

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

REGULAR CITY COMMISSION MEETING

A. CONSENT AGENDA

- a. APPROVAL OF MINUTES
Approval of the minutes from the November 16, 2010 Regular City Commission Meeting

B. OLD BUSINESS

- a. ORD. NO. 31-10-Amended (3rd Reading)
An Ordinance to modify Appendix Table A, Chapter 150 Building Regulations of the Piqua Code
- b. ORD. NO. 32-10 (3rd Reading)
An Ordinance providing for the issuance and sale of \$55,953.49 of bonds in anticipation of the collection of special assessments to pay costs of construction in the year 2009, sidewalks, curbs and gutters on Riverside Drive (Phase I) with the necessary appurtenances thereto
- c. ORD. NO. 33-10 (2nd Reading)
An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2011
- d. ORD. NO. 34-10 (2nd Reading)
An Ordinance repealing Schedule A-1 of Chapter 33 of the Piqua Code and adopting a new Schedule A-1 of Chapter 33 of the Piqua Code, relating to wages of certain Municipal Employees
- e. RES. NO. R-135-10 (Tabled 11-16-10)
A Resolution authorizing the execution of a loan agreement with Quint Creative Group, LLC, in the amount of \$45,000

C. NEW BUSINESS

- a. RES. NO. R-139-10
A Resolution authorizing the City Manager to submit a Grant Application to the Ohio Department of Natural Resources for assistance in the removal and replacement of Ash Trees impacted by the Emerald Ash Borer within the City of Piqua

- b. RES. NO. R-140-10
A Resolution authorizing the City of Piqua to file an application to the State of Ohio to participate in the Clean Ohio Revitalization Program
- c. RES. NO. R-141-10
A Resolution in support of an application to the Clean Ohio Council
- d. RES. NO. R-142-10
A Resolution acknowledging and adopting the status of the Piqua Memorial Hospital Site as one of the highest priority redevelopment areas as defined in the redevelopment opportunities redevelopment analysis report
- e. RES. NO. R-143-10
A Resolution declaring future development at the site of the Piqua Memorial Hospital will incorporate sustainable design principles
- f. RES. NO. R-144-10
A Resolution authorizing the City Manager to apply for City Membership to American Municipal Power Inc.
- g. RES. NO. R-145-10
A Resolution authorizing the City Purchasing Agent to purchase #2 fuel oil on the open and spot market
- h. RES. NO. R-146-10
A Resolution retaining the services of Sawvel and Associates to provide Professional Consulting and Engineering Services for the City
- i. RES. NO. R-147-10
A Resolution retaining the services of Cooperative Response Center, Inc. to provide Professional Customer Call Answering and Dispatch Services for the City
- j. RES. NO. R-148-10
A Resolution amending the purchase order to Reynolds Inliner, LLC for a current change order plus additional funds on the 36" West Interceptor Sewer Rehabilitation Project
- k. RES. NO. R-149-10
A Resolution authorizing the City Manager to execute an agreement with the Trustees of Springcreek Township to furnish Emergency Ambulance Service and Fire Protection

D. OTHER

- a. Monthly Reports – October 2010

E. ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
Tuesday November 16, 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

Consent Agenda

Approval of Minutes

Approval of the minutes from the November 2, 2010 Regular Piqua City Commission meeting

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the November 2, 2010 Regular Piqua City Commission meeting be approved. Voice vote, Aye: Wilson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

OLD BUSINESS

ORD. NO. 28-10 (3rd Reading)

An Ordinance to authorize the annexation of land owned by the City of Piqua Municipal Corporation

City Manager Enderle stated this is the third reading for Ordinance No. 28-10.

Public Comment

No one came forward to speak for or against Ordinance No. 28-10.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that Ordinance No. 28-10 be adopted. Roll call, Aye: Fess, Martin, Vogt, Wilson, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 28-10 adopted.

ORD. NO. 29-10 (2nd Reading)

An Ordinance to repeal Section 94.25 of the Piqua Municipal Code

City Manager Enderle stated this is a housekeeping item, as the items listed in the Piqua Code are covered under the Ohio Revised Code Chapter 3749, so there is no need for this language to remain in the Piqua Code.

Public Comment

No one came forward to speak for or against Ordinance No. 29-10

Moved by Commissioner Vogt, seconded by Commissioner Martin, that the rule requiring Ordinance No. 29-10 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Fess, Martin, Vogt, Wilson and Terry. Nay: None.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. 29-10 be adopted. Roll call, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 29-10 adopted.

ORD. NO. 30-10 (2nd Reading)

An Ordinance to repeal Section 32.035 and 32.036 of the Piqua Municipal Code

City Manager Enderle stated this is also a housekeeping item as the items listed in the Piqua Code are covered under the Ohio Uniform Food Safety Code, so there is no need for this language to remain in the Piqua Code.

Public Comment

No one came forward to speak for or against Ordinance No. 30-10

Moved by Commissioner Vogt, seconded by Commissioner Terry, that the rule requiring Ordinance No. 29-10 be read fully and distinctly on three separate days be suspended. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None.

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Ordinance No. 30-10 be adopted. Roll call, Aye: Vogt, Martin, Terry, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 30-10 adopted.

ORD. NO. 31-10 (2nd Reading)

An Ordinance to modify Appendix Table A, Chapter 150 Building Regulations of the Piqua Code

City Manager Enderle stated this is a companion to the Health Resolution to modify the fees for environmental health programs. This would update the plumbing permits and inspections, and updates the plumbing fee schedule.

There were several questions concerning the amount of the Commercial fees that Miami County charges, if the fee could be the same for Piqua, and if a Master Plumber would have to register with the City of Piqua.

Public Comment

No one came forward to speak for or against Ordinance No. 31-10

Ordinance No. 31-10 was given a second reading.

ORD. NO. 32-10 (2nd Reading)

An Ordinance providing for the issuance and sale of \$55,953.49 of bonds in anticipation of the collection of special assessments to pay costs of construction in the year 2009, sidewalks, curbs and gutters on Riverside Drive (Phase 1) with the necessary appurtenances thereto

City Manager Enderle explained the City would borrow the money for the full amount to reimburse the Street Fund now, and as the assessments are collected annually the funds will go to reduce the bond.

Commissioner Martin asked if Miami County keeps any of the interest on the money the city pays to them? Finance Director Holtzapple stated yes, the County keeps a processing fee and that is rolled into this charge so that the fund is made whole

Public Comment

No one came forward to speak for or against Ordinance No. 32-10

Ordinance No. 32-10 was given a second reading.

NEW BUSINESS

ORD. NO. 33-10 (1st Reading)

An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2011

City Manager Enderle stated there are five factors that really influenced the budget and further explained. The General Fund Revenue is at the 2003 level, the worst yet because there is no end in sight to a recession. Our revenues this year have continued to diminish, running about 11% behind last year which was already at the 2003 level. EPA Mandates are another big expenditure this year; we have to build a new Water Treatment Plant, work on the Wastewater and Stormwater that we are required to take care of in 2011. The Golf Course and Swimming Pool attendance was down considerably this year. Our Safety Services expenses are unsustainable; and we are eating up annually more and more of the General Fund Budget to support Police and Fire. Mr. Enderle went over some of the cuts that have been made previously, and some of the changes that are planned. The budget meetings will be held on November 18, November 29, and November 30 if needed, said City manager Enderle.

Mayor Fess stated the Budget Review Meetings are open to the public and encouraged citizens to attend and ask questions concerning the budget.

Public Comment

No one came forward to speak for or against Ordinance No. 33-10

Ordinance No. 33-10 was given a first reading.

ORD. NO. 34-10 (1st Reading)

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

City Manager Enderle stated this resolution amends schedule A-1 increasing the minimum wage rate from \$7.30 per hour to \$7.40 per hour in 2011.

Public Comment

No one came forward to speak for or against Ordinance No. 34-10

Ordinance No. 34-10 was given a first reading.

RES. NO. R-133-10

A Resolution awarding a contract for the purchase of a refuse packer for the Sanitation Department

City Manager Enderle stated the Sanitation Department had originally budgeted \$119,000 to purchase a new refuse truck and packer in 2010. In light of the current economic conditions, the purchase was delayed until mid-year. In effort to save money on capital expenditures it was decided to explore the option of replacing a packer body on the T-33 instead of replacing an entire truck with the capital expenditure reduced to an estimated \$70,000. The favorable bid price will result in an additional savings of \$26,098 for the Sanitation Department, said City Manager Enderle. T-33 was purchased in 2004 with a Loadmaster packer unit. Over the years, this particular packer has experienced multiple problems and does not meet the needs in capacity capabilities.

