

AGENDA

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, JULY 6, 2010
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a. APPROVAL OF MINUTES
Approval of the minutes from the June 15, 2010 Regular City Commission Meeting

B. OLD BUSINESS

- a. ORD. NO. 15-10 (3rd Reading)
An Ordinance amending Chapter 55 of the Piqua Municipal Code Stormwater Management
- b. ORD. NO. 17-10 (3rd Reading)
An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 66 and 68 Police and Fire Services
- c. ORD. NO. 18-10 (3rd Reading)
An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 5, 6 and 8 The Commission
- d. ORD. NO. 19-10 (3rd Reading)
An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 32 and 41 Administrative Service
- e. ORD. NO. 22-10 (2nd Reading)
An Ordinance to change the street name of portions of Bridge Street and Statler Road

C. NEW BUSINESS

- a. RES. NO. R-79-10
A Resolution rescinding Resolution No. R-78-10
- b. RES. NO. R-80-10
A Resolution awarding a contract to Cargill, Inc. for the purchase of road salt for the Street Department
- c. RES. NO. R-81-10
A Resolution endorsing the multi-county Advantage Sharing Program proposal

- d. RES. NO. R-82-10 (PUBLIC HEARING)
A Resolution accepting for statutory purposes a budget for the calendar year 2011
- e. RES. NO. R-83-10
A Resolution establishing “Trick or Treat/Beggars’ Night” in the City of Piqua
- f. RES. NO. R-84-10
A Resolution appointing members to the Stormwater Utility Board
- g. RES. NO. R-85-10
A Resolution for the sale of Parcel No. N44-250379
- h. RES. NO. 86-10
A Resolution approving the Transportation Review Advisory Council applications to the Ohio Department of Transportation for calendar year 2010

D. OTHER

- a. Monthly Reports – May 2010
- b. Economic Development Update
Presented by – Mr. Bill Murphy, Assistant City Manager/Director of Economic Development

E. ADJOURNMENT

A. CONSENT AGENDA ITEMS
JULY 6, 2010

- **Minutes – June 15, 2010 Regular City Commission Meeting**

**MINUTES
PIQUA CITY COMMISSION
Tuesday June 15, 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.

REGULAR CITY COMMISSION MEETING

PRESENTATION BY U.S ARMY NATIONAL GUARD – ARMY COMMUNITY COVENANT

First Sergeant Kenneth Kowalski came forward and gave a brief background of the Covenant.

Sergeant Ryan Covington came forward and read the Army Community Covenant.

Mayor Fess and First Sergeant Kowalski signed the Covenant.

Mayor Fess thanked the Army Sergeants Kowalski and Covington for coming to present the Community Covenant to the City of Piqua.

Mayor Fess read a Proclamation proclaiming June 21-28, 2010 as Amateur Radio Week In the City of Piqua. and presented it to Brad Boehringer, a member of the Amateur Radio Club.

Consent Agenda

Approval of Minutes

Approval of the minutes from the June 1, 2010 Regular City Commission Meeting, and the June 1, 2010 Piqua City Commission Work Session.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the minutes of the Regular City Commission Meeting of June 1, 2010 and the Work Session of June 1, 2010 be approved. Voice vote, Aye: Wilson, Fess, Terry, Martin, and Vogt. Nay: None. Motion carried unanimously.

Old Business

ORD. 15-10 (2nd Reading)

An Ordinance amending Chapter 55 of the Piqua Municipal Code Stormwater Management

City Manager Enderle stated this is the second reading of the Ordinance, and briefly explained this ordinance clarifies how apartment buildings are to be billed for ERU's. Single family properties shall be billed on a per unit basis at one (1) ERU per month and duplexes, will be billed on a per unit basis of one-half (1/2) an ERU per month.

There was a question regarding who should receive the bill, the landlord or the tenant. Law Director Wall explained the ordinance states the property owner is responsible for the bill and that they should receive it.

Public Comment

No one came forward to speak for or against Ordinance No. 15-1.

After discussion Ordinance No. 15-10 was given a second reading.

ORD. NO. 17-10 (2nd Reading)

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 66 and 68 Police and Fire Services

Section 66: Police Force. Shall Charter 66 be amended to eliminate the mayor's responsibility in an emergency with regards to the command of the Police Department.

Section 68: Fire Force. Shall Charter Section 68 be amended to eliminate the mayor's responsibility in an emergency with regards to the command of the Fire Department.

City Manager Enderle gave a brief summary of the ordinance and stated Ordinance No. 17-10 and the next two Ordinances 18-10 and 19-10 are the recommended changes made by the Charter Review Committee. These changes include:

- Section 5: President of Commission, Mayor
- Section 6: Salary of Commission Members and Mayor
- Section 8: Rules of Commission

- Section 32: Removal of Officers and Employees
- Section 41: Qualifications and Duties of Law Director

- Section 66: Police Force
- Section 68: Fire Force

Public Comment

No one came forward to speak for or against Ordinance No.17-10.

After discussion Ordinance No. 17-10 was given a second reading

ORD. NO. 18-10 (2nd Reading)

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 5, 6, and 8 The Commission

City Manager Enderle explained previously.

Section 5 President of Commission, Mayor: Shall Charter Section 5 be amended to eliminate the authority of the mayor to take command of the police department in time of emergency.

Section 6 Salary of Commission Members and Mayor: Shall Charter Section 6 be amended to eliminate the vice mayor being paid the mayor's salary during absences of the mayor.

Section 8 Rules of Commission: Shall Charter Section 8 be amended to specify reason when a commission member may be expelled from City Commission.

Public Comment

No one came forward to speak for or against Ordinance No.18-10.

After discussion Ordinance No. 18-10 was given a second reading.

ORD. NO. 19-10 (2nd Reading))

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 32 and 41 Administrative Service

There was a brief discussion of the recommendations by the Charter Review Committee for submission to the voters in the November Election. These sections include:

Section 32 Removal of Officers and Employees: Shall Charter Section 32 be amended to require that any employee who is to be laid off, suspended or removed receive written notice.

Section 41 Qualifications and Duties of Director of Law: Shall Charter Section 41 be amended to require the director of law to have five years of experience as a practicing attorney rather than two years.

The proposed changes are in the interest of the City in defining how an employee is to be notified of a layoff, suspension or removal and increasing the qualifications of the law director.

Public Comment

No one came forward to speak for or against Ordinance No 19-10.

After discussion Ordinance No. 19-10 was given a second reading.

NEW BUSINESS

ORD. NO. 20-10 (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 City entered into a memorandum of understanding in August of 2009 with the Deputy Police Chiefs in conjunction with a plan to reorganize the command staff within the Police Department. As part of the reorganization wages and new titles were discussed. It was determined the Deputy Chief title would be retained and there would be a phase in of a new wage scale. However, at this time the Letter of Understanding has expired thus the need for the "Phase I" wage rate to be included as part of Schedule A.

Public Comment

No one came forward to speak for or against Ordinance No. 20-10.

Law Director Wall stated the City would like to request that Ordinance No. 20-10, the three reading rule be suspended and be adopted at the June 16th meeting. This is requested due to the fact the Deputy Chief's positions are not new positions or new people, they are current employees and they had a Letter of Understanding, and the Letter of Understanding has expired. In order to continue to pay in the salary range Ordinance No. 20-10 needs to be adopted at this time.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 20-10 be read fully and distinctly on three separate days be suspended. Roll call , Aye: Terry, Fess, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 20-10 be adopted. Roll call, Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 20-10 adopted.

ORD. NO. 21-10 (1ST Reading)

An Ordinance repealing Schedule A-1 of Chapter 33 of the Piqua Code and adopting a new Schedule A-1of Chapter 33 of the Piqua Code, relating to wages of certain Municipal employees

City Manager Enderle stated this would add a part-time position of Street Sweeper to Schedule A-1, which would be a salary savings in the Stormwater Utility Budget.

City Manager Enderle explained street-sweeping operations serves as one of our Best Management Practices (BMP) to control and improve the water quality to help with the compliance of our Storm Water National Pollutant Discharge Elimination System (NPDES) Permit. Previously the street sweeping was budgeted from the Street Department 101 Fund, but the Commission previously approved the transfer of the street sweeping operations from the Street Department to the Storm Water Utility. This allows the hiring of a part-time employee to work approximately thirty hours a week, nine months out of the year, and be dedicated to sweeping the streets only.

Public Comment

No one came forward to speak for or against Ordinance No. 21-10.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that the rule requiring Ordinance No. 21-10 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 21-10 be adopted. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 21-10 adopted.

Ord. No. 22-10 (1st Reading)- Res. No. R-78-10

An Ordinance to change the street name of portions of Bridge Street and Statler Road

City Manager Enderle gave a brief explanation of the reason for the requested changes. The street renaming was unanimously recommended by the Planning Commission.

There was discussion regarding whether the street name change should be a resolution or an ordinance at this time. City Manager Enderle provided a slide of a map showing the streets in question.

Law Director Wall stated a motion could be made to amend the Ordinance to a Resolution.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to amend/change Ordinance 22-10 to Resolution No. R-78-10 at this time. Voice vote, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Mayor Fess stated Ordinance No. 22-10 has been amended/changed to Resolution No. R-78-10.

Public Comment

Norman Seipel, a Bridge Street resident, came forward and stated he was in agreement with the name change at this time.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that amended Ordinance No. 22-10 now Resolution No. R-78-10 be adopted. Voice vote, Aye: Terry, Wilson, Fess, Martin, and Vogt. Aye: None. Motion carried unanimously. Mayor Fess stated Resolution No. R-78-10 has been adopted.

Res. No. R-74-10

A Resolution accepting the resignation of Michael Perando as a member of the Park Board

City Manager stated with the acceptance of Mr. Perando's resignation there is an opening on the Park Board to fill the un-expired term.

Public Comment

No one came forward to speak for or against Resolution No. R-74-10.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-74-10 be adopted. Voice vote, Aye: Martin, Fess, Wilson, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-74-10 adopted.

RES. NO. R-75-10

A Resolution approving the Community Development Block Grant Formula Allocation Program application for fiscal year 2010

City Manager Enderle stated Resolution No. R-75-10 would approve the allocation for the 2010 Community Development Block Grant Formula Allocation Program. The City of Piqua is in line to receive \$118,000. The 2010 application is proposing to provide streetscaping to the 100 block of West Water Street on both the north and south sides of the street. The city is eligible for \$118,000 which 80% or \$94,400 will be for streetscaping, 15% or \$17,700 is for administration costs and 5% or \$5,900 will be provided for fair housing initiatives, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-75-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-75-10 be adopted. Roll call, Aye: Martin, Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-75-10 adopted.

RES. NO. R-76-10

A Resolution fixing the time and place for a Public Hearing on a proposed City Tax budget for Miami County for the calendar year 2011 and draft Appropriation Ordinance

City Manager Enderle stated this is a Resolution setting the time and place for a Public Hearing on the Proposed City Tax Budget for Miami County for the Calendar Year 2011 and Draft Appropriation Ordinance. The City of Piqua is required to file the approved Resolution and County Tax Budget with the Miami County Budget Commission on or before July 20, 2010. This resolution must be passed to allow us to properly advertise and conduct the public hearing at the next Commission Meeting, said Mr. Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-76-10

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-76-10 be adopted. Voice vote, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-76-10 adopted.

RES. NO. R-77-10

A Resolution appointing a member to the Downtown District Design Review Board

Public Comment

No one came forward to speak for or against Resolution No. R-77-10.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-77-10 be adopted. Voice vote, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-77-10 adopted.

Other

Report on Mid-Year 2010 Budget status and review and acceptance of 2010 Budget adjustments.

City Manager Enderle presented a report on the Mid-Year Budget and adjustments requested. Mr. Enderle stated on the revenue side of the equation revenues have been lagging behind in most Funds, with no unanticipated revenues expected to be realized anytime soon. As of June 11, 2010 Income Tax revenue is lagging 15 ½% behind last year at this time, which was the lowest since 2003. We need to reduce expenditures now to preserve as much fund balance as possible to carry us through 2011 and beyond. Therefore recommending 1.2 million in reductions in the General Fund expenditures in the 2010 Budget for the last half of the year, said Mr. Enderle. All department heads were provided target levels and asked to identify areas to reduce the General Fund Budget by 1.2 million and other funds as much as possible. Previously reductions have been primarily on non-safety services; unfortunately we are at the point where Safety Services, which is 74% of the General Fund Budget, must now be targeted for the reductions needed. 74% will come from the Safety Services and the balance will come from the other areas such as, Park & Recreation, Income Tax, Health, Planning and Zoning, NIT, Pro-Piqua, General Government, City Commission, Civil Service and Partially General Fund Areas. The General Fund adjustments have been identified as Personnel Changes, Health Insurance, Training, Special Programs/Operations, Capital Expenditures, Operations & Maintenance, and Services, which will total \$1,201,771 in cuts for the General Fund.

Mayor Fess stated the City Manager went over the reductions with the Commissioners and they do not feel good about having to make the cuts. Mayor Fess stated she appreciates all the city employees going above and beyond in helping to balance the budget. Many other communities are also having the same issues as the City of Piqua is having, said Mayor Fess.

City Manager stated these will be recognizable cuts in services; longer waits in line in Utilities, Income Tax, Nuisance's complaint inspections, and the little things the Police and Fire Departments do to help. City Manager Enderle further stated our main focus is essential services, and anything that is not essential will be put on a priority list.

Mayor Fess stated she knows the city employees will continue to do the best they can with the time and issues they have to deal with.

Commissioner Terry stated the Commissioners hate to see the cuts made but realize they have to made, and the City has to operate within their means to balance the budget.

Mayor Fess further stated it is important to mention that all the Administrative Staff, City Manager, Department Heads, Law Director, Finance Director have not been given a raise in the past three years to help keep the budget in line.

Public Comment

Bill Hogston, Greene Street, representing the Piqua Fire Fighters came forward and asked if the \$632,045 cuts in the Personal Changes were to be all from Police and Fire. Mayor Fess stated no, they were not all from the Police and Fire Departments. Some of the personnel changes being made were from resignations/retirements and not filling positions at this time.

Mayor Fess asked the Clerk to call the roll for acceptance of the City Manager's Budget Report at this time. Roll call: Terry, Fess Wilson, Vogt, and Martin, Nay: None. Motion carried unanimously. All Commissioners were in favor of the City Manager's Budget Report. Mayor Fess stated at this point the Commission would go forward with the reductions presented by the City Manager.

Public Comment

No one came forward to speak at this time.

Commission Comments

Commissioner Wilson stated he has received several calls about tenants not receiving a copy of a violation notice that it is only going to the landlords, and he would like the tenant to be notified also. City Manager Enderle explained the process in which the violation notices were sent and who was notified. Mayor Fess stated that both Troy and Sidney have the same process in sending out violation notices as Piqua.

Commissioner Terry commented she was in the dark Monday evening due to a power outage and thanked the Power Department for responding to the problem so quickly.

Commissioner Terry stated this summer the Salvation Army is providing food/lunches for children ages 1-18 at several locations in Piqua and at the Salvation Army through Feed the Children Program. During the school year these children are provided a free/reduced lunch program, but in the summer they do not have an available source for lunch.

Commissioner Terry mentioned she attended the Flag Burning Ceremony held on Flag Day, June 14th, at Govers Harley Davison, sponsored by The American Legion. It was a very impressive ceremony, said Commissioner Terry.

Commissioner Terry inquired if the restrooms in the City Parks are open to the public on the weekends. City Manager Enderle explained the situation with the restrooms in the parks at this time.

Commissioner Terry reminded citizens that the Piqua Area Community Band will be performing at the Hance Pavilion on Thursday, June 17th, 2010.

Commissioner Vogt reminded citizens of the Piqua City Car Show to held on July 31st with the proceeds going to the Piqua Parks Department for upgrades to the parks.

Commissioner Vogt thanked Larry Pickering of Champion Foundry for his letter to the editor recognizing the service provided by the Piqua Power Plant recently when an outage occurred at the foundry.

