

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, OCTOBER 19, 2010
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

**PROCLAMATION – Family Month in the City of Piqua
Church of Jesus Christ of Latter – Day Saints
Accepting – President Mark Zelnick and Bishop Richard Cartwright**

RESIDENCE PRIDE AWARDS

- | | |
|-------------------------|----------------------------|
| ➤ 527 N. Downing Street | Lenny & Teresa DeCasseres |
| ➤ 1113 Nicklin Avenue | Matthew & Julie Barge |
| ➤ 1532 Garfield Street | Sylvester & Judith Cutcher |
| ➤ 901 Boone Street | Amy Robinson |
| ➤ 3229 Cherokee Drive | Chris & Valerie Lefeld |

A. CONSENT AGENDA

- a. APPROVAL OF MINUTES
Approval of the minutes from the October 5, 2010 Regular City Commission Meeting

B. NEW BUSINESS

- a. ORD. NO. 28-10 (1st Reading)
An Ordinance to authorize the annexation of land owned by the City of Piqua Municipal Corporation
- b. RES. NO. R-121-10
A Resolution accepting the resignation of Debra Osborne as a member of the Park Board
- c. RES. NO. R-122-10
A Resolution appointing a member to the Park Board
- d. RES. NO. R-123-10
A Resolution appointing a member to the Park Board
- e. RES. NO. R-124-10
A Resolution appointing a member to the Board of Zoning Appeals

- f. RES. NO. R-125-10
A Resolution appointing a member to the Tree Committee
- g. RES. NO. R-126-10
A Resolution authorizing the Law Director to petition the Board of County Commissioners of Miami County, Ohio for a change in the boundary line of Washington Township
- h. RES. NO. R-127-10
A Resolution of Intent to vacate Public Right-Of-Way
- i. RES. NO. R-128-10
A Resolution authorizing a purchase order to SimplexGrinnell LP for the design and installation of a sprinkler system for the Fire Department building
- j. RES. NO. R-129-10
A Resolution approving the purchase of excess liability insurance

C. OTHER

- a. Street Levy Information – Ms. Amy Havenar
- b. 2010 Street Repair Program – Mr. Doug Harter / Mr. Don Seeberger

D. ADJOURNMENT TO EXECUTIVE SESSION

- a. To consider the appointment, employment, dismissal, discipline or compensation of the City Manager

E. ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
Tuesday October 5, 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, Martin, Terry, and Wilson. Absent: None.

REGULAR CITY COMMISSION MEETING

PROCLAMATION – Community Planning Month in the City of Piqua

Accepting – Mr. Chris Schmiesing – City Planner

Mayor Fess read the proclamation and presented it to City Planner Chris Schmiesing.

Consent Agenda

Approval of Minutes

Approval of the minutes from the September 21, 2010 Regular Piqua City Commission meeting.

Moved by Commissioner Martin, seconded by Commissioner Terry, that the minutes of the September 21, 2010 Regular Piqua City Commission meeting be approved. Voice vote, Aye: Wilson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

RES. NO. R-116-10

A Resolution authorizing the execution of a loan agreement with Morris Heating, Cooling and Comfort Systems, LLC in the amount of \$45,000

City Manager Enderle stated the City of Piqua received a \$90,000 grant from the United States Department of Agriculture. The amount of the loan to Morris Heating, Cooling and Comfort Systems, LLC will be \$45,000 and the terms of this agreement will be for seven years at 3% interest. Morris Heating, Cooling and Comfort Systems, LLC is a new business who will sell and service geothermal heating /cooling systems, outdoor awning units for residential and commercial applications, and outdoor lighting systems. They plan to use the money to purchase vehicles, tools, office equipment and fixtures, said City Manager Enderle.

Linda Morris, CEO of Morris Heating, Cooling and Comfort Systems, LLC, came forward and gave a brief overview of the plans for the use of the grant money. Ms. Morris thanked Bill Lutz and the Development Department for helping them secure the loan.

City Manager Enderle stated this is the first program that has required City Commission approval.

Public Comment

Joe Francis, Parkway Drive came forward and asked if he heard right the loan was from the United States Department of Agriculture? City Manager Enderle stated yes, this is the first time the City has taken advantage of this program.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-116-10 be adopted. Roll call, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-116-10 adopted.

RES. NO. R-117-10

A Resolution approving the Fiscal Year 2010 Community Development Block Grant Tier One Downtown Revitalization Program application

City Manager Enderle stated the resolution is to support the City's application for funding through the Ohio Department of Development's Tier One Downtown Revitalization Grant Program for the creation of a comprehensive downtown revitalization and development plan for the Riverfront Mill District area. Wood Street, South Wayne Street, West Water Street, Spring Street, and the Great Miami River bound the area for revitalization. The grant requires a match by the city, and the city's request for \$23,500 demands the city's match be \$11,750. The Development Department has the sufficient funds within the department's budget to meet the match requirements, said City Manager Enderle.

Public Comment

Brad Boehringer, Mound Street, came forward and asked what the current status is of the former Mill Building, and if there are any plans for refurbishing it. City Manager Enderle stated at this time there are no current plans to refurbish the building.

Moved by Commissioner Wilson, seconded by Commissioner Vogt, that Resolution No. R-117-10 be adopted. Voice vote, Aye: Martin, Wilson, Vogt, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-117-10 adopted.

RES. NO. 118-10

A Resolution of authorization to submit an application for Federal Safetea-Lu Funds through the Miami Valley Regional Planning Commission

City Manager Enderle stated currently streetscape features are on Main Street from Wood Street to Greene Street. The North Main Streetscape would extend the streetscape design north to Riverside Drive to complete the streetscaping on the North Main Street Corridor. The streetscape will be the similar to those currently in place on Main Street, including new concrete sidewalk, brick pavers, decorative light poles, street signage, trash receptacles, tree grates and benches, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-118-10

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-118-10 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-118-10 adopted.

RES. NO. R-119-10

A Resolution authorizing the assignment of a certain Canal Lease No. 21

City Manager Enderle stated the City of Piqua is responsible for paying the canal leases due to the State of Ohio semi-annually, and in order to recoup these costs, enters into a lease agreement with the property owner for semi-annual payments. This is not a profit making scenario, the city is breaking even by assessing property owners the fees the city is paying to the State on behalf of the property, said City Manager Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-119-10.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-119-10 be adopted. Roll call, Aye: Terry, Fess, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-119-10 adopted.

RES. NO. R-120-10

A Resolution authorizing legal counsel to settle two litigation matters

Law Director Stacy Wall gave a brief explanation on the nature of the litigation matter involving a former City employee.

Public Comment

No one came forward to speak for or against Resolution No. R-120-10.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-120-10 be adopted. Roll call, Aye: Martin, Terry, Fess, and Wilson. Nay: Vogt. Motion carried on a 4-1 vote. Mayor Fess then declared Resolution No. R-120-10 adopted on a 4-1 vote.

OTHER

Street Levy Information – Ms. Amy Havenar

City Engineer Amy Havenar gave a power point presentation on the ¼% renewal levy and citing the reasons for the renewal. A fact sheet with information is available on the City's website and in various city offices. Ms. Havenar pointed out that this is a renewal levy and is income based, and the money generated from this would be roughly \$1 million and is used only for construction, reconstruction, and resurfacing of roadways. In the last ten years the city has resurfaced 29 miles of streets, and reconstructed 4.6 miles of streets, said Ms. Havenar.

Brad Boehringer, Mound Street, asked if this included the Route 36 Bridge Deck Replacement. Ms. Havenar stated no that is not a city project.

Mayor Fess stated this is a renewal levy, and is the same as it has been for the last twenty years. It is important to take advantage of grant money whenever possible. This can be used in conjunction with the local match for grant money received. Commissioner Wilson stated there are 103 miles of streets in Piqua now, and we are still using the same money we used twenty years ago when there were only 80 miles of streets.

