

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, SEPTEMBER 21, 2010
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATION – *Homelessness Summit (Report to the Community)*

A. CONSENT AGENDA

- a. APPROVAL OF MINUTES
Approval of the minutes from the September 7, 2010 Regular City Commission Meeting

B. NEW BUSINESS

- a. ORD. NO. 27-10 (1st Reading)
An Emergency Ordinance to make Appropriations for the City of Piqua, Ohio for the year 2010
- b. RES. NO. R-107-10
A Resolution approving the tax rates for the City as determined by the Miami County Budget Commission
- c. RES. NO. R-108-10
A Resolution requesting preliminary legislation for ODOT to rehabilitate structure number MIA 36 11.32 located on US Route 36 approximately 0.44 miles west of Interstate Route 75
- d. RES. NO. R-109-10
A Resolution amending Resolution No. C-10147 in regards to Community Reinvestment Area V
- e. RES. NO. R-110-10
A Resolution requesting authorization to issue a purchase order to Reynolds Inliner, LLC for the West Interceptor Sanitary Sewer & Siphon repair
- f. RES. NO. R-111-10
A Resolution authorizing the City Manager to enter into a Public Safety Information Sharing Records System Agreement
- g. RES. NO. R-112-10
A Resolution awarding a contract for the MIA-Washington Avenue resurfacing project to Barrett Paving Materials, Inc.

- h. RES. NO. R-113-10
A Resolution supporting the Fiscal -Year 2011 United States Environmental Protection Agency Brownfield Assessment Program Application
- i. RES. NO. R-114-10
A Resolution requesting authorization to issue a purchase order to Morris Heating Cooling Electrical for the 2010 Mote Park Community Center Building Repairs Project
- j. RES. NO. R-115-10
A Resolution authorizing the payment of funds not to exceed \$219,955 to Brownfield Restoration Group, LLC for the work being completed in accordance with the Clean Ohio Assistance Fund Grant received by the Miami County Park District and certifying funds are available for the expenditure

C. ADJOURNMENT TO EXECUTIVE SESSION

- a. To consider pending or imminent litigation

D. ADJOURNMENT

Item #	Problem	Response	Action Item
	Community Education		
1	Lack of understanding about the challenges faced by families that have lived in poverty for several generations, even when they seek a more independent lifestyle.	A comprehensive community-wide, system-wide approach is needed to address poverty directly, starting with education on the issues involved to the community and to professionals in the system.	<ul style="list-style-type: none"> • Support/Advocate Miami County Bridges Out of Poverty philosophy in community • Seek Piqua Community Foundation support • Support Piqua “Circles” program • homeless liaison should be established in every school system, including Piqua
2	Degree of risk to various tiers of sex offenders is misunderstood.	Educate community/agencies on meanings of various tiers of sex offenders so appropriate measures can be taken based on degree of risk presented by offender.	<ul style="list-style-type: none"> • Contact Sheriff to define meaning of tiers • Report findings in report to community – HS Task Force
3	There are no clear definitions of homelessness and the issues that cause it.	Need a community definition of homelessness and its causes.	<ul style="list-style-type: none"> • Ensure sharing of results of point-in-time and other surveys conducted in Piqua and surrounding areas. • We accept the working definition of homelessness and “At-risk for homelessness” as established by the Miami County Continuum of Care.
4	Agencies currently engaged in the problem of homelessness are facing diminishing resources.	Collaboration and partnership are key to any solutions.	<ul style="list-style-type: none"> • Encourage service agencies to collaborate with Miami County Continuum of Care and participate in Point In Time survey
5	Those dealing with issues that can lead to homelessness hesitate to seek help that is very far outside of their current neighborhood or circle of friends.	While seeking larger groups to collaborate with, we must also seek ways to bring access to services to the community and neighborhood level.	<ul style="list-style-type: none"> • Communicate findings of homelessness summit through speaking engagements and other informational activities through use of a quick fact sheet
	Population Served		
6	Many more services are available for people willing to work within guidelines of various programs	Even “non-compliant” homeless deserve access to shelter when life-threatening conditions exist in their chosen	<ul style="list-style-type: none"> • “Cold Shelter” system to be established with the safety of all in mind. • Safety concerns must be acknowledged even

Item #	Problem	Response	Action Item
	than those who can or will not.	environment.	during these life threatening crises.
7	We lack a clearly identifiable referral source for homeless people or those at risk.	System coordination for homelessness and at-risk homelessness must be a priority piece to any solutions.	<ul style="list-style-type: none"> Encourage all organizations serving this population to collaborate towards a regional solution.
8	Some with disabilities are exploited by other persons who provide social opportunities to them, but only for as long as their monthly payments last.	Some who are able to live independently with assistance from current programs would benefit from a system that distributed money to them in smaller amounts or as-needed, and seek such assistance.	<ul style="list-style-type: none"> Promote the Miami County Human Services Directory prepared by the Miami County Community Action Council.
9	Many of the homeless are social outcasts that attract attention, so programs that serve large numbers of them at a time are not desirable to surrounding neighborhoods.	Solutions developed by individual agencies should consider the effect on the physical surroundings of the location of services provided.	
Transportation			
10	Current publicly funded transit does not have the funding to function on-demand to the needs of the community, including the homeless.	Volunteers are needed to supplement the public transportation system.	<ul style="list-style-type: none"> Develop a volunteer list and manage through a non-profit organization Work with church ministries.
11	Service agencies tend to establish their own volunteer transportation systems to meet the needs of their own clients.	A centralized system of volunteers willing to help those in need get to the services they need would decrease the burdens on the individual agencies while increasing convenience and likelihood of appropriate service access to those with needs.	
Shelter			
12	Due to the long-term nature of sex-offender registration and	All persons should have access to shelter in life threatening weather conditions,	<ul style="list-style-type: none"> Smaller scale sheltering opportunities opened during bad weather , e.g. (“cold” shelter) should

Item #	Problem	Response	Action Item
	restrictions necessarily imposed on larger shelters, it is difficult for sex offenders to establish residence or find shelter.	including sex offenders.	be established
13	Two-parent families sometimes reject temporary shelter in order to keep their families together in one unit.	Temporary and transitional housing is needed for two-parent families that are not eligible based upon the criteria of existing programs. Develop alternate resources.	<ul style="list-style-type: none"> Family Abuse Shelter in process of rehabilitating unit to serve this need - Identify other resource possibilities.
14	Homeless individuals that cannot or will not comply with the restrictions necessary to protect other consumers of shelters still need protection from the elements in bad weather.	A means for providing cold-shelter should be established.	<ul style="list-style-type: none"> Churches could explore collaborating on a system that would ensure "cold shelter" availability

The following organizations participated

- | | |
|--|---|
| Bethany Center | Miami County Family and Children First Council |
| Christian Life Center - Piqua | Piqua Area Council of Churches |
| City of Piqua Development Office | Piqua Area United Way |
| Concerned Citizens | Piqua Compassion Network |
| Council on Rural Services | Piqua Daily Call |
| Dayton Daily News | Pure Flow Fair Housing and Community Development, LLC |
| Gateway Youth Programs | Riverside of Miami County |
| Greene Street United Methodist Church | Safehaven Mental Health Center |
| Hands On West Central Ohio | Southview Neighborhood Association |
| Miami County Continuum of Care Committee | The Society of Indwellers |
| Miami County Family Abuse Shelter | Westminster Presbyterian Church |

**MINUTES
PIQUA CITY COMMISSION
Tuesday September 7, 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 Vogt, Terry, and Wilson. Absent: Martin.

Mayor Fess asked for a motion to excuse Commissioner Martin from the September 7, 2010 Piqua City Commission Meeting. No motion was made to excuse Commissioner Martin.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the August 17, 2010 Regular Piqua City Commission meeting, and the August 30, 2010 Piqua City Commission Work Session

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that the minutes of the August 17, 2010 Regular Piqua City Commission meeting, and the Piqua City Commission Work Session of August 30, 2010 be approved. Voice vote, Aye: Wilson, Fess, Terry, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

ORD. NO. 24-10 (3rd Reading)

An Ordinance determining to proceed with and levying assessments for the improvement of Riverside Drive Street Reconstruction

City Manager Enderle stated this is the third reading of Ordinance No. 24-10 to request authorization for the submission of the unpaid sidewalk, curb and gutter assessments to be certified to the county auditor's office to be placed on the property tax duplicate. Mr. Enderle stated 48% of the residents have chosen to have the assessments applied to their property taxes at this time.

Public Comment

No one came forward to speak for or against Ordinance No. 24-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Ordinance No. 24-10 be adopted. Roll call, Aye: Fess, Wilson Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 24-10 adopted.

ORD. NO. 25-10 (2nd Reading)

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

City Manager Enderle stated this is the second reading for residents to either pay the assessments, or have them assessed with their property taxes for a five or ten year period.

City Manager Enderle asked that the three reading rule be waived in order to get the assessments to the county by the September 13, 2010 deadline.

Public Comment

No one came forward to speak for or against Ordinance No. 25-10.
Moved by Commissioner Vogt, seconded by Commissioner Terry, to suspend the rule requiring Ordinance No. 25-10 to be read fully and distinctly on three separate days. Voice vote, Aye: Terry, Wilson, Fess, and Vogt. Nay: None. Motion carried unanimously.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 25-10 be adopted. Roll call, Aye: Terry, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 25-10 adopted.

ORD NO, 26-10 (2nd Reading)

An Ordinance to levy special assessments to pay Miami County for demolition per terms of National Stabilization Program Grant Agreement

City Manager Enderle stated this is the second reading on the joint effort with Miami County Commissioners to enter into a Federal Grant Program to use Federal Funds to demolish buildings in Shelby and Miami Counties. Piqua is entering into a sub recipient agreement to demolish buildings within the city limits, and that agreement provides that half of the cost of demolition must be assessed to the property owner. The National Stabilization program grant provides funds to demolish properties not in compliance with city codes, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Ordinance No. 26-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, to suspend the rule requiring Ordinance No. 26-10 to be read fully and distinctly on three separate days. Voice vote, Aye: Fess, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Ordinance No. 26-10 be adopted. Roll call, Aye: Wilson, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 26-10 adopted.

RES. NO. R-98-10

A Resolution authorizing a contract with Fifth Third Bank, JP Morgan Chase Bank, N.A. U.S. Bank, N.A., Unity National Bank and MainSource Bank to serve as a depository for Public Funds

City Manager Enderle explained state regulations as prescribed within Section 135 of the Ohio Revised Code requires depository agreements to be in force before political subdivisions can maintain interim funds and bank balances at qualifying financial institutions. Our current agreements with these banks will expire on September 30, 2010 and this resolution would allow the city to deposit public funds with these institutions, and must be adopted by a resolution.

Public Comment

No one came forward to speak for or against Resolution No. R-98-10.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-98-10 be adopted. Voice vote, Aye: Wilson, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-98-10 adopted.

RES. NO. R-99-10

A Resolution accepting the resignation of Bradley S. Boehringer as a member of the Tree Committee
City Manager Enderle stated this resolution is accepting the resignation of Bradley S. Boehringer as a member of the Tree Committee for personal reasons.

Public Comment

No one came forward to speak for or against Resolution No. R-99-10.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-99-10 be adopted. Voice vote, Aye: Wilson, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-99-10 adopted.

RES. NO. 100-10

A Resolution accepting the resignation of Jimmie A. Reedy as a member of the Board of Zoning Appeals

City Manager Enderle stated this resolution is accepting the resignation of Jimmie A. Reedy as a member of the Board of Zoning Appeals since he is unable to meet his obligation due to work commitments.

Public Comment

No one came forward to speak for or against Resolution No. R-100-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-100-10 be adopted. Voice vote, Aye: Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-100-10 adopted.

RES. NO. R-101-10

A Resolution extending a contract to Kleingers & Associates for a Stormwater Mapping System

Devon Alexander, Stormwater Coordinator, gave a brief summary on the mapping system updated review. Mayor Fess asked Mr. Alexander to explain what types of things are being mapped at this time. Mr. Alexander explained they are locating the manholes, catch basins, noting the pipe size, the flow of the stormwater, and loading all of the information in the GIS System for future reference.

There was discussion on the reason for the large number of structures, and why the numbers were so far off. It was stated again that they are working from very old outdated maps, thus the reason for the project now. City Manager Enderle stated other communities are having the same problems, and the EPA Mandates that this be completed. Up to the seventies or eighties no records were normally kept on the number or locations of the structures, said City Manager Enderle. Several questions were asked concerning oil being dumped down a storm drain, and if this would enable the city to locate where it came from and try and stop the flow, and if they have found any storm sewers connected to any sanitary sewers? Mr. Alexander stated yes, the oil can be traced from the source by using the new maps and the GIS System, and so far they have not found any storm sewers connected to any of the sanitary sewers.

Public Comment

Jim Cruse, County Rd, 25-A, voiced his concern over the need for the count of the structures at this time, and the cost of the project.

Joe Drapp, Park Avenue, a member of the Stormwater Advisory Board came forward and stated the Stormwater Board was unanimous in their support of this project. This is something that needs to be done, and cannot be done by city employees, and he considers it money well spent, said Mr. Drapp.

There was discussion on the lack of previous records being kept, and it was stated that this is not just the case in Piqua, all commissions are facing the same request by the EPA. By having this information in the GIS System the City would be able to track any problems or potential spills and contain them, and make necessary repairs to damaged lines. Mr. Alexander reminded the Commission that Kleingers has kept the same price of \$24.98 per structure as they quoted for the first 2000 structures for the completion of the project.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-101-10 be adopted. Voice vote, Aye: Fess, Terry, Vogt, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-101-10 adopted.

RES. NO. R-102-10

A Resolution awarding a contract to HPI, LLC for combustion turbine inspections and life extension evaluation

City Manager Enderle stated this resolution would allow the city to enter into a contract with HPI, LLC for inspection and life extension of the Power System's two combustion turbines for a total cost not to exceed \$70,000.

Power Systems Director, Ed Krieger gave a brief overview of what the peaking units are used for and when they are utilized. Piqua's General Electric Frame 5 combustion turbine was installed new in 1971 at a cost of \$2.7 million and is rated at 21,000 KW. The other unit is a Westinghouse 191G and was built in 1965 and was purchased used and installed in 1990 at a cost of \$2.2 million and is rated at 17,000 KW. Piqua has a long history with HPI and they have provided the city with combustion turbine engineering and consulting services for the past twenty years, said Mr. Krieger. The Piqua Energy Board unanimously recommended the City Commission award the contract to HPI.LLC at their regular Board Meeting held on August 24, 2010.