City Manager Enderle reminded citizens there are still tickets available for several of the Dragons Baseball game trips sponsored by the Parks Department.

Mayor Fess stated she attended the Chamber After Hours at Soak and Suds where she met ten gentlemen from Tragestain who were in the United States for three days to learn about our culture and our farming methods. They were very appreciative of our help and very complementary of the City of Piqua, said Mayor Fess.

Mayor Fess also thanked Larry Pickering for his letter to the editor, and thanked the Power Plant employees for doing a wonderful job and appreciate them going above and beyond.

Mayor Fess mentioned several trees at Fountain Park that are being removed, stating they are either dead or dying inside. As much as we hate to lose these beautiful trees, we have to look out for safety issues in the park, said Mayor Fess.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 8:40 P.M. Voice vote, Aye: Martin, Terry, Fess, Vogt, and Wilson. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

B. OLD BUSINESS

JULY 6, 2010

- **Ord. No. 15-10 (3rd Reading)**
- **Ord. No. 17-10 (3rd Reading)**
- **Ord. No. 18-10 (3rd Reading)**
- **Ord. No. 19-10 (3rd Reading)**
- **Ord. No. 22-10 (2nd Reading)**

AMENDED ORDINANCE NO.15-10

AN ORDINANCE AMENDING CHAPTER 55 OF THE PIQUA MUNICIPAL CODE STORMWATER MANAGEMENT

WHEREAS, on November 2, 2009, the City Commission adopted Ordinance No. 18-09 establishing Chapter 55 Stormwater Management and said Chapter was amended by Ordinance No. 5-10 on March 16, 2010; and

WHEREAS, clarification is sought regarding the billing rates for apartment buildings and multi-unit residential properties.

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

SECTION 1. That the City of Piqua hereby amends Chapter 55 Stormwater Management as set forth below: (new language is underlined and deleted language is indicated by strikethrough):

CHAPTER 55: STORMWATER MANAGEMENT

§55.01 PURPOSE.

This chapter establishes a stormwater management user fee to fund and support the City's efforts to address the issues presented in the recital provisions of the National Pollutant Discharge Elimination System (NPDES) Phase II stormwater permit and required operation, maintenance and replacement costs. The user fees include general public (institutional, agency, federal, state and local government and the like) and/or property owner user fees.

The purpose of the Stormwater Code contained in this chapter is to provide for effective management and financing of a stormwater system utility within the City. To effectively accomplish the management of a stormwater utility, this code shall:

- (A) Provide for administration, operation, maintenance and inspection of existing and future stormwater management facilities;
- (B) Protect the public health, safety and welfare by providing a mechanism for mitigating the damaging effects of uncontrolled and unplanned stormwater runoff.
- (C) Establish and maintain fair and reasonable stormwater management service charges for each lot or parcel in the City which bear a substantial relationship to the cost of providing stormwater management services and facilities.

- (D) Ensure that similar properties pay similar stormwater management service charges which reflect each property's quantity of impervious area, because this factor bears directly on the quantity and quality of stormwater runoff generated from developed areas. Charges for single-family detached dwelling units, two-family dwelling units and each housekeeping unit within a multi-family dwelling unit shall reflect the relatively uniform effect that such development has on runoff. Charges for all other properties shall be calculated based on their equivalency of impervious surface compared to single-family detached dwelling units, two-family dwelling units and each housekeeping unit within a multi-family dwelling unit.
- (E) Provide a mechanism for consideration of specific or unusual service requirements of some non-residential properties accruing to or from properties as a result of providing their own stormwater management facilities.
- (F) Provide to non-residential property owners a service charge adjustment process to review stormwater charges when unusual circumstances exist which alter runoff characteristics, when service varies from a normal condition or is of greater significance than contribution to runoff.
- (G) Utilize stormwater management funds for the construction, operation, and maintenance of City stormwater facilities, except where activities or facilities are clearly unusual and in excess of normal level of service City-wide, and that developers are responsible for providing any stormwater facilities required for their project.
- (H) In order to maintain the effectiveness of the Stormwater Code, this Code shall:
 - (1.) Establish a mechanism for appeals and amendments to its provisions.
 - (2.) Provide for a procedure for abatement of conditions or activities that are not in the interest of public health, safety or welfare.
 - (3.) Provide for its continuous validity through severability of its various provisions.
 - (4.) Provide for penalties for violations of its provisions.

The Stormwater Utility Department (STWUD) shall establish rules and regulations consistent with this chapter to ensure the effective enforcement and maintenance of the stormwater utility.

§55.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

STWUD. The Stormwater Utility Department of the City, or any duly authorized officials acting in its behalf.

ERU (EQUIVALENT RESIDENTIAL UNIT). An ERU shall be equivalent to 5,400 square feet of impervious area. This may periodically be adjusted based on changing conditions in the City.

ODNR. Ohio Department of Natural Resources.

IMPERVIOUS AREA. Surface areas of residential and non-residential properties which water will not penetrate and from which stormwater runoff will be produced. This includes, but is not limited to, rooftops, sidewalks, parking lots, pavements, concrete, asphalt and compacted gravel.

NON-RESIDENTIAL DEVELOPED PROPERTY. All tracts of real property either zoned or developed for (i) residential use intended for occupancy by more than three families per residential structure (e.g., apartment houses with four or more units under a single roof), (ii) commercial uses, (iii) non-profit non-residential uses (e.g., governmental organizations, churches, and fraternal organizations), and (iv) industrial uses.

NPDES. National Pollutant Discharge Elimination System.

RESIDENTIALLY DEVELOPED PROPERTY. All tracts of real property either zoned or developed for residential use in structures designed and permitted for habitation by one or two families (i.e., single-family homes, two-family homes (duplex units) or three-family homes (triplex units)).

SFR (SINGLE-FAMILY RESIDENTIAL). All tracts of real property with improvements intended for occupancy by one, two, or three families for residential purposes (i.e., single-family homes or duplex units), regardless of the number of sewer taps and fees it incurs.

STORMWATER SYSTEM. A system of constructed and naturally occurring above ground and below ground facilities or infrastructure intended to collect, treat, convey, and otherwise manage runoff from rain, snow, and other precipitation including, but not limited to, drains, inlets, conduits, culverts, storm sewers, manholes, pump stations, channels, ditches, swales, drainage easements, retention and detention basins, infiltration facilities, constructed best management practices (BMP's), lakes, ponds, streams, creeks, rivers and other related components.

VACANT/UNIMPROVED PROPERTY. All tracts of real property that are wholly vacant and unimproved (no impervious area), regardless of the zoning classification assigned to the property or the uses permitted thereon by applicable law, rules, and regulations.

§55.05 ORGANIZATION OF THE UTILITY.

The Utility shall be administered and managed by the City Manager or his designee who shall have the responsibility for planning, developing, and implementing stormwater management and sediment control plans; financing, constructing, maintaining, rehabilitating, inspecting, and managing stormwater facilities; collecting fees and charges for the Utility; implementing and enforcing the provisions of this code; promoting public awareness of the progress and activities of the Utility; making recommendations regarding proposals for amendments to this chapter, including, but not limited to, service charges, rules, and regulations; and other related duties.

§55.06 STORMWATER FACILITIES.

- (A) The Utility shall monitor the design, operation, maintenance, inspection, construction and use of all storm sewers, storm drains, and stormwater facilities in the City. The Utility shall be responsible for the design and construction of public stormwater facilities in the City and shall inspect, operate, and maintain them as prescribed in the stormwater rules and regulations.
- (B) The Utility may accept overriding responsibility for permanent maintenance of stormwater facilities designed to control erosion when the benefitting area involves two or more property owners. The Utility may require facilities to be designed to reduce maintenance cost and will require adequate easements.

§55.07 EROSION, SILTATION AND SEDIMENTATION.

The Utility shall be responsible for controlling erosion, siltation and sedimentation that will adversely affect storm sewers, drainage ditches, watercourses and other drainage facilities.

§55.08 ROUTINE AND REMEDIAL MAINTENANCE AND RIGHT OF ENTRY.

- (A) The Utility shall provide for inspection and routine maintenance of facilities that have been accepted for maintenance by the Utility. Maintenance may include catch basin cleaning, grating and casting repair, bridge surface drainage systems cleaning, channel clearing, erosion repair, and other incidentals. The Utility shall provide for remedial maintenance of facilities based upon the severity of stormwater problems and potential hazard to the public. Remedial maintenance of bridge surface drainage systems shall remain the responsibility of agencies other than the Utility.
- (B) Upon notice, the City Manager or his designee, including contractors and their employees or consultants and other employees, may enter upon lands within the City to make surveys and examinations to accomplish the

necessary findings for planning and engineering studies or for inspection or maintenance of stormwater facilities. The City Manager or his designee shall maintain records of all inspections made.

§55.09 PROPERTY AFFECTED.

- (A) Except as provided in this chapter, all residentially developed property and non-residential developed property located within the limits of the city shall be subject to the stormwater service charges established by this chapter regardless of whether the properties are privately or publicly owned. Vacant/unimproved property shall not be subject to the stormwater service charges.
- (B) The Utility shall be responsible for stormwater drainage facilities and watercourses on all streets, boulevards, sidewalks, curbing, street and other municipal property and public easements, and highway structures and appurtenances belonging to the City.
- (C) Where public facilities and watercourses are located in easements on private property, the owner of the property is responsible for aesthetic maintenance such as lawn mowing, litter pick-up, etc. The owner shall neither place nor allow structures or plantings that interfere with the operation and maintenance of such drainage facilities and watercourses.
- (D) The Utility may authorize the construction of curbs, pavements, channels, watercourses, conduits, culverts, or other structures necessary to properly operate and maintain new and existing stormwater facilities.

§55.30 USER FEE.

- (A) All owners of real property in the City shall be charged for the use of the stormwater system based on an estimate of the amount of stormwater and rate of flow of stormwater that is projected to discharge into the stormwater system from the property.
- (B) By this chapter, which may be amended from time to time by resolution of the Commission, the City hereby sets and establishes a system of fees that is intended to assess users their fair and equitable share of the costs for use of the stormwater system for each property within the City. These fees shall be established in an amount sufficient to defray the reasonable costs for Federal stormwater permit requirements, operation, maintenance, and construction of necessary improvements or additions to the stormwater system. The subsequent amendments or adjustments shall take into consideration the amount of funds reasonably necessary to meet the level and cost of service required to manage and operate the stormwater system, including any previously unforeseen inflationary pressures, system expansion, increases in state and federal program mandates, or related issues that may necessitate management program expansion.

§55.31 FEES ESTABLISHED.

- (A) Subject to the provisions of this chapter, each and every owner and/or operator of residentially developed property and non-residential developed property shall have imposed upon them a stormwater user fee. The stormwater user fee shall be a monthly service charge and shall be determined by the provisions of this chapter and the applicable equivalent residential unit (ERU) and ERU rate established hereunder, which provisions may be amended from time to time in accordance with the provisions of this chapter or by resolution of the Commission. The established rate shall be contained within the Stormwater Management User Fee Policy. Effective with the initiation of the Stormwater Utility, one (1) ERU is equivalent to \$4.70 or up to 5,400 square feet.
- (B) The City Manager shall make recommendations to the Commission to adjust this definition of ERU from time to time by resolution to reflect development trends within the city or further equitably divide the costs of supporting the operation and maintenance of the stormwater system. In adjusting this definition, the Commission shall take into consideration the source of the data from which the subject ERU is to be established, the general acceptance and use of the source on the part of other stormwater systems, and the reliability and general accuracy of the source. The Commission may also utilize information obtained from property tax assessor's rolls or site examination, mapping information, aerial photographs, and other reliable information in order to determine impervious surface areas.
- (1.) ~~Residentially developed~~ Single family properties shall be billed on a per unit basis at one (1) ERU per month and duplexes, ~~triplexes and apartments~~ will be billed on a per unit basis of one-half (1/2) an ERU per month.
- (2.) The fee for ~~non-residential developed~~ all other properties not specified in Section (B)(1) shall be calculated based on the total impervious area of the property divided by the then-effective average impervious area for an ERU multiplied by a rate of one (1) ERU per month at the rate established for an ERU. The impervious area estimate shall be based on ortho-rectified aerial photography and/or as-built plans as approved through the building permit process, or other sources at the discretion of the City Engineer.
- (3.) Notwithstanding any other provision of this chapter, the STWUD shall assess the need for rate increases and report findings to the Commission.
- (C) Rates and charges incurred under this section shall be prepared and collected by the City in accordance with those provisions regulating the preparation and issuance of bills for utility service. The monies collected

under this section shall be used expressly for the benefit of the stormwater system.

- (D) The Commission shall yearly review the ERU and the fee assessed to determine whether the rate and fee are sufficiently permitting the City to meet the requirements of the NPDES permit issued by the EPA.
- (E) A credit program shall be available to non-residential customers only as established by the STWUD.

§55.32 COLLECTION.

- (A) The billing and collection of stormwater user fees shall be administered by the City Utilities Billing Office. The stormwater user fees for residentially developed properties and non-residential developed properties shall be billed as frequently as monthly with payment due as of the date stated in the billing.
- (B) For billings and collections administered directly by the City, in the event a partial payment is received, the payment shall be applied according to established procedures. All bills for stormwater user fees shall become due and payable in accordance with the rules and regulations in effect, or subsequently adopted by, the Commission.
- (C) All charges not under appeal and not paid within ten (10) days from date of billing shall be considered delinquent. All charges delinquent shall be subject to penalty and/or interest as established by Commission and could constitute a lien or an assessment upon the real property affected from the date charges are incurred as determined by the City Manager or the City Manager's designee. The City Manager may withhold other services, including water and electric, until such time as any outstanding charges are paid in full or a payment schedule acceptable to the City Manager by the delinquent party is agreed to.
- (D) The City shall have authority to annually place tax liens on properties in default of fees required by this chapter. The City shall provide notice of any intended tax liens subject to the provisions of applicable Ohio law. Removal of the property tax lien will only occur upon full payment of the stormwater user fees or other payment arrangements approved by the Commission. In the alternative, the City may take appropriate legal action to collect unpaid charges.
- (E) The threshold for retroactive billing shall be three (3) billing cycles. Omitted or previously unidentified property containing impervious surface that has not been charged stormwater user fees may be billed retroactively up to three (3) billing cycles.

§55.33 ENTERPRISE FUND REQUIREMENTS.

(A) The Stormwater Utility Fund shall be used for the following purposes:

- (1.) Acquisition of property by gift, purchase, or condemnation necessary to construct, operate, and maintain stormwater management facilities.
- (2.) Costs of administration and implementation of the stormwater management program.
- (3.) Engineering and design; debt service and related financing expenses; planning and construction costs for new stormwater facilities; and inspection, enlargement, or improvement of existing facilities.
- (4.) Operation and maintenance of the stormwater system, including the monitoring and inspection of stormwater control devices and facilities.
- (5.) Water quality monitoring and water quality programs.
- (6.) Inspection and enforcement activities.
- (7.) Elected official, appointed official, stakeholder, and general public education and outreach relating to stormwater.
- (8.) Billing, revenue collection, and associated administrative costs.
- (9.) Other activities that are reasonably required to manage and operate the stormwater system.

(B) Funding for the Utility shall include, but not be limited to:

- (1.) Stormwater user fees;
- (2.) Direct Charges. This charge will be collected from owners, developers or others for the cost of designing and constructing stormwater facilities and administrative costs and related expenses where the Utility designs and/or constructs or contracts for the construction of such facilities, including costs associated with abatement procedures undertaken by the Utility;
- (3.) Direct Assessment. This charge will be collected from owners/users in localized areas that desire stormwater drainage facilities not considered a part of the regional development or where an improvement is desired ahead of the priority status;
- (4.) Fees as set forth in this chapter; and
- (5.) Other income obtained from federal, state, local and private grants or revolving funds.

(C) All revenues generated by or on behalf of the Utility including stormwater management service charges and interest earnings on those revenues shall be deposited in the Stormwater Utility Fund and used exclusively for stormwater utility purposes.