Public Comment

No one came forward to speak for or against Resolution No. R-133-10.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-133-10 be adopted. Roll call, Aye: Fess, Vogt, Terry, Martin, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-133-10 adopted.

RES. NO. R-134-10

A Resolution authorizing a purchase order to Breathing Air Systems, Inc. to purchase a breathing air supply trailer for the Fire Department

City Manager Enderle stated this is a mobile breathing air supply trailer that allows the firefighters to refill their tanks on scene. The City received a FEMA grant in the amount of \$42,800 and the grant calls for a 10% match from the city in the amount of \$4,280.00.

Commissioner Vogt asked if the Fire Department had a trailer at this time, and if so could the old one be sold. Fire Chief Rindler stated yes we currently have a air supply trailer, but that it is over twenty years old, but he would look into the possibility of selling it.

Public Comment

No one came forward to speak for or against Resolution No. R-134-10.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-134-10 be adopted. Roll call, Aye: Fess, Vogt, Terry, Martin, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-134-10 adopted.

RES. NO. 135-10

A Resolution authorizing the execution of a loan agreement with Quint Creative Group, LLC in the amount of \$45,000

City Manager Enderle stated he would like to table this item until the December 7 meeting to tie up a few loose ends.

Public Comment

No one came forward to speak for or against Resolution No. R-135-10

Moved by Commissioner Martin, seconded by Commissioner Vogt, to table Resolution No. R-135-10 until the December 7, 2010 meeting. Voice vote, Aye: Fess, Wilson, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-135-10 tabled.

RES. NO. R-136-10

A Resolution authorizing the City Manager to execute an agreement with the Trustees of Washington Township to furnish emergency ambulance service and fire protection

City Manager Enderle stated the City has provided fire and EMS service to the two adjoining Townships since 1973. Our previous contract with Washington Township was a three (3) year contract running from March 1, 2007 to February 28, 2010. In January of 2010 the City and Township executed a contract extension to September 30, 2010 to provide additional time to negotiate new terms for a renewed contract. Because Springcreek Township was seeking a fire and EMS levy on the November 2, 2010 ballot, and the two agreements have the same formula for calculating base fees, the Administration agreed to continue providing EMS and fire service under a memorandum of understanding through the balance of 2010.

There was discussion concerning Piqua having priority over Township fire and ambulance runs? City Manager Enderle stated yes, and explained. Fire Chief Rindler further explained how the fire and ambulance runs would be handled.

Public Comment

Brad Boehringer, Mound Street came forward and inquired about a possible misprint in the agreement contract. It was noted.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-136-10 be adopted. Roll call, Aye: Wilson, Terry, Martin, Vogt, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-136-10 adopted.

RES. NO. R-137-10

A Resolution amending the purchase order to Barrett Paving Materials, Inc. as the primary supplier, and Valley Asphalt Corporation as the secondary supplier of hot mix for the 2010 Street and Alley Maintenance Program

City Manager Enderle stated we originally budgeted \$80,000 but due to the nice weather the asphalt plants are staying open longer and we have used the \$80,000 budgeted. We are asking for another \$35,000 to complete additional patching at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-137-10.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-137-10 be adopted. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-137-10 adopted.

RES. NO. R-138-10

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

City Manager Enderle stated this is an annual contract with the Miami County Public Defender to defend indigent personnel being charged with a City Code Violation. If they meet the income requirements they are entitled to a Public Defender. The 2011 contract will be the same as the 2010 contract of \$29,341.13 with no increase.

Public Comment

No one came forward to speak for or against Resolution No. R-138-10.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-138-10 be adopted. Roll call, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-138-10 adopted.

PUBLIC COMMENT

Scott Fine, W. North Street, came forward and voiced his concern over previous code violations and court rulings he has received.

Mr. Fine inquired as to the owner of the Ft. Piqua Plaza. Mayor Fess stated there is not just one owner, it is owned by a Limited Liability Corporation. Mr. Enderle further explained the ownership of the Ft. Piqua Plaza.

Mr. Fine asked how much money was put into the Ft. Piqua Plaza? City Manager Enderle stated \$22 million dollars. Mayor Fess further explained where the money came from and how the money was spent on the building and renovations.

Mr. Fine also inquired as to the ownership of the old Piqua Hospital, and why the owner is not being made to fix it up. Mayor Fess explained the property is owned a Doctor in Florida, and the City received a grant to do the Phase II Environmental Assessment, and are trying to obtain another grant to demolish the building. Mr. Fine asked if the owner has been taken to court. City Manager Enderle stated the city has an agreement with the owner on cleaning up the site.

Mr. Fine asked City Manager Enderle about an incident that may have occurred in Loveland. City Manager Enderle stated this does not have anything to do with this and declined to answer Mr. Fine.

Mike Gutmann, Marymont Drive, came forward and commended the City on doing a great job on the Broadway Street Construction Project and stated he appreciated getting it done on schedule.

Nancy Luce, Steinhilber Drive, congratulated the City Commissioners, City Manager Enderle, and Library Director Jim Oda on receiving the 2010 Ohio Historic Preservation Merit Award for the preservation and rehabilitation of the Ft. Piqua Plaza, that now serves as the Piqua Library.

Commissioner Wilson stated at several of the previous Commission Meetings there have been some wild comments made about the Law Director. We are lucky to have someone with her background and experience, and we need to be supported on the public side, said Commissioner Wilson.

Commissioner Terry thanked the public for their support of the Street Renewal Levy. Commissioner Terry also commended the Sanitation and the Fire Departments on the making their budget cuts. The Sanitation Department for making good decisions on the purchase of packer truck, and the Fire Department for writing the grant for the breathing air supply trailer.

Commissioner Terry further stated the Budget Meetings are coming up and invited citizens to attend.

Congratulations to Lehman Girls Volleyball for winning the State Championship, and wished the Lehman Football Team good luck on their bid for the state title.

Commissioner Terry stated she read a Letter to the Editor in the Dayton Newspaper from Piqua Resident Terry Wright voicing his opinion on changing the license fees in Piqua. The cost of doing business in Piqua is still cheaper than the fees the County is charging. We are trying to watch are pennies for all taxpayers and all the departments in the City are work to spend money wisely, said Commissioner Terry.

Commissioner Vogt expressed his condolences to the family of Jeff Wenrick, a city employee who passed away suddenly. Commissioner Vogt thanked the Street Department for their work on Commercial Street, and stated currently they are working on the bad spot on Steel Street.

Commissioner Martin stated he received a telephone call regarding the water in Shawnee having a bad taste, and asked if there was any work being done to cause the bad taste?

Utilities Director Dave Burtner stated they are not doing anything in Shawnee, but he believes it is the fall water taste. Mr. Burtner explained they have added more chemicals to the system and it just takes time for the chemical to work its way through the system.

City Manager Enderle gave brief overview of the current street repairs and explained the work being done on Steel Street.

City Manager Enderle expressed his condolences to the Jeff Wenrick family and to the Water Plant employees, stating Jeff was one of the best employees we had, you could not meet a nicer guy, and he is going to be missed by everybody in the city family.

Mayor Fess also expressed her condolences to the Wenrick family, and thanked them for sharing Jeff with the City.

Mayor Fess thanked the citizens of Piqua for their support of the Street Renewal Levy. Mayor Fess also recognized the Power Plant on their recent awards, Ed Krieger on his personal award, and thanked them all for their hard work.

Mayor stated Piqua Materials held an Open House showing off their new 20,000-foot building. The City is pleased with their expansion and wished them the best of luck as they go forward.

Mayor Fess congratulated the Lehman Girls Volleyball Team and the Lehman Football Team.

Adjournment To Executive Session

Moved by Commissioner Vogt, seconded by Commissioner Martin to adjourn from the Regular Piqua City Commission Meeting in to Executive Session at 8:35P.M. Roll call, Aye: Martin, Vogt, Wilson, Terry, and Fess. Nay: None. Motion carried unanimously.

