiding the requirements established by ORC 125.04.

SEC. 3 That the Purchasing Analyst is hereby authorized to agree in the name of the City of Piqua to directly pay the vendor, under each such state contract in which it participates for items it receives pursuant to the contract, and the Purchasing Agent does hereby agree to directly pay the vendor.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-14-10

**A RESOLUTION RESCINDING RESOLUTION NO. R-107-09
AND ESTABLISHING A NEW PIQUA CITY COMMISSION
2010 CALENDAR OF MEETINGS**

WHEREAS, Section 4 of the City of Piqua Charter (*Meetings of Commission*) states that Commission Meetings shall be held on the first Monday in January following a regular municipal election beginning at 7:30 P.M.; and

WHEREAS, thereafter the Commission shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month; and

WHEREAS, it is in the best interest of the Piqua City Commission to adopt a new 2010 calendar of meetings attached hereto as Exhibit "A."

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 new 2010 Calendar of Meetings for the Piqua City Commission is hereby approved.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

Exhibit "A"

COMMISSION MEETING DATES FEBRUARY – DECEMBER 2010

Tuesday	February 2, 2010
Tuesday	February 16, 2010
Tuesday	March 2, 2010
Tuesday	March 16, 2010
Tuesday	April 6, 2010
Tuesday	April 20, 2010
Tuesday	May 4, 2010
Tuesday	May 18, 2010
Tuesday	June 8, 2010
Tuesday	June 22, 2010
Tuesday	July 6, 2010
Tuesday	July 20, 2010
Tuesday	August 3, 2010
Tuesday	August 17, 2010
Tuesday	September 7, 2010
Tuesday	September 21, 2010
Tuesday	October 5, 2010
Tuesday	October 19, 2010
Tuesday	November 2, 2010
Tuesday	November 16, 2010
Tuesday	December 7, 2010
Tuesday	December 21, 2010

RESOLUTION NO. R-15-10

A RESOLUTION AUTHORIZING PURCHASE ORDERS TO MUNICIPAL WATER SOLUTIONS, STANDARD PURIFICATION, CHEMRITE, INC. HURON LIME, CHEMICAL SERVICES, BONDED CHEMICALS, AND THE CITY OF DAYTON FOR THE 2010 PURCHASE OF VARIOUS WATER TREATMENT CHEMICALS

WHEREAS, the Water Treatment Plant requires the purchase of various water treatment chemicals for the water treatment process; and

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

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

SEC. 1: Purchase orders are hereby authorized to:

<u>Company</u>	<u>Product</u>
Chemical Services	Soda ash at \$387.50 per cwt.
Chemical Services	Ferric sulfate at \$500.00 per cwt.
Municipal Water Solutions	Sodium Hexametaphosphate at \$98.90 per cwt.
Standard Purification	Activated Carbon at \$62.50 per cwt.
Chemrite, Inc.	Potassium Permanganate at \$239.00/cwt.
Bonded Chemicals	Hydrofluosilicic Acid at \$3.59/gal.
Huron Lime	Quicklime at \$133.75 per ton
City of Dayton	Quicklime at \$70.00 per ton

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasury in payment for said services rendered.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

MEMORANDUM

TO: Frederick E. Enderle, City Manager

FROM: Beverly M. Yount, Purchasing Analyst
Don Freisthler, Water Treatment Plant Superintendent

RE: Request for City Commission Authorization to issue a Purchase Order
for 2010 for Water Treatment Chemicals

DATE: January 7, 2010

+++++

We request Commission authorization to purchase various water treatment chemicals as listed below. Authorization to take bids was granted by Resolution R-2-09. Bids were taken on Tuesday, December 15, 2009.

Company	Product	Cost Per Unit
Municipal Water Solutions	Sodium Hexametaphosphate	\$98.90/cwt.
Chemical Services	Ferric Sulfate	\$500.00/cwt.
Chemical Services	Soda Ash	\$387.50/cwt.
Standard Purification	Activated Carbon	\$62.50/cwt.
Chemrite, Inc.	Potassium Permanganate	\$239.00/cwt.
Huron Lime	Quicklime	\$133.75/ton
City of Dayton (IFB O-8001)	Quicklime	\$70.00/ton
Bonded Chemicals (SWOP4G bid)	Hydrofluosilicic Acid	\$3.59/gal.