(D) When a public improvement is funded by other funds of the City and/or by other agencies or organizations, the Utility may assume financial

responsibility for any storm drainage improvement costs associated with the overall project.

§55.50 ENFORCEMENT.

The City Manager or his designee is authorized to take appropriate legal action to require compliance with this chapter.

§55.51 APPEALS.

(A) Any person, firm, corporation, or organization notified of non-compliance with this chapter, who, or that is required to perform monitoring, analyses, reporting and/or corrective actions that is aggrieved by a decision of a City employee or contractor issuing such decision, may appeal the decision in writing to the City Manager within ten (10) days following the effective date of the decision.

The appeal must include all necessary documents, including, but not limited to, a survey, all structures or improvements, total property area, impervious area, drainage structures, drainage patterns and any features that contain, retain, or detain storm runoff on their own property, and diminish the quantity of stormwater as handled by the City.

(B) Upon receipt of the request, the City Manager or designee shall request a report and recommendation from the subject City employee or contractor and shall set the matter for administrative hearing at the earliest practicable date.

(C) At the hearing, the City Manager or his designee may hear additional evidence, and may revoke, affirm, or modify the earlier decision. Such decision shall be final, subject to appeal to a court of competent jurisdiction.

(D) The threshold for retroactive credits and adjustments shall be three (3) billing cycles prior to appeal application and/or the date of property owner transfer, with exception to vacant/unimproved or unidentified property that has not been charged stormwater user fees.

§55.52 NO LIABILITY.

Floods and stormwater runoff may occasionally occur which exceeds the capacity of the system. This ordinance does not imply nor create a duty on the City to insure that property subject to fees and charges established herein will always be free from flooding or flood damage, or that stormwater systems capable of handling all storm events can be cost effectively constructed, operated, or maintained. Nor shall this ordinance create a liability on the part of, or cause of action against, the City, or any of their elected officials, officers, or employees for any flood damage or any damage that may result from storms or runoff thereof.

§55.99 PENALTY.

Any person, business, or entity found in violation of any provision of this chapter shall be deemed guilty of a first degree misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 2. All other sections of Chapter 55 of the Piqua Municipal Code not amended herein shall remain in effect as is.

SECTION 3. The Commission's suspension of enforcement of Sections 55.31 and 55.32 is hereby terminated effective upon the effective date of this ordinance and enforcement of Sections 55.31 and 55.32 shall commence in accordance with the terms of this ordinance.

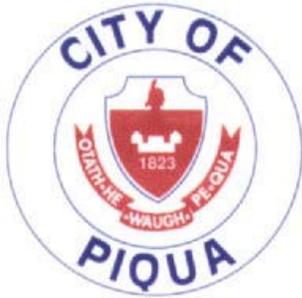
SECTION 4. This Ordinance is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua and so that the City of Piqua may comply with the requirements of its NPDES permit.

5-18-10 Tabled-Amended
1st Reading 6-1-2010
2nd Reading 6-15-2010

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of May 4, 2010

TO: Fred Enderle, City Manager
FROM: Stacy M. Wall, Law Director
SUBJECT: Stormwater Ordinance Amendment

PURPOSE:

To provide clarification to the billing formula as governed by Section 55.31.

RECOMMENDATION:

Adopt the Ordinance to clarify the meaning and intent of Section 55.31 for how apartment buildings are billed.

BACKGROUND:

On November 2, 2009, the Commission adopted Ordinance 18-09, after three readings, creating Chapter 55 for Stormwater Management. On December 21, 2009, the Commission suspended enforcement of Chapter 55 with regards to Sections 55.31 and 55.32, fees. The Commission then held work sessions on January 17th and February 22nd to discuss the ERU rate and the minimum amount required to satisfy the conditions of the EPA permit. As a result, the ordinance was amended and the Commission adopted Ordinance 5-10 on March 16, 2010, which set the ERU at \$4.70 for 5,400 square feet of impervious surface.

The question has arisen whether there is a conflict between the definition section defining residentially developed and non-residentially developed property with how the fees are assessed pursuant to Section 55.31.

ALTERNATIVES:

1. **Adopt Ord. No. 15-10 clarifying the fee structure**
2. **Do not adopt Ord. No. 15-10 leaving the language of Chapter 55 as is;**
3. **Do not adopt Ord. No. 15-10 and provide further direction**

DISCUSSION:

Section 55.02 defines the following:

NON-RESIDENTIAL DEVELOPED PROPERTY. All tracts of real property either zoned or developed for (i) residential use intended for occupancy by more than three families per residential structure (e.g. apartment houses with four or more units under a single roof), (ii) commercial uses, (iii) non-profit non-



residential uses (e.g. governmental organizations, churches, and fraternal organizations), and (iv) industrial uses.

RESIDENTIALLY DEVELOPED PROPERTY. All tracts of real property either zoned or developed for residential use in structures intended designed and permitted for habitation by one or two families (i.e., single-family homes or duplex units), regardless of the number of sewer taps and fees it incurs.

The definitions thus define any housing unit with four or more units as being non-residential. Section 55.31(B)(1) and (2), however, charges a fee for stormwater on any residential unit with two or more units differently than the non-residential properties. Thus, the argument that the definition section conflicts with the fee section as the apartment units (4 or more) are not considered non-residential as defined. There is no conflict as discussed below. However, because there is confusion and those who will succeed us and enforce the ordinance need a clear understanding, it is recommended that the ordinance be amended. The intent, meaning and applicability of the ordinance are **not** changed in any way by the proposed ordinance.

The definition section is prefaced by, “[f]or the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.” (Emphasis added). Thus, although the definition section defines a residential unit with four or more units as non-residential, Section 55.31(B)(1) “clearly indicates” that those same residential units are not billed the same as all other non-residential units. This does not change the meaning of the definition. To clarify this confusion, the proposed amendment changes section 55.31(B)(2) to say “all other property not specified in Section (B)(1)” rather than saying non-residential.

Therefore, Section 55.31(B)(1) bills any residential unit larger than a single family residence ½ of an ERU per unit. This is how the ordinance was explained from the beginning. At the September 28, 2009 work session, the program was explained to the Commission through a powerpoint presentation as presented by representatives from Stantec Consulting, which explained that the ERU was to be established at \$4.70 and that for multi-family units, each unit would be charged ½ an ERU. The **minimum** charge for any property would be 1 ERU or \$4.70. The October 19, 2009 City Commission meeting minutes reflect that during the second reading of the proposed ordinance, Devon Alexander explained that charges for apartment complexes would be ½ an ERU per unit or \$2.35. On March 16, 2010, the Commission considered amending Chapter 55 to amend an ERU from 2,700 square feet to 5,400 square feet. The City Manager noted that the reduced collection would only allow the City to meet the **minimum** EPA requirements.

The intent from the beginning of the creation of the Stormwater Management regulations was to bill apartment complexes or multi-family units ½ an ERU per unit. Regardless of the number of units, there is a minimum cost that the City must establish to cover its costs. This minimum rate was established at 1 ERU at \$4.70. Sidney and Troy also establish the minimum billing for a property to be 1 ERU. Sidney considers any residential property larger than a two-family to be defined as non-residential and thus bills those properties by dividing the square footage by 1 ERU. Troy defines all residential units regardless of the number of units as residential and bills a flat rate of 1 ERU.



FINANCIAL IMPACT:

The proposed amendment does not have a financial impact as the amendment continues to bill all properties as indicated in Section 55.31 of Chapter 55. However, if the Commission decides to amend how apartment complexes or multi-family residential units are billed than there would be a significant financial impact. For example, an apartment complex of 50 units is currently paying \$117.50/month (1/2 ERU @ \$2.35 x 50). If that apartment complex was charged based on the square footage formula and the complex has 5,400 square feet of impervious area, the complex pays \$4.70/mo. This means that for the City to meet its mandated expenses, the rate of the ERU would have to be increased, which impacts all customers.

COMMUNITY IMPACT: There would be a community impact only if the manner in which apartment complexes are billed is changed. The current amendment for consideration has no community impact.

CONFORMITY TO CITY PLANS & POLICIES: This recommendation is consistent with the intent of the program, going back to the first work session explanation presented in September 2009.



ORDINANCE NO. 17-10

AN ORDINANCE AUTHORIZING THE SUBMISSION OF A PROPOSED AMENDMENT TO PIQUA CHARTER SECTIONS 66 AND 68 POLICE AND FIRE SERVICES

WHEREAS, the Charter Review Committee met pursuant to Charter Section and has recommended the Charter sections concerning the authority of the mayor regarding the police and fire forces be put on the ballot to be amended as stated below; and

WHEREAS, the Charter Review Committee met in open sessions and took public comment regarding the recommended changes; and

WHEREAS, pursuant to Section 135 of the Piqua Charter, amendments to the Charter may be submitted to the electorate of the City by a two-thirds vote of this Commission.

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

SECTION 1. The City Commission requests that the Miami County Board of Elections place on the ballot for the November 2010 General Election the question whether the electorate is for or against amending Charter Sections 66 and 68 as follows:

SECTION 66 POLICE FORCE.

The city shall maintain a police force consisting of an officer directly in charge thereof and of such number of other officers, patrolmen and employees as may be fixed in accordance with the provisions of Section 38 of this Charter. In case of riot or like emergency, the city manager ~~or the mayor, if he shall have been authorized by the commission to take charge of the police force,~~ may appoint additional patrolmen and officers for temporary service who need not be in the classified service of the city. The officer directly in charge of the police force shall have control of the stationing, and other disposition, of all members of the force under such rules and regulations as he may establish with the approval of the city manager.

SECTION 68 FIRE FORCE.

The city shall maintain a fire force consisting of an officer in charge thereof and of such number of other officers, firemen and employees as may be fixed in accordance with the provisions of Section 38 of this Charter. In case of riot, conflagration, or like emergency, the city manager, ~~or the mayor, if he shall have been authorized by the commission to take charge of the fire force,~~ may appoint additional officers and firemen for temporary service who need not be in the classified service of the city. The officer directly in charge of the fire force shall have control of the stationing, and other disposition, of the force under such rules and regulations as he may establish with the approval of the city manager.

SECTION 2. The proposed amendment shall be submitted to a vote of the electors on the November 2010 general election in the City of Piqua.

SECTION 3. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 66 Police Force", and the question to be submitted shall be as follows:

Shall Charter Section 66 be amended to eliminate the mayor's responsibility in an emergency with regards to the command of the police department?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 4. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 68 Fire Force", and the question to be submitted shall be as follows:

Shall Charter Section 68 be amended to eliminate the mayor's responsibility in an emergency with regards to the command of the fire department?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 5. The City Manager shall cause notice of the proposed amendment as well as the time and place of the election to be published in the Piqua Daily Call for a period of two consecutive weeks.

SECTION 6. The Clerk of this Commission shall certify a copy of this Ordinance to the Board of Elections of Miami County, Ohio.

SECTION 7. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading 6-1-2010

2nd Reading 6-15-2010

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CITY COMMISSION CLERK

***For Regular Meeting of City Commission
February 16, 2010***

To: Fred Enderle, City Manager

From: Stacy M. Wall, Law Director

Date: May 25, 2010

Re: Charter Amendments to Sections 5-6, 8, 32, 41, 66 and 68

PURPOSE:

To adopt the recommendations of the Charter Review Committee and place on the November 2010 ballot, Charter Amendments for Sections 5-6, 8, 32, 41, 66 and 68.

RECOMMENDATION:

To adopt the three Resolutions for amending the above Charter sections as they are the result of the Charter Review Committee's recommendations.

BACKGROUND:

The Commission appointed the Charter Review Committee pursuant to Charter Section 135 and Resolution No. 33-09. The Committee was chaired by Frank Patrizio and it reviewed every section of the Charter, meeting on April 30th, May 11th and 18th, June 8th and 30th and July 20th, 2009. Every meeting was open to the public and public comment was received.

The Committee arrived at 21 recommended changes to the Charter. Because of the number of changes, the Committee prioritized the charter changes, grouping them into three groups, which were to be placed on the ballot in November 2009, Spring 2010 and November 2010. The Commission approved the Committee's recommendations in 2009 and placed 11 Charter Amendments on the ballot in November 2009. A second group of changes consisted of Sections 3, 4 and 33, all of which dealt with the organization and/or administrative powers of the Commission. These charter sections will also be placed on the November 2010 ballot due to timing issues with the Board of Elections.

Therefore, the last group of charter changes are as follows:

- Section 5 President of Commission, Mayor
- Section 6 Salary of Commission Members and Mayor
- Section 8 Rules of Commission

- Section 32 Removal of Officers and Employees
- Section 41 Qualifications and Duties of Law Director

- Section 66 Police Force
- Section 68 Fire Force

The basis for amending Charter Sections 5, 66 and 68 is based on emergency preparedness. The Commission adopted Chapter 35 of the codified ordinances defining the responsibilities in an emergency event. This chapter identified the City Manager as the Emergency Preparedness Coordinator. In the event of an emergency or disaster, key individuals in management have been thoroughly trained on how to respond. This training includes cross training with outside resources such as the County Emergency Operations Center. The response to an emergency event needs to from someone who has daily involvement with the operations and management of the City, which is recognized in Chapter 35. Charter Section 5 **President of Commission, Mayor**, directly conflicts with Chapter 35 and this trained response as it permits the mayor to take command of the police force. Likewise, Sections 66 **Police Force** and 68 **Fire Force** are to be amended to reflect that the mayor is not the position that should take command of the police and fire forces as in a commission- city manager form of government, the mayor is not trained on the operations of the police and fire forces. Putting the mayor in such a role could potentially create liability as a trained individual needs to take command in an emergency event.

Charter Section 6 **Salary of Commission Members and Mayor**, as proposed would eliminate the language that the vice mayor receive the salary of the mayor in which the vice mayor has performed mayor duties in a month. This is difficult to track and not equitable as the vice mayor may conduct one meeting a month yet the Charter section would provide for an entire month's salary. The committee and the Finance Department could not recall an incident where this provision was enforced.

Section 8 **Rules of Commission** is being placed on the ballot to clarify what reasons the Commission may expel a commissioner. The language was somewhat vague and the committee did not want a scenario where a commissioner could be expelled because of personality conflicts.

The remaining sections are 32 **Removal of Officers and Employees** and 41 **Qualifications and Duties of Director of Law**. The proposed amendment to Section 32 specifies that written notice must be provided to an employee who is to be laid off, suspended or terminated and would not permit verbal notice. The

proposed amendment to Section 41 would change the qualifications for the law director to be a practicing attorney from two years to five years. The position of law director is extremely challenging not only due to the volume of work but due to the variety and complexity of issues. It is with great certainty that a person practicing for only two years would not be qualified to fulfill the duties of the position.

ALTERNATIVES:

1. The Commission could not adopt the recommendations of the Committee and not place the ordinances on the ballot;
2. The Commission could adopt the recommendations of the Committee and place the ordinances on the ballot;
3. The Commission could adopt some of the recommendations and place the ordinances on the ballot; or
4. The Commission could recommend changes to the proposed ordinances.

DISCUSSION:

The proposed ordinances are before the Commission for the first time; however, the Commission has already been introduced to these proposals in 2009 when I presented all of the Charter Review Committee's recommendations. These changes are the result of many public meetings and much input and research. The Committee believed that there were several sections that were outdated and needed changed to be consistent with current policy or practice. For example, management is trained in the operations of the departments and has received specialized training in emergency operations. It is not practical for the mayor to assume responsibility in such an event when it is the city manager who understands the operations. The amendments to Charter Sections 5, 66 and 68 therefore are in response to the operations of the City, the adoption of Chapter 35 and to minimize liability.

The other proposed changes were in response to the need for either clarification or a better definition of the intent of the specific charter section. The Committee unanimously approved the recommended changes.

FINANCIAL IMPACT:

None

CONFORMITY TO CITY PLANS & POLICIES:

The proposed changes regarding the mayor's authority in emergency events are consistent with Chapter 35 of the Codified Ordinances dealing with emergency operations. The remaining proposed changes are in the interest of the City in defining when a commissioner could be relieved of his duties and increasing the qualifications of the law director.