Adjournment

Moved by Commissioner Terry, seconded by Commissioner Martin, to adjourn from the Executive Session 9:35 P.M. Voice vote, Aye: Martin, Wilson, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adjourn from the Regular Piqua City Commission Meeting at 9:36 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. 31-10

**AN ORDINANCE TO MODIFY APPENDIX TABLE A, CHAPTER 150
BUILDING REGULATIONS OF THE PIQUA CODE.**

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

SEC. 1: Piqua Code Chapter 150 Appendix Table A shall be modified as follows with deletions lined out and additions underlined:

APPENDIX: TABLES

TABLE A: PERMIT FEE SCHEDULE

(A) All building permit fees, except those pertaining to plumbing, shall be established and collected by the Building Regulations Department in accordance with the fee schedules established within the Building Code.

(B) All plumbing permit fees and property maintenance fees shall be collected by the City Health Department at the rates established as follows:

Item	Fee
Plumbing	
Basic Permit	\$30 <u>\$35</u>
Plan Review: Residential	\$10 <u>\$25</u>
Plan Review: Commercial	\$.01/square foot (\$25 \$50 minimum)
Per fixture	\$8 <u>\$10</u>
Storm sewer service connection	\$20
Sanitary sewer service connection	\$30 <u>\$35</u>
Water service connection	\$30 <u>\$35</u>
Water heater replacement	\$20
Well installation	\$25
Special inspection	\$100
Property maintenance appeal	\$0
Property maintenance re-inspection fee	\$50, \$75, \$100

SEC. 2: All other sections of Chapter 150 of the Piqua Municipal Code not amended herein shall remain in effect as is.

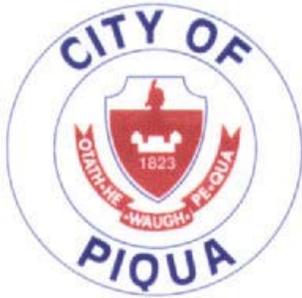
SEC. 3: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

2nd Reading 11-16-2010 (Amended)

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of November 2, 2010

TO: Fred Enderle, City Manager
FROM: Amy Welker, Health & Sanitation Director
SUBJECT: Plumbing Fees

PURPOSE:

To modify the fees charged by the Health Department for the plumbing program.

RECOMMENDATION:

Adopt the Ordinance to make the fee modifications.

BACKGROUND:

This Ordinance is a companion document to the Resolution before commission to modify the fees for environmental health programs. The Health Department must administer a plumbing program that effectively protects the public health. The department utilizes the resources of a certified plumbing inspector to monitor and ensure that plumbing systems are adequate according to state law. Proper plumbing systems are the building blocks for good hygiene and sanitary living and working environments.

The Department fees are used to cover the costs associated with operating the plumbing programs. This includes the issuance of plumbing permits, inspections, consultations, registrations, plan review, and administration. The current fees have been in effect since 2006.

ALTERNATIVES:

1. Adopt the Ordinance making the fee adjustments.
2. Do not adopt the Ordinance and keep the fees the same.

DISCUSSION:

The Health Department has a duty to administer the plumbing program. The department also has a duty to be fiscally responsible. As such, the department sets fees for programs that take into account the need to perform the required duties and the need to be fair and responsible to the customers. The fees proposed are intended to make reasonable adjustments without becoming a hardship on the businesses.

The Fee Comparison sheet attached will further highlight what the current Piqua fees are, the proposed adjustments, and a comparison to other jurisdictions.



FINANCIAL IMPACT:

The fee adjustments proposed are fair. Plumbing business operations understand that permit fees are a cost of doing business. The Piqua Health Department works diligently to provide good service for the permit fees that are collected. The businesses will see an increase to their permit fees, but will still enjoy a discount compared to other jurisdictions.

All city departments are working to limit any unnecessary reliance on general fund dollars. The Health Department is empowered by the State to recoup these costs. This proposal is a balance between recouping costs and providing a fair permit fee to vendors.

COMMUNITY IMPACT:

The community will continue to receive the benefit of good public health prevention efforts from the Health Department. The community may also benefit as more dollars can be spent on other projects and initiatives due to recouping costs.

CONFORMITY TO CITY PLANS & POLICIES:

The number one priority of the City of Piqua has been and will continue to be to focus on financial stability. This proposal is concurrent with this priority. The Health Department can off-set the use of general fund dollars by keeping pace with other jurisdictions when looking at cost recovery efforts.



Health Department Fee Comparison

Local fee only	Current Piqua City	Max allowed	Proposed 2011	Miami Co.	Clark Co.	Darke Co.
FOOD PROGRAM						
Commercial**						
FSO < 25000						
Risk Level 1	\$ 140.00	\$ 171.00	\$ 160.00	\$ 180.00	\$ 163.00	\$ 182.00
Risk Level 2	\$ 160.00	\$ 193.00	\$ 180.00	\$ 203.00	\$ 181.00	\$ 202.00
Risk Level 3	\$ 320.00	\$ 368.00	\$ 340.00	\$ 376.00	\$ 328.00	\$ 362.00
Risk Level 4	\$ 400.00	\$ 466.00	\$ 420.00	\$ 468.00	\$ 410.00	\$ 452.00
FSO > 25000						
Risk Level 1	\$ 215.00	\$ 247.00	\$ 235.00	\$ 255.00	\$ 227.00	\$ 252.00
Risk Level 2	\$ 225.00	\$ 260.00	\$ 245.00	\$ 266.00	\$ 238.00	\$ 263.00
Risk Level 3	\$ 650.00	\$ 919.00	\$ 685.00	\$ 898.00	\$ 790.00	\$ 866.00
Risk Level 4	\$ 750.00	\$ 975.00	\$ 800.00	\$ 954.00	\$ 836.00	\$ 917.00
Non-Commercial**						
FSO < 25000						
Risk Level 1	\$ 70.00	\$ 85.50	\$ 80.00	\$ 180.00	\$ 81.50	\$ 91.00
Risk Level 2	\$ 80.00	\$ 96.50	\$ 90.00	\$ 203.00	\$ 90.50	\$ 101.00
Risk Level 3	\$ 160.00	\$ 184.00	\$ 170.00	\$ 376.00	\$ 164.00	\$ 181.00
Risk Level 4	\$ 200.00	\$ 233.00	\$ 210.00	\$ 468.00	\$ 205.00	\$ 226.00
FSO > 25000						
Risk Level 1	\$ 107.50	\$ 123.50	\$ 117.50	\$ 255.00	\$ 113.50	\$ 126.00
Risk Level 2	\$ 112.50	\$ 130.00	\$ 122.50	\$ 266.00	\$ 119.00	\$ 131.50
Risk Level 3	\$ 325.00	\$ 459.50	\$ 342.50	\$ 898.00	\$ 395.00	\$ 433.00
Risk Level 4	\$ 375.00	\$ 487.50	\$ 400.00	\$ 954.00	\$ 418.00	\$ 458.50
Vending	\$ 15.24	\$ 15.86	\$ 15.24	\$ 28.46	\$ 17.85	\$ 23.48
Temporary Food	10.00/day	39.00/day	10.00/day	22.00/day	35.00/day	18.50/day
Mobiles	\$ 75.00	\$ 194.00	\$ 90.00	\$ 184.00	\$ 123.00	\$ 112.00
Swimming Pools						
Public Pool	\$ 25.00	\$ 120.00	\$ 50.00	\$ 250.00	\$ 300.00	\$ 305.00
Public Spa	\$ 25.00	\$ 120.00	\$ 50.00	\$ 250.00	\$ 300.00	\$ 305.00
Special Use	\$ 25.00	\$ 120.00	\$ 50.00	\$ 250.00	\$ 300.00	\$ 305.00
Each additional	\$ 25.00	\$ 120.00	\$ 30.00	\$ 150.00	\$ 90.00	\$ 91.00
Tattoo/Body Piercing						
Base Fee	\$ 100.00	\$ 133.00	\$ 110.00	\$ 250.00	\$ 100.00	\$ 290.00
Manufactured Home Parks						
Base fee 50 lots or less	\$ 60.00	\$ 85.00	\$ 70.00	\$ 200.00	\$ 145.00	\$ 275.00
Each lot over 50 plus	\$ 3.00		\$ 3.00	\$ 2.00	\$ 2.75	\$ 2.75
Plumbing						
Permits	\$ 30.00		\$ 35.00	\$ 35.00		\$ 40.00
Fixtures	\$ 8.00		\$ 10.00	\$ 15.00		\$ 12.50
sewer	\$ 30.00		\$ 35.00	\$ 40.00		\$ 57.50
water	\$ 30.00		\$ 35.00	\$ 40.00		\$ 57.50
Plan review	\$ 10.00		\$ 25.00	\$ 25.00		\$ 25.00
Master plumber	\$ 100.00		\$ 100.00	\$ 200.00		\$ 175.00
Journeyman	\$ 25.00		\$ 25.00	\$ 40.00		\$ 20.00