Mayor Fess thanked Ms. Havenar for her presentation.

American Public Power Association – 75th Anniversary of APPA (Video) – Mr. Ed Krieger

Power Systems Director Ed Krieger presented a short video on the APPA; further stating the City of Piqua has been a member of the APPA since 1969.

Mayor Fess thanked Mr. Krieger for his presentation. Mayor Fess also thanked the Mr. Krieger and the Distribution Department employees for their dedication to the City of Piqua, and wished APPA a Happy 70th Anniversary.

Monthly Reports – August 2010

Monthly Reports were accepted.

PUBLIC COMMENT

Dan Ramer, Broadway, came forward and thanked City Manager Enderle, Assistant City Manager/Economic Development Director Bill Murphy, City Commissioners, and all the City Departments for the job they do everyday.

Mr. Ramer continued by stating he appreciates the challenges the city faces each and every day, through these difficult economic times with the many demands made on the city. Mr. Ramer stated what he values in a City Commissioner is for them to be positive and well informed, intelligent, and want what is best for the city as a whole. Mr. Ramer continued stating he wants a city that is progressive, welcoming and helpful to businesses, helps to promote a community that is clean, orderly, well run, and a good place to work and live. Mr. Ramer further stated he believes the City Commission is doing a wonderful job, and they are not alone. He and many other citizens of Piqua have confidence that this City Commission and the City officials have done, and will do what is in the best interest of the City of Piqua in the long run. Mr. Ramer ended by stating, "Keep up the good work".

Mayor Fess thanked Mr. Ramer for his comments and stated it was greatly appreciated.

Edna Stiefel, Boone Street, came forward and thanked all Piqua residents, and Susan Hartley of the Piqua Daily Call for their support in getting the information out concerning the recent increase in the number of break ins in Piqua.

Mayor Fess thanked Ms. Stiefel for her concern for residents and her continued work with the City. Mayor Fess stated that the Piqua Daily Call is again running the police beat in the newspaper.

Regina Favorite, New Haven Road, asked if the old Atomic Plant located in Piqua was a part of the APPA?

Mr. Krieger stated there were only two facilities built in the country, and one was located in the City of Piqua.

Mayor Fess asked about the use of the Dome at this time. Mr. Krieger stated his office is located in the old reactor and is checked yearly for radiation.

Luke Bolin, Ann Street, voiced his concern over the recent breaking and entering in the city, and asked what citizens can do if someone is trying to break in to his or her home.

Police Chief Jamison stated the Police Department should be notified. Law Director Wall stated the city cannot legally advise citizens. Mayor Fess stated citizens should just use common sense and be careful.

John Brown came forward and stated he wanted to publicly support the Street Levy Renewal, and the Piqua Library Operational Levy. Mr. Brown voiced his concern over the increased negativity in the city, and asked citizens to work together to make Piqua a better place to live and work. Other municipalities are facing the same problems; Piqua is not alone, said Mr. Brown. Positively Promoting Piqua (PPP) is a supporting group providing the silent majority a forum to voice their support of all that is good and what is going on in the community.

Jeanie Jordan Bates, Broadway, came forward and asked citizens to vote for the Piqua Library Operational Levy, citing the various reasons it is very important to get out and vote. Ms. Bates further stated if the levy does not pass the Library would have to make major cuts.

Ruth Koon, Park Avenue, representing MainStreet Piqua came forward and stated "The Chocolate Walk" sponsored by Winans and will take place downtown on Friday October 15, 2010 from 5:00 to 8:00 P.M. Ms. Koon briefly explained the nature of the walk and who would benefit from the proceeds. Tickets will be sold for \$15 each and are needed in order to participate; anyone having questions can contact the MainStreet Piqua office at 773-9355.

Also on Saturday, October 16, 2010 a Breast Cancer Awareness Walk sponsored by Ben and Lois Scott will take place along the bike path leaving from the Gazebo at 9:00 AM and ending at the Lock 9 Park. There is no registration, donations will be accepted, said Ms, Koon.

Edna Stiefel, Boone Street, stated Northparks Neighborhood Association will be meeting on Thursday, October 14, 2010 at 7:00 P.M. at Wilder School and invited all residents to attend. Ms. Stiefel stated the next project the Northparks Neighborhood Association plans to raise funds for is the replacement of the fence around Kiwanis Park.

City Commission Comments

Commissioner Vogt thanked John Brown and Dan Ramer for their comments, stating he has not felt this good in a long time.

Commissioner Wilson thanked MainStreet Piqua for hosting the Car Show and Stride & Ride that was held recently, stating it was very well attended.

Commissioner Wilson also thanked the Positively Promoting Piqua representatives for their positive comments.

Commissioner Terry stated she has received a lot of positive support during the recall process, and wanted to thank the citizens for their support and truly appreciates it.

Mayor Fess appreciates the Positively Promoting Piqua group for their support, and stated it is great to have people stand up for the community, it shows the community is pulling together.

Mayor Fess reminded citizens the Veterans will be leaving on Friday Oct 8, 2010 for their trip to Washington D.C. and all are welcome to come and see them off.

Adjournment

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:55 P.M. Voice vote, Aye: Martin, Wilson, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 28-10

AN ORDINANCE TO AUTHORIZE THE ANNEXATION OF LAND OWNED BY THE CITY OF PIQUA MUNICIPAL CORPORATION

WHEREAS, the city of Piqua owns territory contiguous to the limits of the municipal corporation, as described by Exhibit 'A' and shown in Exhibit 'B', hereinafter referred to as the subject property; and

WHEREAS, the city of Piqua desires to annex the subject property to combine the territory with an adjacent tract of land also owned by the city of Piqua; and

WHEREAS, Ohio Revised Code §§ 709.13 through 709.21 provide the process for the annexation of territory owned by a municipal corporation;

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

SEC. 1: Pursuant to the process of annexation provided for by Ohio Revised Code §§ 709.13 through 709.21, this Commission hereby authorizes the annexation of the subject property.

SEC. 2: The City Manager shall execute the necessary annexation petition document.

SEC. 3: The Law Director shall prosecute the proceedings necessary to effect the annexation.

SEC. 4: This Ordinance 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 October 19, 2010

TO: Fred Enderle, City Manager
FROM: Chris Schmiesing, City Planner
SUBJECT: Ordinance to authorize annexation of municipally owned territory

PURPOSE:

Approve an ordinance to authorize the annexation of a 1.353 acre tract of land owned by the city of Piqua.

RECOMMENDATION:

Approve the ordinance to authorize the law director to file an annexation petition with the County Commissioners and complete the process of annexing the subject property.

BACKGROUND:

The city of Piqua Municipal Power System has purchased a 1.353 acre property located contiguous to the existing city of Piqua corporation limits between Hemm Avenue and Statler Avenue. The subject property is a portion of the former railroad right-of-way that has since been abandoned by the railroad and purchased by others. The Power System has also purchased the contiguous land inside the city of Piqua corporation limits and has requested the vacation of the alley right-of-way lying between these two tracts. The intent is to combine the two tracts and the vacated alley right-of-way into one parcel. This will facilitate the planned construction of a new service center at this location.

ALTERNATIVES:

- 1) Approve ordinance to authorize the annexation and direct the law director to complete the annexation process.
- 2) Defeat the ordinance and deny the annexation request.

DISCUSSION:

The Ohio Revised Code includes an annexation process specific to municipally owned territory contiguous to the corporation limits. The process requires the municipal legislative authority to first approve the annexation by ordinance and then forward the annexation petition to the County Commission. Once received, the County Board of Commissioners are then required to enter upon the journal of the board a resolution granting the annexation. A draft copy of the annexation petition (less exhibits) is included with this report for reference.

In accordance the City of Piqua/Washington Township annexation agreement, the City Commission is also being asked to act on a separate resolution item that provides the Law Director with authorization to execute the proceedings required to exclude the territory from the township upon completion of the annexation.