ORDINANCE NO. 18-10

AN ORDINANCE AUTHORIZING THE SUBMISSION OF A PROPOSED AMENDMENT TO PIQUA CHARTER SECTIONS 5, 6 and 8 THE COMMISSION

WHEREAS, the Charter Review Committee met pursuant to Charter Section and has recommended the Charter sections concerning the authority of the mayor and the rules of commission be put on the ballot to be amended as stated below; and

WHEREAS, the Charter Review Committee met in open sessions and took public comment regarding the recommended changes; and

WHEREAS, pursuant to Section 135 of the Piqua Charter, amendments to the Charter may be submitted to the electorate of the City by a two-thirds vote of this Commission.

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

SECTION 1. The City Commission requests that the Miami County Board of Elections place on the ballot for the November 2010 General Election the question whether the electorate is for or against amending Charter Sections 5, 6 and 8 as follows:

SECTION 5 PRESIDENT OF COMMISSION, MAYOR.

The president of the commission, who shall have the title of mayor, shall preside at meetings of the commission and perform such other duties consistent with his office as may be imposed by the commission. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. ~~In time of public danger or emergency he may, with the consent of the commission, take command of the police, maintain order and enforce the law.~~ The president of the commission shall be chosen by direct election of the voters for a term of two years to commence on the first Monday of January following the regular municipal election. At every municipal election when commissioners are to be elected, commencing November 1977, there shall be submitted to the voters a separate ballot for the office of mayor on which shall be listed the names of the candidates for that office. Voters shall not vote for more than one such candidate. Candidates for the office of mayor shall be limited to those persons who are also candidates for the office of city commissioner at that election or who already hold the office of city commissioner and whose term will continue during the next ensuing two calendar years. Candidates for the office of mayor shall file a declaration of candidacy with the board of elections on or before sixty days prior to the municipal election at which the mayor is to be elected. The candidate for mayor receiving the greatest number of votes who is also elected as city commissioner at that election or who is a city commissioner whose term will continue during the ensuing two calendar years will be elected ~~vice~~ mayor. If a vacancy occurs in the office of mayor, the vice mayor shall succeed to the office of mayor for the unexpired term, and the commission shall choose another of its members to act as vice mayor. The vice mayor shall also perform all the duties of the office of mayor during the mayor's absence or

disability. If no candidate for mayor is elected, or if there are no candidates for mayor, the city commission at its first meeting in January following that regular municipal election shall choose one of its members as president of the commission and another of its members as vice mayor.

SECTION 6 SALARY OF COMMISSION MEMBERS AND MAYOR.

The salary of a member of the commission shall be ~~twenty~~ twenty dollars (\$20.00) per month, and the salary of the mayor shall be ~~forty~~ forty dollars (\$40.00) per month unless modified by an ordinance adopting the recommendations of a citizens review committee. Said committee shall consist of at least five and not more than nine members who shall be electors of the City of Piqua appointed by the commission, at least one member being a resident of each ward. No officer or employee of the City of Piqua or member of the immediate family of such officer or employee shall be eligible to be a member of said committee. Said committee shall be appointed and convene every four years beginning in 1998 and issue a recommendation on salaries of commission members and the mayor. The commission may, by ordinance only, accept or reject said recommendation. ~~The vice mayor shall receive the salary of the mayor for each month in which the vice mayor has performed any of the duties of the mayor.~~

SECTION 8 RULES OF COMMISSION.

The commission shall be the judge of the continuing qualifications of its members and in such cases, shall have power to subpoena witnesses and compel the production of all pertinent books, records, and papers; but the decision of the commission in any such case shall be subject to review by the courts. The commission shall determine its own rules and order of business and keep a journal of its proceedings. It shall have power to compel the attendance of absent members, may censure its members for disorderly behavior and, by an affirmative vote of not less than seventy-five percent of the members, may expel a member for violation of its rules, a violation of the Charter, any criminal act involving dishonesty to which there was a criminal conviction or for some other reason for cause such as an ethical violation; but no member shall be expelled unless notified of the charge against him and given an opportunity to be heard in his own defense. Absence from three consecutive regular meetings shall operate to vacate the seat of a member unless such absence be authorized or excused by the commission.

SECTION 2. The proposed amendment shall be submitted to a vote of the electors on November 3, 2010, in the general election in the City of Piqua.

SECTION 3. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 5 President of Commission, Mayor", and the question to be submitted shall be as follows:

Shall Charter Section 5 be amended to eliminate the authority of the mayor to take command of the police department in time of emergency?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 4. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 6 Salary of Commission Members and Mayor", and the question to be submitted shall be as follows:

Shall Charter Section 6 be amended to eliminate the vice mayor being paid the mayor's salary during absences of the mayor?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 5. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 8 Rules of Commission", and the question to be submitted shall be as follows:

Shall Charter Section 8 be amended to specify reasons when a commission member may be expelled from City Commission?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 6. The City Manager shall cause notice of the proposed amendment as well as the time and place of the election to be published in the Piqua Daily Call for a period of two consecutive weeks.

SECTION 7. The Clerk of this Commission shall certify a copy of this Ordinance to the Board of Elections of Miami County, Ohio.

SECTION 8. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading 6-1-2010
2nd Reading 6-15-2010

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CITY COMMISSION CLERK

***For Regular Meeting of City Commission
February 16, 2010***

To: Fred Enderle, City Manager

From: Stacy M. Wall, Law Director

Date: May 25, 2010

Re: Charter Amendments to Sections 5-6, 8, 32, 41, 66 and 68

PURPOSE:

To adopt the recommendations of the Charter Review Committee and place on the November 2010 ballot, Charter Amendments for Sections 5-6, 8, 32, 41, 66 and 68.

RECOMMENDATION:

To adopt the three Resolutions for amending the above Charter sections as they are the result of the Charter Review Committee's recommendations.

BACKGROUND:

The Commission appointed the Charter Review Committee pursuant to Charter Section 135 and Resolution No. 33-09. The Committee was chaired by Frank Patrizio and it reviewed every section of the Charter, meeting on April 30th, May 11th and 18th, June 8th and 30th and July 20th, 2009. Every meeting was open to the public and public comment was received.

The Committee arrived at 21 recommended changes to the Charter. Because of the number of changes, the Committee prioritized the charter changes, grouping them into three groups, which were to be placed on the ballot in November 2009, Spring 2010 and November 2010. The Commission approved the Committee's recommendations in 2009 and placed 11 Charter Amendments on the ballot in November 2009. A second group of changes consisted of Sections 3, 4 and 33, all of which dealt with the organization and/or administrative powers of the Commission. These charter sections will also be placed on the November 2010 ballot due to timing issues with the Board of Elections.

Therefore, the last group of charter changes are as follows:

- Section 5 President of Commission, Mayor
- Section 6 Salary of Commission Members and Mayor
- Section 8 Rules of Commission

- Section 32 Removal of Officers and Employees
- Section 41 Qualifications and Duties of Law Director

- Section 66 Police Force
- Section 68 Fire Force

The basis for amending Charter Sections 5, 66 and 68 is based on emergency preparedness. The Commission adopted Chapter 35 of the codified ordinances defining the responsibilities in an emergency event. This chapter identified the City Manager as the Emergency Preparedness Coordinator. In the event of an emergency or disaster, key individuals in management have been thoroughly trained on how to respond. This training includes cross training with outside resources such as the County Emergency Operations Center. The response to an emergency event needs to from someone who has daily involvement with the operations and management of the City, which is recognized in Chapter 35. Charter Section 5 **President of Commission, Mayor**, directly conflicts with Chapter 35 and this trained response as it permits the mayor to take command of the police force. Likewise, Sections 66 **Police Force** and 68 **Fire Force** are to be amended to reflect that the mayor is not the position that should take command of the police and fire forces as in a commission- city manager form of government, the mayor is not trained on the operations of the police and fire forces. Putting the mayor in such a role could potentially create liability as a trained individual needs to take command in an emergency event.

Charter Section 6 **Salary of Commission Members and Mayor**, as proposed would eliminate the language that the vice mayor receive the salary of the mayor in which the vice mayor has performed mayor duties in a month. This is difficult to track and not equitable as the vice mayor may conduct one meeting a month yet the Charter section would provide for an entire month's salary. The committee and the Finance Department could not recall an incident where this provision was enforced.

Section 8 **Rules of Commission** is being placed on the ballot to clarify what reasons the Commission may expel a commissioner. The language was somewhat vague and the committee did not want a scenario where a commissioner could be expelled because of personality conflicts.

The remaining sections are 32 **Removal of Officers and Employees** and 41 **Qualifications and Duties of Director of Law**. The proposed amendment to Section 32 specifies that written notice must be provided to an employee who is to be laid off, suspended or terminated and would not permit verbal notice. The

proposed amendment to Section 41 would change the qualifications for the law director to be a practicing attorney from two years to five years. The position of law director is extremely challenging not only due to the volume of work but due to the variety and complexity of issues. It is with great certainty that a person practicing for only two years would not be qualified to fulfill the duties of the position.

ALTERNATIVES:

1. The Commission could not adopt the recommendations of the Committee and not place the ordinances on the ballot;
2. The Commission could adopt the recommendations of the Committee and place the ordinances on the ballot;
3. The Commission could adopt some of the recommendations and place the ordinances on the ballot; or
4. The Commission could recommend changes to the proposed ordinances.

DISCUSSION:

The proposed ordinances are before the Commission for the first time; however, the Commission has already been introduced to these proposals in 2009 when I presented all of the Charter Review Committee's recommendations. These changes are the result of many public meetings and much input and research. The Committee believed that there were several sections that were outdated and needed changed to be consistent with current policy or practice. For example, management is trained in the operations of the departments and has received specialized training in emergency operations. It is not practical for the mayor to assume responsibility in such an event when it is the city manager who understands the operations. The amendments to Charter Sections 5, 66 and 68 therefore are in response to the operations of the City, the adoption of Chapter 35 and to minimize liability.

The other proposed changes were in response to the need for either clarification or a better definition of the intent of the specific charter section. The Committee unanimously approved the recommended changes.

FINANCIAL IMPACT:

None

CONFORMITY TO CITY PLANS & POLICIES:

The proposed changes regarding the mayor's authority in emergency events are consistent with Chapter 35 of the Codified Ordinances dealing with emergency operations. The remaining proposed changes are in the interest of the City in defining when a commissioner could be relieved of his duties and increasing the qualifications of the law director.

ORDINANCE NO. 19-10

AN ORDINANCE AUTHORIZING THE SUBMISSION OF A PROPOSED AMENDMENT TO PIQUA CHARTER SECTIONS 32 and 41 ADMINISTRATIVE SERVICE

WHEREAS, the Charter Review Committee met pursuant to Charter Section 135 and has recommended the Charter sections concerning the removal of employees and the minimum qualifications for the law director be put on the ballot to be amended as stated below; and

WHEREAS, the Charter Review Committee met in open sessions and took public comment regarding the recommended changes; and

WHEREAS, pursuant to Section 135 of the Piqua Charter, amendments to the Charter may be submitted to the electorate of the City by a two-thirds vote of this Commission.

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

SECTION 1. The City Commission requests that the Miami County Board of Elections place on the ballot for the November 2010 General Election the question whether the electorate is for or against amending Charter Sections 32 and 41 as follows:

SECTION 32 REMOVAL OF OFFICERS AND EMPLOYEES.

Any officer or employee of the city, including assistants and employees in the office of the city clerk, may be laid off, suspended or removed from office or employment by the officer by whom appointed. ~~Verbal or w~~Written notice of layoff, suspension or removal given directly to an officer or employee, or written notice left at or mailed to his usual place of residence shall be sufficient to put any such layoff, suspension or removal into effect unless the person so notified shall, within five working days after such notice, demand a written statement of the reasons therefore and the right to be heard publicly before the city manager and the officer by whom such notice was given. Upon such demand, the officer making the layoff, suspension or removal shall supply the person notified thereof with a written statement of the reasons therefore and the city manager shall fix a time and place for the public hearing. Following the public hearing the city manager shall, by a decision in writing, make such disposition of the case as, in his opinion, the good of the service may require, and such decision shall be final. A copy of the statement of reasons for any layoff, suspension or removal, a copy of any written reply thereto by the officer or employee involved, and a copy of the final decision of the officer by whom the layoff, suspension or removal was made, shall be filed as public records in the office of the civil service commission or other appropriate personnel office of the city.

SECTION 41 QUALIFICATIONS AND DUTIES OF DIRECTOR OF LAW.

The director of law shall be an attorney at law who shall have practiced in the state of Ohio for at least ~~two~~ five years. He shall be the chief legal advisor of and attorney for the city and all departments and offices thereof in matters relating to their official powers and duties. It shall be his duty, either personally or by such assistants as he may designate, with the approval of the city manager, to perform all services incident to the department of law; to attend all meetings of the commission; to give advice in writing, when so requested, by the commission, commissioners, the city manager, the director of any department or the head of any office not connected with a department; to prosecute or defend, as the case may be, all suits or cases to which the city may be a party; to prosecute for all offenses against the ordinances of the city and for such offenses against the laws of the state as may be required of him by law; to prepare all contracts, bonds and other instruments in writing in which the city is concerned, and to endorse on each his approval of the form and correctness thereof; and to perform such other duties of a legal nature as the commission may by ordinance require.

SECTION 2. The proposed amendment shall be submitted to a vote of the electors on the November 2010, general election in the City of Piqua.

SECTION 3. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 32 Removal of Officers and Employees", and the question to be submitted shall be as follows:

Shall Charter Section 32 be amended to require that an employee who is to be laid off, suspended or removed receive written notice?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 4. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 41 Qualifications and Duties of Director of Law", and the question to be submitted shall be as follows:

Shall Charter Section 41 be amended to require the director of law to have five years of experience as a practicing attorney rather than two years?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 5. The City Manager shall cause notice of the proposed amendment as well as the time and place of the election to be published in the Piqua Daily Call for a period of two consecutive weeks.

SECTION 6. The Clerk of this Commission shall certify a copy of this Ordinance to the Board of Elections of Miami County, Ohio.

SECTION 7. This Ordinance shall take effect and be in force from and after the

earliest period allowed by law.

1st Reading 6-1-2010

2nd Reading 6-15-2010

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CITY COMMISSION CLERK

***For Regular Meeting of City Commission
February 16, 2010***

To: Fred Enderle, City Manager

From: Stacy M. Wall, Law Director

Date: May 25, 2010

Re: Charter Amendments to Sections 5-6, 8, 32, 41, 66 and 68

PURPOSE:

To adopt the recommendations of the Charter Review Committee and place on the November 2010 ballot, Charter Amendments for Sections 5-6, 8, 32, 41, 66 and 68.

RECOMMENDATION:

To adopt the three Resolutions for amending the above Charter sections as they are the result of the Charter Review Committee's recommendations.

BACKGROUND:

The Commission appointed the Charter Review Committee pursuant to Charter Section 135 and Resolution No. 33-09. The Committee was chaired by Frank Patrizio and it reviewed every section of the Charter, meeting on April 30th, May 11th and 18th, June 8th and 30th and July 20th, 2009. Every meeting was open to the public and public comment was received.

The Committee arrived at 21 recommended changes to the Charter. Because of the number of changes, the Committee prioritized the charter changes, grouping them into three groups, which were to be placed on the ballot in November 2009, Spring 2010 and November 2010. The Commission approved the Committee's recommendations in 2009 and placed 11 Charter Amendments on the ballot in November 2009. A second group of changes consisted of Sections 3, 4 and 33, all of which dealt with the organization and/or administrative powers of the Commission. These charter sections will also be placed on the November 2010 ballot due to timing issues with the Board of Elections.