Fourteen bids were received and the low bidders are recommended for the awards. The bid tabulation is attached. The products from Bio Safe Systems were less expensive, but did not meet the City's specifications. The other chemicals shown on the tabulation are purchased in amounts which do not require approval by the City Commission. The SWOP4G bid was done by the City of Sidney. We plan to purchase Hydrofluosilicic Acid from Bonded Chemicals using their discount. Univar USA withdrew their bid due to an error that was made in their quote. The City of Dayton's Quicklime bid was one we took advantage of the last two years on a trial basis. The lime worked fine in our system so we plan to use them as much as possible this year to save on this cost. The only drawback is the availability of their product which is why we are also proposing to contract with Huron Lime to use as a back up provider as needed.

It is requested that this item be placed on the January 19, 2010 Piqua City Commission Meeting Agenda for immediate approval. Please let me know if you have any questions.

RESOLUTION NO. R-16-10

A RESOLUTION AUTHORIZING APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR FUNDING THROUGH THE RECREATIONAL TRAILS PROGRAM FOR REPAIRS TO THE LINEAR PARK

WHEREAS, The State of Ohio, through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through Recreational Trails Program (RTP); and

WHEREAS, The City of Piqua desires financial assistance under the Recreational Trails Program.

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

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

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

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION



PARKS & RECREATION DEPARTMENT

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

January 13, 2010

MEMORANDUM

TO: Frederick E. Enderle, City Manager

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

The Engineering Department will be applying for funding through the Ohio Department of Natural Resources' Recreational Trails Program. The funds will be used for bank stabilization along the Great Miami River near the River's Edge section of Linear Park. The funding application is due February 1st.

The Engineering Department has estimated that the overall cost of the stabilization will be approximately \$125,000. The grant will provide 80% reimbursement of these costs. The remaining 20% will be budgeted for in the 2011 budget or may be accounted for by using city labor as "in-kind" labor in order to fulfill the local match.

In order to complete the application package, the City Commission must adopt the resolution attached. Due to the deadline on this application, action will be required at the commission meeting on January 19.

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

Respectfully submitted,

Robert M. Stanford,
Recreation Coordinator

RMS

Attachment

c: Amy Havenar, City Engineer
Doug Harter, Streets Superintendant

RESOLUTION R-17-10

A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR THE JOBS FOR MAIN STREET ACT OF 2010 FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the SFY2008-2011 Transportation Improvement Program (TIP); and

WHEREAS, the City of Piqua has committed to a timely project development schedule; and

WHEREAS, the City of Piqua has committed the necessary resources to support the local cost portion of the projects; and

WHEREAS, the following list of projects will be submitted to MVRPC, shown in order of City of Piqua's priority.

1. US Route 36 Resurfacing – Ash Street to College Street
2. State Route 185 Resurfacing – Spring Street to Washington Avenue
3. Washington Avenue Resurfacing – North Street to Broadway
4. Main Street Resurfacing – Riverside Drive to Wood Street
5. West High Street Resurfacing – Wayne Street to Washington Avenue

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 City Engineer for the City of Piqua hereby requests authority in the name of the City of Piqua to submit new transportation projects for funding consideration in the SFY2008-2011 Transportation Improvement Program (TIP);

SEC. 2: The City Engineer is hereby authorized to submit in the name of the City of Piqua the transportation projects described herein for funding consideration in the SFY2008-2011 Transportation Improvement Program (TIP);

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



ENGINEERING DEPARTMENT

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

January 13, 2010

MEMORANDUM

TO: Frederick E. Enderle
Cc: William P. Murphy, Cynthia A. Holtzapple

RE: Request for Commission Authorization to Apply for Jobs For Main Street Act Of 2010 Funding Through MVRPC

In anticipation of passage of the “Jobs For Main Street Act Of 2010” the Miami Valley Regional Planning Commission (MVRPC) is soliciting new transportation projects from local jurisdictions within the region. In response to this request staff has identified five projects that meet the eligibility requirements set forth by MVRPC and began preparing the necessary application documents. One of the documents required is a resolution from the City Commission authorizing the applications seeking funding for the identified projects.