FINANCIAL IMPACT:

SUBJECT: Ordinance to authorize annexation of municipally owned territory

The city of Piqua already owns the subject property and is responsible for the maintenance and upkeep of the parcel. Less the filing fee associated with submitting the annexation petition to the County, the annexation of this territory will have no fiscal impact on the City.

COMMUNITY IMPACT:

The annexation of this parcel will allow the Power System to continue to move forward with plans to construct a new service center at this location. The construction of these improvements will provide the Power System with a modern facility and enhance the delivery of power distribution services to the entire community.

CONFORMITY TO CITY PLANS & POLICIES:

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

DRAFT COPY

**PETITION FOR ANNEXATION
Municipal Corporation Annexation Procedure**

The City of Piqua, being the sole owner of the real estate in the territory hereinafter described (the “Property”), hereby petition for the annexation of the territory of the following described territory to the City of Piqua, Miami County, Ohio, pursuant to the process of annexation provided for by R.C. §§ 709.14, 709.15, and 709.16 .

Petitioner has attached hereto and makes a part of this petition an ordinance adopted by a majority of the members elected to the legislative authority of the municipal corporation, to authorize the annexation requested by this petition and direct the city law director to prosecute the proceedings necessary to effect it, as required by R.C. 709.14 (Exhibit “A”).

The described territory is contiguous with the City of Piqua, Ohio. Petitioner has attached hereto and makes a part of this petition a legal description of the perimeter of the territory sought to be annexed, as required by R.C. 709.15 (Exhibit “B”).

Petitioner has attached hereto and made a part of this petition, an accurate map or plat of the territory sought to be annexed, as required by R.C. 709.15 (Exhibit “C”).

Pursuant to the ordinance adopted by the municipal corporation (Exhibit A) Stacy Wall, Law Director, City of Piqua, 201 W. Water Street, Piqua, Ohio 45356, 937-778-2042, has been appointed agent for the undersigned Petitioner as required by R.C. 709.14, with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase, or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition..

Frederick E. Enderle, City Manager
City of Piqua, OHIO

Date

Exhibit 'A'

BRUMBAUGH ENGINEERING & SURVEYING, LLC
1105 SOUTH Miami St.
West Milton, Ohio 45383
937-698-3000

September 2, 2010

Description For Piqua Power System
(for a 1.353 Acre Tract for Incorporation into the City of Piqua from Washington Township)

Situate in the State of Ohio, Miami County, Washington Township, Section 20, Town 6, Range 6, and being part of the tract of land (former Piqua-Troy Branch Railroad Right of Way) as conveyed to the City of Piqua in Official Record ___ page ___ (all references to deed books refer to the Miami County Recorders office, Miami County, Ohio).

Commencing at an Iron Pin found which marks the Northeast corner of the City of Piqua Inlot 7541, said pin also being located on the South Right-of-Way line of Hemm Avenue (50' R/W);

Thence with said South Right-of-Way line of Hemm Avenue and the North line of Inlot 7541, N 89° 31' 11" W for a distance of 299.99 feet to an Iron Pin set on the west line of an alley (15' R/W), (All iron pins set are 5/8" x 30" rebar capped Brumbaugh E & S), said Iron Pin marking the **TRUE POINT OF BEGINNING**;

Thence with the west line of said alley for the following 3 calls:

(1) with the arc of a curve to the right for a distance of 56.55 feet whose radius is 5762.64 feet, Delta= 00°33'44", and whose long chord bears S 15°40'29" E for a distance of 56.55 feet to a Iron Pin set;

(2) S 15°23'36" E for a distance of 526.75 feet to an Iron Pin set;

(3) with the arc of a curve to the right for a distance of 231.94 feet whose radius is 2897.79 feet, Delta= 04°35'10", and whose long chord bears S 13°06'01" E for a distance of 231.88 feet to a Iron Pin set;

Thence making a new division line through said DP&L tract, S 88°12'32" W for a distance of 71.63 feet to an Iron Pin set on the East line of the 46.918 acre tract conveyed to Peggy Jo Hemm as recorded in Deed Book 590 page 110;

Thence with the East line of said Hemm tract the following 5 calls;

1) N 15°13'30" W for a distance of 142.13 feet to an Iron Pin set;

2) N 15°10'28" W for a distance of 248.00 feet to an Iron Pin set;

3) N 10°13'28" W for a distance of 131.10 feet to an Iron Pin set;

Exhibit 'A'

- 4) N 15°28'28" W for a distance of 235.50 feet to an Iron Pin set;
- 5) Thence N 18°49'28" W for a distance of 61.82 feet to an Iron Pin set;

Thence making a new division line through said DP&L tract, S 89°31'11" E for a distance 72.23 feet to the **TRUE POINT OF BEGINNING**. Containing 1.353 acres more or less, and being subject to all restrictions, easements, conditions and covenants, and legal highways of record.

The Basis of Bearing of the foregoing description is the centerline of the County Road 25-A, as recorded per Plat Book 12, page 79-c.

Description prepared according to survey drawing by Philip C. Brumbaugh filed in Volume Page ___ of Miami County Engineer's Record of Land Surveys.

Philip C. Brumbaugh
Ohio Reg. #5057

Exhibit 'B'

CITY OF PIQUA POWER SYSTEM ANNEXATION OF 1.353 ACRES INTO THE CITY OF PIQUA

ANNEXATION OF A 1.353 ACRE TRACT LOCATED IN SECTION 20, TOWN 6, RANGE 6, WASHINGTON TOWNSHIP, MIAMI COUNTY, OHIO TO THE CITY OF PIQUA AS ACQUIRED BY CITY OF PIQUA REFERENCE DEED O.R. PAGE AND AS SHOWN ON LAND SURVEY VOLUME 52 PAGE 164 OF THE MIAMI COUNTY RECORD OF LAND SURVEYS

VOLUME _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS
 RECEIVED FOR RECORD THIS _____ DAY
 OF _____, 201____, AT _____ M.
 FILE # _____ FEE \$ _____
 MIAMI COUNTY RECORDER BY DEPUTY RECORDER

MIAMI COUNTY RECORDER BY DEPUTY RECORDER
 MIAMI COUNTY AUDITOR
 TRANSFERRED AND LOT NUMBERS ASSIGNED
 THIS _____ DAY OF _____, 201____
 MIAMI COUNTY AUDITOR
 BY DEPUTY AUDITOR

SEE ANNEXATION PROCEEDINGS RECORDED IN O.R. PAGE _____ DEPUTY
 MIAMI COUNTY RECORDER

MIAMI COUNTY ENGINEER
 THIS ANNEXATION PLAT REVIEWED AND APPROVED BY THE MIAMI COUNTY ENGINEER THIS _____ DAY OF _____, 20____
 JOHN F. EVANS RON WIDENER JOHN W. OBREN

DOUGLAS L. CHRISTIAN, MIAMI COUNTY ENGINEER
 PIQUA CITY COMMISSION
 AT A MEETING OF THE PIQUA CITY COMMISSION HELD AT _____ DAY OF _____, 20____ THIS ANNEXATION PLAT ACCEPTED AND APPROVED BY ORDINANCE NO. _____
 MAYOR CITY MANAGER
 CLERK

PROPERTY OWNER
 PRINTED
 WITNESS
 PRINTED

NOTARY PUBLIC(S)
 STATE OF OHIO, COUNTY OF _____, SS _____ DAY OF _____, 20____
 BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY OF OHIO, HAS APPEARED _____ WHO HAS ACKNOWLEDGED THE EXECUTION OF THE WITHIN PLAT TO BE THEIR VOLUNTARY ACT AND DEED.
 NOTARY PUBLIC MY COMMISSIONS EXPIRES: _____

CURVE I	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C3	5762.84	56.55	56.55	S 15°40'29" E	0.3344	28.27
C4	2897.79	231.94	231.88	S 13°06'01" E	4°35'10"	116.03