ORDINANCE NO. 32-10

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$55,953.49 OF BONDS IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS TO PAY COSTS OF CONSTRUCTION IN THE YEAR 2009, SIDEWALKS, CURBS AND GUTTERS ON RIVERSIDE DRIVE (PHASE I) WITH THE NECESSARY APPURTENANCES THERETO

WHEREAS, the Director of Finance as fiscal officer of this City, has certified to this Commission that the estimated life or usefulness of the improvement described in Section 1 is at least ten (10) years and the maximum maturity of the Bonds described in Section 1 is twenty (20) years;

NOW, 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, that:

SEC. 1: It is necessary to issue bonds of this City in the aggregate principal amount of \$55,953.49 (the Bonds) in anticipation of the collection of special assessments to pay cost of constructing in the year 2009, sidewalks, curbs and gutters on Riverside Drive Phase I with the necessary appurtenances thereto;

SEC. 2: The Bonds shall be issued in one lot and only as Bonds registered as to both principal and interest, in the denominations of one (1) at \$10,079.45, and four (4) at \$10,080.00, and one (1) at \$1,110.04, and four (4) at \$1,111.00 or any integral multiple thereof, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as of the fifteenth day of the month in which issued;

The Bonds shall bear interest at the rate of nine percent (9%) per year (computed on a 360-day per year basis), payable on December 15 of each year (the Interest Payment Dates), commencing December 15, 2011, until the principal amount has been paid or provided for. If the Bonds are sold bearing a different rate of interest, the Bond shall bear that rate of interest as specified in the resolution of Commission providing for the award of the Bonds. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for, or if no interest has been paid or provided for, from their date;

The Bonds shall mature on December 15 of the years and in the principal amounts set forth opposite such years as follows:

2012	\$10,080.00
2013	\$10,080.00
2014	\$10,080.00
2015	\$10,080.00
2016	\$10,079.45
2017	\$1,111.00
2018	\$1,111.00
2019	\$1,111.00
2020	\$1,111.00
2021	\$1,110.04

ORDINANCE NO. 32-10

The Bonds shall express on their face the purpose for which they are issues and that they are issued pursuant to this ordinance.

SEC. 3: The Bonds shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile, and shall bear the corporate seal of the City of a facsimile of that seal. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this ordinance unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar (as defined in Section 4) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed, and delivered under, and is entitled to the security and benefit of this ordinance. The certificate of authentication may be signed by any authorized officer or employee of the Department of Finance or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds;

SEC. 4: The Director of Finance of this City shall act as the authentication agent, bond registrar, transfer agent and paying agent for the Bonds (Bond Registrar). She shall perform the duties set forth in this ordinance;

SEC. 5: The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal shall be payable when due upon presentation and surrender of the Bonds at the Principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by that person's address appearing on the Bond Registrar (as defined in Section 6 below) at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date (the Record Date);

SEC 6: The Bonds are offered at par and any accrued interest to the Director of Finance, as officer in charge of the Bond Retirement Fund of the City. Bonds not purchased for the Bond Retirement Fund or for other funds of the City shall be advertised for public sale and sold in accordance with law and the provisions of this ordinance. The Director of Finance shall cause the Bonds to be prepared, and following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the original purchaser upon payment of the purchase price;

SEC. 7: So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep at its principal corporate trust office all books and records necessary for the registration, exchange, and transfer of Bonds as provided in this Section (the Bond Register). Subject to the provisions of Section 5 above, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of this ordinance. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person; neither the City or the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid;

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Any Bond may be exchanged for Bonds of any authorized denomination upon presentation and surrender at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the principal corporate trust office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer, the Bond Registrar shall complete, authenticate, and deliver a new Bond or Bonds of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this ordinance. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under this ordinance, as the Bonds surrendered upon that exchange or transfer.

SEC. 8: The proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued and to retire the notes outstanding in anticipation of the Bonds. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund;

SEC. 9: All special assessments collected for the improvement described in Section 1, and any unexpended balance remaining in the improvement fund after the cost and expenses of that improvement have been paid, shall be used for the payment of the principal of and interest on the Bonds until paid in full and shall be used for no other purpose. In the event and to the extent that those special assessments are not collected, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the principal of and interest on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended, and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the principal of and interest on the Bonds when and as the same falls due;

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SEC. 10: The City covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the Code). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Bonds, shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts and circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds;

The City covenants that it (a) will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, all in such manner and to the extent necessary to ensure such exclusion of that interest under the Code. The Director of Finance and other appropriate officers are authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to ensure such exclusion of that interest;

SEC. 11: The Clerk of this Commission is directed to deliver a certified copy of this ordinance to the County Auditor;

SEC. 12: This Commission determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds, in order to make them legal, valid, and binding, general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith, credit, and revenues of the City are pledged for the timely payment of the principal of and interest on the Bonds; and that no statutory or constitutional limitation of the indebtedness or taxation will have been exceeded in the issuance of the bonds;

SEC. 13: This Commission finds and determines that all formal actions of this Commission concerning and relating to the passage of this ordinance were taken in an open meeting of this Commission and that all deliberations of this Commission and of any committees that resulted in those formal actions, were in meetings open to the public in compliance with the law;

SEC. 14: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading 11-02-2010
2nd Reading 11-16-2010

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of November 2, 2010

TO: Fred Enderle, City Manager

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

SUBJECT: Issuance and sale of bonds in anticipation of the collection of special assessments
Ordinance No. 32-10

PURPOSE:

Approve the Ordinance No. 32-10 determining the issuance and sale of bonds in anticipation of the collection of special assessments to pay costs of construction on Riverside Drive. This will restore the dollars to Street Construction Fund 103 for future use.

RECOMMENDATION:

I am requesting approval of Ordinance No. 32-10 determining the issuance and sale of bonds in anticipation of the collection of special assessments to pay costs of construction on Riverside Drive. This will restore the dollars to Street Construction Fund 103 for future use.

BACKGROUND:

The Street Construction Fund 103 originally paid for the Riverside Drive Construction Project. Property owner costs for constructing sidewalks, curbs, and gutters were then invoiced on January 15, 2010 with a due date of April 30, 2010. Resolution No. R-24-10 was approved by City Commission on September 7, 2010 to assess the unpaid reconstruction costs to the property owners' tax duplicate for five or ten years based on the property owners' choice. By issuing and selling these bonds the City will be able to restore the dollars to Street Construction Fund 103 for the reconstruction costs now and not have to wait for ten years. The original project cost \$120,290.02. We collected \$54,155.93 and the remaining amount of \$55,953.49 was assessed to the public by the county. The bonds are for \$55,953.49.

ALTERNATIVES:

- 1) Approve Ordinance No. 32-10 authorizing the issuance and sale of bonds in anticipation of the collection of special assessments for payment of the costs of construction on Riverside Drive.
- 2) Do not approve the Ordinance and not authorize the issuance and sale of bonds in anticipation of the collection of special assessments for payment of the construction costs on Riverside Drive impeding the flow of funds for future specially assessment construction projects.

DISCUSSION:

- 1) This alternative will allow us to return the amount that was assessed to the County to the Street Construction Fund 103 now instead of waiting for ten years for repayment.
- 2) This alternative is not recommended as we will have to wait for ten years to fully repay the Street Construction Fund 103 for the Riverside Dr. construction costs.

FINANCIAL IMPACT:

- 1) We will restore to Streets Construction Fund 103 the costs of the special assessments for the Riverside project.
- 2) We will recoup over 10 years to Streets Construction Fund 103 the costs of the special assessments for the Riverside project. This would impede future projects as the Street Fund would have to wait for the repayments.