Public Comment

No one came forward to speak for or against Resolution No. R-102-10.

Commissioner Terry asked if the cost of the inspections were budgeted in the 2010 Budget? Mr. Krieger stated yes, there was \$100,000 budgeted for this project in the 2010 budget.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-102-10 be adopted. Roll call, Aye: Fess, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-102-10 adopted.

RES. NO. R-103-10

A Resolution requesting preliminary authorization for the resurfacing and berm stabilization of State Route 66

City Manager Enderle stated this would authorize the City of Piqua to enter into an agreement with ODOT to do the resurfacing of State Route 66 from the (Forest Hill Cemetery) north corporation limit of Piqua to the Miami/Shelby County line in the City of Piqua. ODOT requires preliminary legislation from the local jurisdiction as part of their programming process. The City of Piqua will not have any financial involvement in this project, and the project will be completed in 2014, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-103-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-103-10 be adopted. Voice vote, Aye: Vogt, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-103-10 adopted.

RES. NO. R-104-10

A Resolution preliminary authorization for the pavement planing and resurfacing of US Route 36 and State Route 185 within the City of Piqua

City Manager Enderle stated ODOT would pay the costs for pavement planing and resurfacing of USR 36 from Downing Street to Spring Street and on SR 185 from Washington Avenue to Spring Street. This resolution would allow ODOT to complete the programming for the project, which is scheduled for late 2011. The total cost to the City of Piqua would be \$120,000 out of the \$600,000 which is 20%, with the money to be budgeted in the 2011 budget, said Mr. Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-104-10.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-104-10 be adopted. Voice vote, Aye: Vogt, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-104-10 adopted.

RES. NO. R-105-10

A Resolution requesting preliminary legislation for the bridge replacement on Statler Road over Interstate Route 75

City Manager stated this resolution is a request for authorization to enter into an agreement with ODOT for the replacement of the Statler Road Bridge over Interstate 75. This project is scheduled for 2013 with the City of Piqua having no financial responsibility.

Public Comment

No one came forward to speak for or against Resolution No. R-105-10.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-105-10 be adopted. Voice vote, Aye: Vogt, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-105-10 adopted.

RES. NO. R-106-10

A Resolution awarding a contract to Walls Brothers Asphalt Company, Inc. for the 2010 Street Resurfacing Program

City Manager Enderle stated this resolution authorizes a contract to Walls Brothers Asphalt for the 2010 Street Resurfacing Program for a total cost not to exceed \$241,000. The streets included in this years paving program are: W. High Street from Sunset Dr. to Lambert Drive; Lambert Drive from W. High Street to Wilshire Drive; Commerce Drive from Sunset to R.M. Davis Parkway (24' width).

City Engineer, Amy Havenar stated the City of Piqua has completed over 2-2 ½ miles of paving this year.

Public Comment

No one came forward to speak for or against Resolution No. R-106-10.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-106-10 be adopted. Roll call, Aye: Wilson, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-106-10 adopted.

OTHER

Finance Director Cynthia Holtzapple gave a brief update thru August 2010 on the Fort Piqua Plaza Operating Summary. Ms. Holtzapple went over the revenues and expenditures including the reimbursements and the transfer in Fund 001 giving the new totals. Ms. Holtzapple stated they have had six or seven new rental contracts since the last meeting, and have received \$10,000 from Toon P's, and are looking forward to the upcoming holiday season.

There was discussion on several items including why the telephone charges were up and where Toon P's stands on their back rent. Ms. Holtzapple stated the phone charges also include cable and internet fees, and that Toon P's rent is now paid up through June of 2010 at this time.

Economic Development Update

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

Mr. Murphy gave a brief power point presentation on the Joint Economic Development District (JEED) at County Road 25 South and I-75 and explained the process.

There was a brief discussion on who would provide law enforcement in the area, would it possibly be the Township, and what Township is this area located in. Mr. Murphy stated the law enforcement would be negotiated when completed, and the new area would be located in both Washington and Concord Townships.

Public Comment

Roy Howard, Spiker Road, announced the Lockington Fire Department is having a Parade and a Car Show on Saturday September 11, 2010.

Jim Hemmert, Boone Street, came forward and stated he has been working with the Miami Valley Regional Planning Commission on a study of the Bike Path usage, and stated on a Wednesday 289 people went through French Park with 108 walking and 173 biking, and on a Sunday 460 people went through French Park with 137 walking and 319 biking.

Mr. Hemmert stated he participated in a Bicycle Safety Plan with the Piqua Police Department. A video was made on the Rules and Regulations on the Streets, and there are plans to show the video on APTA and in the schools, and to any service organizations that request it.

Mr. Hemmert reminded citizens that on Saturday September 25th MainStreet Piqua is hosting Dancing in the Moonlight on Main Street from 5:00 P.M. – 9:00 P.M. Also the 6th Annual Stride & Ride will be held the same evening beginning at Riverside Drive and ending at Lock Nine Park on the Bike Path and luminaries will be lighting the path.

Mayor Fess thanked Mr. Hemmert for his dedication and volunteering in the City of Piqua.

Kevin Pryfogle, N. Downing Street, came forward and stated he does not support (the recall) what is happening in the City of Piqua, and he supports the Commission, and respects the office of Commissioner. Mr. Pryfogle feels there is a lot of negativity in the city and he would like to see more positive comments, further stating we are all in this together. Mr. Pryfogle stated he wanted to publicly thank City Engineer Amy Havenar for always providing the answers to the questions he has asked.

Ruth Koon, Park Avenue, came forward and asked Law Director Stacy Wall to explain the Recall Process, so citizens are better informed.

Law Director Wall explained how the recall process would be followed from the initiation of the petitions to the end result if a Special Election should need to be held. Ms. Wall further explained who would be eligible to run for the various Commission seats in each of the wards, stating by the City Charter the current Commissioner would not be able to run for their seat. Ms. Koon inquired if the petitioners would have any financial outlay, and if the petitioners were required to have legal council. Ms. Wall stated no, it would be responsibility of the City to pay for the Special Election and could cost the City up to \$17,000, and no, it is not required that the petitioners obtain legal council. Ms. Koon stated the community needs to move forward and to respect each other's views, and keep the betterment of the community in mind. Ms. Koon asked citizens to contact the four Commissioners and offer their support.

Bill Shinall, New Haven Road, voiced his opinion on the recall of the four City Commissioners, stating he hopes things work out.

City Commission Comments

Commissioner Vogt stated he has heard a lot of complaining about the cost of the new computer system with people stating it is a "million dollar computer system". Commissioner Vogt further explained the cost of the computer system was only \$619,075, and could be less than that because of the contingency amount of \$203,127 that was built into it for unexpected expenses. Commissioner Vogt went on to explain money is needed for maintenance regardless if a new computer system is purchased or the old system is kept.

Commissioner Vogt further explained that the rumors that are spreading about the city possibly using part-time or volunteer fireman in the future are just rumors he stated. Commissioner Vogt further explained they did make a visit to another town to see how they were using part-time fireman, but these were certified working fireman that worked their off duty days from other departments close by.

Commissioner Wilson stated one of his goals as Commissioner is to lessen the negativity in the community and the recall is not helping to do that. The recall could possibly cost the city roughly \$17,000 and this is something he feels the city should not have to do. Commissioner Wilson stated he would like to challenge the P.O.I.N.T. Group to pay the cost of the recall election, and further stated citizens voted in the last two elections for the Commissioners they wanted to represent them and he feels they should not have to vote again. Commissioner Wilson thanked all the citizens who have called him in support and disagreed with the recall.

Commissioner Terry announced the North Parks Neighborhood Association will meet on September 9th at 7:00 P.M. at Kiwanis Park and invited residents to attend.

Commissioner Terry also thanked citizens for their telephone calls of support, stating there are a lot of positive things going on in Piqua to focus on rather than all of the negative things. We are in the middle of trying to recruit a new City Manager and we to have a budget that we have to live within just like the residents, said Commissioner Terry.

Mayor Fess congratulated all the committee members and volunteers on another successful Heritage Festival.

Mayor Fess read a prepared statement that has been reviewed and approved by all of the Commissioners concerning the recall. (See enclosed statement).

Adjournment

Moved by Commissioner Vogt, seconded by Commissioner Wilson, to adjourn from the Regular Piqua City Commission Meeting at 9:25 P.M. Voice vote, Aye: Wilson, Terry, Fess, and Vogt. Nay: No. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

It is with deep regret that I have to make this statement for I feel we should always look for the positive in every situation. Unfortunately a situation has occurred here in our city that does not appear to have a positive side.

Last Wednesday morning members of the local landlords group known as POINT filed affidavits with the City Clerk for the recall of Commissioners Terry, Wilson, Vogt, and myself. Their statement, which appeared in the Monday edition of the Piqua Daily Call, listed several reasons for their actions and those charges need to be addressed. The persons filing these affidavits were Jim Cruse, President of POINT, Dick Haynes, Soldier Fish, and Robert Anspach.

On Thursday morning they returned to City Hall with a list of their committee members who will be passing petitions in an attempt to collect 1000 signatures of registered Piqua voters to force a special election to recall the named commissioners and elect their own people at a cost of approximately \$17,000 to the city. The committee members are: Jim Cruse, Dick Haynes, Robert Anspach, Irv Baltes, Chet Osborn, Russ Fashner, Terry Wright, Louis Jacoment, Darla Liette, and Sterkle Coyne. Several are names that have had a long history of interaction with the City of Piqua. A couple of these persons ran for city commission during the last election and were defeated. Others have had an ongoing battle with the city over one issue or another for several years. Now, they are attempting to take over city government so they can have their way.

I would like to address some of the comments made in their statement that appeared in the Call. POINT stated that city government is unresponsive to the peoples needs. Let's look at which people they are referring to. POINT has continuously tried to bypass the City's nuisance ordinances by complaining that they are unfair and by asking the city to change the way the nuisance violations are addressed. The purpose of these ordinances is to require that landlords take responsibility for the upkeep of their properties and to correct the rundown appearance of many which are a blight on our city's landscape. In November of 2009 this same group worked against the betterment of the city by defeating amendments to the health code by referendum.

Have the commissioners been unresponsive to their requests - probably so, in some cases. We believe the citizens of Piqua want their city to look good. These unkempt properties affect the property values of our homes and are a deterrent to city growth. They create an environment that is not conducive to a growing and thriving community. If questioned as to why they let the properties go the landlords will tell you that they cannot afford to make the repairs the city requires. Yet, they continue to purchase substandard properties, rent them out and pocket the profits without a thought as to how they are affecting our community. One of the committee members has even served time in jail for his blatant refusal to repair a safety hazard at one of his rentals. The city did not send him to jail, the judge did. These issues were the beginning of their discontent and since then they have attempted to turn people against our city government by questioning every thing we do and by dispersing incorrect information and half-truths.

The constant stream of Letters to the Editor from POINT members attacking the city is one reason the citizens are disenfranchised. The negativity they are spreading during a difficult time in our country and in our city many times contains a lot of misinformation.

A commissioner's job is not an easy one. It is extremely time consuming, pays very little, and certainly has more headaches than rewards. However, we do the job because we believe we can make a difference for our hometown and that is what we strive for. It would be easy to throw up our hands and say "enough is enough" however, we took on the job and we will continue to do it to the best of our abilities and in the best interest of our citizens. However it becomes even more difficult when a group of malcontents believe they have all the answers and can do a better job than seasoned, knowledgeable, dedicated public servants.

In their statement POINT stated the last two city managers that have been hired have “been chosen in a manner which has caused turmoil and negativity in the community and it’s time for the citizens to stop tolerating the poor judgment of our city commissioners.” The fact is, only one current Commissioner was in office when the last city manager was hired and none were on Commission when Mr. Rohr was hired. This is an example of how POINT tries to use various instances against us for which we have had no connection with or say so in. Ask yourself do you want this group of landlords hiring your next city manager?

POINT mentioned the “blatant disregard for the safety that the citizens are accustomed to.” I am not sure what they are referring to but I would assume that it is in regard to the concerns expressed by the President of the firefighters union, who by the way attended the POINT meeting and voted to recall the four Commissioners . First, I want to make perfectly clear that I feel no city commissioner would ever approve any action that would disregard the safety of our citizens. Remember folks, we live here to. Our houses could catch fire and we need those paramedics for our family’s well being just like everyone else.

The city manager, in an attempt to make necessary budget cuts has mentioned several ways to save money in our safety services departments since they comprise over 75% of our total city budget. But, as I have told the fire chief, deputy fire chief, and the Bill Hogston, the union president, the City Commission has never had a serious discussion on hiring part-time or volunteer firefighters and has been opposed to any layoffs in that department at the present time. This too has been miscommunicated to the public spreading fear and concern that is unwarranted. It has been blown way out of proportion.

Are we facing budget issues? Yes, just like almost every other American city during these bad economic times. Do we need to look at all areas to identify savings? Yes, and we are doing this with the realization that our top priority is to continue to provide the highest level of services we can for our citizens given the funds we have to work with.

You can be sure that we would never, ever, do anything that would jeopardize the safety and well being of our citizens. That is a fact! We will figure out a way to make our budget work without putting the safety of the community at risk.

The accusation that “city committee members are either hand picked by the city manager or biased in their opinions by department heads or commissioners votes directed by the city manager” is another untruth. Interested citizens are asked to fill out an application for the committee appointment they are interested in. All these applications are then emailed to each commissioner who then identifies the person or persons they want to appoint and inform the city manager of their choice. Could this statement by POINT have been generated by the fact that a couple of their recall committee members were not chosen by the commission when they recently applied for committee seats? Point also wants to direct whom we place on city boards and committees.

Point has said “recall is a right when elected officials are not performing as he/she should.” By whose standards are they gauging this? Because we do not conform to all their wishes and adopt all their recommendations does that give them the right to evaluate us for the entire community? I thought that was done every two or four years by the voters.

In closing I would like to pose the following thoughts for you as citizens to consider::

Don't you think the POINT group should provide specific instances as to how and where the commission has exhibited uncontrolled spending on nonessential projects? And, who

is determining which projects are essential and which are not given the information that is provided.