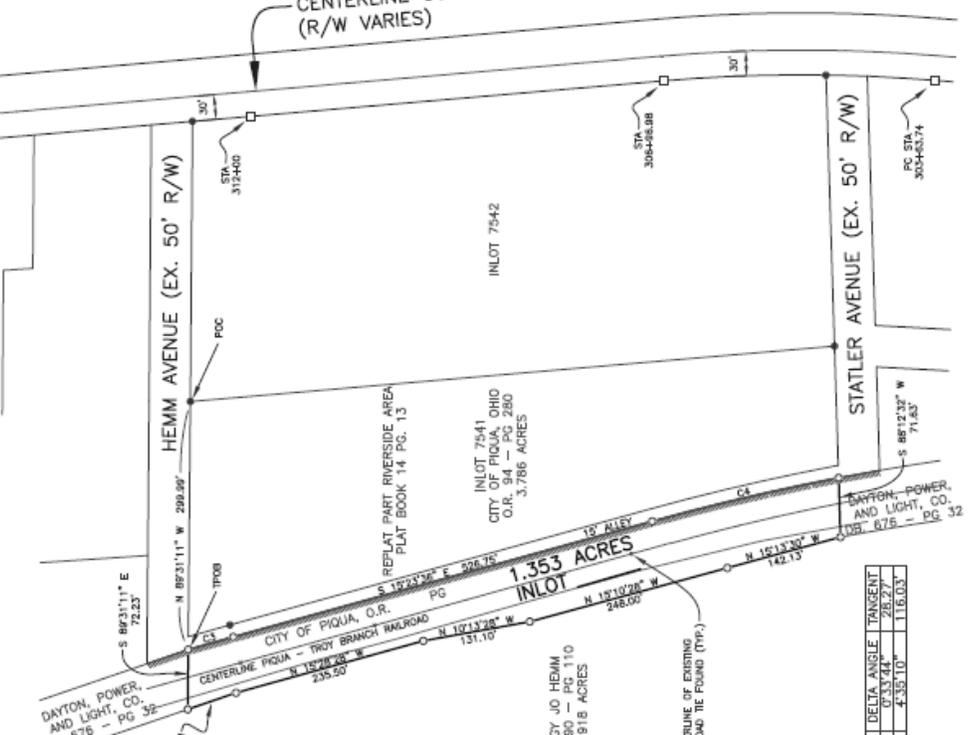
LEGEND:
 O 3/8" X 5/8" OD IRON PIN (FOUND) WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
 ● 5/8" IRON PIN FOUND UNLESS OTHERWISE NOTED
 □ CONCRETE HIGHWAY MONUMENT FOUND
 _____ EX. CITY OF PIQUA CORPORATION LINE

REFERENCES:
 SURVEYS:
 LAND SURVEY VOL. 52 PAGE 164 DEEDS AS REFERENCED HEREIN

PHILIP C. BRUMBAUGH
 OHIO REGISTERED
 PROFESSIONAL SURVEYOR #5057

ANNEXATION SURVEY FOR CITY OF PIQUA POWER SYSTEMS, MIAMI COUNTY
 - SEPTEMBER 2, 2010

BRUMBAUGH & S
ENGINEERING & SURVEYING, LLC
 1105 SOUTH MIAMI STREET
 WEST MILTON, OHIO 45383
 PH (937) 698-3000
 FAX (937) 698-3928



RESOLUTION NO. R-121-10

**A RESOLUTION ACCEPTING THE RESIGNATION
OF DEBRA OSBORNE AS A MEMBER OF THE
PARK BOARD**

WHEREAS, Debra Osborne was appointed to the Park Board on March 15, 2004 by Resolution No.R-28-04; and

WHEREAS, Debra Osborne submitted a letter of resignation to the Park Board on July 30, 2010.

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

SEC. 1: This Commission hereby accepts the resignation of Debra Osborne as a member of the Park Board.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-122-10

**A RESOLUTION APPOINTING A MEMBER TO THE
PARK BOARD**

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

SEC. 1: Kevin Pryfogle is hereby appointed to fill the unexpired term of Michael Perando as a member of the Park Board for a term to expire on March 4, 2014 or until his successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-123-10

**A RESOLUTION APPOINTING A MEMBER TO THE
PARK BOARD**

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

SEC. 1: Steven Frazier is hereby appointed to fill the unexpired term of Debra Osborne as a member of the Park Board for a term to expire on March 4, 2014 or until his successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-124-10

**A RESOLUTION APPOINTING A MEMBER TO THE
BOARD OF ZONING APPEALS**

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: Shawn Hicks is hereby appointed to fill the unexpired term of Rebecca Harrison as a member of the Board of Zoning Appeals for a term to expire on March 1, 2013 or until his successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-125-10

**A RESOLUTION APPOINTING A MEMBER TO THE
TREE COMMITTEE**

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: Jean Franz is hereby appointed to fill the unexpired term of Bradley S. Boehringer as a member of the Tree Committee for a term to expire on March 1, 2012 or until her successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R- 126-10

**A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO
PETITION THE BOARD OF COUNTY COMMISSIONERS
OF MIAMI COUNTY, OHIO FOR A CHANGE IN THE BOUNDARY LINES OF
WASHINGTON TOWNSHIP**

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: Contingent upon the granting of the subject annexation and in accordance with the annexation agreement attached hereto as Exhibit 'A', the Law Director is hereby authorized on behalf of this Commission to present to the Board of County Commissioners of Miami County, Ohio, a petition requesting the changes in the boundary lines of Washington Township as may be necessary so that said township does not include the 1.353 acres proposed for annexation to the City of Piqua, as shown in the supporting documents attached hereto as Exhibit 'B'.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

EXHIBIT A

RESOLUTION NO. R-56-06

**A RESOLUTION APPROVING AN ANNEXATION
AGREEMENT BETWEEN THE CITY OF PIQUA AND
THE BOARD OF TOWNSHIP TRUSTEES OF
WASHINGTON TOWNSHIP**

WHEREAS, the City of Piqua and the Board of Washington Township Trustees of Miami County, Ohio desire to enter into an annexation agreement to be applied to all future annexations from Washington Township to the City of Piqua; and

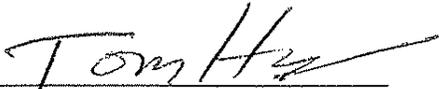
WHEREAS, the Ohio Revised Code provides that the City of Piqua and the Board of Washington Township Trustees may enter into annexation agreements; and

WHEREAS, it is beneficial to both the City of Piqua and the Board of Washington Township Trustees to adopt the proposed Annexation Agreement; 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 annexation agreement appended hereto is hereby approved and the City Manager is hereby authorized to execute said agreement on behalf of the City and this Commission.

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


THOMAS D. HUDSON, MAYOR

PASSED: May 15, 2006
ATTEST: Rebecca J. Cool
REBECCA J. COOL
CLERK OF COMMISSION

I, the undersigned Clerk of the City Commission of the City of Piqua, Ohio do hereby certify that the above Resolution R-56-06 is a true, accurate and correct copy of Resolution R-56-06 passed by the Commission of the City of Piqua, Ohio, on the 15th day of May, 2006.

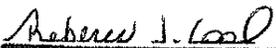

CLERK OF COMMISSION

EXHIBIT A

ANNEXATION AGREEMENT

This Agreement is entered into this 2^d day of May, 2006, between the City of Piqua, hereinafter "City", and the Board of Township Trustees of Washington Township, Miami County, Ohio, hereinafter "Township", pursuant to R.C. 709.022, and 709.192:

WHEREAS, the Ohio Revised Code provides that the legislative authority of a municipal corporation and the board of township trustees may enter into annexation agreements; and

WHEREAS, the City of Piqua and the Board of Township Trustees of Washington Township, Miami County, Ohio desire to enter into an annexation agreement to be applied to all future annexations from Washington Township to the City of Piqua.