Therefore, the last group of charter changes are as follows:

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- Section 8 Rules of Commission

- Section 32 Removal of Officers and Employees
- Section 41 Qualifications and Duties of Law Director

- Section 66 Police Force
- Section 68 Fire Force

The basis for amending Charter Sections 5, 66 and 68 is based on emergency preparedness. The Commission adopted Chapter 35 of the codified ordinances defining the responsibilities in an emergency event. This chapter identified the City Manager as the Emergency Preparedness Coordinator. In the event of an emergency or disaster, key individuals in management have been thoroughly trained on how to respond. This training includes cross training with outside resources such as the County Emergency Operations Center. The response to an emergency event needs to from someone who has daily involvement with the operations and management of the City, which is recognized in Chapter 35. Charter Section 5 **President of Commission, Mayor**, directly conflicts with Chapter 35 and this trained response as it permits the mayor to take command of the police force. Likewise, Sections 66 **Police Force** and 68 **Fire Force** are to be amended to reflect that the mayor is not the position that should take command of the police and fire forces as in a commission- city manager form of government, the mayor is not trained on the operations of the police and fire forces. Putting the mayor in such a role could potentially create liability as a trained individual needs to take command in an emergency event.

Charter Section 6 **Salary of Commission Members and Mayor**, as proposed would eliminate the language that the vice mayor receive the salary of the mayor in which the vice mayor has performed mayor duties in a month. This is difficult to track and not equitable as the vice mayor may conduct one meeting a month yet the Charter section would provide for an entire month's salary. The committee and the Finance Department could not recall an incident where this provision was enforced.

Section 8 **Rules of Commission** is being placed on the ballot to clarify what reasons the Commission may expel a commissioner. The language was somewhat vague and the committee did not want a scenario where a commissioner could be expelled because of personality conflicts.

The remaining sections are 32 **Removal of Officers and Employees** and 41 **Qualifications and Duties of Director of Law**. The proposed amendment to Section 32 specifies that written notice must be provided to an employee who is to be laid off, suspended or terminated and would not permit verbal notice. The

proposed amendment to Section 41 would change the qualifications for the law director to be a practicing attorney from two years to five years. The position of law director is extremely challenging not only due to the volume of work but due to the variety and complexity of issues. It is with great certainty that a person practicing for only two years would not be qualified to fulfill the duties of the position.

ALTERNATIVES:

1. The Commission could not adopt the recommendations of the Committee and not place the ordinances on the ballot;
2. The Commission could adopt the recommendations of the Committee and place the ordinances on the ballot;
3. The Commission could adopt some of the recommendations and place the ordinances on the ballot; or
4. The Commission could recommend changes to the proposed ordinances.

DISCUSSION:

The proposed ordinances are before the Commission for the first time; however, the Commission has already been introduced to these proposals in 2009 when I presented all of the Charter Review Committee's recommendations. These changes are the result of many public meetings and much input and research. The Committee believed that there were several sections that were outdated and needed changed to be consistent with current policy or practice. For example, management is trained in the operations of the departments and has received specialized training in emergency operations. It is not practical for the mayor to assume responsibility in such an event when it is the city manager who understands the operations. The amendments to Charter Sections 5, 66 and 68 therefore are in response to the operations of the City, the adoption of Chapter 35 and to minimize liability.

The other proposed changes were in response to the need for either clarification or a better definition of the intent of the specific charter section. The Committee unanimously approved the recommended changes.

FINANCIAL IMPACT:

None

CONFORMITY TO CITY PLANS & POLICIES:

The proposed changes regarding the mayor's authority in emergency events are consistent with Chapter 35 of the Codified Ordinances dealing with emergency operations. The remaining proposed changes are in the interest of the City in defining when a commissioner could be relieved of his duties and increasing the qualifications of the law director.

ORDINANCE NO. 22-10

AN ORDINANCE TO CHANGE THE STREET NAME OF PORTIONS OF BRIDGE STREET AND STATLER ROAD

WHEREAS, the Planning Commission has met to study a request to change the street name of portions of Bridge Street and Statler Road; and

WHEREAS, the Planning Commission met in open sessions and took public comment regarding the recommended changes; and

WHEREAS, the Planning Commission after hearing the request and considering the public comments and information provided, recommended that the street name of the subject public right of way improvements be recognized as Garnsey Street; and

WHEREAS, pursuant to Piqua Charter Section 98, street name changes must be adopted by Ordinance by this Commission.

NOW, THEREFORE, 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: This Commission hereby takes the action necessary to change the street name of portions of Bridge Street and Statler Road public right of way improvements to Garnsey Street; said name change affecting only those portions of public right of way improvements located within the city of Piqua Corporation Limits, and said portions of public right of way improvements being a continuous through street beginning at the intersection of Main Street and Garnsey Street and ending at the intersection of Staunton Street and Statler Road, as being as further described on the attached exhibit.

SEC. 2: The City Manager shall cause notice of the street name change to be served to all property owners contiguous to the affected portions of street and road right of way.

SEC. 3: This Ordinance shall take precedent over all prior Ordinances or Resolutions pertaining to the street name of the affected portions of public right of way improvements.

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

LUCINDA L. FESS, MAYOR

Renamed at 6/15/2010 Regular City Commission Meeting as:

Resolution No. R-78-10

PASSED: _____

ATTEST: _____

REBECCA J. COOL

CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of June 15, 2010

TO: Fred Enderle, City Manager

FROM: Chris Schmiesing, City Planner

SUBJECT: Recommended Renaming of Portions of Bridge Street and Statler Road

PURPOSE:

Act on Planning Commission recommendation to rename a portion of Bridge Street and Statler Road right of way within the City of Piqua corporation limits to correct a street name/address assignment discrepancy.

RECOMMENDATION:

Approve the Ordinance to change the name of a portion of Bridge Street and Statler Road to Garnsey Street.

BACKGROUND:

Currently the referenced portions of Statler Road and Bridge Street are posted as Garnsey Street and the parcels adjacent to this segment of roadway located inside the City limits use Garnsey Street and Bridge Street address assignments. While the subject roadway segment is one continuous through street, official plat and construction right of way records reflect the roadway as being two separate roadway segments with two separate names, neither of which reflect the street name posted. Because of this discrepancy problems arise when the occupants of the properties located on this stretch of roadway request a response from safety service agencies, utility companies, and others, or simply try to have a pizza delivered to their residence.

ALTERNATIVES:

- 1) Approve Ordinance and accept Planning Commission recommendation to rename the subject portions of right of way.
- 2) Defeat the Ordinance and leave the street name discrepancy unresolved.

DISCUSSION:

The proposed street name change originated with a request by the residents along this segment of roadway that the street name be studied. After examining the available records and collecting the pertinent information, it became quite evident that discrepancies existed with regards to the applicable street name for this corridor. The proposed street name was presented to the Planning Commission in an open session and public comment was invited. All three of the property owners of the single family dwelling units located along this roadway segment attended the meeting and spoke in favor of the proposed street name change. The only other affected property is occupied by a commercial structure that is currently vacant.

The Piqua Materials business located on the south side of the roadway is outside of the city limits and is not affected by the proposed change. Nonetheless, the Business Manager for the Piqua Materials facilities was contacted by phone by city staff and informed of the street name change being discussed. The Piqua Material representative we spoke with was supportive of the planned street name change and registered no objections.

The proposed street name change, if approved, will reflect the street name already used by the general public to refer to this stretch of roadway and will modify the necessary documents to make official the street name currently in use. This action will remedy a condition that, at the very least, is an inconvenience to the affected property owners, and at its worst may result in dire consequences. The Piqua Materials property located across the roadway is located outside of the city limits and the address assignment for this business will not be affected by the proposed change. Changing the street name will result in a change to the street name currently being used as the mailing address at 3 of the 4 affected properties.

FINANCIAL IMPACT:

The proposed street name change will have no fiscal impact on the City.

COMMUNITY IMPACT:

The proposed street name change will improve public health and safety and will have a positive effect on the surrounding property owners or the interest of the general public.

CONFORMITY TO CITY PLANS & POLICIES:

The proposed street name change is consistent and compatible with all adopted City plans and policies, including the Goal, Principles, and Objectives and Strategies outlined in the Land Use and Transportation chapters of the Plan It Piqua Comprehensive Plan document.

C. NEW BUSINESS
JULY 6, 2010

- **Res. No. R-79-10**
- **Res. No. R-80-10**
- **Res. No. R-81-10**
- **Res. No. R-82-10**
- **Res. No. R-83-10**
- **Res. No. R-84-10**
- **Res. No. R-85-10**
- **Res. No. R-86-10**

RESOLUTION NO. R-79-10

A RESOLUTION RESCINDING RESOLUTION NO. R-78-10

WHEREAS, on June 15, 2010 Ordinance No. 22-10 was read at the Regular City Commission meeting at which time it was decided to place/rename this item on the agenda as a Resolution, that being Resolution No. R-78-10; and

WHEREAS, Resolution No. R-78-10, (A Resolution to change the street name of portions of Bridge Street and Statler Road) was then adopted; and

WHEREAS, after further review it was determined Resolution No. R-78-10 should be rescinded and Ordinance No. 22-10 should be placed on the July 6, 2010 Regular City Commission agenda for a second reading; and

WHEREAS, it was determined that the Resolution should be rescinded pursuant to Piqua Charter Section 98, street name changes must be adopted by Ordinance by this Commission.

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

SEC.1: Resolution No. R-78-10 (Attached hereto as Exhibit "A") is hereby rescinded and Resolution No. R-78-10 shall have no effect.

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"

~~ORDINANCE NO. 22-10~~
RENAMED – RESOLUTION NO. R-78-10

AN ORDINANCE TO CHANGE THE STREET NAME OF PORTIONS OF BRIDGE STREET AND STATLER ROAD

WHEREAS, the Planning Commission has met to study a request to change the street name of portions of Bridge Street and Statler Road; and

WHEREAS, the Planning Commission met in open sessions and took public comment regarding the recommended changes; and

WHEREAS, the Planning Commission after hearing the request and considering the public comments and information provided, recommended that the street name of the subject public right of way improvements be recognized as Garnsey Street; and

WHEREAS, pursuant to Piqua Charter Section 98, street name changes must be adopted by Ordinance by this Commission.

NOW, THEREFORE, 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: This Commission hereby takes the action necessary to change the street name of portions of Bridge Street and Statler Road public right of way improvements to Garnsey Street; said name change affecting only those portions of public right of way improvements located within the city of Piqua Corporation Limits, and said portions of public right of way improvements being a continuous through street beginning at the intersection of Main Street and Garnsey Street and ending at the intersection of Staunton Street and Statler Road, as being as further described on the attached exhibit.

SEC. 2: The City Manager shall cause notice of the street name change to be served to all property owners contiguous to the affected portions of street and road right of way.

SEC. 3: This Ordinance shall take precedent over all prior Ordinances or Resolutions pertaining to the street name of the affected portions of public right of way improvements.

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

LUCINDA L. FESS, MAYOR

Renamed at 6/15/2010 Regular City Commission Meeting as:

Resolution No. R-78-10

PASSED: _____

ATTEST: _____

REBECCA J. COOL

CLERK OF COMMISSION

RESOLUTION NO. R-80-10

**A RESOLUTION AWARDING A CONTRACT
TO CARGILL, INC. FOR THE PURCHASE OF
ROAD SALT FOR THE STREET DEPARTMENT**

WHEREAS, road salt must be purchased to remove snow and ice from City streets; and

WHEREAS, bids were received under the Southwest Ohio Purchasers for Government; and

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

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

SEC. 1: A contract for road salt is hereby awarded to Cargill, Inc. as the lowest responsible bidder and the City Manager is hereby authorized to execute a contract with said bidder pursuant to contract specifications;

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the City treasury in payment according to contract terms, at the rate of \$61.78 per ton.

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



CITY COMMISSION MEETING REPORT

For the Regular Meeting of July 6, 2010

TO: Fred Enderle, City Manager

FROM: Beverly Yount, Purchasing Analyst

SUBJECT: Road Salt Purchase Order for 2010-2011 Winter Season

PURPOSE:

Approve the Resolution No. R-80-10 awarding a contract to Cargill, Inc. for the purchase of road salt for the Street Dept. during the 2010-2011 winter season for the purpose of de-icing the City roadways.

RECOMMENDATION:

I am requesting approval of Resolution No. R-80-10 awarding a contract to Cargill, Inc. for the purchase of road salt for the Street Dept. during the 2010-2011 winter season.

BACKGROUND:

We belong to an organization named Southwest Ohio Purchasers for Government (SWOP4G) which bid out the road salt purchase on behalf of approximately 87 entities this year. The City of Piqua has participated in this joint bid successfully for many years. We have found great value in the quantity discounts the vendors offer to all of the area communities that participate in this bid.

ALTERNATIVES:

- 1) Approve Resolution No. R-80-10 awarding a contract to Cargill, Inc. for the purchase of road salt for the Street Dept. during the 2010-2011 winter season.
- 2) Do not approve the Resolution and require us to perform the formal bid process ourselves.
- 3) Do not approve the Resolution and do not purchase any additional road salt for the upcoming winter season.

DISCUSSION:

- 1) This alternative will allow for us to purchase the road salt for our Street Dept. at a very competitive rate. By participating in the joint bid through SWOP4G, we get the discounts of a large buying group, but do not have the expense of advertising and working on the bid documents themselves.
- 2) This alternative will require more time and investment with no guarantee of a better rate.
- 3) This alternative would put our citizens and employees in great danger during bad weather conditions.

FINANCIAL IMPACT:

1) The rate for this contract will be \$61.78/ton and we anticipate needing 2,000 tons for a total cost of \$123,560.00. The complete bid tabulation is attached for your reference. This is the same rate as last year and we were happy with Cargill’s services and the quality of their salt product. Our other bids received were as follows:

Morton	\$63.02	\$126,040	+\$ 2,480
North American	\$63.94	\$127,880	+\$ 4,320
American	\$68.48	\$136,960	+\$13,400

2) The City would pay for the cost of our advertisement in the local newspaper and staff time for preparation of the bid documents with an unlikely chance of a getting a better rate per ton.

3) We could face possible litigation if accidents were to occur due to our negligence.

COMMUNITY IMPACT:

Our City has been well served in the past by the Street Dept. purchasing their road salt through this SWOP4G bid. We have the same expectations this year. We are not required to purchase all 2,000 tons if we do not need it, but it will be available to us if we have another harsh winter.

CONFORMITY TO CITY PLANS & POLICIES:

Of course the safety of our citizens and employees is always a top priority for us. We strive to maintain the streets in the very best condition that we can even when the weather is at its worst. Passage of this Resolution will allow our Street Dept. to continue providing excellent de-icing coverage on our roadways during the upcoming winter season.

RESOLUTION NO. R- 81-10

**A RESOLUTION ENDORSING THE MULTI-COUNTY ADVANTAGE SHARING PROGRAM
PROPOSAL**

WHEREAS, the Advantage Sharing Program seeks to provide additional investment funds above and beyond local and state incentives to economic and workforce development projects created by local governments to meet the needs of businesses locating, expanding, or sustaining operations in our Economic Development Region; and

WHEREAS, Economic and workforce development projects will have an impact on the following areas: job creation/retained, economic growth, employee wages, company investments, infrastructure improvements, and other factors that benefit the region; and

WHEREAS, the Dayton Development Coalition will provide administrative support for the Advantage Sharing Program and will apply for federal dollars to sustain the program over the next five years; and

WHEREAS, the City of Piqua has reviewed the Advantage Sharing Program Proposal.

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

SEC. 1: The Commission of the City of Piqua supports and endorses the Multi-County Advantage Sharing Program Proposal.

SEC. 2: A copy of this endorsement will be addressed and sent, along with the proposal, to the Ohio Department of Development for the Local Government Services Regional Collaboration Grant Program.

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

LUCINDA L. FESS, MAYOR

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of June 15, 2010

For the Special Meeting of

For the Study Session of

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: A Resolution of Support for the Advantage Sharing Program

PURPOSE:

The purpose of this resolution is to authorize the City of Piqua to endorse the Advantage Sharing Program.

RECOMMENDATION:

City Staff recommends that the City Commission approves the resolution endorsing the Advantage Sharing Program.

BACKGROUND:

Over the past year, the University of Dayton and Wright State University have been collaboratively studying the feasibility of developing a regional resource to promote the economic development and workforce development activities throughout the Greater Dayton Region. The collaborative effort has produced the genesis of the Advantage Sharing Program.