COMMUNITY IMPACT:

The Riverside Drive reconstruction project was a public improvement where new sidewalks were installed, combination curb and gutter, drive approaches, new storm sewer, water main removal and new water service installations, new fire hydrants, roadway excavation, curb ramp installation, installation of aggregate base and asphaltic concrete, pavement signing and striping, and tree removals. The cost of the sidewalks, curbs and gutters, and drive approaches are the responsibility of the property owner. Some citizens chose to repay the city over a 5 or 10 year period, by issuing these bonds, funds can be more quickly available for other street projects.

CONFORMITY TO CITY PLANS & POLICIES:

The issuance of special assessments bonds by the city has routinely been done in the past so as to allow funds to be available for future street construction projects.

ORDINANCE NO. 33-10
AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO FOR THE YEAR 2011

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

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

<u>ACCOUNT</u>	<u>2011 APPROPRIATIONS</u>
City Building	
Personal Services/Administrative Support	\$0
Operation and Maintenance	\$112,885
Allocated Expenses	(\$19,055)
TOTAL	\$93,830
City Commission	
Personal Services/Administrative Support	\$34,045
Operation and Maintenance	\$67,285
TOTAL	\$101,330
City Manager	
Personal Services/Administrative Support	\$293,134
Operation and Maintenance	\$28,560
Allocated Expenses	(\$235,480)
TOTAL	\$86,214
Engineering	
Personal Services/Administrative Support	\$330,476
Operation and Maintenance	\$29,452
Allocated Expenses	(\$293,053)
TOTAL	\$66,875
Finance	
Personal Services/Administrative Support	\$467,915
Operation and Maintenance	\$42,469
Allocated Expenses	(\$353,492)
TOTAL	\$156,892
Health	
Personal Services/Administrative Support	\$254,255
Operation and Maintenance	\$97,728
Non Government/Transfers/Refunds	\$100
TOTAL	\$352,083
Law	
Personal Services/Administrative Support	\$186,956
Operation and Maintenance	\$16,756
Allocated Expenses	(\$121,412)
TOTAL	\$82,300
Planning & Zoning	
Personal Services/Administrative Support	\$170,846
Operation and Maintenance	\$16,920
Non Government/Transfers/Refunds	\$100
TOTAL	\$187,866
General Government	
Operation and Maintenance	\$220,330
Non Government/Transfers/Refunds	\$100
TOTAL	\$220,430
Human Resources	
Personal Services/Administrative Support	\$163,908
Operation and Maintenance	\$13,690
Allocated Expenses	(\$152,219)
TOTAL	\$25,379

<u>Purchasing</u>	
Personal Services/Administrative Support	\$69,963
Operation and Maintenance	\$5,071
Allocated Expenses	<u>(\$73,233)</u>
TOTAL	\$1,801
<u>Income Tax</u>	
Personal Services/Administrative Support	\$169,289
Operation and Maintenance	<u>\$199,540</u>
TOTAL	\$368,829
<u>Transfers</u>	
Transfer to NIT Fund 104	\$23,988
Transfer to Parks Fund 105	\$200,000
Transfer to Safety Fund 106	\$3,550,000
Transfer to Forest Hill Mausoleum Fund 110	\$3,920
Transfer to Pro Piqua Fund 128	\$45,000
Transfer to Hotel Debt Service Fund 252	\$347,427
Transfer to Golf 409	\$238,000
Transfer to Ft. Piqua Plaza 410	\$150,855
Transfer to Swimming Pool Fund 415	<u>\$26,792</u>
TOTAL	\$4,585,982
TOTAL GENERAL FUND	\$6,329,811
SEC. 2:	That there be appropriated from the STREET DEPARTMENT FUND (101)
Personal Services/Administrative Support	\$833,253
Operation and Maintenance	\$1,175,328
Capital Outlay (including labor)	<u>\$40,892</u>
TOTAL	\$2,049,473
SEC. 3:	That there be appropriated from the STREET INCOME TAX FUND (103)
Operation and Maintenance	\$325,975
Capital Outlay (including labor)	\$2,427,589
Non Government/Transfers/Refunds	<u>\$97,368</u>
TOTAL	\$2,850,932
SEC. 4:	That there be appropriated from the NEIGHBORHOOD IMPROVEMENT TEAM FUND (104)
Personal Services/Administrative Support	\$7,360
Operation and Maintenance	<u>\$16,628</u>
TOTAL	\$23,988
SEC. 5:	That there be appropriated from the PARK AND RECREATION FUND (105)
Personal Services/Administrative Support	\$325,819
Operation and Maintenance	\$164,143
Capital Outlay (including labor)	\$100,194
Non Government/Transfers/Refunds	<u>\$200</u>
TOTAL	\$590,356
SEC. 6:	That there be appropriated from the PUBLIC SAFETY FUND (106)
<u>009 Fire Department</u>	
Personal Services/Administrative Support	\$2,986,555
Operation and Maintenance	\$389,398
Capital Outlay (including labor)	\$161,677
Non Government/Transfers/Refunds	<u>\$69,035</u>
TOTAL	\$3,606,665
<u>014 Police Department</u>	
Personal Services/Administrative Support	\$3,446,858
Operation and Maintenance	\$547,521
Capital Outlay (including labor)	\$45,500
Non-Government/Transfers/Refunds	<u>\$16,816</u>
TOTAL	\$4,056,695
TOTAL PUBLIC SAFETY	\$7,663,360

SEC. 7:	That there be appropriated from the D.U.I. EDUCATIONAL FUND (109)	
Operation & Maintenance		<u>\$9,000</u>
TOTAL		\$9,000
SEC. 8:	That there be appropriated from the FOREST HILL MAUSOLEUM FUND (110)	
Operation & Maintenance		<u>\$3,920</u>
TOTAL		\$3,920
SEC.9:	That there be appropriated from the MANDATORY DRUG FINE FUND (111)	
Operation and Maintenance		<u>\$2,600</u>
TOTAL		\$2,600
SEC. 10:	That there be appropriated from the CHIP 2010 FUND (112)	
Operation and Maintenance		<u>\$494,700</u>
TOTAL		\$494,700
SEC. 11:	That there be appropriated from the RENEW PIQUA FUND (114)	
Operation and Maintenance		<u>\$6,000</u>
TOTAL		\$6,000
SEC. 12:	That there be appropriated from the C.H.I.P. PROGRAM INCOME FUND (119)	
Operation and Maintenance		<u>\$10,064</u>
TOTAL		\$10,064
SEC. 13:	That there be appropriated from the POLICE AUXILIARY FUND (120)	
Operation & Maintenance		<u>\$2,625</u>
TOTAL		\$2,625
SEC. 14:	That there be appropriated from the COMMUNITY DEVELOPMENT BLOCK GRANT FUND (122)	
Operation and Maintenance		<u>\$123,900</u>
TOTAL		\$123,900
SEC. 15:	That there be appropriated from the WORKER'S COMP FUND (124)	
Personal Services/Administrative Support		<u>\$300,000</u>
TOTAL		\$300,000
SEC. 16:	That there be appropriated from the INSURANCE RESERVE FUND (125)	
Operation & Maintenance		<u>\$350,000</u>
TOTAL		\$350,000
SEC. 17:	That there be appropriated from the DEMOLITION DEFENSE FUND (126)	
Non Government/Transfers/Refunds		<u>\$35,000</u>
TOTAL		\$35,000
SEC. 18:	That there be appropriated from the ENTERPRISE ZONE APPLICATION FUND (127)	
Operation & Maintenance		<u>\$450</u>
TOTAL		\$450
SEC. 19:	That there be appropriated from the PRO PIQUA FUND (128)	
Operation and Maintenance		<u>\$45,000</u>
TOTAL		\$45,000