NOW, THEREFORE, in consideration of the above recitals and in consideration of the mutual benefits and promises hereinafter contained, the parties agree as follows:

1. The City consents to the annexation of Real Property to the City and agrees to provide sanitation, police, fire rescue, electric power, water and sewer services to the residents of the Property at the same cost and under the same policies and conditions that said services are provided to the other residents of the City:
2. The Township consents to the annexation of the Property to the City, subject to compliance with Ohio R.C. Chapter 709;
3. The City shall institute proceedings to detach the Property from the Township, and further agrees that the Property shall not remain part of Washington Township, Miami County, Ohio;
4. Upon annexation Piqua shall make the following payments to the township:
 - a. In the first through third years following the annexation and exclusion of the territory from the township, eighty per cent on the township taxes in the annexed territory that would have been due the township for commercial and industrial real, personal and public utility property taxes if no annexation has occurred;
 - b. In the fourth and fifth years following the annexation and exclusion of the territory from the township, sixty-seven and one-half per cent of the township taxes in the annexed territory that would have been due the township for industrial real, personal and public utility property taxes if no annexation had occurred;

EXHIBIT A

c. In the sixth and seventh years following the annexation and exclusion of the territory from the township, sixty-two and one-half per cent of the township taxes in the annexed territory that would have been due the township for commercial and industrial real, personal, and public utility property taxes if no annexation had occurred;

d. In the eighth and ninth years following the annexation and exclusion of the territory from the township, fifty-seven and one-half per cent of the township taxes in the annexed territory that would have been due the township for commercial and industrial real, personal and public utility property taxes if no annexation had occurred;

e. In the tenth through twelfth years following the annexation and exclusion of the territory from the township, forty-two and one-half per cent of the township taxes in the annexed territory that would have been due the township for commercial and industrial real, personal and public utility property taxes if no annexation had occurred.

5. Upon annexation Piqua shall make the following payments to the township:

a. In the first through third years following the annexation and exclusion of the territory from the township, eighty per cent of the township taxes in the annexed territory that would have been due the township for residential and retail real property taxes if no annexation had occurred;

b. In the fourth and fifth years following the annexation and exclusion of the territory from the township, fifty-two and one-half per cent of the township taxes in the annexed territory that would have been due the township for residential and retail real property taxes if no annexation had occurred;

c. In the sixth through tenth years following the annexation and exclusion of the territory from the township, forty per cent of the township taxes in the annexed territory that would have been due the township for residential and retail real property taxes if no annexation had occurred;

d. In the eleventh and twelfth years following the annexation and exclusion of the territory from the township, twenty-seven and one-half per cent of the township taxes in the annexed territory that would have been due the township for residential and retail real property taxes if no annexation had occurred.

6. The obligations set forth in paragraph 4 and 5 above shall be computed and effected on the basis of the then current valuation which may increase or decrease during the term of this Agreement,

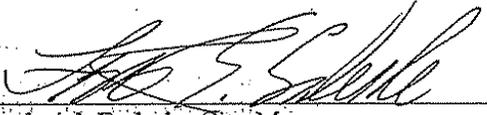
EXHIBIT A

and each such annual payment shall be made in a single installment as soon as may be practicable after the tax settlement of the next ensuing calendar year.

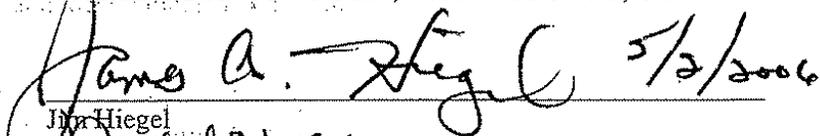
7. This Agreement shall continue in full force and effect, but it may be modified or amended by the mutual agreement of the parties hereto, and at the conclusion of each five (5) year period hereafter it shall be subject to review and negotiation, and to potential modification by said mutual agreement.

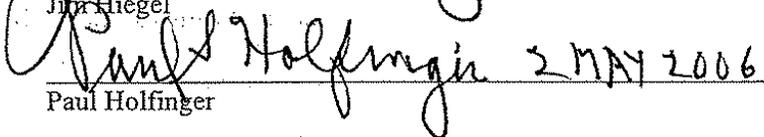
IN WITNESS WHEREOF, the City and Board of Trustees have, pursuant to resolutions duly approved, enter into this Agreement this _____ day of June, 2006.

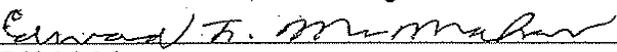
CITY OF PIQUA
MIAMI COUNTY, OHIO


Frederick Enderle, City Manager

BOARD OF TOWNSHIP TRUSTEES OF
WASHINGTON TOWNSHIP, MIAMI COUNTY, OH

 5/2/2006
Jim Hiegel

 2 MAY 2006
Paul Holfinger


Ed McMaken

APPROVED AS TO FORM ONLY:


Mark W. Altier, #0017882
Chief Civil Assistant Prosecuting Attorney
Miami County, Ohio


Grant Kerber, #0068474
City of Piqua Law Director

EXHIBIT B

BRUMBAUGH ENGINEERING & SURVEYING, LLC
1105 SOUTH Miami St.
West Milton, Ohio 45383
937-698-3000

September 2, 2010

Description For Piqua Power System
(for a 1.353 Acre Tract for Incorporation into the City of Piqua from Washington Township)

Situate in the State of Ohio, Miami County, Washington Township, Section 20, Town 6, Range 6, and being part of the tract of land (former Piqua-Troy Branch Railroad Right of Way) as conveyed to the City of Piqua in Official Record____ page ____ (all references to deed books refer to the Miami County Recorders office, Miami County, Ohio).

Commencing at an Iron Pin found which marks the Northeast corner of the City of Piqua Inlot 7541, said pin also being located on the South Right-of-Way line of Hemm Avenue (50' R/W);

Thence with said South Right-of-Way line of Hemm Avenue and the North line of Inlot 7541, N 89° 31' 11" W for a distance of 299.99 feet to an Iron Pin set on the west line of an alley (15' R/W), (All iron pins set are 5/8" x 30" rebar capped Brumbaugh E & S), said Iron Pin marking the **TRUE POINT OF BEGINNING**;

Thence with the west line of said alley for the following 3 calls:

(1) with the arc of a curve to the right for a distance of 56.55 feet whose radius is 5762.64 feet, Delta= 00°33'44", and whose long chord bears S 15°40'29" E for a distance of 56.55 feet to a Iron Pin set;

(2) S 15°23'36" E for a distance of 526.75 feet to an Iron Pin set;

(3) with the arc of a curve to the right for a distance of 231.94 feet whose radius is 2897.79 feet, Delta= 04°35'10", and whose long chord bears S 13°06'01" E for a distance of 231.88 feet to a Iron Pin set;

Thence making a new division line through said DP&L tract, S 88°12'32" W for a distance of 71.63 feet to an Iron Pin set on the East line of the 46.918 acre tract conveyed to Peggy Jo Hemm as recorded in Deed Book 590 page 110;

Thence with the East line of said Hemm tract the following 5 calls;

1) N 15°13'30" W for a distance of 142.13 feet to an Iron Pin set;

2) N 15°10'28" W for a distance of 248.00 feet to an Iron Pin set;

3) N 10°13'28" W for a distance of 131.10 feet to an Iron Pin set;

EXHIBIT B

4) N 15°28'28" W for a distance of 235.50 feet to an Iron Pin set;

5) Thence N 18°49'28" W for a distance of 61.82 feet to an Iron Pin set;

Thence making a new division line through said DP&L tract, S 89°31'11" E for a distance 72.23 feet to the **TRUE POINT OF BEGINNING**. Containing 1.353 acres more or less, and being subject to all restrictions, easements, conditions and covenants, and legal highways of record.

The Basis of Bearing of the foregoing description is the centerline of the County Road 25-A, as recorded per Plat Book 12, page 79-c.