The Advantage Sharing Program provides grant funding available for participating jurisdictions in order to help promote economic and workforce development activities in the communities in the region. The grant funding must go to any project that helps create or retain jobs in the region and it is stipulated that 25% of the funding must be paid back to the Advantage Sharing Program.

ALTERNATIVES:

City Commission may decide not to adopt the resolution, in which case, the City would not support the Advantage Sharing Program and could not be a participating jurisdiction within the program.

DISCUSSION:

As previously stated, over the past year, Wright State University and the University of Dayton have collaboratively studied the feasibility of developing a regional resource that

could be used in the promotion of economic development and workforce development initiatives. Their efforts have brought forward the Advantage Sharing Program. The program will search for seed funding from the federal government and private foundations and the funds will be used to promote economic development and workforce development initiatives in the Greater Dayton Region, which at this point, is defined as Greene, Miami and Montgomery Counties. Communities in those areas which are participating jurisdictions will be allowed to submit applications for funding for projects that create or retain jobs. The applications will be received on an on-going basis and funding decisions will be made by a nine member committee in which representation will be equal between the three counties. There is a stipulation that if a community receives a grant award, it will need to payback 25% of the assistance provided within three years.

Within the program, there are two main sets of funds. As previously stated the Economic Development Fund would provide for competitive grant funding for economic development projects in Miami, Greene, and Montgomery Counties. It would be administered by the Dayton Development Coalition but governed by representatives from the participating jurisdictions as well as the private sector. The Workforce Development Initiative focuses on two workforce development areas that fill existing gaps in the Dayton region and each are funded through the 25% of money paid back by the ASP jurisdiction that has received funding through the ASP-ED Program. The first workforce development focus is bridging immediate gaps in labor supply that can be addressed with short- term training solutions that provide industry recognized certifications/credentials. The second focus is on bridging immediate gaps in labor supply that can be addressed with internships.

Although the program does not promote older industrial cities (like Piqua)—as identified in the Brookings Institution *Restoring Prosperity* Report—it does reward projects that utilize existing infrastructure by awarding higher points in the scoring matrix. City staff would have liked to see this particular issue (focusing the grants on older industrial cities) better addressed in the program, city staff believes this program would be another “quiver in our economic development arsenal” and worthy of support.

FINANCIAL IMPACT:

There is no financial impact to support the Advantage Sharing Program nor are there any dues or fees to be a participating jurisdiction to the program. The only potential cost to the program is the provision in which projects funded by the Advantage Sharing Program will need to pay back 25% of the assistance provided within three years. Any application provided to the Advantage Sharing Program will deserve close scrutiny as to how the pay back provision will be dealt with if the proposed application is funded.

COMMUNITY IMPACT:

The impact of the Advantage Sharing Program is hard to measure for such a new program. However, the program provides the community a new tool that can be used to help promote economic development.

CONFORMITY TO CITY PLANS & POLICIES:

The Advantage Sharing Program is a program that helps promote economic development and workforce initiatives in the community; for many years now, the City Commission has made economic development the ultimate priority for the community.

**PUBLIC HEARING
RESOLUTION NO. R-82-10**

**A RESOLUTION ACCEPTING FOR STATUTORY
PURPOSES A BUDGET FOR THE CALENDAR YEAR
2011**

WHEREAS, Section 5705.18 of the Revised Code requires that this Commission adopt a tax budget for the next succeeding fiscal year; and

WHEREAS, said tax budget, identified as the "2011 County Tax Budget" and incorporated by reference herein, has been presented to this Commission;

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

SEC. 1: The 2011 County Tax Budget for the City of Piqua, Ohio is hereby accepted as current for all statutory purposes;

SEC. 2: Pursuant to Charter Section 49, receipt of the 2011 draft appropriation ordinance is hereby acknowledged;

SEC. 3: The Clerk of this Commission is hereby authorized and directed to certify a true copy of this Resolution and of the 2011 County Tax Budget to the Miami County Budget Commission;

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



CITY COMMISSION MEETING REPORT

For the Regular Meeting of July 6, 2010

TO: Fred Enderle, City Manager

FROM: Cynthia A. Holtzapple, Assistant City Manager & Finance Director

SUBJECT: Year 2011 County Tax Budget and Draft Appropriation Ordinance
Resolution R-82-10

PURPOSE:

Approve the Resolution No. R-82-10 accepting for Statutory Purposes the Draft Ordinance of Appropriations for 2011 for our County Tax Budget.

RECOMMENDATION:

I am requesting approval of Resolution No. R-82-10 accepting for Statutory Purposes the Draft Ordinance of Appropriations for 2011 for our County Tax Budget.

BACKGROUND:

We are required to file this approved Resolution and County Tax Budget with our Miami County Budget Commission on or before July 20, 2010. We must first have this Resolution approved by our City Commission with advertising and public hearing being properly conducted.

ALTERNATIVES:

- 1) Approve Resolution No. R-82-10 accepting for Statutory Purposes the Draft Ordinance of Appropriations for 2011 for our County Tax Budget.
- 2) Approve Resolution No. R-82-10 accepting for Statutory Purposes the Draft Ordinance of Appropriations for 2011 for our County Tax Budget with changes being made to the amounts disclosed.
- 3) Do not approve the Resolution and be in violation of state and local laws.

DISCUSSION:

- 1) This alternative will allow for us to remain in compliance with all state and local laws in regards to filing our annual County Tax Budget.
- 2) This alternative will also allow for us to remain in compliance with all state and local laws in regards to filing our annual County Tax Budget, but with changes in some of the amounts.
- 3) This alternative is not recommended for the obvious reason of it being in violation of the law.

FINANCIAL IMPACT:

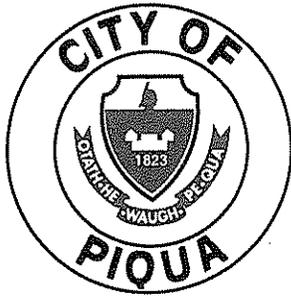
- 1 & 2) There is no direct financial impact to the City. This is simply an estimate of our 2011 budget at this time. No monies are being spent at this time to file this Resolution with the County.
- 3) The City could face substantial fines if we choose to go with this alternative.

COMMUNITY IMPACT:

There has been a public notice printed in our local newspaper and hung in the lobby advising citizens of their right to attend this meeting in order to discuss this issue with the Commission and we also notified them that the draft ordinance is available on our web site to view at any time.

CONFORMITY TO CITY PLANS & POLICIES:

Section 5705.18 of the Revised Code requires that this Commission adopt a tax budget for the next succeeding fiscal year and our local Charter Section 49 states that receipt of such draft ordinance must be acknowledged. We will meet these requirements once the Resolution is approved.



FINANCE DEPARTMENT

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

June 30, 2010

Mr. Fred Enderle
City Manager

RE: Year 2011 County Tax Budget and Draft Appropriation Ordinance

The 2011 County Tax Budget was prepared based upon information obtained from the individual city departments and City administration.

The total 2011 tax budget is projected to be \$84 million, an increase of \$8.2 million, or 10.8% more than the latest 2010 estimates based on general operation increases and several major projects in the Special Revenue and Enterprise funds. The major reasons for the net \$8.2 million increase are as follows:

<u>SPECIAL REVENUE FUNDS</u>	<u>AMOUNTS OF CHANGE YEAR 2011 VERSUS 2010</u>
Street Department – general operations & capital	\$0.2 million increase
Job Ready Site and other grant programs	\$2.2 million increase
<u>Special Revenue Funds Total</u>	<u>\$2.4 million increase</u>
 <u>INTERNAL SERVICES FUNDS</u>	
Health Care	\$0.6 million increase
<u>Internal Service Funds Total</u>	<u>\$0.6 million increase</u>
 <u>DEBT SERVICE FUNDS</u>	
Special Assessments, Admin Bldg. & SIB Loan	(\$0.2) million decrease
<u>Debt Service Funds Total</u>	<u>(\$0.2) million decrease</u>
 <u>CONSTRUCTION FUNDS</u>	
Water Plant construction	\$4.0 million increase
<u>Construction Funds Total</u>	<u>\$4.0 million increase</u>



ENTERPRISE FUNDS

Power System – general operation, demo & capital	\$0.8 million increase
Water System – general operation, capital & debt service	\$0.2 million increase
Wastewater System – operations & completion of EQ Basin	\$0.2 million increase
Refuse and Golf Course combined – general operation	\$0.1 million increase
Storm Water Utility – general operation	\$0.1 million increase
<u>Enterprise Funds Total</u>	<u>\$1.4 million increase</u>

GRAND TOTAL **\$8.2 million increase**

If you have any questions, please let me know.

Sincerely,



Cynthia A. Holtzapple
Director of Finance

**A DRAFT ORDINANCE TO MAKE APPROPRIATIONS FOR
THE CITY OF PIQUA FOR THE CALENDAR YEAR 2011**

WHEREAS, Section 49 of the Piqua Charter requires the submission of a draft appropriation ordinance at this time;

NOW, THEREFORE, 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: There be appropriated from the City funds as follows:

	<u>PROPOSED 2011</u>
GENERAL FUND (001)	\$7,634,061
NEIGHBORHOOD IMPROVEMENT TEAM (104)	307
PARKS DEPARTMENT (105)	815,423
SAFETY (106)	9,116,471
TREE DONATION FUND (107)	461
DUI EDUCATIONAL FUND (109)	3,000
MAUSOLEUM FUND (110)	5,989
PRO-PIQUA (128)	43,984
POLICE AUXILIARY (120)	3,155
INCOME TAX (407)	7,500,000
STREET DEPARTMENT (101)	2,247,800
STREET 1/4% INCOME TAX (103)	2,101,358
RENEW PIQUA (114)	8,800
MANDATORY DRUG FINE (111)	1,349
NEIGHBORHOOD STABILIZATION PROGRAM (118)	26,337
CHIP PROGRAM INCOME (119)	15,000
DEMOLITION DEFENSE FUND (126)	35,000
COMMUNITY DEVELOPMENT (FORMULA FUNDS) (122)	115,000
BROWNFIELD EPA GRANT (131)	400,000
REVOLVING LOAN (130)	20,959
CHIP 2010 (112)	394,000
ECONOMIC DEVELOPMENT DEPARTMENT (135)	316,479
DOWNTOWN REVITALIZATION (137)	196,000
FEMA FUND (139)	20,000
ECONOMIC DEVELOPMENT REVOLVING LOAN (141)	200,000
AGRICULTURE REVOLVING LOAN (142)	90,000
JOB READY SITE (143)	1,515,000
CLEAN OHIO (HOSPITAL) (144)	200,000
ENTERPRISE ZONE APPLICATIONS (127)	750
LAW ENFORCEMENT TRUST (609)	663
CONSERVANCY (611)	48,386
UNCLAIMED TRUST (606)	500
EMPLOYEE FLEXIBLE SPENDING (615)	185,000
INFORMATION TECHNOLOGY (408)	1,717,941
LIABILITY INSURANCE RESERVE (125)	
327,008	
WORKMAN'S COMP. RESERVE (124)	377,775
HEALTH CARE PLAN (614)	3,510,600
SPECIAL ASSESSMENT (202)	260,000
OWDA LOAN '95 (210)	506,537

PROPOSED 2011

ELECTRIC BONDS (238)	408,430
SWIMMING POOL BONDS D.S. (221)	8,435
FIRE & POLICE PENSION BONDS (249)	38,438
GOLF COURSE 9 HOLE EXPANSION BONDS (243)	167,286
WATER TOWER DEBT SERVICE '05 (250)	132,822
WATER TOWER DEBT SERVICE '06 (251)	14,351
HOTEL DEBT SERVICE (252)	348,160
INFO TECH BONDS DEBT SERVICE (253)	126,784
OWDA '08 EQUALIZATION BASIN DEBT SERVICE (254)	275,305
FIRE EQUIPMENT '08 G.O. BOND (255)	47,650
SIB LOAN (216)	173,755
WATER PLANT CONSTRUCTION (307)	4,000,000
SWIMMING POOL CONSTRUCTION (323)	20
SPECIAL ASSESS. PROJECT (700'S)	165,000
ELECTIC SYSTEM (401)	25,532,437
WATER SYSTEM (403)	4,260,265
WASTEWATER SYSTEM (404)	4,202,859
REFUSE (405)	1,875,295
GOLF COURSE (409)	790,000
STORM WATER UTILITY (410)	233,924
STORM WATER UTILITY (411)	785,296
SWIMMING POOL UTILITY (415)	193,248
BUSINESS OFFICE (412-413)	12,731
ELECTRIC DEPOSITS (603)	210,000
WATER DEPOSITS (604)	75,000

SEC. 2: That 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 re-appropriated for such original purposes; provided, that the net total of expenditures under any item of said appropriation shall not exceed the amount of the item.

SEC. 3: 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 2011 when passed and legally contracted for in conformity by law.

SEC. 4: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

SEC. 5: That this ordinance shall take effect and be in force from and after passage.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

CITY OF PIQUA, OHIO
2011 COUNTY TAX BUDGET

SUMMARY

		ACTUAL 2008	ACTUAL 2009	ESTIMATED 2010	PROPOSED 2011
<u>OPERATING FUNDS</u>					
TOTAL GENERAL FUND	Total Sources Available	\$ 33,566,217	\$ 31,463,450	\$ 29,308,846	\$ 26,492,932
	Total Expenses	<u>27,983,787</u>	<u>24,614,234</u>	<u>25,183,983</u>	<u>25,122,852</u>
	Balance as of 12/31	\$ 5,582,430	\$ 6,849,216	\$ 4,124,863	\$ 1,370,080
TOTAL ENTERPRISE FUNDS	Total Sources Available	\$ 46,527,717	\$ 46,432,783	\$ 51,166,195	\$ 55,761,149
	Total Expenses	<u>34,165,137</u>	<u>30,811,599</u>	<u>36,733,214</u>	<u>38,171,054</u>
	Balance as of 12/31	\$ 12,362,580	\$ 15,621,184	\$ 14,432,981	\$ 17,590,095
TOTAL OPERATING FUNDS (GENERAL PLUS ENTERPRISE)	Total Sources Available	\$ 80,093,934	\$ 77,896,233	\$ 80,475,041	\$ 82,254,081
	Total Expenses	<u>62,148,924</u>	<u>55,425,833</u>	<u>61,917,197</u>	<u>63,293,906</u>
	Balance as of 12/31	\$ 17,945,010	\$ 22,470,400	\$ 18,557,844	\$ 18,960,175
+++++					
<u>TOTAL SPECIAL REVENUE FUNDS</u>	Total Sources Available	\$ 8,744,143	\$ 7,405,031	\$ 8,486,701	\$ 10,759,813
	Total Expenses	<u>5,906,358</u>	<u>4,184,333</u>	<u>5,491,737</u>	<u>7,952,881</u>
	Balance as of 12/31	\$ 2,837,785	\$ 3,220,698	\$ 2,994,964	\$ 2,806,932
<u>TOTAL INTERNAL SERVICE FUNDS</u>	Total Sources Available	\$ 7,500,866	\$ 7,251,269	\$ 8,920,175	\$ 8,996,952
	Total Expenses	<u>3,094,875</u>	<u>3,245,389</u>	<u>5,266,296</u>	<u>5,933,324</u>
	Balance as of 12/31	\$ 4,405,991	\$ 4,005,880	\$ 3,653,879	\$ 3,063,628
<u>TOTAL FIDUCIARY FUNDS</u>	Total Sources Available	\$ 157,871	\$ 158,103	\$ 193,212	\$ 193,379
	Total Expenses	<u>149,904</u>	<u>149,903</u>	<u>185,000</u>	<u>185,500</u>
	Balance as of 12/31	\$ 7,967	\$ 8,200	\$ 8,212	\$ 7,879
<u>TOTAL CONSTRUCTION FUNDS</u>	Total Sources Available	\$ 768	\$ 30	\$ 27	\$ 4,000,020
	Total Expenses	<u>768</u>	<u>28</u>	<u>25</u>	<u>4,000,020</u>
	Balance as of 12/31	\$ -	\$ 2	\$ 2	\$ -
<u>SPECIAL ASSESSMENTS PROJECTS (700'S)</u>	Total Sources Available	\$ 12,539	\$ 16,954	\$ 186,756	\$ 165,000
	Total Expenses	<u>-</u>	<u>16,744</u>	<u>186,756</u>	<u>165,000</u>
	Balance as of 12/31	\$ 12,539	\$ 210	\$ -	\$ -
<u>TOTAL DEBT SERVICE FUNDS</u>	Total Sources Available	\$ 3,035,885	\$ 2,993,155	\$ 3,178,733	\$ 2,837,305
	Total Expenses	<u>2,325,980</u>	<u>2,309,710</u>	<u>2,761,826</u>	<u>2,507,953</u>
	Balance as of 12/31	\$ 709,905	\$ 683,445	\$ 416,907	\$ 329,352