Can you recognize the personal agenda POINT has in their attempt to take over our city government?

Do you want the POINT group in a position to hire the next city manager? Or better yet, appoint one of their own members in the role of city manager?

Why is John Martin the only Commissioner not being recalled? Since I can remember only two instances where Commissioner Martin voted no on an a major issue that the other Commissioners approved, and abstained once because of his work position, does this make him exempt from all the charges that have been leveled against the other four commissioners given all the business that has been conducted over the last 2 ½ years?

Do you wonder how Commissioner Martin can set by and watch as his fellow Commissioners face recall action and then defend the group that is coming against them?

Is Commissioner Martin's close friendship with the POINT members what has kept him from being on the recall list? It should be noted that Commissioner Martin meets with the POINT members in the city parking lot after every city commission meeting (which has jokingly been deemed the "post meeting meeting") and that on one occasion following an Commission Executive Session they waited to talk with him until our adjournment at midnight.

Are you aware that some Commissioners have been told that the POINT group have already determined which of their members will be running for each of the four ward seats if the recall is successful? Some of these were the people who were defeated in the last election.

Finally is it in the best interest of our City, given current economic conditions to spend approximately \$17,000 to hold a special election to satisfy the needs of a special interest group that is accusing the current Commission of wasteful spending?

Point is an organization which is primarily made up of Piqua landlords, many of which do not even live within our city limits. They own properties that we commissioners routinely get calls from citizens about voicing their concerns about the deterioration of their neighborhoods. I ask you, do you feel they have the best interest of our community at heart?

The four Piqua City Commission members who are under attack are all Piqua natives who have been duly elected by the citizens of Piqua. They each have served the community in many ways over the years. They have no agenda other than to work as hard as they can to make Piqua a better place to live and work. I hope and pray that you, our Piqua citizens, will see this attempt to overtake our city government for what it is, an attempt by a special interest group to promote their own agenda

As your Mayor I ask you to stand with me, Commissioners Wilson, Terry and Vogt in an effort to stop this senseless recall action which can and will prove devastating to our city both now and in the future.

ORDINANCE NO. 27-10
AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO FOR THE YEAR 2010

Whereas, Section 5705.38 empowers the municipal legislative authority to pass supplemental appropriations measures as it finds necessary; and therefore:

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

<u>ACCOUNT</u>	<u>2010 APPROPRIATIONS</u>	<u>2010 SUPPLEMENT</u>	<u>2010 REVISED APPROPRIATIONS</u>
Fund 001 General Fund			
<u>City Building</u>			
Personal Services/Administrative Support	\$50,814	(\$18,000)	\$32,814
Operation and Maintenance	\$73,635	\$18,000	\$91,635
Allocated Expenses	(\$29,340)		(\$29,340)
Total City Building	\$95,109	\$0	\$95,109
<u>City Commission</u>			
Operation and Maintenance	\$44,913	\$1,604	\$46,517
<u>City Manager</u>			
Operation and Maintenance	\$20,311	\$5,000	\$25,311
Allocated Expenses	(\$180,981)	(\$3,660)	(\$184,641)
Total City Manager	(\$160,670)	\$1,340	(\$159,330)
<u>Health</u>			
Non Government/Transfers/Refunds	\$0	\$198	\$198
<u>General Government</u>			
Operation and Maintenance	\$201,930	\$35,000	\$236,930
<u>Transfers</u>			
Transfer to Forest Hill Mausoleum Fund 110	\$5,650	\$24,350	\$30,000
Fund 101 Street Maintenance Fund			
Operation and Maintenance	\$1,093,139	\$35,000	\$1,128,139
Non Government/Transfers/Refunds	\$0	\$25	\$25
TOTAL	\$1,093,139	\$35,025	\$1,128,164
Fund 103 Street Income Tax Fund			
Operation and Maintenance	\$276,083	\$44,800	\$320,883
Capital Outlay (including labor)	\$1,690,399	(\$44,800)	\$1,645,599
Non Government/Transfers/Refunds	\$63,816	\$28,853	\$92,669
TOTAL	\$2,030,298	\$28,853	\$2,059,151
Fund 106 Public Safety Fund			
<u>014 Police Department</u>			
Operation and Maintenance	\$577,999	\$33,117	\$611,116
Fund 110 Forest Hill Mausoleum Fund			
Operation and Maintenance	\$5,650	\$24,350	\$30,000
Fund 112 Comprehensive Housing Improvement Plan 2010			
Operation and Maintenance	\$0	\$16,000	\$16,000
Fund 119 C.H.I.P Program Income Fund			
Operation and Maintenance	\$24,945	\$4,091	\$29,036
Fund 125 Insurance Reserve Fund			
Operation and Maintenance	\$300,000	\$15,950	\$315,950
Fund 127 Enterprise Zone Application Funds			
Operation and Maintenance	\$450	\$150	\$600
Fund 144 COAF Hospital Demolition Fund			

Operation and Maintenance	\$0	\$199,903	\$199,903
<hr/>			
Fund 301 Hotel Rehabilitation Fund			
Operation and Maintenance	\$0	\$2,280	\$2,280
Non Government/Transfer/Refunds	\$0	\$221	\$221
TOTAL	\$0	\$2,501	\$2,501
<hr/>			
Fund 302 North Co 25A Reconstruction Fund			
Operation and Maintenance	\$5,917	\$11,907	\$17,824
Capital outlay (includes labor)	\$11,852	(\$11,852)	\$0
TOTAL	\$17,769	\$55	\$17,824
<hr/>			
Fund 403 Water System Fund			
Operation and Maintenance	\$1,594,233	\$98,417	\$1,692,650
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Fund 409 Golf Course Fund			
Operation and Maintenance	\$303,948	\$50,000	\$353,948
<hr/>			
Fund 411 Stormwater Utility Fund			
Personal Services/Administrative Support	\$322,553	(\$135,709)	\$186,844
Operation and Maintenance	\$403,177	(\$115,352)	\$287,825
Capital outlay (includes labor)	\$359,000	(\$337,000)	\$22,000
TOTAL	\$1,084,730	(\$588,061)	\$496,669

SEC. 64: That the sums appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2010. Future commitments representing encumbrances of fund balance or future receipts will be appropriated in the future year when those services or goods are rendered to the city.

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

SEC. 66: That the Director of Finance is hereby authorized and directed to draw her warrant upon the City Treasury for the amounts appropriated in this order when claims are properly presented and approved, the same to be chargeable to the appropriations for the year 2010 when passed and legally contracted for in conformity by law.

SEC. 67: That the Finance Director at the discretion of the City Manager make temporary advances from the General Fund to any Fund to cover temporary shortages of cash until revenues or permanent transfers become available to repay that temporary advance. That these advances shall not exceed \$650,000 in the aggregate nor extend past December 31, 2010; except those that are to be reimbursed by federal or state grant programs that were previously approved by this Commission.

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
 REBECCA J. COOL
 CLERK OF COMMISSION
 AMENDED



CITY COMMISSION MEETING REPORT

For the Regular Meeting of September 21, 2010

TO: Fred Enderle, City Manager

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

SUBJECT: Emergency Appropriation Ordinance for the Year 2010

PURPOSE:

Approve the Ordinance No. 27-10 accepting the Emergency Ordinance to make Appropriations for the City of Piqua for the year 2010.

RECOMMENDATION:

I am requesting approval of Ordinance No. 27-10 accepting the Emergency Ordinance to make Appropriations for the City of Piqua for the year 2010. Based on the need for the Departments to meet grant and other commitments, I am requesting that the three reading rule be waived and that this Ordinance be passed on an emergency basis.

BACKGROUND:

Every year about this time, we request a supplemental appropriation. This is due in part to the requirement that we presented the 2010 annual budget to you in early November 2009 before all project timing and costs are known. Projects expecting to be done last year will sometimes carryover into this year. During the current fiscal year, unexpected expenses do occur and this supplemental appropriation allows us to more accurately reflect these changes in our financial statements. Please see "Exhibit A" for detailed explanation.

ALTERNATIVES:

- 1) Approve Ordinance No. 27-10 accepting the Emergency Ordinance to make Appropriations for the City of Piqua for the year 2010.
- 2) Approve Ordinance No. 27-10 accepting the Emergency Ordinance to make Appropriations for the City of Piqua for the year 2010 with changes being made to the amounts disclosed.

DISCUSSION:

- 1) This alternative will allow for the departments to meet grant and other commitments as needed for the continued smooth operations of the City.
- 2) This alternative will also allow for operations, but may hinder the ability to meet grant requirements and other commitments.

FINANCIAL IMPACT:

Passage of this Ordinance will allow the City to continue operating and expenditure levels will continue to be reviewed and closely monitored throughout the upcoming months. Any additional adjustments needed will be requested in the final appropriation done annually each December.

COMMUNITY IMPACT:

This Ordinance is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua and shall take effect and be in force from and after passage.

CONFORMITY TO CITY PLANS & POLICIES:

Section 5705.38 of the Revised Code empowers this Commission to pass supplemental appropriations measures as it finds necessary to preserve and ensure the overall welfare of the City.

Ordinance 27-10 Revised Appropriation Comparison to Original Exhibit A

General Fund (001)

City Building

Personal Services/Administrative Support	\$	(18,000)	Employee Retirement
Operation and Maintenance	\$	18,000	Replaced by purchased service

City Commission

Operation and Maintenance	\$	1,604	Video taping fees
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City Manager

Operation and Maintenance	\$	5,000	City Manger Advertising
Allocated Expenses	\$	(3,660)	

Health

Non Government/Transfers/Refunds	\$	198	Refund
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General Government

Operation and Maintenance	\$	35,000	Econ Dev Subsidy 135
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Transfers from General Fund to other funds

Transfer to Forest Hill Mausoleum Fund 110	\$	24,350	2009 remodeling finished in 2010
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Net Increase to General Fund

\$	62,492
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Streets Fund (101)

Operation and Maintenance	\$	35,000	Salt
Non Government/Transfers/Refunds	\$	25	Refund

Total Streets (101)

\$	35,025
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Street Income Tax Fund (103)

Operations & Maintenance	\$	44,800	Resurfacing needed
Capital	\$	(44,800)	Ada ramp not needed
Non Government/Transfers/Refunds	\$	28,853	Sib loan payment finalized

Total Street Income Tax (103)

\$	28,853
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Safety Fund (106)

Police Department			
Operation and Maintenance	\$	33,117	2009 arra grant carry over to 2010

Forest Hill Mausoleum Fund (110)

Operation and Maintenance	\$	24,350	2009 remodeling project carry over to 2010
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Comprehensive Housing Improvement Plan 2010 Fund (112)

Operation and Maintenance	\$	16,000	New grant added
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C.H.I.P Program Income Fund (119)

Operation and Maintenance	\$	4,091	Use all available funs for rental rehab needs
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Insurance Reserve Fund (125)

Operation and Maintenance	\$	15,950	Insurance cost increase
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Enterprise Zone Application Fund (127)

Operation and Maintenance	\$	150	New Clean Ohio grant
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COAF Hospital Deomlition Fund (144)

Operation and Maintenance	\$	199,903	New Grant Awarded
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Hotel Rehabilitation Fund (301)

Operation and Maintenance	\$	2,280	Historic Preservation Fee
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Non Government/Transfers/Refunds	\$	221	Move left over funds to General Fund
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Total Hotel Rehabilitation Fund (301)

\$ 2,501

North Co 25A Reconstruction Fund (302)		
Operation and Maintenance	\$	11,907 Finalization of 25A reconstruction
Capital	\$	(11,852)
Total N Co 25A Reconstruct. Fund (302)	<u>\$</u>	<u>55</u>
Water System Fund (403)		
Operation and Maintenance	\$	98,417 CDM Wellfield study
Golf Course Fund (409)		
Operation and Maintenance	\$	50,000 Stream Correction grant estimated 2010 usage
Stormwater Utility Fund (411)		
Personal Service/Administrative Support	\$	(135,709)
Operation and Maintenance	\$	(115,352) Per Commission request
Capital Outlay (includes labor)	\$	(337,000)
Total Stormwater Utility Fund (411)	<u>\$</u>	<u>(588,061)</u>
Overall Total	<u>\$</u>	<u>(17,157)</u>
Break Down of Total		
Grants & Reimbursements	\$	266,053
Project Carryovers to 2010		81,817
Expense Reductions/Refunds		(365,027)
Total	<u>\$</u>	<u>(17,157)</u>

RESOLUTION NO. R-107-10

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

WHEREAS, on August 30, 2010, the Miami County Budget Commission has, pursuant to general law, certified the following rates of tax to be levied in the City of Piqua for municipal purposes on the general tax duplicate of 2010, subject to any additional levies approved by the electorate; and

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

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

SEC. 1: The rates of tax to be levied as follows in the City of Piqua for municipal purposes on the general tax duplicate of 2010 (subject to any additional levies approved by the electorate) are hereby approved and certified;

<u>FUND</u>	<u>MILLS</u>	<u>AMOUNT</u>
<u>Ten Mill Limitation</u>		
General	3.70	\$1,234,845
Police Pension	.30	100,123
Fire Pension	.30	100,123
<u>No Limitation</u>		
General Conservancy	.12	\$ 40,049

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of September 21, 2010

TO: Fred Enderle, City Manager

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

SUBJECT: Resolution Approving the Tax Rates for the City as Determined by the Miami County Budget Commission

PURPOSE:

Approve the Resolution No. R-107-10 approving the tax rates for the City as determined by the Miami County Budget Commission.

RECOMMENDATION:

I am requesting approval of Resolution No. R-107-10 approving the tax rates for the City as determined by the Miami County Budget Commission.

BACKGROUND:

Every year about this time, we request an approval of the certified tax rates which will be used to levy property tax on all general duplicates for 2010 to be collected in 2011. These certified rates require the approval of our Commission and certifications to Miami County before October 1, 2010.

ALTERNATIVES:

- 1) Approve Resolution No. R-107-10 for the approval of the tax rates for the City as determined by the Miami County Budget Commission. The tax rates are unchanged from last year.
- 2) Do not approve Resolution No. R-107-10 and cause our revenues to drop substantially.

DISCUSSION:

- 1) This alternative will allow for the normal collection of real estate taxes of Piqua properties by the Miami County Treasurer's office.
- 2) This alternative will not allow the County to assess the real estate property taxes for properties located in Piqua on our behalf causing a substantial drop in our revenues.