Description prepared according to survey drawing by Philip C. Brumbaugh filed in Volume Page ___ of Miami County Engineer's Record of Land Surveys.

Philip C. Brumbaugh
Ohio Reg. #5057

EXHIBIT B

CITY OF PIQUA POWER SYSTEM ANNEXATION OF 1.353 ACRES INTO THE CITY OF PIQUA

ANNEXATION OF A 1.353 ACRE TRACT LOCATED IN SECTION 20, TOWN 6, RANGE 6, AND WASHINGTON TOWNSHIP, MIAMI COUNTY, OHIO, TO THE CITY OF PIQUA, AS ACQUIRED BY CITY OF PIQUA. REFERENCE DEED O.R. _____ PAGE _____ AND AS SHOWN ON LAND SURVEY VOLUME 52 PAGE 164 OF THE MIAMI COUNTY RECORD OF LAND SURVEYS

SEE ANNEXATION PROCEEDINGS RECORDED IN O.R. _____ PAGE _____

MIAMI COUNTY RECORDER _____ DEPUTY _____
 MIAMI COUNTY COMMISSIONERS
 AT A MEETING OF THE MIAMI COUNTY COMMISSIONERS HELD THIS DAY OF _____ 20____ THIS PLAT WAS APPROVED FOR ANNEXATION BY RESOLUTION _____
 JOHN F. EVANS _____ RON WITENER _____ JOHN W. ORREN _____

MIAMI COUNTY ENGINEER
 THIS ANNEXATION PLAT REVIEWED AND APPROVED BY THE MIAMI COUNTY ENGINEER THIS _____ DAY OF _____ 20____

DOUGLAS L. CHRISTIAN, MIAMI COUNTY ENGINEER

PIQUA CITY COMMISSION
 AT A MEETING OF THE PIQUA CITY COMMISSION HELD THIS _____ DAY OF _____ 20____ THIS ANNEXATION PLAT ACCEPTED AND APPROVED BY ORDINANCE NO. _____

MAYOR _____ CITY MANAGER _____

CLERK _____

CONSENT TO ANNEXATION
 WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LANDS CONTAINED HEREIN FOR ANNEXATION TO THE CITY OF PIQUA, DO HEREBY VOLUNTARILY GRANT OUR CONSENT TO AND REQUEST THIS ANNEXATION TO BE APPROVED:

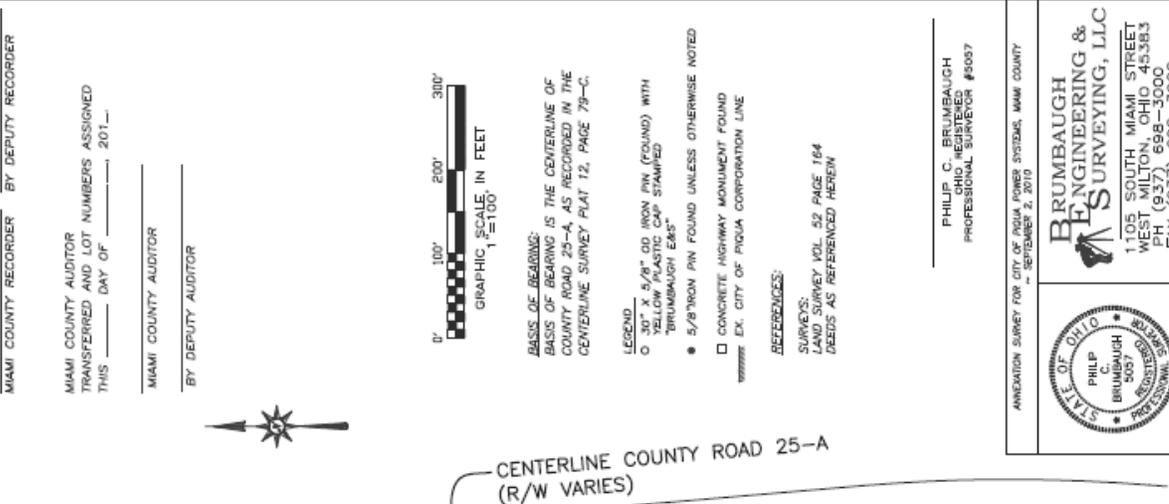
WITNESS _____ PROPERTY OWNER _____
 PRINTED _____ PRINTED _____

WITNESS _____
 PRINTED _____

NOTARY PUBLIC(S)
 _____ COUNTY OF _____ SS _____ DAY OF _____ 20____
 BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY, PERSONALLY APPEARED THE ABOVE SIGNED WHO ACKNOWLEDGED THE EXECUTION OF THE WITHIN PLAT TO BE THEIR VOLUNTARY ACT AND DEED.

NOTARY PUBLIC _____
 MY COMMISSIONS EXPIRES: _____

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C-3	5762.84'	56.55'	56.55'	S 15°40'29" E	0°33'44"	26.27'
C-4	2897.79'	231.94'	231.88'	S 13°06'01" E	4°35'10"	116.03'



VOLUME _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS
 RECEIVED FOR RECORD THIS _____ DAY
 OF _____ 20____, AT _____ M.
 FILE # _____ FEE \$ _____
 MIAMI COUNTY RECORDER _____ BY DEPUTY RECORDER _____

MIAMI COUNTY AUDITOR
 TRANSFERRED AND LOT NUMBERS ASSIGNED
 THIS _____ DAY OF _____ 20____
 MIAMI COUNTY AUDITOR _____
 BY DEPUTY AUDITOR _____

GRAPHIC SCALE IN FEET
 1" = 100'
 0' 100' 200' 300'

BASIS OF BEARING: THE CENTERLINE OF COUNTY ROAD 25-A, AS RECORDED IN THE CENTERLINE SURVEY PLAT 12, PAGE 79-C.

LEGEND:
 ○ 30" X 5/8" OD IRON PIN (FOUND) WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH EMB"
 ● 5/8" IRON PIN FOUND UNLESS OTHERWISE NOTED
 □ CONCRETE HIGHWAY MONUMENT FOUND
 ===== EX. CITY OF PIQUA CORPORATION LINE

REFERENCES:
 SURVEYS:
 LAND SURVEY VOL. 52 PAGE 164
 DEEDS AS REFERENCED HEREIN

ANNEXATION SURVEY FOR CITY OF PIQUA POWER SYSTEMS, MIAMI COUNTY
 - SEPTEMBER 2, 2010

BRUMBAUGH & SURVEYING, LLC
 1105 SOUTH MIAMI STREET
 WEST MILTON, OHIO 45383
 PH (937) 698-3000
 FAX (937) 698-3928

PHILIP C. BRUMBAUGH
 PROFESSIONAL SURVEYOR #5007

STATE OF OHIO
 PHILIP C. BRUMBAUGH
 5007
 PROFESSIONAL SURVEYOR

RESOLUTION NO. R-127-10

**A RESOLUTION OF INTENT TO VACATE
PUBLIC RIGHT-OF-WAY**

WHEREAS, pursuant to Piqua Charter Section 98, this Commission must adopt a resolution expressing its intention to vacate a portion of platted alley right-of-way located west of S. Main Street between Hemm Avenue and Statler Avenue.

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

SEC. 1: This Commission hereby intends to vacate a portion of platted alley right-of-way located west of S. Main Street between Hemm Avenue and Statler Avenue, as described in Exhibit "A" attached hereto. The City Manager or his duly authorized representative is hereby directed to cause notice of this Resolution to be served by certified mail upon all persons whose property abuts said tract. Said notice shall state the time and place at which objections can be heard by the Planning Commission.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

Exhibit 'A'

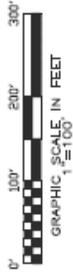
ALLEY VACATION IN CITY OF PIQUA, MIAMI COUNTY, OHIO

DESCRIPTION:
 BEING A VACATION OF THE ALLEY ADJACENT AND TO THE WEST OF INLOT 7541 FROM
 THE SOUTH RIGHT OF WAY LINE OF HEMM AVENUE TO THE NORTH RIGHT OF WAY LINE
 OF STATLER AVENUE AS SHOWN IN THE REPLAT PART RIVERSIDE AREA AS RECORDED IN
 MIAMI COUNTY RECORDER'S PLAT RECORDS PLAT BOOK 14, PAGE 13 AND AS DESCRIBED
 IN THE ANNEXATION TO THE CITY OF PIQUA AS RECORDED IN MIAMI COUNTY
 RECORDER'S PLAT RECORDS PLAT BOOK 9 PAGE 71.