<u>GRAND TOTAL ALL FUNDS</u>	Total Sources Available	\$ 99,546,006	\$ 95,720,775	\$ 101,440,645	\$ 109,206,550
	Total Expenses	<u>73,626,809</u>	<u>65,331,940</u>	<u>75,808,837</u>	<u>84,038,584</u>
	Balance as of 12/31	\$ 25,919,197	\$ 30,388,835	\$ 25,631,808	\$ 25,167,966

CITY OF PIQUA, OHIO
2011 COUNTY TAX BUDGET

		ACTUAL 2008	ACTUAL 2009	ESTIMATED 2010	PROPOSED 2011
<u>GENERAL FUND</u>					
GENERAL (001)	Total Sources Available	\$ 11,633,301	\$ 11,449,947	\$ 10,610,937	\$ 8,771,623
	Total Expenses	8,053,649	6,983,757	7,634,061	7,634,061
	Balance as of 12/31	\$ 3,579,652	\$ 4,466,190	\$ 2,976,876	\$ 1,137,562
NEIGHBORHOOD IMPROV. TEAM (104)	Total Sources Available	\$ 29,098	\$ 42,834	\$ 26,607	\$ 307
	Total Expenses	27,598	42,527	26,300	307
	Balance as of 12/31	\$ 1,500	\$ 307	\$ 307	\$ -
PARK DEPT. (105)	Total Sources Available	\$ 658,468	\$ 493,576	\$ 846,389	\$ 825,326
	Total Expenses	627,047	413,972	787,848	815,423
	Balance as of 12/31	\$ 31,421	\$ 79,604	\$ 58,541	\$ 9,903
SAFETY (106)	Total Sources Available	\$ 9,645,232	\$ 9,199,127	\$ 9,881,992	\$ 9,323,393
	Total Expenses	8,273,216	7,282,321	8,808,185	9,116,471
	Balance as of 12/31	\$ 1,372,016	\$ 1,916,806	\$ 1,073,807	\$ 206,922
TREE DONATION FUND (107)	Total Sources Available	\$ 21,182	\$ 14,165	\$ 11,938	\$ 461
	Total Expenses	7,173	2,267	11,517	461
	Balance as of 12/31	\$ 14,009	\$ 11,898	\$ 421	\$ -
DUI EDUCATIONAL FUND (109)	Total Sources Available	\$ 14,674	\$ 8,767	\$ 10,172	\$ 4,577
	Total Expenses	13,999	-	7,000	3,000
	Balance as of 12/31	\$ 675	\$ 8,767	\$ 3,172	\$ 1,577
MAUSOLEUM FUND (110)	Total Sources Available	\$ 101,481	\$ 12,478	\$ 5,650	\$ 5,989
	Total Expenses	101,481	12,478	5,650	5,989
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
PRO-PIQUA (128)	Total Sources Available	\$ 46,588	\$ 44,850	\$ 44,066	\$ 44,066
	Total Expenses	40,684	43,281	42,497	43,984
	Balance as of 12/31	\$ 5,904	\$ 1,569	\$ 1,569	\$ 82
POLICE AUXILIARY (120)	Total Sources Available	\$ 7,529	\$ 6,887	\$ 6,260	\$ 3,155
	Total Expenses	660	647	3,125	3,155
	Balance as of 12/31	\$ 6,869	\$ 6,240	\$ 3,135	\$ -
HOTEL CONSTRUCTION (301)	Total Sources Available	\$ 1,019,981	\$ 434,895	\$ -	\$ -
	Total Expenses	806,449	434,895	-	-
	Balance as of 12/31	\$ 213,532	\$ -	\$ -	\$ -
GREAT MIAMI REC. TRAIL (303)	Total Sources Available	\$ 461,020	\$ 188,833	\$ -	\$ -
	Total Expenses	461,020	188,833	-	-
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
INCOME TAX (407)	Total Sources Available	\$ 9,570,811	\$ 9,209,256	\$ 7,500,000	\$ 7,500,000
	Total Expenses	9,570,811	9,209,256	7,500,000	7,500,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
SAFETY EQUIP. RESERVE (809)	Total Sources Available	\$ 356,852	\$ 357,835	\$ 364,835	\$ 14,035
	Total Expenses	-	-	357,800	-
	Balance as of 12/31	\$ 356,852	\$ 357,835	\$ 7,035	\$ 14,035
TOTAL GENERAL FUND	Total Sources Available	\$ 33,566,217	\$ 31,463,450	\$ 29,308,846	\$ 26,492,932
	Total Expenses	27,983,787	24,614,234	25,183,983	25,122,852
	Balance as of 12/31	\$ 5,582,430	\$ 6,849,216	\$ 4,124,863	\$ 1,370,080
<u>SPECIAL REVENUE FUNDS</u>					
STREET DEPT. (101)	Total Sources Available	\$ 3,884,430	\$ 3,764,541	\$ 4,048,842	\$ 4,246,260
	Total Expenses	2,247,179	1,987,904	2,171,787	2,247,800
	Balance as of 12/31	\$ 1,637,251	\$ 1,776,637	\$ 1,877,055	\$ 1,998,460
STREET INCOME TAX (1/4%) (103)	Total Sources Available	\$ 2,097,016	\$ 2,510,700	\$ 3,058,018	\$ 2,850,428
	Total Expenses	993,607	1,213,753	2,030,298	2,101,358
	Balance as of 12/31	\$ 1,103,409	\$ 1,296,947	\$ 1,027,720	\$ 749,070
N. CO. RD. 25-A CONSTRUCTION (302)	Total Sources Available	\$ 1,692,063	\$ 727,882	\$ 17,769	\$ -
	Total Expenses	1,692,063	727,882	17,769	-
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -

CITY OF PIQUA, OHIO
2011 COUNTY TAX BUDGET

RENEW PIQUA (114)	Total Sources Available	\$ 12,178	\$ 11,418	\$ 6,964	\$ 9,096
	Total Expenses	1,037	5,000	6,914	8,800
	Balance as of 12/31	\$ 11,141	\$ 6,418	\$ 50	\$ 296
MANDATORY DRUG FINE (111)	Total Sources Available	\$ 5,093	\$ 2,650	\$ 2,899	\$ 1,349
	Total Expenses	3,624	1	1,800	1,349
	Balance as of 12/31	\$ 1,469	\$ 2,649	\$ 1,099	\$ -
CHIP 2006 (117)	Total Sources Available	\$ 452,452	\$ 8,324	\$ -	\$ -
	Total Expenses	446,863	8,324	-	-
	Balance as of 12/31	\$ 5,589	\$ -	\$ -	\$ -
NEIGHBORHOOD STABILIZATION PROGRAM (118)	Total Sources Available	\$ -	\$ 19,068	\$ 356,337	\$ 26,337
	Total Expenses	-	15,731	353,000	26,337
	Balance as of 12/31	\$ -	\$ 3,337	\$ 3,337	\$ -
CHIP PROGRAM INCOME (119)	Total Sources Available	\$ 83,305	\$ 21,869	\$ 33,511	\$ 15,000
	Total Expenses	69,863	(574)	24,945	15,000
	Balance as of 12/31	\$ 13,442	\$ 22,443	\$ 8,566	\$ -
DEMOLITION DEFENSE FUND (126)	Total Sources Available	\$ 26,318	\$ 10,687	\$ 45,687	\$ 45,687
	Total Expenses	25,496	-	35,000	35,000
	Balance as of 12/31	\$ 822	\$ 10,687	\$ 10,687	\$ 10,687
CDBG BLOCK GRANT (122)	Total Sources Available	\$ 36,035	\$ 98,422	\$ 154,686	\$ 120,168
	Total Expenses	36,029	93,254	149,518	115,000
	Balance as of 12/31	\$ 6	\$ 5,168	\$ 5,168	\$ 5,168
BROWNFIELD EPA GRANT (131)	Total Sources Available	\$ -	\$ -	\$ -	\$ 400,000
	Total Expenses	-	-	-	400,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
REVOLVING LOAN (130)	Total Sources Available	\$ 19,093	\$ 33,671	\$ 38,697	\$ 23,808
	Total Expenses	245	335	20,250	20,959
	Balance as of 12/31	\$ 18,848	\$ 33,336	\$ 18,447	\$ 2,849
CHIP 2010 (112)	Total Sources Available	\$ -	\$ -	\$ 6,000	\$ 394,000
	Total Expenses	-	-	6,000	394,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
DISTRESS SET-ASIDE FUND (113)	Total Sources Available	\$ 12,404	\$ -	\$ -	\$ -
	Total Expenses	12,404	-	-	-
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
POLICE PENSION (115)	Total Sources Available	\$ 153,734	\$ -	\$ -	\$ -
	Total Expenses	153,734	-	-	-
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
FIRE PENSION (116)	Total Sources Available	\$ 157,886	\$ -	\$ -	\$ -
	Total Expenses	157,886	-	-	-
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
ECONOMIC DEVELOPMENT DEPARTMENT (135)	Total Sources Available	\$ 6,845	\$ 2,783	\$ 302,256	\$ 316,479
	Total Expenses	4,062	(6,474)	302,256	316,479
	Balance as of 12/31	\$ 2,783	\$ 9,257	\$ -	\$ -
DOWNTOWN REVITALIZATION (137)	Total Sources Available	\$ -	\$ -	\$ 4,000	\$ 196,000
	Total Expenses	-	-	4,000	196,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
FEMA FUND (139)	Total Sources Available	\$ 14,766	\$ 93,046	\$ 20,000	\$ 20,000
	Total Expenses	14,766	93,046	20,000	20,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
ECONOMIC DEVELOPMENT REVOLVING LOAN (141)	Total Sources Available	\$ -	\$ -	\$ 200,000	\$ 200,000
	Total Expenses	-	-	200,000	200,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
AGRICULTURAL REVOLVING LOAN (142)	Total Sources Available	\$ -	\$ -	\$ 90,000	\$ 90,000
	Total Expenses	-	-	90,000	90,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
JOB READY SITE (143)	Total Sources Available	\$ -	\$ -	\$ -	\$ 1,515,000
	Total Expenses	-	-	-	1,515,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -

CITY OF PIQUA, OHIO
2011 COUNTY TAX BUDGET

CLEAN OHIO (HOSPITAL) (144)	Total Sources Available	\$ 750	\$ -	\$ -	\$ 200,000
	Total Expenses	750	-	-	200,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
ENTERPRISE ZONE APPLICATIONS (127)	Total Sources Available	\$ 750	\$ 600	\$ 600	\$ 750
	Total Expenses	750	450	450	750
	Balance as of 12/31	\$ -	\$ 150	\$ 150	\$ -
LAW ENFORCEMENT TRUST (609)	Total Sources Available	\$ 881	\$ 11,663	\$ 11,663	\$ 663
	Total Expenses	-	-	11,000	663
	Balance as of 12/31	\$ 881	\$ 11,663	\$ 663	\$ -
CONSERVANCY (611)	Total Sources Available	\$ 88,144	\$ 87,707	\$ 88,772	\$ 88,788
	Total Expenses	46,000	45,701	46,750	48,386
	Balance as of 12/31	\$ 42,144	\$ 42,006	\$ 42,022	\$ 40,402
TOTAL SPECIAL REVENUE FUNDS	Total Sources Available	\$ 8,744,143	\$ 7,405,031	\$ 8,486,701	\$ 10,759,813
	Total Expenses	5,906,358	4,184,333	5,491,737	7,952,881
	Balance as of 12/31	\$ 2,837,785	\$ 3,220,698	\$ 2,994,964	\$ 2,806,932
<u>FIDUCIARY FUNDS</u>					
UNCLAIMED TRUST (606)	Total Sources Available	\$ 431	\$ 662	\$ 662	\$ 812
	Total Expenses	-	-	-	500
	Balance as of 12/31	\$ 431	\$ 662	\$ 662	\$ 312
EMPLOYEE FLEXIBLE SPENDING (615)	Total Sources Available	\$ 156,976	\$ 156,976	\$ 192,073	\$ 192,073
	Total Expenses	149,903	149,903	185,000	185,000
	Balance as of 12/31	\$ 7,073	\$ 7,073	\$ 7,073	\$ 7,073
PRIVATE-PURPOSE CENTENNIAL TRUST (612)	Total Sources Available	\$ 464	\$ 465	\$ 477	\$ 494
	Total Expenses	1	-	-	-
	Balance as of 12/31	\$ 463	\$ 465	\$ 477	\$ 494
TOTAL FIDUCIARY FUNDS	Total Sources Available	\$ 157,871	\$ 158,103	\$ 193,212	\$ 193,379
	Total Expenses	149,904	149,903	185,000	185,500
	Balance as of 12/31	\$ 7,967	\$ 8,200	\$ 8,212	\$ 7,879
<u>INTERNAL SERVICE FUNDS</u>					
INFORMATION TECHNOLOGY (408)	Total Sources Available	\$ 646,248	\$ 782,295	\$ 2,096,763	\$ 2,128,868
	Total Expenses	381,919	377,483	1,659,846	1,717,941
	Balance as of 12/31	\$ 264,329	\$ 404,812	\$ 436,917	\$ 410,927
LIABILITY INSURANCE RESERVE (125)	Total Sources Available	\$ 1,251,179	\$ 1,057,488	\$ 880,485	\$ 651,915
	Total Expenses	274,438	264,383	315,950	327,008
	Balance as of 12/31	\$ 976,741	\$ 793,105	\$ 564,535	\$ 324,907
WORKMAN'S COMP. RESERVE (124)	Total Sources Available	\$ 2,246,256	\$ 2,046,116	\$ 1,850,685	\$ 1,538,827
	Total Expenses	256,723	248,573	365,000	377,775
	Balance as of 12/31	\$ 1,989,533	\$ 1,797,543	\$ 1,485,685	\$ 1,161,052
HEALTH CARE PLAN (614)	Total Sources Available	\$ 3,357,183	\$ 3,365,370	\$ 4,092,242	\$ 4,677,342
	Total Expenses	2,181,795	2,354,950	2,925,500	3,510,600
	Balance as of 12/31	\$ 1,175,388	\$ 1,010,420	\$ 1,166,742	\$ 1,166,742
TOTAL INTERNAL SERVICE FUNDS	Total Sources Available	\$ 7,500,866	\$ 7,251,269	\$ 8,920,175	\$ 8,996,952
	Total Expenses	3,094,875	3,245,389	5,266,296	5,933,324
	Balance as of 12/31	\$ 4,405,991	\$ 4,005,880	\$ 3,653,879	\$ 3,063,628
<u>DEBT SERVICE FUNDS</u>					
SPECIAL ASSESSMENT (202)	Total Sources Available	\$ 364,457	\$ 345,961	\$ 361,781	\$ 436,737
	Total Expenses	80,912	46,732	97,596	260,000
	Balance as of 12/31	\$ 283,545	\$ 299,229	\$ 264,185	\$ 176,737
OWDA LOAN 1995 (210)	Total Sources Available	\$ 512,545	\$ 508,077	\$ 506,970	\$ 506,862
	Total Expenses	506,537	506,537	506,538	506,537
	Balance as of 12/31	\$ 6,008	\$ 1,540	\$ 432	\$ 325
JOHN DEERE CREDIT (260)	Total Sources Available	\$ 32,096	\$ 17,992	\$ -	\$ -
	Total Expenses	17,992	17,992	-	-
	Balance as of 12/31	\$ 14,104	\$ -	\$ -	\$ -
TYMCO INTERNATIONAL (261)	Total Sources Available	\$ 24,531	\$ 11,766	\$ -	\$ -
	Total Expenses	24,230	11,766	-	-
	Balance as of 12/31	\$ 301	\$ -	\$ -	\$ -