FINANCIAL IMPACT:

Passage of this Resolution will allow the City to continue to receive the collection of property tax revenue from the County. These revenues are vitally important to the General Fund and our day to day operations.

COMMUNITY IMPACT:

Passage will allow the City of Piqua to continue to receive the normal collection of real estate taxes as approved by our citizens and used to provide various services to them.

CONFORMITY TO CITY PLANS & POLICIES:

We are permitted to pass this legislation for the amounts approved by the Miami County Budget Commission; however, if we wish to levy any additional monies, it would need to be approved by the voters.

OFFICE OF THE MIAMI COUNTY BUDGET COMMISSION

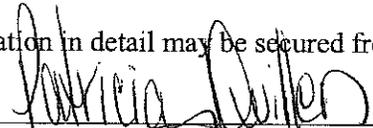
To the City Commission:

The Miami County Budget Commission hereby certifies the following rates of tax to be levied in the **PIQUA CITY** for municipal purposes on the general duplicates of **2010**. Rates are subject to any additional levies approved by vote.

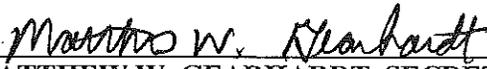
<u>FUND</u>	<u>MILLS</u>	<u>REVENUE</u>
Ten Mill Limitation:		
General Fund	3.70	\$ 1,234,845.00
Fire Pension	0.30	100,123.00
Police Pension	0.30	100,123.00
No Limitation:		
Miami Conservancy - Cont	0.12	40,049.00

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

Approved: _____ AUG 30 2010



PATRICIA QUILLEN, PRESIDENT



MATTHEW W. GEARHARDT, SECRETARY



GARY A. NASAL, MEMBER
 [MIAMI COUNTY BUDGET COMMISSION]

TO THE MIAMI COUNTY BUDGET COMMISSION:

At a meeting of the Council/Commission of the City/Village of **PIQUA CITY** held on the _____ day of _____, 2010, a motion was made by _____, that the rates of tax as determined by the Miami County Budget Commission for the year **2010** be accepted. The motion was seconded by _____ with the following vote being recorded:

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

RETURN ONE ORIGINAL TO THE MIAMI COUNTY AUDITOR BY OCTOBER 1

RESOLUTION NO. R-108-10

A RESOLUTION REQUESTING PRELIMINARY LEGISLATION FOR ODOT TO REHABILITATE STRUCTURE NUMBER MIA 36 11.32 LOCATED ON US ROUTE 36 APPROXIMATELY 0.44 MILES WEST OF INTERSTATE ROUTE 75

WHEREAS, the Ohio Department of Transportation requests preliminary legislation for the rehabilitation of a structure located on US Route 36 approximately 0.44 miles west of the junction of Interstate Route 75, City of Piqua, Miami County, Ohio.

SEC. 1: Project Description

WHEREAS, the State has identified the need for the described project:

This project proposes the rehabilitation of deteriorated backwalls, expansion joints, and approach slabs, including necessary structural steel repairs on the structure located at approximately 0.44 Miles west of the junction of Interstate Route 75 (Structure File Number 5500095) within the City of Piqua, Miami County, Ohio.

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.2: Consent Statement

Being in the public interest, the LPA (City of Piqua) gives consent to the Director of Transportation in the above-described project.

SEC. 3: Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The LPA has no obligation for costs for the project as described in Section I. ODOT will provide all Federal-aid and State funds as set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

In addition, the LPA also agrees to pay One-Hundred (100%) of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

If curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall be the responsibility of the City. The City shall adjust any existing castings, as required, with City forces.

SEC. 4: Utilities and Right-Of-Way Statement

The LPA agrees that all right-of-way (if applicable) required for the described project will be acquired and/or made available in accordance with current State and

Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SEC. 5: Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C. Section 116; (2) provide ample financial provisions, as necessary, for such maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SEC. 6: Authority to Sign

The City Manager of the City of Piqua is hereby empowered on behalf of the City of Piqua to enter into agreements with the Director of Transportation necessary to complete the above-described project.

SEC. 7: 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 September 21, 2010

TO: Fred Enderle, City Manager

FROM: Amy Havenar, City Engineer

SUBJECT: Preliminary Legislation with the Ohio Department of Transportation (ODOT) for the rehabilitation of a deteriorated structure located on US Route 36 approximately 0.44 miles west of Interstate Route 75 (IR-75).

PURPOSE:

Approve the resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation (ODOT) for the rehabilitation of the East Ash Street (US Route 36) Bridge located over the Great Miami River.

RECOMMENDATION:

Approval of the Resolution to allow for ODOT to continue with their programming of the rehabilitation of the East Ash Street Bridge.

BACKGROUND:

As with any ODOT project, ODOT is required to receive Legislation from a local entity prior to commencement of work within that entity. Even though the bridge is located within the City, House Bill 67 states that "The Director of Transportation is responsible for the construction, reconstruction, major maintenance and repair, and operation of all bridges located on the state highway system within a municipal corporation".

This being an ODOT project, ODOT will be responsible for all aspects of the project. The Engineering Department will be in communication with ODOT throughout the planning and design phases and keep the Commission apprised of any changes as the project approaches construction.

ALTERNATIVES:

- 1) Approve the Resolution to allow the City Manager to enter into an agreement with ODOT.*
- 2) Do not approve the Resolution and have ODOT abandon the US Route 36 Bridge rehabilitation project.*

DISCUSSION:

This project will involve the rehabilitation of deteriorated back walls, expansion joints, and approach slabs, including necessary structural steel repairs on the structure. The project is scheduled for sale in State Fiscal Year 2014, therefore, the rehabilitation work will not interfere with the E. Ash Street Reconstruction Project which has a sale date of November 2011.

FINANCIAL IMPACT:

There is no financial participation required of the City for the completion of this project.

COMMUNITY IMPACT:

Programming the repairs of this bridge is necessary to ensure the safety of the traveling public. This project will also enhance the aesthetics and the drivability of this portion of the roadway. The project will be an extension of the construction improvements currently underway on the USR 36 Bridge over IR-75, in addition to tying directly into the East Ash Street Reconstruction project improvements.

CONFORMITY TO CITY PLANS & POLICIES:

The common theme in the Comprehensive Plan Update was to improve the gateways to the City of Piqua. This area was identified as one of the main gateways within the Plan. This project will complete the reconstruction of the East Ash Street corridor from IR-75 to Spring Street.

RESOLUTION NO. R-109-10

**A RESOLUTION AMENDING RESOLUTION NO. C-10147 IN REGARDS TO
COMMUNITY REINVESTMENT AREA V**

WHEREAS, the City Commission of the City of Piqua adopted Resolution No. C-10147 on June 20, 1994, establishing Community Reinvestment Area V in the City of Piqua, and

WHEREAS, the City Commission of the City of Piqua has reviewed a new housing study of the area, and

WHEREAS, the housing study has found that there is a specific area where housing facilities are located and where new housing construction and repair of existing facilities or structures are discouraged, and

WHEREAS, the maintenance and construction of structures in said area would serve to encourage economic stability and maintain real property values, and

WHEREAS, the City Commission of the City of Piqua has found where Resolution No. C-10147 should be amended, and

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

SEC. 1: Resolution No. C-10147 is hereby amended to be read as in Section 2 through Section 8 of this Resolution.

SEC. 2: Community reinvestment area v shall now be bounded as follows:

Commencing at the intersection of Great Miami River and East Ash Street;

Thence in an easterly direction along East Ash Street to the municipal corporate limits of the date of this resolution.

Thence in a southerly direction along the municipal corporate limits to Garbry Road.

Thence in a westerly direction along Garbry Road to the intersection of Garbry Road and the Piqua Activity Trail for Health.

Thence easterly along the Piqua Activity Trail for Health to Troy-Sidney Road,

Thence southerly to Statler Road (excluding Parcel No. J27-036500 and Parcel No. J27-036550);

Thence westerly to the intersection of Statler Road and the CSX Rail Line (excluding Parcel No. J27-036400, Parcel No. J27-054800, Parcel No. J27-054801 and Parcel No. J27-054802);

Thence southerly along the CSX Rail Line to the southern corporation limits of the City of Piqua as of August 1, 2010;

Thence westerly to Piqua-Troy Road;

Thence northerly to a Rail Spur;

Thence easterly to the intersection of the Rail Spur to Statler Road/Garnsey Street;

Thence westerly along Statler Road/Garnsey Street to the Great Miami River;

Thence northerly along the Great Miami River to the point of beginning herein described.

SEC. 3: The above described area is one in which housing facilities are located and new housing construction and repair of existing facilities or structures are discouraged;

SEC. 4: Within said area tax exemption for improvements to real property as described in Section 3735.67 of the Ohio Revised Code are hereby authorized for the following periods;

VALUE OF CONSTRUCTION OR REHABILITATION FOR RESIDENTIAL PROJECTS	EXEMPTION PERIOD
\$10,000 TO \$50,000	Five years for every structure containing not more than two dwelling units.
\$50,000 TO \$100,000	Five years for every structure containing not more than two family dwelling units.
\$50,000 TO \$100,000	Eight years for every structure containing more than two family dwelling units.
In excess of \$100,000	Ten years for every structure containing not more than two family dwelling units.
In excess of \$100,000	Twelve years for every structure containing more than two family dwelling units.

VALUE OF CONSTRUCTION OR REHABILITATION FOR COMMERCIAL AND INDUSTRIAL PROJECTS	EXEMPTION PERIOD
\$25,000 TO \$50,000	Five years for every commercial and industrial structure
\$50,000 TO \$100,000	Eight years for every commercial and industrial structure
In excess of \$100,000	Fifteen years for every commercial and industrial structure

SEC. 5: The Development Program Manager is hereby designated as the "Housing Officer" for all purposes pursuant to Section 3735.65 through Section 3735.69 of the Ohio Revised Code.

SEC. 6: Only rehabilitation or construction projects completed after the effective date of this Resolution shall be eligible for tax exemptions. The tax exemption shall first apply in the year following the calendar year in which the certification is made pursuant to section 3735.67 of the Ohio Revised Code.

SEC. 7: For the purposes of this Resolution, all definitions set forth in Section 3735.65 through Section 3735.70 of the Ohio Revised Code are adopted by reference.

SEC 8: 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 September 21, 2010

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: Community Reinvestment Area Program – CRA Area #5
Amendment

PURPOSE:

The purpose of this resolution is to amend Community Reinvestment Area #5 to include new areas in which development and redevelopment should be encouraged.

RECOMMENDATION:

City Staff recommends that the City Commission adopt the resolution amending Community Reinvestment Area #5 to include the areas roughly bounded between United States Route 36 (East Ash Street) and Garbry Road. These areas are primarily commercial and industrial and include the Miami Valley Center Mall.

BACKGROUND:

The Community Reinvestment Area is a locally administered program in which private property owners make investments in property and in return the property taxes on the improvements made are forgiven for a period from anywhere from five to fifteen years, dependent upon the level of investment. The investment may take the form of either the new construction of a building or facility, or any remodeling of an existing structure.

The community currently has seven Community Reinvestment Areas and this particular resolution is an amendment to Area #5 to include areas between United States Route 36 (East Ash Street) and Garbry Road. This area was shown since many of the properties in this area need redeveloped and by providing incentives to these targeted areas redevelopment of these areas is further encouraged. Discussions with property owners in the area have indicated a willingness to undertake more investment if more incentive were available.

It should be noted that according to state law, any amendment request must be accompanied with a housing study which outlines census data on housing issues in the affected area, a discussion of current property values and any property maintenance issues that may exist in the area. The housing study is attached for review.

ALTERNATIVES:

City Commission may decide not to adopt the resolution, in which case, the amendment would not be approved and the newly proposed area would not have the same incentives as other areas of the community in need of redevelopment.

DISCUSSION:

Community Reinvestment Area #5 was first established in January 1994. Since that time five projects have been granted Community Reinvestment Area incentives, which have led to \$4,340,983 in direct property investment in the community. For end users of the program, there is no cost to participate in the program and administration of the program is very simple. Applicants which demonstrate investments made to the property are automatically approved and the county auditor begins the process of “freezing” property tax rates at their pre-improvement level.