SEC. 20:	That there be appropriated from the REVOLVING LOAN FUND (130)	
Operation and Maintenance		<u>\$20,250</u>
TOTAL		\$20,250
SEC. 21:	That there be appropriated from the BROWNFIELD EPA GRANT (131)	
Operation and Maintenance		<u>\$400,000</u>
TOTAL		\$400,000
SEC. 22:	That there be appropriated from the COMMUNITY DEVELOPMENT FUND (135)	
Personal Services/Administrative Support		\$220,779
Operation and Maintenance		\$79,757
Allocated Expenses		<u>(\$300,536)</u>
TOTAL		\$0
SEC. 23:	That there be appropriated from the DOWNTOWN REVITALIZATION (GENERAL BUSINESS) FUND (137)	
Operation and Maintenance		<u>\$200,000</u>
TOTAL		\$200,000
SEC. 24:	That there be appropriated from the FEMA FUND (139)	
Personal Services/Administrative Support		<u>\$20,000</u>
TOTAL		\$20,000
SEC. 25:	That there be appropriated from the ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (141)	
Operation and Maintenance		<u>\$200,000</u>
TOTAL		\$200,000
SEC. 26:	That there be appropriated from the AGRICULTURAL REVOLVING LOAN FUND (142)	
Operation and Maintenance		<u>\$250</u>
TOTAL		\$250
SEC. 27:	That there be appropriated from the CLEAN OHIO ASSISTANCE FUND DEMOLITION (144)	
Operation and Maintenance		<u>\$3,000,000</u>
TOTAL		\$3,000,000
SEC. 28:	That there be appropriated from the SPECIAL ASSESSMENT DEBT SERVICE FUND (202)	
Operation and Maintenance		\$69,355
Non Government/Transfers/Refunds		<u>\$29,612</u>
TOTAL		\$98,967
SEC. 29:	That there be appropriated from the OWDA-1995 LOAN WASTEWATER DEBT SERVICE FUND (210)	
Non Government/Transfers/Refunds		<u>\$506,537</u>
TOTAL		\$506,537
SEC. 30:	That there be appropriated from the SIB 25A NOTE '08 FUND (216)	
Non Government/Transfers/Refunds		<u>\$173,755</u>
TOTAL		\$173,755

SEC. 31:	That there be appropriated from the SWIMMING POOL DEBT SERVICE FUND (221)	
Non Government/Transfers/Refunds		<u>\$8,408</u>
TOTAL		\$8,408
SEC. 32:	That there be appropriated from the ELECTRIC G O BONDS DEBT SERVICE FUND (238)	
Non Government/Transfers/Refunds		<u>\$406,752</u>
TOTAL		\$406,752
SEC. 33:	That there be appropriated from the GOLF COURSE EXPANSION G.O. BONDS DEBT SERVICE FUND (243)	
Non Government/Transfers/Refunds		<u>\$166,745</u>
TOTAL		\$166,745
SEC. 34:	That there be appropriated from the PFDP PENSION G. O. BONDS DEBT SERVICE FUND (249)	
Non Government/Transfers/Refunds		<u>\$38,438</u>
TOTAL		\$38,438
SEC. 35:	That there be appropriated from the WATER TOWER DEBT SERVICE FUND (250)	
Non Government/Transfers/Refunds		<u>\$132,822</u>
TOTAL		\$132,822
SEC. 36:	That there be appropriated from the WATER TOWER DEBT SERVICE FUND 2006 (251)	
Non Government/Transfers/Refunds		<u>\$14,350</u>
TOTAL		\$14,350
SEC. 37:	That there be appropriated from the HOTEL CONSTRUCTION DEBT SERVICE FUND (252)	
Non Government/Transfers/Refunds		<u>\$348,160</u>
TOTAL		\$348,160
SEC. 38:	That there be appropriated from the INFORMATION TECHNOLOGY '08 G.O. DEBT SERVICE FUND (253)	
Non Government/Transfers/Refunds		<u>\$31,578</u>
TOTAL		\$31,578
SEC. 39:	That there be appropriated from the EQUALIZATION TANK '08 NOTE (OWDA) DEBT SERVICE FUND (254)	
Non Government/Transfers/Refunds		<u>\$303,392</u>
TOTAL		\$303,392
SEC. 40:	That there be appropriated from the FIRE EQUIPMENT '08 G.O. NOTE FUND (255)	
Non/Government/Transfers/Refunds		<u>\$47,650</u>
TOTAL		\$47,650
SEC. 41:	That there be appropriated from the SWIMMING POOL CONSTRUCTION FUND (323)	
Non Government/Transfers/Refunds		<u>\$5</u>
TOTAL		\$5

SEC. 42: That there be appropriated from the POWER SYSTEM FUND (401)

Personal Services/Administrative Support	\$2,182,204
Operation and Maintenance	\$21,360,172
Capital Outlay (including labor)	\$2,545,948
Overhead Transfers	(\$270,000)
Non Government/Transfers/Refunds	\$353,352
TOTAL	\$26,171,676

SEC. 43: That there be appropriated from the WATER SYSTEM FUND (403)

Personal Services/Administrative Support	\$1,165,551
Operation and Maintenance	\$1,495,396
Capital Outlay (including labor)	\$1,562,192
Non Government/Transfers/Refunds	\$147,116
TOTAL	\$4,370,255

SEC. 44: That there be appropriated from the WASTEWATER SYSTEM FUND (404)

Personal Services/Administrative Support	\$1,088,460
Operation and Maintenance	\$1,481,602
Capital Outlay (including labor)	\$153,221
Non Government/Transfers/Refunds	\$706,834
TOTAL	\$3,430,117

SEC. 45: That there be appropriated from the GARBAGE AND REFUSE FUND (405)

Personal Services/Administrative Support	\$521,027
Operation and Maintenance	\$1,189,137
Capital Outlay (including labor)	\$0
TOTAL	\$1,710,164

SEC. 46: That there be appropriated from the CITY INCOME TAX ADMINISTRATION FUND (407)

Non Government/Transfers/Refunds	\$7,450,000
TOTAL	\$7,450,000

SEC. 47: That there be appropriated from the INFORMATION TECHNOLOGY FUND (408)

Personal Services/Administrative Support	\$267,848
Operation and Maintenance	\$210,725
Capital Outlay (including labor)	\$415,000
Non Government/Transfers/Refunds	\$16,011
TOTAL	\$909,584

SEC. 48: That there be appropriated from the GOLF COURSE FUND (409)

Personal Services/Administrative Support	\$242,168
Operation and Maintenance	\$356,708
Capital Outlay (including labor)	\$122,000
Non Government/Transfers/Refunds	\$163,306
TOTAL	\$884,182

SEC. 49: That there be appropriated from the FORT PIQUA PLAZA FUND (410)

Operation & Maintenance	\$236,416
Non Government/Transfers/Refunds	\$3,000
TOTAL	\$239,416

SEC. 50: That there be appropriated from the STORMWATER UTILITY FUND (411)

Personal Services/Administrative Support	\$267,563
Operation and Maintenance	\$205,411
Capital Outlay (including labor)	\$343,200
TOTAL	\$816,174

SEC. 51: That there be appropriated from the METER READERS FUND (412)

Personal Services/Administrative Support	\$238,175
Operation and Maintenance	\$28,018
Allocated Expenses	<u>(\$266,193)</u>
TOTAL	\$0

SEC. 52: That there be appropriated from the UTILITIES BUSINESS OFFICE FUND (413)

Personal Services/Administrative Support	\$459,571
Operation and Maintenance	\$385,900
Allocated Expenses	<u>(\$845,471)</u>
TOTAL	\$0

SEC. 53: That there be appropriated from the SWIMMING POOL FUND (415)

Operation and Maintenance	\$18,717
Non Government/Transfers/Refunds	<u>\$8,075</u>
TOTAL	\$26,792

SEC. 54: That there be appropriated from the ELECTRIC METER DEPOSIT FUND (603)

Non Government/Transfers/Refunds	<u>\$210,000</u>
TOTAL	\$210,000

SEC. 55: That there be appropriated from the WATER METER DEPOSIT FUND (604)

Non Government/Transfers/Refunds	<u>\$75,000</u>
TOTAL	\$75,000

SEC. 56: That there be appropriated from the UNCLAIMED TRUST FUND (606)

Non Government/Transfers/Refunds	<u>\$1,000</u>
TOTAL	\$1,000

SEC. 57: That there be appropriated from the CONSERVANCY FUND (611)

Operation and Maintenance	<u>\$46,700</u>
TOTAL	\$46,700

SEC. 58: That there be appropriated from the CITY HEALTH INSURANCE FUND (614)

Personal Services/Administrative Support	
Operation and Maintenance	\$2,582,500
Non Government/Transfers/Refunds	<u>\$330,000</u>
TOTAL	\$2,912,500

SEC. 59: That there be appropriated from the EMPLOYEE FLEXIBLE SPENDING FUND (615)

Administrative Support	<u>\$185,000</u>
TOTAL	\$185,000

SEC. 60: That there be appropriated from the WEED CUTTING FUND (735)

Operation and Maintenance	<u>\$20,000</u>
TOTAL	\$20,000

SEC. 61: That the sums appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2011. 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. 62: 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. 63: That the Director of Finance is hereby authorized and directed to draw her warrant upon the City Treasury for the amounts appropriated in this order when claims are properly presented and approved, the same to be chargeable to the appropriations for the year 2011 when passed and legally contracted for in conformity by law.