CITY OF PIQUA, OHIO
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ELECT. G.O. BONDS (238)	Total Sources Available	\$ 483,712	\$ 475,075	\$ 473,820	\$ 476,660
	Total Expenses	406,231	406,690	405,590	408,430
	Balance as of 12/31	\$ 77,481	\$ 68,385	\$ 68,230	\$ 68,230
SWIMMING POOL G.O. BONDS D.S. (221)	Total Sources Available	\$ 9,322	\$ 9,559	\$ 10,348	\$ 10,145
	Total Expenses	8,490	8,578	8,638	8,435
	Balance as of 12/31	\$ 832	\$ 981	\$ 1,710	\$ 1,710
ADMIN. BLDG. CONST. G.O. BONDS (248)	Total Sources Available	\$ 598,467	\$ 592,586	\$ 545,746	\$ -
	Total Expenses	541,792	544,218	545,746	-
	Balance as of 12/31	\$ 56,675	\$ 48,368	\$ -	\$ -
FIRE & POLICE PENSION G.O. BONDS (249)	Total Sources Available	\$ 48,319	\$ 44,834	\$ 43,064	\$ 41,814
	Total Expenses	42,187	40,938	39,688	38,438
	Balance as of 12/31	\$ 6,132	\$ 3,896	\$ 3,376	\$ 3,376
GOLF COURSE 9 HOLE EXPANSION G.O. BONDS (243)	Total Sources Available	\$ 184,053	\$ 185,957	\$ 202,613	\$ 198,591
	Total Expenses	168,386	170,117	171,308	167,286
	Balance as of 12/31	\$ 15,667	\$ 15,840	\$ 31,305	\$ 31,305
WATER TOWER DEBT SERVICE 2005 (250)	Total Sources Available	\$ 134,556	\$ 133,233	\$ 132,936	\$ 132,936
	Total Expenses	132,821	132,822	132,822	132,822
	Balance as of 12/31	\$ 1,735	\$ 411	\$ 114	\$ 114
WATER TOWER DEBT SERVICE 2006 (251)	Total Sources Available	\$ 17,633	\$ 14,422	\$ 14,368	\$ 14,368
	Total Expenses	14,350	14,350	14,351	14,351
	Balance as of 12/31	\$ 3,283	\$ 72	\$ 17	\$ 17
HOTEL I DEBT SERVICE (252)	Total Sources Available	\$ 394,188	\$ 388,712	\$ 384,788	\$ 379,836
	Total Expenses	360,880	355,404	353,112	348,160
	Balance as of 12/31	\$ 33,308	\$ 33,308	\$ 31,676	\$ 31,676
INFO TECH GO BONDS DEBT SERVICE (253)	Total Sources Available	\$ 21,172	\$ 58	\$ 81,360	\$ 132,678
	Total Expenses	21,172	58	75,466	126,784
	Balance as of 12/31	\$ 21,172	\$ 31,360	\$ 5,894	\$ 5,894
OWDA 08 EQUALIZATION BASIN DEBT SERVICE (254)	Total Sources Available	\$ 210,834	\$ 211,415	\$ 285,273	\$ 285,273
	Total Expenses	-	-	275,305	275,305
	Balance as of 12/31	\$ 210,834	\$ 211,415	\$ 9,968	\$ 9,968
FIRE EQUIPMENT '08 G.O. BOND FUND (255)	Total Sources Available	\$ -	\$ 53,508	\$ 48,788	\$ 47,650
	Total Expenses	-	53,508	48,788	47,650
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
SIB LOAN (216)	Total Sources Available	\$ -	\$ -	\$ 86,878	\$ 173,755
	Total Expenses	-	-	86,878	173,755
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
TOTAL DEBT SERVICE FUNDS	Total Sources Available	\$ 3,035,885	\$ 2,993,155	\$ 3,178,733	\$ 2,837,305
	Total Expenses	2,325,980	2,309,710	2,761,826	2,507,953
	Balance as of 12/31	\$ 709,905	\$ 683,445	\$ 416,907	\$ 329,352
<u>CONSTRUCTION PROJECTS</u>					
WATER PLANT CONSTRUCTION (307)	Total Sources Available	\$ -	\$ -	\$ -	\$ 4,000,000
	Total Expenses	-	-	-	4,000,000
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
SWIMMING POOL CONSTRUCTION (323)	Total Sources Available	\$ 768	\$ 30	\$ 27	\$ 20
	Total Expenses	768	28	25	20
	Balance as of 12/31	\$ -	\$ 2	\$ 2	\$ -
TOTAL CONSTRUCTION FUNDS	Total Sources Available	\$ 768	\$ 30	\$ 27	\$ 4,000,020
	Total Expenses	768	28	25	4,000,020
	Balance as of 12/31	\$ -	\$ 2	\$ 2	\$ -
<u>SPECIAL ASSESSMENT PROJECTS</u>					
SPECIAL ASSESS. PROJECTS (700'S)	Total Sources Available	\$ 12,539	\$ 16,954	\$ 186,756	\$ 165,000
	Total Expenses	-	16,744	186,756	165,000
	Balance as of 12/31	\$ 12,539	\$ 210	\$ -	\$ -
TOTAL SPECIAL ASSESSMENTS	Total Sources Available	\$ 12,539	\$ 16,954	\$ 186,756	\$ 165,000
	Total Expenses	-	16,744	186,756	165,000
	Balance as of 12/31	\$ 12,539	\$ 210	\$ -	\$ -

CITY OF PIQUA, OHIO
2011 COUNTY TAX BUDGET

ENTERPRISE FUNDS

ELECTRIC SYSTEM (401)	Total Sources Available	\$ 35,350,643	\$ 34,149,225	\$ 35,910,656	\$ 39,515,543
	Total Expenses	25,881,616	22,908,905	24,669,021	25,532,437
	Balance as of 12/31	\$ 9,469,027	\$ 11,240,320	\$ 11,241,635	\$ 13,983,106
WATER SYSTEM (403)	Total Sources Available	\$ 3,909,300	\$ 4,484,313	\$ 5,100,476	\$ 6,356,842
	Total Expenses	2,677,677	2,756,401	4,116,198	4,260,265
	Balance as of 12/31	\$ 1,231,623	\$ 1,727,912	\$ 984,278	\$ 2,096,577
WASTEWATER SYS. (404)	Total Sources Available	\$ 4,031,370	\$ 4,231,667	\$ 5,254,188	\$ 4,764,855
	Total Expenses	3,066,431	2,548,879	4,060,733	4,202,859
	Balance as of 12/31	\$ 964,939	\$ 1,682,788	\$ 1,193,455	\$ 561,996
REFUSE (405)	Total Sources Available	\$ 1,986,308	\$ 2,168,531	\$ 2,364,300	\$ 2,315,586
	Total Expenses	1,586,766	1,567,396	1,811,879	1,875,295
	Balance as of 12/31	\$ 399,542	\$ 601,135	\$ 552,421	\$ 440,291
GOLF COURSE (409)	Total Sources Available	\$ 724,527	\$ 718,377	\$ 782,909	\$ 790,000
	Total Expenses	701,643	662,738	736,348	790,000
	Balance as of 12/31	\$ 22,884	\$ 55,639	\$ 46,561	\$ -
FORT PIQUA PLAZA (410)	Total Sources Available	\$ 42,371	\$ 185,207	\$ 226,013	\$ 233,924
	Total Expenses	42,371	185,207	226,013	233,924
	Balance as of 12/31	\$ -	\$ -	\$ -	\$ -
STORM WATER UTILITY (411)	Total Sources Available	\$ -	\$ -	\$ 725,730	\$ 979,427
	Total Expenses	-	-	628,949	785,296
	Balance as of 12/31	\$ -	\$ -	\$ 96,781	\$ 194,131
SWIMMING POOL (415)	Total Sources Available	\$ 165,768	\$ 166,743	\$ 196,931	\$ 198,827
	Total Expenses	160,635	158,421	186,713	193,248
	Balance as of 12/31	\$ 5,133	\$ 8,322	\$ 10,218	\$ 5,579
BUSINESS OFFICE (412-413)	Total Sources Available	\$ 54,609	\$ 37,301	\$ 38,420	\$ 39,573
	Total Expenses	43,724	12,000	12,360	12,731
	Balance as of 12/31	\$ 10,885	\$ 25,301	\$ 26,060	\$ 26,842
ELECTRIC DEPOSITS (603)	Total Sources Available	\$ 215,104	\$ 242,830	\$ 441,178	\$ 441,178
	Total Expenses	4,274	11,652	210,000	210,000
	Balance as of 12/31	\$ 210,830	\$ 231,178	\$ 231,178	\$ 231,178
WATER DEPOSITS (604)	Total Sources Available	\$ 47,717	\$ 48,589	\$ 125,394	\$ 125,394
	Total Expenses	-	-	75,000	75,000
	Balance as of 12/31	\$ 47,717	\$ 50,394	\$ 50,394	\$ 50,394
TOTAL ENTERPRISE FUNDS	Total Sources Available	\$ 46,527,717	\$ 46,432,783	\$ 51,166,195	\$ 55,761,149
	Total Expenses	34,165,137	30,811,599	36,733,214	38,171,054
	Balance as of 12/31	\$ 12,362,580	\$ 15,621,184	\$ 14,432,981	\$ 17,590,095
<u>GRAND TOTAL</u> ALL FUNDS	Total Sources Available	\$ 99,545,256	\$ 95,720,775	\$ 101,440,645	\$ 109,206,550
	Total Expenses	73,626,059	65,331,940	75,808,837	84,038,584
	Balance as of 12/31	\$ 25,919,197	\$ 30,388,835	\$ 25,631,808	\$ 25,167,966

RESOLUTION NO. R-83-10

**A RESOLUTION ESTABLISHING "TRICK
OR TREAT/BEGGARS' NIGHT" IN THE CITY
OF PIQUA**

WHEREAS, the annual celebration of Halloween has become a tradition in Piqua; and

WHEREAS, by common consent of the municipalities of Miami County, Thursday, October 28, 2010, from 6:00 P.M. to 8:00 P.M. has been designated "Trick or Treat/Beggars' Night";

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: This Commission hereby proclaims Thursday, October 28, 2010 from 6:00 P.M. to 8:00 P.M. as official "Trick or Treat/Beggars' Night" in the City of Piqua.

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-84-10

**A RESOLUTION APPOINTING MEMBERS TO THE
STORMWATER UTILITY BOARD**

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

WHEREAS, on April 6, 2010 Resolution No. R-47-10 was passed which established the formation of a Stormwater Utility Board; and

WHEREAS, the structure of the Committee is for the appointment of five community members with varied appointment terms.

SEC. 1: Mark Spoltman and James D. Vetter are hereby appointed for one-year terms to expire on August 1, 2011, Wayde Davis is hereby appointed for a two-year term to expire on August 1, 2012, Joe Drapp is hereby appointed for a three-year term to expire on August 1, 2013 and Jonathan Wessel is hereby appointed for a four-year term to expire on August 1, 2014.

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-85-10

A RESOLUTION FOR THE SALE OF PARCEL NO. N44-250379

WHEREAS, Parcel No. N44-250379, 305 Cleveland, was acquired by the City on June 22, 2006; and

WHEREAS, the property is a nonstandard lot of .1 acre that is not a suitable building lot and is vacant; and

WHEREAS, the City has no use for the property and finds it in the interest of the public to advertise for bids for the sale of the 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:

SECTION 1. The City Manager is hereby authorized to advertise for the sale of Parcel No. N44-250379, which has an appraised value of \$7,100, with said legal description attached as Exhibit A.

SECTION 2. The City Manager is authorized to accept sealed bids through July 16, 2010 at 5:00 p.m.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R- 86-10

A RESOLUTION APPROVING THE TRANSPORTATION REVIEW ADVISORY COUNCIL APPLICATIONS TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR CALENDAR YEAR 2010

WHEREAS, the City of Piqua is authorized by the Ohio Department of Transportation to apply for funding from the Transportation Review Advisory Council for major projects that will add new capacity to existing roadways; and,

WHEREAS, the City of Piqua has identified projects which are eligible for funding from the Transportation Review Advisory Council; and

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 applications to the Transportation Review Advisory Council of the Ohio Department of Transportation are approved and the City Manager is hereby authorized and directed to submit the City's program application to the Ohio Department of Transportation and the Miami Valley Regional Planning Commission

SEC. 2: The City Manager is authorized to be the designated project sponsor of the program in connection with the application and is authorized to execute all agreements in conjunction with the Transportation Review Advisory Council Program.

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



CITY COMMISSION MEETING REPORT

For the Regular Meeting of July 6, 2010

For the Special Meeting of

For the Study Session of

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: Transportation Review Advisory Council Application

PURPOSE:

The purpose of this resolution is to authorize the filing of the City of Piqua's Transportation Review Advisory Council application with the Ohio Department of Transportation. The application requests funding to add an additional lane of travel on Interstate 75 from State Route 41 in Troy to the County Road 25-A (Exit 83) interchange located in Piqua.

RECOMMENDATION:

City Staff recommends that the City Commission approves the filing of the application with the Miami Valley Regional Planning Commission and the Ohio Department of Transportation.

BACKGROUND:

Beginning last year, Governor Strickland, reinstated the Transportation Review Advisory Council within the Ohio Department of Transportation. The council has the authority to recommend major transportation infrastructure improvements throughout the State of Ohio. The projects that the council reviews are generally projects that cost more than \$5 million and increase mobility, provide connectivity, increase the accessibility of a region for economic development, increase the capacity of a transportation facility or reduce congestion.

ALTERNATIVES:

City Commission may decide not to adopt the resolution, in which case, the City would not be in a position to apply for funding through the Transportation Review Advisory Council process and the earliest time in which an application could be made would be in 2011.

DISCUSSION:

After holding discussions with City Staff, it was determined that the most appropriate project to propose to the Transportation Review Advisory Council was the addition of an additional lane of travel on Interstate 75 from State Route 41 in Troy to County Road 25-

A (Exit 83). It was originally proposed to have the additional travel lanes go from the State Route 41 to the Miami County-Shelby County Line. However, information gathered through the process led city staff to only recommend extending the improvement to Exit 83 in order to be uniform with documentation from the Ohio Department of Transportation and the Miami Valley Regional Planning Commission.

FINANCIAL IMPACT:

Like most grant programs, the Transportation Review Advisory Council takes into consideration the ability for project sponsors to provide funding for projects. At this point, the city is willing to commit \$15.58 million (which is 20% of the total project cost) for the multi-year project that will occur no earlier than January 2014. The total project cost of the project has been estimated to be \$77.94 million.

COMMUNITY IMPACT:

The impact of the Transportation Review Advisory Council project awards is expected to be very positive. Adding an additional travel lane of traffic on Interstate 75 (from four lanes to six lanes) can have a long standing impact, especially in terms of providing more opportunities for economic development. Even if the project is not awarded, having the opportunity to present this project and discuss it with individuals from the Miami Valley Regional Planning Commission and the Ohio Department of Transportation helps demonstrate how the community is advocating for further transportation enhancements to our infrastructure and may help with future efforts to gain support for community projects.

CONFORMITY TO CITY PLANS & POLICIES:

The proposed Transportation Review Advisory Council applications are in compliance with city plans and policies to provide for improved economic opportunities for the community, enhancing the city's transportation infrastructure by adding additional capacity where warranted and leveraging city resources through grant funding.

D. OTHER BUSINESS

JULY 6, 2010

- **Monthly Reports for May 2010**
- **Economic Development Update**