FINANCIAL IMPACT:

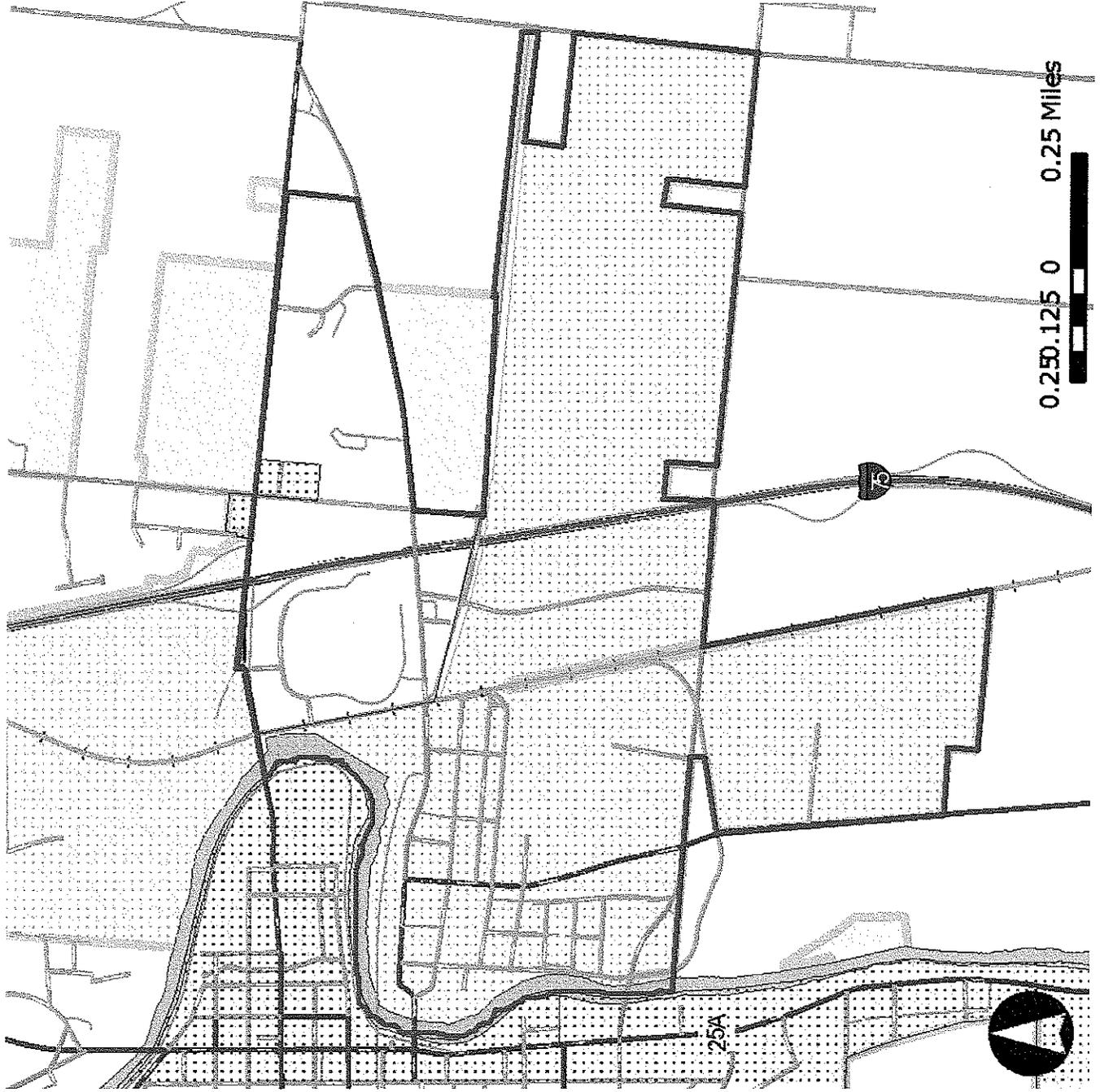
This program does have a financial impact in which the City will forgo some property tax revenue. The end user will have their tax burden figured upon pre-development values. Additional investments made will not be taxed for up to fifteen years. Generally, an increase of \$100,000 in valuation will mean that \$1,600 in additional taxes collected will be forgone. Of that particular amount, the largest amount goes to the local school district; the city is estimated to forgo \$320 per year. However, the new improvements will undoubtedly create more jobs. Each full time job that pays \$8.80/hour will pay approximately \$320 year in income taxes, making any loss of property tax revenue negligible when compared to the revenue generated through the income tax.

COMMUNITY IMPACT:

The impact of this amendment to the Community Reinvestment Area Program will provide more incentives for property owners to make improvements in commercial, industrial and residential properties. These improvements will help provide new economic opportunities for community residents.

CONFORMITY TO CITY PLANS & POLICIES:

The proposed Community Reinvestment Area amendments are in compliance with city plans and policies to provide for improved economic opportunities for the community and providing tangible support for the community’s existing businesses.



0.250.125 0 0.25 Miles

25A

**CITY OF PIQUA
HOUSING STUDY**

CENSUS TRACT: 3001

SEPTEMBER 9, 2010

**PREPARED BY:
DEVELOPMENT DEPARTMENT
CITY OF PIQUA
201 WEST WATER STREET
PIQUA, OH 45356**

Purpose

The purpose of this study is to document residential housing conditions located in portions of the City of Piqua. This study is an integral part of the requirements necessary from the Ohio Department of Development in order for the City of Piqua to amend the boundaries of current Community Reinvestment Areas that exist within the City of Piqua. While the Ohio Department of Development mandates these studies for the proper administration of the Community Reinvestment Areas, the department does not specify the particular information or format of the report. The City of Piqua's Development Department has endeavored to provide enough pertinent information in this report to meet the standards of the Ohio Department of Development.

The information in this study has come from the U. S. Census Bureau, the County Auditor of Miami County and other City Departments.

Target Area

The target area of this study is U. S. Census Bureau Census Tract 3001, though it should be noted that some areas of the census tract are not being proposed to be part of the amended Community Reinvestment Area; however, data does not exist for the block level which would have been more appropriate for this level of data analysis. This area begin part of the Community Reinvestment Area roughly represents the southeastern portions of the City of Piqua. The general boundary is the Great Miami River, East Ash Street, Garbry Road, the Piqua Bike Path/Recreation Trail, the CSX Rail Line the southern corporate limits, Piqua-Troy Road and Statler Road/Garnsey Street.

Housing Demographics

The 2000 Census reports that there are 1,643 units of housing located within the study area. Within this figure, 8.2% of those units, or 136 were listed as currently vacant. Of the remaining 1,507 units of housing, 61.9% of those units (933) were owner occupied and 38.1% (547) were renter occupied. Within the 136 units of housing that were vacant, 68 of those units were available for rent and 18 units were available for sale.

Within the study area, the average housing unit had 5 rooms. Additionally, a clear majority (66.3% or 1,089 units) were single family housing units. There were 112 (10.2%) units of mobile home housing. The remaining housing units (501 units or 21%) were located in those buildings having three or more units of housing. The average house built in the study area was built during the 1968.

Housing Rent and Sales Figures

The average rent for a house within the study area was reported to be \$486 per month for the 2000 U. S. Census. Most units had charged rent of \$450 to \$499 per month.

Sketch of Housing Values

For purposes of this study, ten houses were chosen to provide a general sketch of the housing values in the study area.

901 Garbry Road		Single Family Residence	
Land Value	\$11,000	Square Footage	748
Improvement Value	\$36,500	Bathrooms	1 Full/0 Half
Total Value:	\$47,500	Bedrooms	3

903 Garbry Road		Single Family Residence	
Land Value	\$10,900	Square Footage	1224
Improvement Value	\$43,300	Bathrooms	1 Full/0 Half
Total Value:	\$54,200	Bedrooms	2

110 Staunton Street		Single Family Residence	
Land Value	\$7,300	Square Footage	1337
Improvement Value	\$27,000	Bathrooms	1 Full/0 Half
Total Value:	\$34,300	Bedrooms	2

500 Cleveland Street		Single Family Residence	
Land Value	\$8,300	Square Footage	1296
Improvement Value	\$36,600	Bathrooms	1 Full/0 Half
Total Value:	\$44,900	Bedrooms	3

201 Fourth Street		Single Family Residence	
Land Value	\$6,700	Square Footage	936
Improvement Value	\$24,400	Bathrooms	1 Full/0 Half
Total Value:	\$31,100	Bedrooms	2

Violations

According to figures from the City of Piqua's Health Department, there are currently 113 outstanding property maintenance violations located throughout the city. In the target area, there are 12 violations representing 10.6% of the total violations in the community.

Field Observations



325 Cleveland Street- This house has large amounts of peeling paint and is in need of a new coat of paint. There are also missing gutters and downspouts.



214 First Street (Accessory Structure) – This structure is severely weathered and is in need of a fresh coat of paint and is missing gutters and downspouts.



503 First Street – This house is in need of a new coat of paint. There are also missing gutters and downspouts.



214 First Street – This house has concrete steps that are in severe disrepair as well as in need of paint.

RESOLUTION NO. R-110-10

**A RESOLUTION REQUESTING AUTHORIZATION
TO ISSUE A PURCHASE ORDER TO REYNOLDS INLINER, LLC
FOR THE WEST INTERCEPTOR SANITARY SEWER & SIPHON REPAIR**

WHEREAS, the present operations of the City is to upgrade the Sanitary Sewer System; and

WHEREAS, the West Interceptor Sewer and Siphon lines have been identified as possible large contributors of inflow & infiltration to the Sanitary Sewer System; and

WHEREAS, the Engineering for this project was performed by Camp Dresser and McKee Inc. of Cincinnati; and

WHEREAS, the City has advertised and received bid for this sewer rehabilitation project; and

WHEREAS, Reynolds Inliner, LLC, is the lowest and best bid received that the engineer has reviewed and recommended;

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

SEC. 1: A contract for said services is hereby authorized and approved and payment not exceeding \$318,683.00 is hereby authorized and approved for said services;

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of September 21, 2010

TO: Fred Enderle, City Manager
FROM: Dave Davis
SUBJECT: 36" West Interceptor Sewer Rehabilitation Project.

PURPOSE:

The City of Piqua Commission approval to award a bid to Reynolds Inliner, LLC for the 36" West Interceptor Sewer Rehabilitation Project.

RECOMMENDATION:

Approval of this Resolution to award the bid for the work specified by our Engineer.

BACKGROUND:

In June of 2009 the city of Piqua had the engineering firm of Camp Dresser & McKee inspect the condition of the 36" West Interceptor Sewer along the west bank of the Miami River, along with giving the City of Piqua recommendations for replacement or repair. This also included bidding and construction services.

This particular section of line is dated back to the late 20's early 30's and is part of the original Wastewater Plant Interceptor Sewer lines. The wastewater plant in the past 10 years had found this line to have holes punched in it (2) by debris traveling downstream during high river flows.

With this inspection it was found that a substantial amount of root penetration from the trees on the bank of the river had taken place. At these locations we anticipate water from the river (in high river level flows) seek their way into this 36" pipe and contribute to the amount of flow going to the Wastewater Plant, better known as "Inflow and Infiltration". With this additional flow, it could be a direct contributor to the SSO's that take place during wet weather events at the end of this interceptor.

ALTERNATIVES:

- 1. Direct cut the ground in the area west of the current line and have new pipe installed at a price tag well over 2 million dollars. (Area around the new path behind Streets & Power Plant)*
- 2. Continue to operate WWTP Plant and have SSO occurrences during wet weather situations. OEPA would eventually impose findings and orders to completely mitigate the SSO.*

DISCUSSION:

The OEPA has asked the city of Piqua for a “Plan of Action” to remove our SSO in the next 5 year permit cycle, which is required by February 2011.

This particular project was not part of our original schedule in the last permit cycle, but due to the findings from CDM, OEPA has been informed of this project and is on board with the possibility of reducing the amount of occurrences of the SSO by performing this rehabilitation

This particular project is working our way back into the collection system before making a decision on a large Wastewater Plant improvement that could be a much larger price tag improvement.

FINANCIAL IMPACT:

Should the City decide to approve this project, the financial impact would be below estimated projections from the budget process for 2010. It was estimated \$679,150 and at bid time had dropped to \$550,000.

Should the City not perform the rehabilitation, there could be major financial impact due to the OEPA wanting to remove all SSO’s from the receiving streams in Ohio. The EPA could impose findings and orders to perform certain rehabilitation like this project along with other projects that could escalate the amount of money we are looking to spend in the future. And all this would be on their schedule not the one we would propose.

COMMUNITY IMPACT:

The 36” West Interceptor Sewer is directly connected to the Sanitary Sewer Overflow gate on the west side of the Miami River. When the wet weather event causes this gate to open, sewage is directly discharged to the river. This discharge is a health concern that the OEPA wants the city of Piqua to mitigate the occurrences to their approval level.

CONFORMITY TO CITY PLANS & POLICIES:

The NPDES Permit being held by the wastewater plant charges the City of Piqua with removing the SSO occurrences from our system. This project could reduce the amount of water treated at the Wastewater Plant along with reducing the amount of SSO’s discharged to the river in a wet weather event, which is a major health remediation.

BID TAB

City of Piqua

West Interceptor Sanitary Sewer & Siphon Repair Project #09-03

Date Opened: August 31, 2010

ITEM	DESCRIPTION	QUANTITIES		Reynolds Inliner, LLC 4143 Weaver Court Hilliard, OH 43026				Inland Waters Pollution Control, Inc. 4086 Michigan Ave. Detroit, MI 48210				Utility Service Authority, LLC 6001 Schooner Belleville, MI 48112				Instiufarm Technologies, Inc. 17988 Edison Avenue Chesterfield, MO 63005							
		NUMBER	UNITS	UNIT LABOR	UNIT MATERIALS	UNIT TOTAL	TOTAL ITEM COST	UNIT LABOR	UNIT MATERIALS	UNIT TOTAL	TOTAL ITEM COST	UNIT LABOR	UNIT MATERIALS	UNIT TOTAL	TOTAL ITEM COST	UNIT LABOR	MATERIALS	TOTAL	TOTAL ITEM COST				
1	Bypass Pumping	1	LS	\$23,600.00	\$35,400.00	\$59,000.00	\$59,000.00	\$35,000.00	\$0.00	\$35,000.00	\$35,000.00	\$5,000.00	\$10,000.00	\$15,000.00	\$62,650.00	\$26,850.00	\$89,500.00	\$89,500.00					
2	Rough Cleaning & Root Removal	1	LS	\$13,860.00	\$9,240.00	\$23,100.00	\$23,100.00	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00	\$9,800.00	\$10,000.00	\$19,800.00	\$15,610.00	\$6,690.00	\$22,300.00	\$22,300.00					
3	Grit Removal, Dewatering, and Disposal	1.00	LS	\$0.00	\$1,654.00	\$1,654.00	\$1,654.00	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00	\$500.00	\$1,500.00	\$2,000.00	\$379.40	\$162.60	\$542.00	\$542.00					
4	Demolish Existing MH Casting & Lid	6	EA	\$82.80	\$55.20	\$138.00	\$828.00	\$100.00	\$100.00	\$200.00	\$1,200.00	\$300.00	\$200.00	\$500.00	\$2,163.00	\$927.00	\$3,090.00	\$3,090.00					
5	Demolish Existing MH Structure	5	EA	\$1,653.60	\$1,102.40	\$2,756.00	\$13,780.00	\$1,500.00	\$1,500.00	\$3,000.00	\$15,000.00	\$300.00	\$200.00	\$500.00	\$23,870.00	\$10,230.00	\$34,100.00	\$34,100.00					
6	New Sanitary Manhole	4	EA	\$4,680.00	\$3,120.00	\$7,800.00	\$31,200.00	\$4,500.00	\$4,500.00	\$9,000.00	\$36,000.00	\$3,000.00	\$5,200.00	\$8,200.00	\$34,020.00	\$14,580.00	\$48,600.00	\$48,600.00					
7	Manhole Rehabilitation	2	EA	\$1,620.00	\$1,080.00	\$2,700.00	\$5,400.00	\$2,500.00	\$2,500.00	\$5,000.00	\$10,000.00	\$3,500.00	\$3,000.00	\$6,500.00	\$1,806.00	\$774.00	\$2,580.00	\$2,580.00					
8	38" CIPP Lining	1066	LF	\$73.20	\$48.80	\$122.00	\$130,052.00	\$106.00	\$50.00	\$156.00	\$166,296.00	\$75.00	\$190.00	\$265.00	\$282,490.00	\$70,835.70	\$236,119.00	\$236,119.00					
9	36" PVC SDR35 Sanitary Sewer installed including Connections, Backfill, Compaction, and Asphalt Restoration	43	LF	\$142.20	\$94.80	\$237.00	\$10,191.00	\$250.00	\$100.00	\$350.00	\$15,050.00	\$200.00	\$160.00	\$360.00	\$15,480.00	\$6,308.10	\$21,027.00	\$21,027.00					
10	Reconnect Street Department Lateral	1	EA	\$793.80	\$529.20	\$1,323.00	\$1,323.00	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00	\$1,000.00	\$500.00	\$1,500.00	\$2,310.00	\$990.00	\$3,300.00	\$3,300.00					
11	Clear and Grub Trees/Root Removal	1	LS	\$4,300.20	\$2,866.80	\$7,167.00	\$7,167.00	\$25,000.00	\$0.00	\$25,000.00	\$25,000.00	\$400.00	\$100.00	\$500.00	\$1,802.50	\$772.50	\$2,575.00	\$2,575.00					
12	Pipe and Manhole Testing	1	LS	\$0.00	\$1,617.00	\$1,617.00	\$1,617.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$400.00	\$100.00	\$500.00	\$360.50	\$154.50	\$515.00	\$515.00					
13	Site Cleanup and Restoration	1	LS	\$2,640.00	\$1,760.00	\$4,400.00	\$4,400.00	\$20,000.00	\$5,000.00	\$25,000.00	\$25,000.00	\$800.00	\$400.00	\$1,200.00	\$1,200.00	\$3,605.00	\$5,150.00	\$5,150.00					
				TOTAL BASE BID				\$289,712.00	TOTAL BASE BID				\$352,046.00	TOTAL BASE BID				\$389,770.00	TOTAL BASE BID				\$469,398.00