The information provided by MVRPC sets forth certain eligibility requirements related to the functional classification of the project route and establishes the timeline for completing and submitting the applications. The requirements provided indicate that only those routes functionally classified by MVRPC will be eligible for funding. MVRPC functionally classified routes within the city of Piqua include US Route 36, State Routes 185 and 66, and portions of other principal arterial and collector routes within the community. The information provided by MVRPC list resurfacing, sign replacement, and signal head replacement projects as the types of projects most suitable for this funding opportunity. After examining the needs of those local routes eligible for this funding source, and with reference to the pavement condition rating observations maintained by the Street Department, the following projects were determined to be the highest priorities.

1. US Route 36 Resurfacing – Ash Street to College Street
2. State Route 185 Resurfacing – Spring Street to Washington Avenue
3. Washington Avenue Resurfacing – North Street to Broadway
4. Main Street Resurfacing – Riverside Drive to Wood Street
5. West High Street Resurfacing – Wayne Street to Washington Avenue

A project involving the resurfacing of South Main Street to the south corporation limits, and a traffic signal improvement project at the intersection of College and Water were also considered. However, the South Main Street project did not rise to the same level of need as the five resurfacing projects identified, and the traffic signal improvements project is already listed in another funding program.

January 13, 2010

**RE: Request for Commission Authorization to Apply for Jobs For Main Street Act
Of 2010 Funding Through MVRPC**

Upon submittal of the applications to MVRPC all of the projects in the region will be ranked and programmed according to the applicable scoring criteria. For the Piqua projects to be considered, we must provide the application and supporting documents to MVRPC by January 22, 2010.

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

Sincerely,

Amy Havenar

Amy L Havenar
City Engineer

Attachment



Topics

Transportation

Long Range Planning (LRTP)

Short Range Planning (TIP)

Transportation Financing

Human Service Trans Coord

Alternate Trans Modes

Major New Projects (TRAC)

Intelligent Trans Systems (ITS)

Regional Land Use

Regional Initiatives

Environmental

GIS

About MVRPC

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Jobs For Main Street Act Of 2010



At the request of both ODOT FHWA Division and ODOT Central; on Thursday, January 7, 2010, the MVRPC Board of Directors authorized staff to solicit for new transportation projects in **anticipation** of passage of "Jobs for Main Street Act of 2010".

Due to the Bill's projected short implementation timeframe for projects, it is anticipated that only projects exempt from the environmental and transportation conformity process will be eligible for funds. Examples of simple projects include road resurfacing, sign replacements, and signal head replacement projects. Further, the proposed bill currently states that 50% of the funds must be "under contract" in 90 days, therefore MVRPC staff will give priority to such projects when selecting projects for funding.

Once submitted, applications for proposed new projects will be reviewed and evaluated for possible inclusion in the SFY 2008- SFY 2011 TIP.

All documents necessary for project submittal are available for download below. If your jurisdiction wishes to apply for funding, the project must meet the eligibility criteria under the Surface Transportation Program, Title 23, Section 133. A list of previously submitted projects that we were unable to fund is available at <http://docs.mvrpc.org/arra/ArraRecommendedResults2009.pdf>.

MVRPC and ODOT staff will hold a **seminar** for jurisdictions on **January 19 at 9:00 a.m.** at the Center for Regional Cooperation, regarding the 2010 Jobs for Main Street Act application process. Jurisdictions are encouraged to complete draft applications in advance and seek staff input to finalize applications.