VOLUME _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS
 RECEIVED FOR RECORD THIS _____ DAY
 OF _____, 201____, AT _____ M.
 FILE # _____ FEE \$ _____
 BY DEPUTY RECORDER

MIAMI COUNTY AUDITOR
 TRANSFERRED THIS _____ DAY OF _____, 201____

MIAMI COUNTY AUDITOR
 BY DEPUTY AUDITOR



BASIS OF BEARING:
 BASIS OF BEARING IS THE CENTERLINE OF
 COUNTY ROAD 25-A, AS RECORDED IN THE
 CENTERLINE SURVEY PLAT 12, PAGE 79-C.

- LEGEND:
- 5/8" IRON PIN FOUND UNLESS OTHERWISE NOTED
 - ▬ ALLEY VACATED BY THIS PLAT
 - ▬ EX. CITY OF PIQUA CORPORATION LINE

REFERENCES:

PLAT RECORDS:
 PLAT 20, PAGE 13
 PLAT 20, PAGE 14
 LAND SURVEY VOLUME 52 PAGE 164

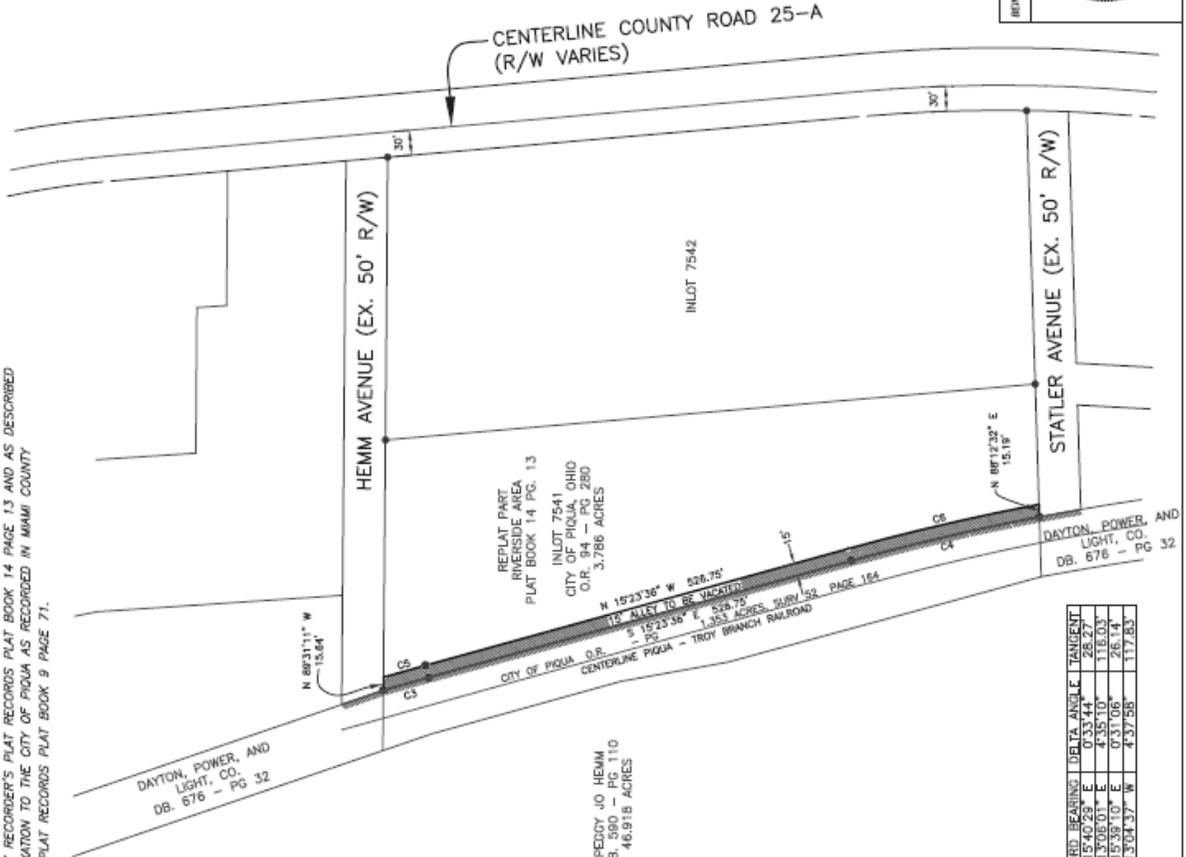
DEEDS AS REFERENCED HEREIN

PHILIP C. BRUMBAUGH
 PROFESSIONAL SURVEYOR #6057

BEING A VACATION OF A 15' ALLEY FOR PIQUA POWER COMPANY - SEPTEMBER 2, 2010



BRUMBAUGH & ASSOCIATES
ENGINEERING & SURVEYING, LLC
 1105 SOUTH MIAMI STREET
 WEST MILTON, OHIO 45383
 PH (937) 698-3000
 FAX (937) 698-3928



This Vacation Plat was Reviewed and
 Approved this _____ Day of _____, 2010

Christopher W. Schminning
 City of Piqua - Planner

This Vacation Plat was Reviewed and
 Approved by the City of Piqua Planning
 Commission this _____ Day of _____, 2010

 Chairman

 Secretary

This Vacation Plat was Reviewed and
 Approved by the City of Piqua
 Commission this _____ Day of _____, 2010

 Mayor

 Clerk of Commission

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C3	5782.64'	56.55'	56.55'	S 15°40'29" E	0°33'44"	28.27'
C4	2087.79'	231.94'	231.98'	S 1°06'01" E	4°35'10"	118.03'
C5	5777.64'	52.27'	52.27'	S 15°39'10" E	0°31'06"	26.14'
C6	2912.78'	235.52'	235.46'	N 15°04'37" W	4°37'58"	117.83'



CITY COMMISSION MEETING REPORT

For the Regular Meeting of October 19, 2010

TO: Fred Enderle, City Manager
FROM: Chris Schmiesing, City Planner
SUBJECT: Petition to vacate a portion of platted alley right-of-way

PURPOSE:

Approve a resolution to declare intent to vacate a portion of the platted public right-of-way and refer item to Planning Commission for study.

RECOMMENDATION:

Approve the Resolution to initiate the process required by the City of Piqua Charter to consider a request to vacate a portion of platted public right of way.

BACKGROUND:

The city of Piqua Municipal Power System has purchased the property located on either side of the subject alley way and desires to consolidate the parcels into one tract of land. The purpose for combining the parcels is to create one tract large enough to accommodate an improvement project proposed at this site. The subject right-of-way is currently vacant with no existing surface improvements found at this location. The primary land use in this area is light industrial.

ALTERNATIVES:

- 1) Approve Resolution to refer the request to the Planning Commission for study and a recommendation.
- 2) Defeat the Resolution and refuse to consider the vacation request.

DISCUSSION:

There are no adjacent properties that use or depend upon this alley right-of-way for access. The proposed vacation would result in the vacating of the subject alley right-of-way that has not been in use for quite some time. Vacating the alley right-of-way will allow the property to be combined with the adjoining properties. Upon replatting the land into one tract sufficient acreage will be available to facilitate the construction of the proposed improvements.

FINANCIAL IMPACT:

Forwarding this request to the Planning Commission for further study will have no fiscal impact on the City.