8805 Governor's Hill Drive, Suite 260
Cincinnati, Ohio 45249
tel: 513 583-9800
fax: 513 583-0090

September 14, 2010

Mr. David T. Burtner
Public Works Director
City of Piqua
201 W. Water Street
Piqua, OH 45356

Subject: West Interceptor Sanitary Sewer & Siphon Repair Project #09-03
Bid Evaluation and Recommendation for Award

Dear Mr. Burtner,

CDM has reviewed and evaluated the bids received by the City of Piqua through its City Commission on August 31, 2010 at 10:00 a.m. for construction of the West Interceptor Sanitary Sewer and Siphon Repair Project 09-03. A total of four competitive bids were received for this project, which are summarized in the table below.

Bidder	Bid Amount
1) Reynolds Inliner, LLC	\$289,712.00
2) Inland Waters Pollution Control, Inc.	\$352,046.00
3) Utility Service Authority, LLC	\$389,770.00
4) Insituform Technologies, Inc.	\$469,398.00
Engineer's Opinion of Probable Construction Cost	\$550,000.00

Attached is the bid tabulation of bid prices for each line item from each prospective bidder.

The contract's basis of award per Article 11.1 in Section 00100 is the "...lowest responsible and eligible Bidder." Reynolds Inliner, LLC, low bid was complete, and no discrepancies or math errors were noted. We have reviewed the qualifications of Reynolds Inliner, LLC, and believe them to be capable of performing the work as defined in the Contract Documents. It is our opinion that Reynolds Inliner, LLC, is the lowest responsible and eligible bidder for this project.



David T. Burtner
September 14, 2010
Page 2

It is our recommendation that the Piqua City Commission award the construction contract to Reynolds Inliner, LLC, in the amount of \$289,712.00.

Please call me at (513) 716-6528 if you have any questions, or if I can be of further assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Robt C. Yoxthimer', written over a horizontal line.

Robert C. Yoxthimer, P.E., BCEE
Associate
Camp Dresser & McKee Inc.

Cc Dave Davis
Todd Brandenburg

Enclosure

RESOLUTION NO. R-111-10

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PUBLIC SAFETY INFORMATION SHARING RECORDS SYSTEM AGREEMENT

WHEREAS, the Cities of Piqua; Troy and Tipp City, Ohio along with the Villages of Covington and West Milton, Ohio have determined that it is in the best interest of the public thereof to fund jointly the purchase and operation of a Public Safety Information Sharing Records System hereto referred to as (PSISRS); and

WHEREAS, this agreement, attached hereto as "Exhibit A" is made and entered into by and between the Board of Commissioners of Miami County and the above mentioned Cities and Villages; and

WHEREAS, it is the expectation of the County, the Cities, and the Villages that, by entering into this Agreement, each of said parties will reduce the cost of the same incident to the separate operation of individual public safety information records systems; and

WHEREAS, the cost sharing/financial contributions of the creation, operation and maintenance of the PSISRS shall be divided amongst the County, the Cities and Villages with the County paying forty-two percent (42%) of the same and the balance of fifty-eight percent (58%) of said costs divided amongst the Cities, the Villages and any additional parties on the basis of percentages established through a formula whereby the relationship of the population of each said entity to the overall total of the populations of said subdivisions, as established by the most recent Federal Decennial Census; with the City of Piqua's share being twenty-one percent (21%) of said agreement.

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

SEC. 1: The City Manager is hereby authorized to enter into a Public Safety Information Sharing Records System Agreement as attached hereto as "Exhibit A."

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 the agreement terms as attached hereto as "Exhibit A" with the City of Piqua's software share being \$73,527.12 or (20.48% of the cost) and the second year maintenance share of \$6,416.79.

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 September 21, 2010

TO: Fred Enderle, City Manager

FROM: Bruce A. Jamison, Chief of Police

SUBJECT: Resolution R-111-10, Authorizing the City Manager to Enter Into a Public Safety Information Sharing Records System Agreement

PURPOSE: Approve the resolution authorizing the City Manager to enter into a public safety information sharing records system agreement.

RECOMMENDATION:

Approval of Resolution R-111-10 authorizing the City Manager to enter into a public safety information sharing records system agreement.

BACKGROUND:

In August of 2008, the Miami County Police Chiefs (including the Sheriff) were advised that in 2009, the current system hosting our police records system at the Miami County Communications Center would no longer be supported. Each agency would receive their data in raw form in the Fall of 2009 and the current hardware and software would not be supported in any way. The system would not be turned off at that time, but no efforts would be made to keep it running and accessible. We could expect it to last mere months beyond this point.

The police chiefs then began the long and arduous task of agreeing to a collaborative and efficient solution that would encompass a records system tied into the Computer Aided Dispatch system, as has been the case since the inception of the Miami County Communications Center in March of 1990. In the event that no such agreement could be reached, the 2009 City of Piqua budget included \$125,000 capital in the police budget for a replacement system in case we would be forced to fund our own solution.

During the course of 2009, the managers of the major cities in the county worked with the police chiefs and convinced the Miami County Communications Center Board of Directors and the Miami County Commissioners of the overall values and efficiencies of a shared records system that ties directly into the Computer Aided Dispatch system. During the course of these discussions, the area fire departments also recognized the potential for increased public safety that could be realized with a shared system.

The Police Department included \$90,000 in its approved 2010 City of Piqua budget for the replacement of the record system, and the county agreed to maintain the current system until it could be jointly replaced with costs shared by the various jurisdictions.

Through the cooperation of the involved parties, tentative agreements have been reached to govern and fund the records system. The system includes dispatch, fire, EMS, and law enforcement functionality and connectivity. It will also allow for increased sharing with prosecutors and the courts. Training has already begun on an aggressive timetable for implementation in December 2010. Under the tentative agreement, the funds budgeted by the police department (\$90,000) will cover expenses of the implementation, provided all jurisdictions obtain the necessary legislation.

ALTERNATIVES:

- 1) Approve Resolution 111-10, authorizing the City Manager to enter into a public safety information sharing records system agreement.
- 2) Do not approve the Resolution and abandon the project.

DISCUSSION:

In taking advantage of attrition, we have already reduced the civilian staff of the police department. We had this as a long-term objective for a couple years, but the reductions have occurred before we had the technology in place to support them. We cannot maintain our current level of staffing *AND* our current workflow of the records we generate in service to the citizens of Piqua. The current system is labor intensive and reliant on documentation on paper physically working through a series of reviews. Then the written information is converted to computerized records in order to be located when requested by citizens and the courts. It is also then in a format that can be analyzed to identify trends as we make important decisions as to the best allocation of our scarce police department resources. We also have a multitude of mandated reports for various outside agencies that oversee police activities.

There are two primary problems that would result from abandoning this project that has been underway for the past two years:

- Our current system will cease to function within months of implementation of the new system by the rest of the county. We would be left with no system for indexing the thousands of reports we take each year to be able to find them when legally needed.
- We would need increased human resources to handle the processing of information collected by the police department and needed by its citizens and the larger criminal justice community.

Considerable effort has been expended to find the most efficient and least costly solution to our need for a records system. We have also established long-term agreement to keep us from being in such a precarious position in the future.

The fire department has identified multiple advantages to this system. They are actively involved in the implementation of this project. Their expenses related to fire and EMS records will likely be reduced in the future due to the system chosen by the county public service agencies.

FINANCIAL IMPACT:

Despite some early information to the contrary, we have demonstrated that a shared system that integrates dispatch, law enforcement, fire, and EMS records is more affordable and efficient than separate systems purchased by each individual entity. The \$125,000 budgeted in 2009 was a realistic and reasonable amount for a system that would allow the police department to “go-it-alone.” We now expect to pay less than 75% of this amount for a better system that will allow for increased safety and efficiency to several entities that serve the citizens of this city. This project is not only a decreased burden on the general fund of this city, it is a decreased burden to property taxes that support the sheriff’s operation and the sales taxes that support the dispatch operation.

The \$90,000 already budgeted for this project will cover the shared expenses directly incurred by approval of this resolution, as well as some Piqua-specific expenses necessary for connectivity and increased efficiencies the new system will provide.

I have already participated in over forty hours of work towards a grant application to the State of Ohio for this project. We are hopeful that the county will receive some funds to offset part of the expenses. If so, the agreement authorized by this resolution dictates in a proportional benefit to the City of Piqua.

COMMUNITY IMPACT:

The community will benefit from better and faster access to public information produced by the police department in the performance of our routine duties. We will have better information available for our resource allocation decisions, and it will be available almost instantly. Prosecutors and the courts will have instant access to some of our information. And, city management and elected officials will benefit from better and more accessible information when they make specific inquiries.

The efficiency of our reduced-staffed police department will increase as the more modern records system actually functions as a management tool for police activities. We will be able to more closely manage and supervise officers’ activities, as well as direct them more efficiently as they carry out their daily tasks.

Responding public safety personnel will be safer because much more information will be available to them due to the integration of dispatch, law, and fire records. If the first responders are safer, so are the citizens they are responding to assist.

CONFORMITY TO CITY PLANS & POLICIES:

This agreement is the culmination of the plans discussed and approved by the city commission for the past two years during budget preparation. We have increased the advantage to the city from the original plans, based on the inclusion of the fire department with this project.

Respectfully Submitted,

**MIAMI COUNTY
PUBLIC SAFETY INFORMATION SHARING RECORDS SYSTEM
AGREEMENT**

THIS AGREEMENT is made and entered into by and between the Board of Commissioners of Miami County, Ohio (hereinafter referred to as the “County”); the City of Piqua, Ohio, an Ohio municipal corporation, the City of Troy, Ohio, an Ohio municipal corporation, and the City of Tipp City, Ohio, an Ohio municipal corporation (hereinafter collectively referred to the “Cities”); and the Village of Covington, Ohio, an Ohio municipal corporation, and the Village of West Milton, Ohio, an Ohio municipal corporation, (hereinafter collectively referred to as the “Villages”); and

WHEREAS, Section 307.15 of the Ohio Revised Code provides that a board of commissioners of an Ohio county may enter into an agreement with the legislative authority of any municipal corporation or township, and the legislative authorities of such other entities may enter into agreements with the board of county commissioners whereby either party undertakes and is authorized by the contracting subdivision to exercise any power, perform any function, or render any service on behalf of the contracting subdivision or its legislative authority, that such subdivision or legislative authority may exercise, perform, or render; and

WHEREAS, the County, the Cities, and the Villages have determined that it is in the best interests of the public thereof to fund jointly the purchase and operation of a Public Safety Information Sharing Records System (hereinafter referred to as (PSISRS)); and

WHEREAS, it is the expectation of the County, the Cities, and the Villages that, by entering into this Agreement, each of said parties will reduce the cost of the same incident to the separate operation of individual public safety information records systems; and

WHEREAS, the creation and operation of a joint PSISRS is in line with goals set down by the Department of Homeland Security and the Federal Emergency Management Agency; and

NOW, THEREFORE, in consideration of the mutual covenants and undertakings set forth herein, the parties hereto contract and agree as follows:

1. ESTABLISHMENT OF THE PUBLIC SAFETY INFORMATION SHARING RECORDS SYSTEM FUND (PSISRS FUND): The County will establish a fund for the sole and express purpose of servicing the obligations under the terms of this Agreement for the mutual and shared benefit of the parties hereto, and of any other public entity which subsequently may enter into this Agreement and become bound by the terms hereof as a party hereto. The County, the Cities, the Villages, and any additional parties shall deposit with the County for attribution to said fund monies for the purpose of purchasing, operating, and maintaining a PSISRS Central System. The County, the Cities, and the Villages shall work together to ensure that all monies so provided and attributed shall be wisely and properly spent for and in advancement of the purposes set forth in this Agreement. Expenditures of such monies and disbursements from said fund shall be effected by the County for said purposes, pursuant to procedures incident to the

expenditure and disbursement of County funds in general, by determination and authorization effected by the Board of Commissioners of the County with due consideration of recommendations proposed and submitted to the Board of Commissioners by any other party hereto or by the Miami County Communications Board.