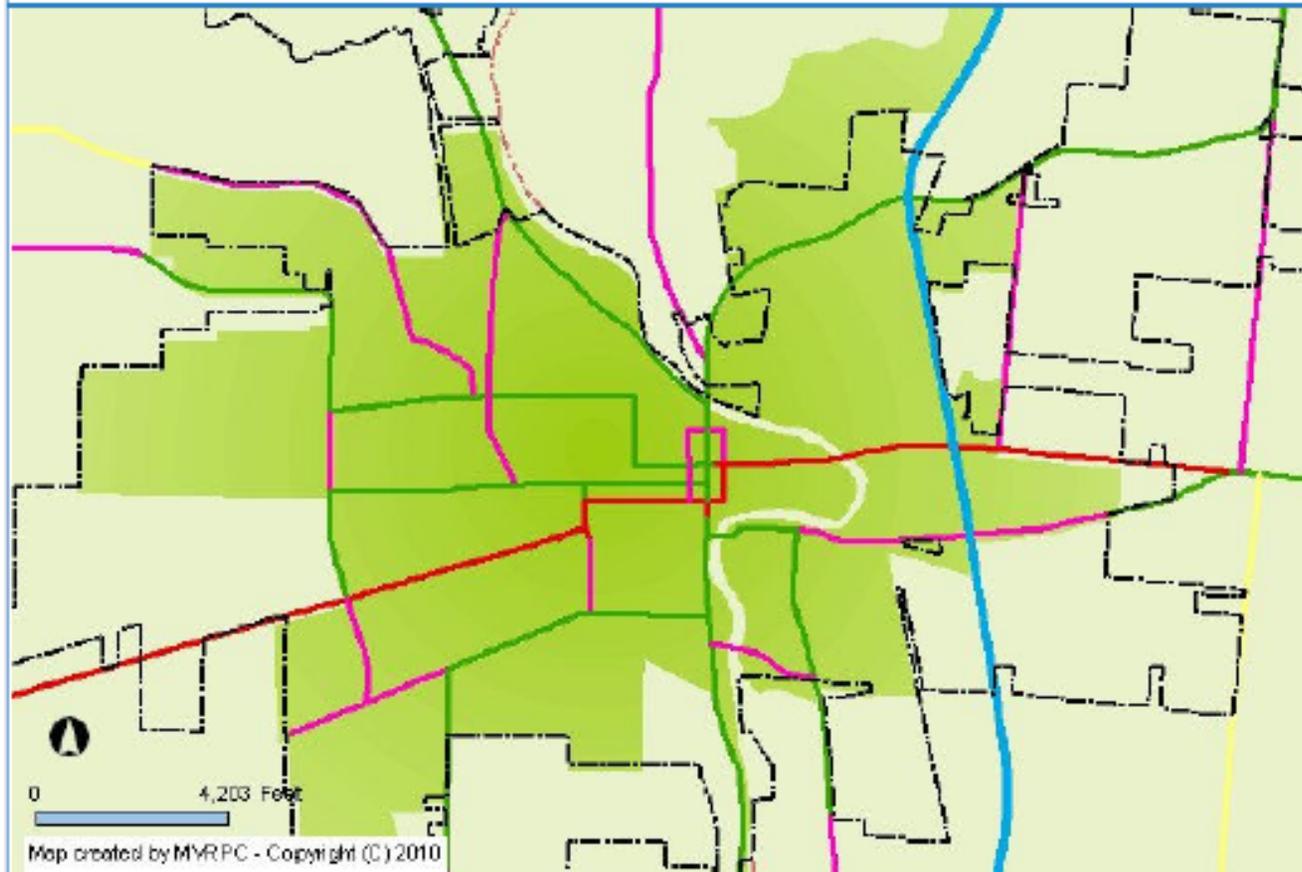
Completed applications must be received at MVRPC by **3:00 p.m. January 22, 2010**. When compiling an application, be sure to include all materials requested in the application along with any additional information you feel helps describe the project and its benefits. If your jurisdiction wishes to apply for more than one project, you must enclose a ranked listing of these projects according to your jurisdiction's priority.

Application Material

- Stimulus 2010 Application ([MSWord](#) : [PDF](#))
- [Functional Class Map](#) (825 kb)
- Sample Resolution ([MSWord](#) : [PDF](#))

Additional Resources

- [February 19, 2009 Jurisdictional Seminar Questions and Answers](#) (17 kb)
- [Pavement Condition Ratings](#) (XLS:663 kb)
- [ODOT Pavement Condition Rating Manual](#)
- [ODOT Pavement Preventive Maintenance Guidelines](#) (2.3 MB)



Legend

Jurisdiction Boundaries

- County
- City
- Township

Functionally Classified Streets

Functional Class

- Interstate
- Freeway and Expressway
- Major Arterial
- Minor Arterial
- Collector - Urban and Major Rural
- Collector - Minor Rural

Census Urbanized Boundaries

- Urban Cluster
- Urbanized Area

Jurisdiction Areas

- Jurisdictions