SEC. 64: 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 \$1,000,000 in the aggregate nor extend past December 31, 2011; except those that are to be reimbursed by federal or state grant programs that were previously approved by this Commission.

SEC. 65: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

1st Reading 11-16-2010

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 34-10

**AN ORDINANCE REPEALING SCHEDULE A-1 OF
CHAPTER 33 OF THE PIQUA CODE AND ADOPTING
A NEW SCHEDULE A-1 OF CHAPTER 33 OF THE PIQUA
CODE, RELATING TO WAGES OF CERTAIN MUNICIPAL
EMPLOYEES**

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

SEC. 1: Schedule A-1 of Chapter 33 of the Piqua Code, as adopted by Ordinance No. 21-10, is hereby repealed; and

SEC. 2: Schedule A-1 of Chapter 33 of the Piqua Code (appended hereto as Exhibit "E") is hereby adopted;

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

1ST READING 11-16-2010

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of November 16, 2010

Date: November 11, 2010

TO: Fred Enderle, City Manager
FROM: Elaine G. Barton, Human Resources Director
SUBJECT: Revise Schedule A-1 (Temporary, Seasonal, and Part-time Employees)

PURPOSE:

1. *Adopt the ordinance revising Chapter 33- Schedule A-1 increasing the minimum wage rate from \$7.30 per hour to \$7.40 per hour.*

RECOMMENDATION:

Adopt Ordinance No. 34-10 to increase the wages of certain temporary, seasonal, and part-time employees.

BACKGROUND:

On January 1, 2011, the minimum wage rate in the State of Ohio will be increased from \$7.30 per hour to \$7.40 per hour. There are several positions included on Schedule A-1 that are currently at \$7.30 per hour. Passage of this ordinance will put the City in compliance with state law.

ALTERNATIVES:

- 1) Adopt Ordinance No. 34-10 increasing the wage rates of certain temporary, seasonal, and part-time employees to the minimum wage rate to take effect on January 1, 2011.
- 2) Do not adopt the Ordinance and be out of compliance with state law.

DISCUSSION:

The increase to the minimum wage rate will amount to a ten cent per hour increase for approximately fourteen positions. The majority of these positions will not be filled in the 2011 budget.

FINANCIAL IMPACT:

As the majority of the positions affected will not be filled in 2011, the increase in the wage rate will be minimal. However, it has been accounted for in the 2011 calendar year budget.

Schedule A-1
November 16, 2010

COMMUNITY IMPACT:

N/A

CONFORMITY TO CITY PLANS & POLICIES:

The City will be in compliance with the State of Ohio minimum wage rate requirement.

CLASSIFICATION/ TITLE	HOURLY RATE	
CLERK TYPIST (CO-OP STUDENT)	7.40	
CITY CLERK*	7.40	
CLERK TYPIST A	7.40	
CLERK TYPIST B	7.42	
RECORDS & DATA ENTRY CLERK	7.52	
ACCOUNT CLERK*	9.94	
SECRETARY I*	10.24	
SECRETARY II*	11.82	
ADMINISTRATIVE SECRETARY*	15.52	
ENGINEERING CO-OP I (STUDENT)	9.48	
ENGINEERING CO-OP II (STUDENT)	10.33	
ENGINEERING CO-OP III (STUDENT)	11.13	
ENGINEERING CO-OP IV (STUDENT)	11.97	
PLANNING TECHNICIAN	16.48	
INTERNS	7.40 to 12.36	
PARKING CONTROL OFFICER	7.92	
ANIMAL CONTROL OFFICER	7.40	
POWER DISTRIBUTION STOREKEEPER	15.45	
PLUMBING INSPECTOR	19.10	
CONSTRUCTION INSPECTOR	19.10	
PUBLIC HEALTH NURSE	19.10	
STREET SWEEPER	10.00	
LABORER A	7.42	
LABORER B	8.26	
LABORER C	9.18	
CUSTODIAN	7.40	
REFUSE COLLECTOR	7.40	
MAINTENANCE WORKER	7.40	
STREET DEPT. MAINTENANCE SUPV.	9.91	
SEASONAL GOLF COURSE MAINT. LABORER A	7.42	plus free golf**
SEASONAL GOLF COURSE MAINT. LABORER B	8.26	plus free golf**
SEASONAL GOLF COURSE MAINT. LABORER C	9.18	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER A	7.40	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER B	7.40	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER C	7.45	plus free golf**
GOLF COURSE CLUBHOUSE ATTENDANT	7.42	plus free golf**
CART/RANGE ATTENDANT	7.40	plus free golf**
FOOD SERVICE ATTENDANT (GOLF)	7.40	plus free golf**
LIFEGUARD A	7.40	
LIFEGUARD B	7.40	
LIFEGUARD C	7.45	
TICKET WINDOW ATTENDANT A	7.40	
TICKET WINDOW ATTENDANT B	7.40	
HEAD TICKET WINDOW ATTEND. A	7.45	
HEAD TICKET WINDOW ATTEND. B	7.83	
RECREATION LEADER	7.79	
RECREATION ASSISTANT	7.40	
SPORTS INSTRUCTOR	8.53 to 17.06	
DANCE/FITNESS INSTRUCTOR	8.53 to 17.06	
POOL MANAGER	524.45	WEEKLY RATE
ASSISTANT POOL MANAGER A	362.35	WEEKLY RATE
ASSISTANT POOL MANAGER B	379.65	WEEKLY RATE
HEAD LIFE GUARD A	312.91	WEEKLY RATE
HEAD LIFE GUARD B	330.22	WEEKLY RATE
ASSISTANT LAW DIRECTOR	823.40	WEEKLY RATE

*These are confidential employees and are not in any bargaining unit.

**certain restrictions do apply - must work a minimum of 20 hours per week



Department of Commerce

Division of Industrial Compliance
& Labor

Ted Strickland, Governor
Kimberly A. Zurz, Director

2011 Ohio Minimum Wage

The 2011 Ohio Minimum Wage is as follows:

- \$7.40 per hour for non-tipped employees
- \$3.70 per hour for tipped employees (plus tips)

The Ohio Minimum Wage is \$7.25 per hour (tied to the federal minimum wage) for:

- Those employees whose employers gross \$271,000 or less per year
- 14 & 15 year olds

RESOLUTION NO. R-135-10

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT
WITH QUINT CREATIVE GROUP, LLC, IN THE AMOUNT OF \$45,000**

WHEREAS, on August 5, 2009, the City of Piqua was a recipient of a \$90,000 grant from the United States Department of Agriculture's Rural Business Enterprise Grant to establish a revolving loan fund for the purposes of increasing economic opportunities for industrial and commercial concerns within the City of Piqua; and

WHEREAS, the City of Piqua has received an application for a loan from the revolving loan fund from Quint Creative Group, LLC; and

WHEREAS, the application has been deemed to be complete and is recommended for approval by the City Commission; 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 the terms of the loan, an amount not exceeding a total of \$45,000;

SEC. 2: The City shall submit and execute all necessary documentation with Quint Creative Group, LLC and the United States Department of Agriculture to facilitate the execution of the loan agreement;

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

(Tabled –11-16-2010)

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of November 16, 2010

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: Approval of Loan Request from Quint Creative Group in the amount of \$45,000

PURPOSE:

The purpose of this resolution is to approve the request from Quint Creative Group in the amount of \$45,000 from the city's United States Department of Agriculture Economic Development Revolving Loan Fund.

RECOMMENDATION:

City Staff recommends that the City Commission adopt the resolution approving the loan to Quint Creative Group in the amount of \$45,000.

BACKGROUND:

In 2009, the City of Piqua received a \$90,000 grant from the United States Department of Agriculture, which provided initial funding for an Economic Development Revolving Loan Fund. The funding provided by the United States Department of Agriculture allowed for a great deal of flexibility on the eligible activities that the funding could be used for and also had broad criteria which allowed the funding to be used for more businesses in the community. The community has until February 2011 to expend the grant funds provided by the United States Department of Agriculture.