2. COST SHARING/FINANCIAL CONTRIBUTIONS-The costs of the creation, operation, and maintenance of the PSISRS shall be divided among the County, the Cities, the Villages, and any additional parties on the following basis:

A. The County shall pay forty-two per cent (42%) of the same;

B. The balance of fifty-eight (58%) of said costs shall be divided among the Cities, the Villages, and any additional parties on the basis of percentages established through a formula whereby the relationship of the population of each said entity to the overall total of the populations of said subdivisions, as established by the most recent Federal decennial census;

C. The percentages as to participation in the initial contributions to said costs shall be divided as follows: County-42%; City of Troy-22%; City of Piqua-21%; City of Tipp City-9%; the Village of Covington-2.6%; and the Village of West Milton-4.5% with adjustments to made thereafter as may be necessary because of changes in census population and/or the addition or deletion of participating parties. The Cities' contribution percentage shall be determined by dividing the individual City's population by the County's population.

D. The parties hereto, by their mutual agreement, will establish annual maintenance fees for years 2, 3, 4, and 5 of the term of this Agreement which shall be paid by the participating parties in respective shares set and established in a manner consistent with the terms of this Paragraph;

E. Any and all amounts which constitute scheduled payments and contributions hereunder shall be paid by the obligor to the County no later than January 31 of the year during which and/or in relation to the same are due and payable; and

F. Any cost overruns or additional expenses which occur shall be divided among the parties hereto on the basis of the formulae and

arrangements set forth in Subparagraphs A, B, and C above. All costs and expenses must be directly related to the PSISRS to be allocable.

G. In the event that the County or fund receive any revenue, grant and/or any other source of funding for any purpose related to the PSISRS, the revenue shall either offset the parties' contribution or the parties' shall be entitled to a refund of their respective contribution, all in accordance with the formula and arrangements as set forth in sub-paragraphs A, B, and C.

3. TERM-The original term and period of this Agreement shall be sixty (60) months from and after the date of execution and entry into the same by all of the original parties hereto, and shall renew automatically for like additional periods. No party to this Agreement, including the County, and any of the Cities, the Villages, and additional parties may withdraw from this Agreement within its initial five (5) year term. In order to withdraw from this Agreement at the conclusion of its initial five (5) year term, a party, no later than January 1 of the fifth year of said Agreement, must notify the Board of Commissioners of Miami County, Ohio, of the intention of said party to withdraw. In order to withdraw from this Agreement at any time after the conclusion of its initial five (5) year term, a party, no later than June 1 of the preceding year, must notify the Board of Commissioners of Miami County, Ohio, of the intention of said party to withdraw and said withdrawal shall be effective as of December 31 of the subsequent year.

4. CONCLUSION OF INITIAL TERM – At the conclusion of the initial five year term, the County shall commit to continued support of the CAD and Records Management Systems as it has a life beyond five years. If the system is no longer supported by the County, the County shall in good faith negotiate a dissolution of this partnership that is satisfactory to all parties.

5. RIGHTS OF THE PARTIES – All participating entities shall be entitled to use PSISRS pursuant to rules and regulations established by the Miami County Communications Board.

6. ADDITION OF PRIORITIES – During the effective period of this agreement, no participating parties shall be added to records sharing system without the approval of all parties hereto and under terms mutually agreed to by all parties. Due consideration shall be given to the parties' capital expenditures.

7. CREATION, OPERATION, AND MAINTENANCE-During the effective period of this Agreement, the Board of Commissioners of Miami County, Ohio, shall utilize the funds paid and contributed hereunder to the extent that the same are available at the recommendation of the Miami County Communications Board, for the purpose of creating, maintaining, and operating a joint Public Safety Information Sharing Records System for the benefit and use of the parties hereto.

8. CERTAIN CAPITAL EXPENDITURES – Prior to the purchase or lease of any capital expenditure in excess of \$50,000, the County shall obtain the written approval of participating entities representing at least 75% of the total population of the County.

9. ENTIRE AGREEMENT; COUNTERPARTS-This Agreement constitutes the entire understanding and agreement among the parties hereto as to the matter set forth herein, and it supersedes all prior agreements, memoranda, correspondence, conversations, and negotiations between and among parties hereto as to this matter. This Agreement must be executed by several counterparts that constitute but one and the same agreement.

10. AMENDMENT OF AGREEMENT-This Agreement, and any successor to the same, may be amended and modified only by the express, prior, written agreement of all of the parties hereto, including the County, the Cities, the Villages, and any additional parties.

11. BENEFIT AND BINDING EFFECT-This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, including the County, the Cities, the Villages, and any additional parties, and the successors and assigns of the same.

12. ASSIGNMENT-The benefits of this Agreement, and obligations and responsibilities hereunder shall not be assigned or delegated by any party hereto without the express prior consent of all parties hereto.

13. INTERPRETATION-This Agreement shall be construed and interpreted in compliance with the laws of the State of Ohio.

14. NO EMPLOYMENT RELATIONSHIP – Nothing herein shall create or establish an employment arrangement or relationship between any employee of the County and the Cities.

THE BOARD OF COMMISSIONERS OF
MIAMI COUNTY, OHIO:

BY: _____
COMMISSIONER

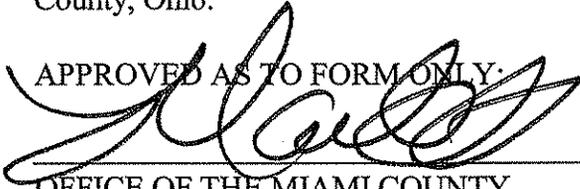
BY: _____
COMMISSIONER

BY: _____
COMMISSIONER

DATE: _____

Approved pursuant to Resolution No. _____ of the Board of Commissioners of Miami County, Ohio.

APPROVED AS TO FORM ONLY:



OFFICE OF THE MIAMI COUNTY
PROSECUTING ATTORNEY

THE CITY OF TROY, OHIO

BY: _____
MAYOR

DATE: _____

Approved pursuant to Resolution No. _____ of the Council of the City of Troy, Ohio.

APPROVED AS TO FORM ONLY:

LAW DIRECTOR
THE CITY OF TROY, OHIO

THE CITY OF PIQUA, OHIO

BY: _____
CITY MANAGER

DATE: _____

Approved pursuant to Resolution No. _____ of the Commission of the City of Piqua, Ohio.

APPROVED AS TO FORM ONLY:

Stacy m. Wall

LAW DIRECTOR

THE CITY OF PIQUA, OHIO

THE CITY OF TIPP CITY, OHIO

BY: _____
CITY MANAGER

DATE: _____

Approved pursuant to Resolution No. _____ of the Commission of the City of Tipp City, Ohio.

APPROVED AS TO FORM ONLY:

LAW DIRECTOR
THE CITY OF TIPP CITY, OHIO

THE VILLAGE OF COVINGTON, OHIO

BY: _____
MAYOR

DATE: _____

Approved pursuant to Resolution No. _____ of the Council of the Village of Covington, Ohio.

APPROVED AS TO FORM ONLY:

SOLICITOR
THE VILLAGE OF COVINGTON, OHIO

THE VILLAGE OF WEST MILTON, OHIO

BY: _____
MAYOR

DATE: _____

Approved pursuant to Resolution No. _____ of the Council of the Village of
West Milton, Ohio.

APPROVED AS TO FORM ONLY:



SOLICITOR
THE VILLAGE OF WEST MILTON, OHIO

Appendix A

Total price of Spillman software and professional services minus the discount

	1,039,168.00
	224,600.00
Discount	<u>-407,995.00</u>
Total Price	855,773.00

Optional modules cost \$68,472.00 Sheriff Cox has agreed to fund in its entirety

	855,773.00
	<u>68,472.00</u>
	787,301.00

The 911 Center's share is \$428,281.86.

Law Enforcement's share is \$359,019.14

Piqua	73,527.12	20.48%
Troy	78,014.86	21.73%
Tipp City	32,706.64	9.11%
Miami County	150,788.04	42%
Covington	9,083.18	2.53%
W. Milton	16,478.98	4.59%
	 360,598.82	

Appendix B

Maintenance Agreement				
System Core Hub			\$10,211.20	Total
911 54%	\$5,513.94		Law Enforcement 46%	\$4,697.06
CAD			\$18,530.00	Total
911 100%	\$18,530.00		Law Enforcement 0%	\$0.00
Records			\$19,148.00	Total
911 0%	\$0.00		Law Enforcement 100%	\$19,148.00
Mobile Solution			\$14,834.00	Total
911 100%	\$14,834.00		Law Enforcement 0%	\$0.00
Field Reporting			\$14,409.00	Total
911 54%	\$7,780.86		Law Enforcement 46%	\$6,628.14
911 Total	\$46,658.80		Law Enforcement Total	\$30,473.20

Law Enforcement total maintenance for second year of contract is \$31,332.20.
 Jurisdictions share as per contract percentages:

Piqua	\$6,416.79
Miami County SO	\$13,154.44
Troy	\$6,808.44
Tipp City	\$2,854.35
Covington	\$792.70
West Milton	\$1,438.14

As per contract "The Computer Software end-user maintenance agreement renewal cost on maintenance for years 3-5 will not exceed a 5% increase annually. Thereafter maintenance costs will not exceed a 5% annual increase. Additional modules purchased will be added to the base maintenance costs and will increase at the same percentage as all other modules.

RESOLUTION NO. R-112-10

**A RESOLUTION AWARDING A CONTRACT FOR
THE MIA-WASHINGTON AVENUE RESURFACING
PROJECT TO BARRETT PAVING MATERIALS, INC.**

WHEREAS, on January 4, 2010, this Commission passed Resolution No. R-5-10 authorizing the City Purchasing Analyst to advertise for bids, according to law, for the MIA-Washington Avenue Resurfacing Project; and

WHEREAS, after proper advertisement, bids were opened resulting in the tabulation of bids as listed in Exhibit "A" attached hereto; 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: A contract is hereby approved with Barrett Paving Materials, Inc.; as the lowest, responsible bidder for the MIA-Washington Avenue Resurfacing Project and the City Manager is hereby authorized to execute a contract with said bidder pursuant to contract specifications at a cost not to exceed \$230,000.00

SEC. 2: Ohio Department of Transportation, through the American Recovery and Reinvestment Act (ARRA) will provide one-hundred (100%) percent of eligible project costs up to \$206,937.10.

SEC. 3: The LPA agrees to pay one-hundred percent (100%) of the cost which may be required which are not included in the original plans and specifications.

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 September 21, 2010

TO: Fred Enderle, City Manager
FROM: Amy Havenar, City Engineer
SUBJECT: Award of contract for the MIA-Washington Avenue Resurfacing Project

PURPOSE:

Request for City Commission authorization to award a contract to Barrett Paving Materials, Inc. for the MIA-Washington Avenue Resurfacing Project. Total cost not to exceed \$230,000.

RECOMMENDATION:

Approval of the Resolution to allow for the completion of the Washington Avenue Resurfacing Project.

BACKGROUND:

The Miami Valley Regional Planning Commission (MVRPC) contacted the Engineering Department the middle of June to inquire as to whether the City had any resurfacing projects that we could have “ready to go” so that MVRPC could recommend to the Federal Highway for funding through the American Recovery and Reinvestment Act of 2009 (ARRA). Bill Harding, Engineering Technician, was able to complete the plans and specifications for the Washington Avenue Resurfacing Project in an expedited manner to make this project eligible for ARRA funding by meeting the Ohio Department of Transportation’s (ODOT) deadlines.

On September 10, 2010, two bids were received for the MIA-Washington Avenue Resurfacing Project and they are as follows:

Contractor	Bid Total
Barrett Paving Materials, Inc.	\$206,937.10
Walls Brothers Asphalt	\$236,261.00

The limits of the Washington Avenue Resurfacing Project are Washington Avenue from North Street to Broadway (SR 66) for a total length of 0.91 miles.

ALTERNATIVES:

- 1) *Approve the Resolution to award a contract to Barrett Paving Materials, Inc.*
- 2) *Do not approve the Resolution and do not complete the MIA-Washington Avenue Resurfacing Project.*

DISCUSSION:

The resurfacing project will consist of profile milling and overlaying of the roadway with a new asphalt surface. The project will also include the placement of all new ADA compliant handicap ramps and pavement markings within the project limits.

Barrett Paving Materials, Inc. has completed successful resurfacing projects for the City of Piqua, including the 2008 & 2009 Street Resurfacing Programs. The request for authorization includes approximately 10% contingency for items of work which may be required which are not included in the original plans and specifications.

FINANCIAL IMPACT:

An agreement was entered into between the City and the Ohio Department of Transportation establishing the MIA-Washington Avenue Resurfacing Project as a Local-Let Project which will be administered by the City of Piqua. ODOT, through the American Recovery and Reinvestment Act (ARRA) will provide 100% percent of the eligible project costs up to \$206,937.10.

The City of Piqua will be responsible for paying 100% of any contingencies, if required, in excess of the \$206,937.10 contract price.

COMMUNITY IMPACT:

The community has stressed the importance of improving the condition of the streets throughout the City. The resurfacing of Washington Avenue will greatly enhance the aesthetics and the drivability of this roadway. The biggest benefit to the community is that the City will be able to complete the resurfacing of Washington Avenue (0.91 miles) using 100% stimulus funds.

CONFORMITY TO CITY PLANS & POLICIES:

The common theme in the Plan It Piqua 2007 Comprehensive Plan Update was to improve the roadways within the City. This was also a Commission directive in 2009. The street resurfacing program is a way to help achieve those goals.

EXHIBIT "A"

**Bid Tabulation
CITY OF PIQUA**

MIA-WASHINGTON AVENUE

BID OPENING: SEPTEMBER 10, 2010 AT 2:00 P.M.