COMMUNITY IMPACT:

Upon completing a cursory review of the request the Development Department has determined that it appears unlikely the proposed vacation would have an adverse affect on the surrounding property owners or the interest of the general public.

CONFORMITY TO CITY PLANS & POLICIES:

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

RESOLUTION NO. R-128-10

**A RESOLUTION AUTHORIZING A PURCHASE ORDER TO
SIMPLEXGRINNELL LP FOR THE DESIGN AND
INSTALLATION OF A SPRINKLER SYSTEM FOR THE FIRE
DEPARTMENT BUILDING**

WHEREAS, the Piqua Fire Department desires to install a sprinkler system in their complex to enhance the safety of their building;

WHEREAS, the City of Piqua provided for the design and installation of a sprinkler system in the 2010 budget appropriations;

WHEREAS, on April 30, 2010, the City of Piqua was awarded grant funding from the AFG, Assistance to Firefighters Grant, for modifying facilities enhancement in accordance with the grant application; and

WHEREAS, the above described grant allocates funds for the design and installation of a sprinkler system to the Piqua Fire Department;

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

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

SEC. 1: A purchase order is hereby authorized to SimplexGrinnell LP for the design and installation of a sprinkler system pursuant to the bid specifications;

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$76,945;

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 October 19, 2010

TO: Fred Enderle, City Manager
FROM: Fire Chief Mike Rindler
SUBJECT: Design & Installation of a Sprinkler System in the Fire Dept. Building

PURPOSE:

Approve the Resolution No. R-128-10 authorizing a contract for the design and installation of a sprinkler system in the Fire Dept. building.

RECOMMENDATION:

I am requesting approval of Resolution No. R-128-10 authorizing a contract for the design and installation of a sprinkler system in the Fire Dept. building.

BACKGROUND:

Our staff obtained a FEMA grant in the amount of \$82,377 for the design and installation of a sprinkler system in our Fire Dept. building. The Fire Dept. complex is 83 years old and has two stories with 24/7 occupation of the facility. The living quarters are located on the second floor and there is a partial basement under part of the office area as well. The installation will be conducted while the building remains open for normal business and operational for emergency responses. We expect the installation to be complete by March 15, 2011. This sprinkler system will help to ensure the safety of our firefighters, officers and staff and also our equipment, vehicles and furniture.

ALTERNATIVES:

- 1) Approve Resolution No. R-128-10 authorizing a contract for the design and installation of a sprinkler system in the Fire Dept. building.
- 2) Do not approve the Resolution and lose out on the grant funds available to us while also jeopardizing the opportunity to increase our safety within the building.

DISCUSSION:

- 1) This alternative will allow for us to expand our safety options for the employees and equipment that are always housed in the Fire Dept. complex.
- 2) The alternative for not installing the fire suppression system is not recommended because if we do experience a fire within the fire department while out at another fire, we could lose all remaining emergency, fire and rescue equipment.

FINANCIAL IMPACT:

- 1) The FEMA grant calls for a 10% match of City funds. We have budgeted \$8,237 for this expense. The award to SimplexGrinnell will be for their bid amount of \$69,950.00 and we have included a 10% contingency on the Resolution for any unexpected cost overruns.
- 2) The City would lose out on an \$82,377 benefit if we choose to go with this alternative.

COMMUNITY IMPACT:

The Community would benefit by making our older building safer for the firefighters and all the expensive equipment. We house all fire and rescue equipment owned and operated by the City of Piqua in this building.

CONFORMITY TO CITY PLANS & POLICIES:

If this structure was built or remolded today a fire suppression system would be required. We have bid this project to comply with all current fire and building codes.

**Bid Tabulation for the Fire Dept. Sprinkler System
Opened on October 5, 2010 at 2:00 p.m.**

Exhibit "A"

Item #	Description	A-1 Sprinkler & Systems Integration Miamisburg, OH	Central Fire Protection Co Inc. Springfield, OH	Craynon Fire Protection Moraine, OH	SimplexGrinnell LP West Chester, OH	Complete Fire Sprinkler & Safety Springfield, OH
1	Entire Heated Area - Wet Sprinkler System	\$ 39,970.00	\$ 72,000.00	\$ 88,314.00	\$ 41,176.00	\$ 55,830.00
2	Second Floor Attic Area & Any other areas susceptible to freezing - Dry Sprinkler System	\$ 17,910.00	\$ 9,300.00	\$ 14,767.00	\$ 6,845.00	\$ 8,520.00
3	Running Water Supply from tap-in to sprinkler system inside the building	\$ 26,920.00	\$ 10,943.00	\$ 22,963.00	\$ 9,673.00	\$ -
4	Supply backflow prevention device	\$ 2,800.00	\$ 4,094.00	\$ 4,355.00	\$ 3,956.00	\$ 3,500.00
5	Electric (option on Simplex bid)				\$ 2,650.00	\$ 3,150.00
6	Alarm (option on Complete Fire bid)				\$ 5,650.00	
7	on Simplex bid)					
	Total Price	\$ 87,600.00	\$ 96,337.00	\$ 130,399.00	\$ 69,950.00	\$ 71,000.00

Fire Department Sprinkler System Bid Scoring Sheet

Bid Items Required	Complete Fire Sprinkler	Simplex Grinnell	Central Fire Protection	Craynon Fire Protection	A-1 Sprinkler
Will Meet codes and Regulations in Specs.	yes	yes	No Exception Noted	yes	No Exception
Run Water Supply line	no	yes	yes	yes	yes
Audible/Visual Alarm For Water Flow	yes	yes	No Exception Noted	yes	No Exception
Wet System	yes	yes	yes	yes	yes
Dry System	yes	yes	yes	yes	yes
Backflow Preventer	yes	yes	yes	yes	yes
Prevailing wage Davis-Bacon	no	yes	No Exception Noted	yes	No Exception
Will obtain all permits completed by March 15 of 2011	yes	yes	No Exception Noted	yes	No Exception
Within allotted grant dollars awarded	yes	yes	no	no	no
Three References	yes	yes	yes	yes	yes

RESOLUTION NO. R-129-10

A RESOLUTION APPROVING THE PURCHASE OF EXCESS LIABILITY INSURANCE

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

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

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

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

SEC. 1: Excess liability coverage for the City's dams, pollution and emergency assistance agreements is hereby provided by Associated Electric & Gas Insurance Services Limited ("AEGIS") for 2010-2011.

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account in an amount not to exceed \$55,500.

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CITY COMMISSION CLERK

***For Regular Meeting of City Commission
October 19, 2010***

To: Fred Enderle, City Manager

From: Stacy M. Wall, Law Director

Date: October 13, 2010

Re: Renewal of Excess Liability Insurance

PURPOSE:

To renew the policy for excess liability coverage for the City's dams and pollution, which are not covered by MVRMA.

RECOMMENDATION:

To renew the policy for excess liability coverage.

BACKGROUND:

The City has had liability coverage for its dams, pollution and other items related to power for over the last 20 years. I examined this coverage two years ago and again this year to determine if the coverage was needed and if so, was the coverage adequate. The coverage has been minimized and does not provide any duplicate coverage that the City may receive through MVRMA.

ALTERNATIVES:

The Commission could not renew the policy and seek alternative coverage for the dams.

DISCUSSION:

It is recommended that the resolution be adopted and that the City renew its coverage. AEGIS specializes in coverage for utility related claims. MVRMA did an evaluation and inquiry and was unable to obtain this type of coverage for the City due to its risk exposure, which is a result of the age of the dams. Every effort has been provided to ensure that the minimal type and amount of coverage has been obtained.

FINANCIAL IMPACT:

The premium is \$55,500, which is \$500 cheaper than the 2009-2010 premium.

CONFORMITY TO CITY PLANS & POLICIES:

The resolution ensures adequate coverage to the City for liability issues involving the City's dams and pollution claims.