ODOT SPECIFICATION REF.		QUANTITIES		BARRETT PAVING MATERIALS INC. 2551 NEEDMORE RD DAYTON, OH			WALLS BROS. ASPHALT CO., INC. 3690 HOLLANSBURG SAMPSON ROAD GREENVILLE, OH		
Spec. No.	DESCRIPTION	NUMBER	UNITS	UNIT PRICE	UNIT TOTAL COST	UNIT PRICE	UNIT TOTAL COST	UNIT PRICE	UNIT TOTAL COST
202	CURB REMOVED, CONCRETE	592.0	LF	\$ 8.25	\$ 4,884.00	\$ 8.00	\$ 4,736.00		
202	WALK REMOVED, CONCRETE	3820.0	SF	\$ 1.55	\$ 5,921.00	\$ 2.00	\$ 7,640.00		
253	PAVEMENT REPAIR, ROADWAY, AS DIRECTED CONTINGENCY	600.0	SY	\$ 39.00	\$ 23,400.00	\$ 30.60	\$ 18,360.00		
254	PROFILE MILL 6" WIDE, 1 1/2" TO 0", ALONG CURBS & INTERSECTIONS	6418.7	SY	\$ 1.80	\$ 11,553.66	\$ 1.60	\$ 10,269.92		
407	BITUMINOUS TACK COAT @0.1 GAL/SY	1924.2	GAL	\$ 2.00	\$ 3,848.40	\$ 3.42	\$ 6,580.76		
448	1/2" ASPHALT CONCRETE, SCRATCH COURSE TYPE 1, PG	256.6	CY	\$ 115.20	\$ 29,560.32	\$ 143.54	\$ 36,832.36		
448	1 1/4" ASPHALT CONCRETE, SURFACE COURSE TYPE 1, PG	641.4	CY	\$ 115.20	\$ 73,889.28	\$ 143.33	\$ 91,931.86		
604	SANITARY MANHOLE ADJUSTED TO GRADE	12.0	EA	\$ 300.00	\$ 3,600.00	\$ 325.00	\$ 3,900.00		
604	STORM MANHOLE ADJUSTED TO GRADE	14.0	EA	\$ 300.00	\$ 4,200.00	\$ 325.00	\$ 4,550.00		
604	WATER VALVE ADJUSTED TO GRADE	27.0	EA	\$ 35.00	\$ 945.00	\$ 125.00	\$ 3,375.00		
608	CURB, CITY OF PIQUA, TYPE 6	592.0	LF	\$ 15.45	\$ 9,146.40	\$ 18.00	\$ 10,656.00		
608	6" CONCRETE WALK	3820.0	SF	\$ 3.60	\$ 13,752.00	\$ 4.00	\$ 15,280.00		
608	CURB RAMP, TYPE A THRU G W/ TACTILE	37.0	EA	\$ 155.00	\$ 5,735.00	\$ 245.00	\$ 9,065.00		
614	TRAFFIC CONTROL	1.0	LUMP	\$ 9,350.00	\$ 9,350.00	\$ 8,728.05	\$ 8,728.05		
644	4" DOUBLE YELLOW CENTER LINE	0.146	MI	\$ 13,377.00	\$ 1,953.04	\$ 13,609.93	\$ 1,987.05		
644	24" STOP BAR	36.0	LF	\$ 6.00	\$ 216.00	\$ 6.00	\$ 216.00		
644	6" CROSSWALK LINE	76.0	LF	\$ 3.00	\$ 228.00	\$ 3.00	\$ 228.00		
666	PRUNE EXISTING TREES, ALL SIZES - AS DIRECTED	29.0	EA	\$ 95.00	\$ 2,755.00	\$ 25.00	\$ 725.00		
SPEC.	PROJECT SIGN AND SUPPORTS	2	EA	\$ 1,000.00	\$ 2,000.00	\$ 600.00	\$ 1,200.00		
				TOTAL BASE BID	\$ 206,937.10	TOTAL BASE BID	\$ 236,261.00		

RESOLUTION NO. R-113-10

A RESOLUTION SUPPORTING THE FISCAL YEAR 2011 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD ASSESSMENT PROGRAM APPLICATION

WHEREAS, the City of Piqua is a unit of local government that possesses the legal authority to apply for funding from the Brownfield Assessment Program offered by the United States Environmental Protection Agency; and

WHEREAS, the City of Piqua has identified portions of the community in which environmental hazards may exist, and

WHEREAS, the City of Piqua desires financial assistance to provide for environmental assessments on these portions of the community to determine the necessary and required level of remediation for specific properties in order to make these properties able to be reused, and

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

SEC. 1. The Fiscal-Year 2011 Brownfield Assessment Grant Program is hereby supported and the City Manager is hereby authorized and directed to submit the City's program application to the United States Environmental Protection Agency, including all understandings and assurances therein. The approved activities are: Phase One and Phase Two environmental assessments on all eligible properties.

SEC. 2. The City Manager is to be the designated agent of the program in connection with the application and is authorized to execute all agreements in conjunction with the Fiscal-Year 2011 Brownfield Assessment Grant 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 September 21, 2010

For the Special Meeting of

For the Study Session of

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: U. S. EPA Brownfield Assessment Grant Application

PURPOSE:

The purpose of this resolution is to support the City's application for funding from the United States Environmental Protection Agency through the Brownfield Assistance Grant Program to perform Phase I and Phase II Environmental Assessments in the community.

RECOMMENDATION:

City Staff recommends that the City Commission adopts the resolution supporting the application for funding from the United States Environmental Protection Agency.

BACKGROUND:

Our community has many parcels that can be defined as a "brownfield". A "brownfield" is any parcel of land that is under-utilized that may or may not have environmental contamination. Through this federal grant program, the City has the opportunity to apply for funding to perform Phase I and Phase II environmental assessments. These studies thoroughly documents what environmental contamination, if any, may exist on these properties and provide guidance on how such contaminations may be mitigated to ensure that these properties can be redeveloped.

ALTERNATIVES:

City Commission may decide not to adopt the resolution, in which case, the city would not have the opportunity to apply for these funds this year.

DISCUSSION:

Over the past three years, the City of Piqua has applied for the \$400,000 program and last year, the City's application rated "moderately high" indicating that the application will be favorably reviewed this year. It should be noted that this program is highly competitive in which only about 20% of application in any given year are funded.

Further, the program provides owners of industrial and commercial property which is underutilized the opportunity to have Phase I and Phase II environmental assessments completed on their property. Each Phase I assessment has a cost of roughly \$5,000 and a

Phase II environmental assessment can cost roughly \$30,000; therefore, the free assistance provided to the property owner can be as much as \$35,000. It should also be noted that the program is voluntary and that the results of the assessments are not disclosed to the Environmental Protection Agency for enforcement. Rather, property owners that enter into the grant program are part of the "Voluntary Action Program" which demonstrates to the EPA that the applicant is willing to work with the community to get environmentally sensitive properties cleaned up.

Additionally, having these environmentally sensitive areas cleaned up can lead to having more economic investment in these properties. Knowing that environmental issues are being addressed and cleaned up provides property developers with a clean bill of health on these properties leading to more productive reuse.

FINANCIAL IMPACT:

The grant application will be for \$400,000. There is no required match for the program and the financial impact for the program will be minimal.

COMMUNITY IMPACT:

The impact of this program will provide grant funding for property owners to make better understand the environmental concerns for properties that they own. These assessments will help provide guidance on clean up for these properties which will lead to redevelopment. Additionally, further grant funding can be applied for; however, having the requisite environmental assessments are necessary before any additional grant funding can be received.

CONFORMITY TO CITY PLANS & POLICIES:

The proposed program is in compliance with city plans and policies to provide for improved economic opportunities for the community and providing tangible support for the community's existing businesses.

RESOLUTION NO. R-114-10

A RESOLUTION REQUESTING AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MORRIS HEATING COOLING ELECTRICAL FOR THE 2010 MOTE PARK COMMUNITY CENTER BUILDING REPAIRS PROJECT

WHEREAS, on January 4, 2010, this Commission passed Resolution No. R-5-10 authorizing the Purchasing Agent to advertise for bids, according to law, for the 2010 Mote Park Community Center Building Repairs Project; and

WHEREAS, after solicitation of bids, Morris Heating Cooling Electrical has been determined to be the best, responsible bidder; 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: A purchase order is hereby authorized for a not to exceed amount of \$85,400 to Morris Heating Cooling Electrical for the necessary repairs for the 2010 Mote Park Community Center Building Repairs Project;

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the City treasury in payment according to contract terms, not exceeding a total of \$85,400;

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 August 3, 2010

TO: Fred Enderle, City Manager
FROM: Bob Graeser Project Manager
SUBJECT: Award of Mote Park Community Center Building Repairs Project

PURPOSE:

Request for City Commission authorization to award a contract to Morris Heating Cooling & Electrical Services for the Mote Park Community Center Building. Total cost not to exceed \$85,400

RECOMMENDATION:

Approval of the Resolution to allow for the installation of new windows, doors, heating and cooling to the Mote Park Community Building.

BACKGROUND:

On July 22, 2010, two bids were received for the Mote Park Community Center Building Repairs Project and they are as follows:

CONTRACTOR	BASE BID TOTAL
Burns General Contracting Tipp City	\$125,302.00
Morris Heating Cooling & Electrical Piqua	\$85,400.00

The project will consist of removing all existing windows, exterior doors and installing new furnaces and air conditional units. The new windows on the office area and large window wall on the south elevation will be new construction, type 400 series windows. All other windows are to be glass block windows to fit the existing openings. All doors to be commercial 18 gauge galvanized with 16 gauge galvanized steel frames with all the appropriate panic hardware and signage.

The contractor will be responsible to remove all the hydronic piping and registers and install furnaces and air conditioners according to local building codes. All electrical work associated with the installation of the furnaces and air conditioners are to be done by the by the awarded contractor.

ALTERNATIVES:

- 1) *Approve the Resolution to award a contract to Morris Heating Cooling-Electrical.*
- 2) *Do not approve the Resolution and do not do the repairs to the Mote Park Community Building.*

DISCUSSION:

The project will begin in mid August with the HVAC work; the material must be ordered for the windows and doors therefore there will be a delayed mobilization of the tradesmen doing this portion of the work. All work is to be done so as not to interfere with any scheduled events in the building. Tradesmen will be expected to leave the facility in a rentable clean and orderly fashion at the conclusion of every day. The duration of the project is slated to be finished within 90 days.

FINANCIAL IMPACT:

This project is completely funded by Community Development Block Grant (CDBG) the grant is for \$85,400.00 the total cost of the project.

COMMUNITY IMPACT:

The Mote Park Community Center has long been a popular meeting center for the citizens of the City of Piqua. With these grant dollars the City will be able to start making some of the necessary changes to the structure without a financial burden to the City's budget.

The additional work that could be done later would include: installing drop ceilings, changing the interior doors, upgrading restrooms to comply with Americans with Disabilities Act, and upgraded cabinets and counter tops.

CONFORMITY TO CITY PLANS & POLICIES:

All work is to be completed in accordance with local building codes and within the boundaries of the local building authority. This work will be inspected and monitored on a regular basis to ensure all work is being done according to the project specifications and the plans, submitted to the contactor.

RESOLUTION NO. R-115-10

A RESOLUTION AUTHORIZING THE PAYMENT OF FUNDS NOT TO EXCEED \$219,955 TO BROWNFIELD RESTORATION GROUP, LLC FOR THE WORK BEING COMPLETED IN ACCORDANCE WITH THE CLEAN OHIO ASSISTANCE FUND GRANT RECEIVED BY THE MIAMI COUNTY PARK DISTRICT AND CERTIFYING FUNDS ARE AVAILABLE FOR THE EXPENDITURE

WHEREAS, on September 8, 2009, this Commission passed Resolution No. R-80-09 authorizing the Miami County Park District to submit an application for funding to the Clean Ohio Assistance Fund for the completion of a Phase II Environmental Assessment for the Piqua Power Plant Site; and

WHEREAS, the State Controlling Board on March 8, 2010 approved the Miami County Park District's grant request through the Clean Ohio Assistance Fund for a Phase II Environmental Assessment for the Piqua Power Plant Site; and

WHEREAS, after solicitation of Request for Qualifications, Brownfield Restoration Group, LLC has been determined to be the most qualified provider of these services; 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 Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$219,955;

SEC. 2: The City shall submit all necessary documents to the Miami County Park District for the reimbursement of all costs incurred with the Phase II Environmental Assessment at the Piqua Power Plant;

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 September 21, 2010

For the Special Meeting of

For the Study Session of

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: Request for Resolution – Adoption of Resolution Authorizing the Expenditure of \$219,955 to Brownfield Restoration Group, LLC for work being completed at Piqua Power Plant funded through the Clean Ohio Assistance Fund and certifying funds are available.

PURPOSE:

The purpose of this resolution is to certify that funds are available and authorizing the expenditure of \$219,955 to Brownfield Restoration Group, LLC for a Phase II environmental assessment being completed at the Piqua Power Plant and being funded through the Clean Ohio Assistance Fund.

RECOMMENDATION:

City Staff recommends the City Commission adopt the resolution allowing the Phase II Environmental Assessment to move forward.

BACKGROUND:

On September 8, 2009, the City Commission adopted a resolution authorizing the Miami County Park District to apply for Clean Ohio Assistance Fund for a Phase II Environmental Assessment for the Piqua Power Plant located at 919 S. Main St. It should be noted that due to grant regulations, the City could not apply for the funding, rather the Park District was identified as an allowable applicant and agreed to apply for the funding on the city's behalf.

The grant request was subsequently approved by the State of Ohio and a joint committee of the City of Piqua and the Miami County Park District reviewed Statement of Qualifications and Brownfield Restoration Group, LLC was determined to be the most responsive and most qualified provider of the services outlined in the Clean Ohio Assistance Fund Grant Agreement. The Park District entered into a contract with Brownfield Restoration Group, LLC to perform the work.

Since the Clean Ohio Assistance Fund is a reimbursement program, the Park District has requested that the City of Piqua pay for the services and then request reimbursement from the State of Ohio through the Park District.

ALTERNATIVES:

1. Approve the Resolution
2. Do not approve the Resolution and provide further direction

DISCUSSION:

The City of Piqua needs to adopt this resolution to ensure that payment can be made to the vendor and that the proper documentation can be provided to the Park District and the State of Ohio to ensure that the City will be properly reimbursed. This is a unique arrangement within the Clean Ohio Assistance Fund and the State of Ohio has indicated that they are comfortable with the arrangement.

FINANCIAL IMPACT:

The financial impact to the City of Piqua is negligible since the City of Piqua will be reimbursed through the Clean Ohio Assistance Fund for all expenditures.

COMMUNITY IMPACT:

The impact of the Phase II Environmental Assessment is potentially far reaching for the community. It should be noted that the remediation of environmentally contaminated properties exist in a highly regulated environment in which the proper environmental studies must be completed before clean-up activities can take place.

CONFORMITY TO CITY PLANS & POLICIES:

The Piqua Power Plant, especially since 2009, has long been seen as a targeted area for redevelopment, as evidenced through the recent adoption of the City of Piqua's ReDo (Redevelopment Opportunities) Piqua Plan which has identified the site as a priority site for redevelopment in the community.