ALTERNATIVES:

1. Adopt the resolution approving the Loan to Quint Creative Group.
2. Do not adopt the resolution denying the loan.

DISCUSSION:

As previously stated, in 2009, the City of Piqua received a \$90,000 grant from the United States Department of Agriculture. The grant supports businesses that have fifty or fewer employees and gross revenues of less than \$1,000,000. The City has marketed the program through public access television programs, news releases, the city website and by mailing informational packets to local banks.

The program received an application from Quint Creative Group, a business that was established in 2009, but was an outgrowth of Quint Custom Signs, a local business that has had a community presence for over ten years in the City of Piqua.

The business has indicated that it needs funds through our program for the purchases of a Computer Numerically Control (CNC) Machine. The machine will help the small business by performing more of their graphic arts production in house rather than needing to contract this work to other providers. By 2013, the small business plans to have a payroll of approximately \$70,000. At current tax rates, this new payroll equates to roughly an additional of \$1,225 of income tax revenue per year.

After conducting a preliminary review of Quint Creative Group's application package with the United States Department of Agriculture, it has been determined by City Staff that a loan package of \$45,000 be offered to Quint Creative Group over a term of seven years at a 3% annual percentage rate. The loan will be secured by having liens and financing statements on all equipment purchased by the loan funds.

If City Commission decides not to adopt the resolution, Quint Creative Group would either have to rely on private sector support or Quint Creative Group may decide not to move forward with becoming established in the community.

FINANCIAL IMPACT:

There is no negative financial impact to adopt the resolution. The funds that are being used to support this loan are coming from grant-funded dollars that have already been committed for the city's use by the United States Department of Agriculture. Additionally, since this is a loan, the city will receive the payments from the loan directly. The loan is expected to generate \$4,946 in interest payments over the next seven years. These dollars can be loaned out in the future by the community for businesses that meet the general criteria established by the United States Department of Agriculture. In addition, the small business plans to have a payroll of approximately \$70,000. At current tax rates, this new payroll equates to roughly an additional of \$1,225 of income tax revenue per year.

COMMUNITY IMPACT:

The impact of this program will be focused primarily on those businesses that take advantage of the program. The offering of incentives and programs to our business community provide the community with tools to help attract, retain and grow the businesses that are part of the community. Programs such as the United States Department of Agriculture Revolving Loan Fund are such tools that accomplish of the goals of economic development within the community.

CONFORMITY TO CITY PLANS & POLICIES:

This loan 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-139-10

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR ASSISTANCE IN THE REMOVAL AND REPLACEMENT OF ASH TREES IMPACTED BY THE EMERALD ASH BORER WITHIN THE CITY OF PIQUA

WHEREAS, the Ohio Department of Natural Resources has announced that funding is available to communities to assist with the removal and replacement of ash trees within public rights-of-way and public lands inflicted with the Emerald Ash Borer, and

WHEREAS, the City of Piqua has been determined by the Ohio Department of Natural Resources to be an eligible applicant of the funds being provided; and

WHEREAS, the City of Piqua has an adopted Emerald Ash Borer Management Plan that calls for taking productive measures in the management of Ash trees impacted by the Emerald Ash Borer,

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

SEC. 1: The City Manager is hereby authorized to submit a grant application to the Ohio Department of Natural Resources for the removal and replacement of ash trees impacted by the Emerald Ash Borer.

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



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 7, 2010

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: Approval of Resolution for Assistance from the Ohio Department of Natural Resources for the Removal and Replacement of trees impacted by the Emerald Ash Borer

PURPOSE:

The purpose of this resolution is to submit a request to the Ohio Department of Natural Resources for \$6,000 for the removal and replacement of trees impacted by the Emerald Ash Borer.

RECOMMENDATION:

City Staff recommends that the City Commission adopt the resolution allowing the City Manager to submit a request to the Ohio Department of Natural Resources for the removal and replacement of trees impacted by the Emerald Ash Borer.

BACKGROUND:

In the Summer of 2006, the Emerald Ash Borer was first spotted in the community at the Interstate 75 rest area south of the City of Piqua. In response, state officials placed the area under firewood quarantine and the City of Piqua coordinated with the Ohio Department of Natural Resources to develop an Emerald Ash Borer Emergency Management Plan. The plan impacts ash trees in public areas and the public right-of-way. The plan outlines that Ash trees will be removed and replaced with trees that will not be impacted by the Emerald Ash Borer.

In late 2010, the Ohio Department of Natural Resources announced that a limited amount of funds would be available to assist communities impacted by the Emerald Ash Borer to implement specific portions of their Emerald Ash Borer Emergency Management Plan. This funding requires a 50% match from the communities which are applying for the funds. City staff has identified a donor from the community that will commit \$6,000 for the project, if the city receives the funds.

ALTERNATIVES:

1. Adopt the resolution approving the submission of the request for funding.
2. Do not adopt the resolution and the request for funding will not be submitted.

DISCUSSION:

As previously stated, in response to the Emerald Ash Borer being sighted in the community, the City of Piqua developed and began implementation on an Emerald Ash Borer Emergency Management Plan which basically stated that the City would eliminate Ash trees and monitor the advancement of the Emerald Ash Borer. Ash trees that were removed due to the plan, would be replaced, as the community's resources would allow.

In 2010, the Ohio Department of Natural Resources announced limited funding for those counties which are in the state designated firewood quarantine area; Miami County is in such a designated area. The funding requires those communities that are applying for the funds to provide a 50% match for the funding. City Staff has identified an individual who has pledged \$6,000 for the community's match to utilize the funding from the Ohio Department of Natural Resources.

Given the needs of the community along with the funds available from the donor and the Ohio Department of Natural Resources, the city has developed a strong strategy which will leverage the funds available to eliminate and replace those Ash trees that have been identified by the City as being the most hazardous to the community. Fifteen trees have been identified for removal and replacement throughout the community.

FINANCIAL IMPACT:

There is no negative financial impact to adopt the resolution. Even though the grant application requires a significant match, at 50%, the community's required match is being provided by a donor from the community. The total project cost will be \$12,000.

COMMUNITY IMPACT:

The impact of this program will eliminate and replace fifteen trees that are in extreme danger of being impacted by the Emerald Ash Borer. If these trees fail, these trees will need to be immediately removed. These trees, if not removed in a timely fashion, may become a liability issue for the community, especially if a fallen tree causes any damage. This grant, takes care of the most pressing needs when battling the Emerald Ash Borer.

CONFORMITY TO CITY PLANS & POLICIES:

This loan is in compliance with the community's Emerald Ash Borer Emergency Management Plan.

RESOLUTION NO. R-140-10

A RESOLUTION AUTHORIZING THE CITY OF PIQUA TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION PROGRAM

WHEREAS, The State of Ohio, Department of Development, provides financial assistance to local governments for the purpose of addressing local needs; and

WHEREAS, The City of Piqua desires to participate in the Program to receive financial assistance for the Piqua Memorial Hospital under the Clean Ohio Revitalization Fund; and

WHEREAS, The City of Piqua has the authority to apply for financial assistance and to administer the amounts received from the State of Ohio, Clean Ohio Council, Clean Ohio Revitalization Fund; and

WHEREAS, The City of Piqua must direct and authorize Frederick E. Enderle, City Manager to act in connection with the application and to provide such additional information as may be required.

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 Commission of the City of Piqua authorizes Frederick E. Enderle as the official representative of the City of Piqua application to participate in the State of Ohio, Department of Development and provide all information and documentation required in said Application for State of Ohio, Clean Ohio Council, Clean Ohio Revitalization Fund submission.

SEC. 2: That the City of Piqua hereby approves filing an application for financial assistance under the Clean Ohio Revitalization Fund.

SEC. 3: That the City of Piqua hereby understands and agrees that participation in the Program will require compliance with program guidelines and assurances.

SEC. 4: That the City of Piqua hereby commits itself to provide the match described in the application.

SEC. 5: 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 December 7, 2010

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: Approval of a Set of Four Resolution for the Purposes of Applying for funds from the Clean Ohio Revitalization Fund for the demolition and remediation of the Piqua Memorial Hospital Site

PURPOSE:

There is a set of four recommended resolutions that the City Commission is being asked to consider to adopt which will accomplish different aspects of the filing procedures dealing with the Clean Ohio Revitalization Fund.

The first resolution, a resolution authorizing the City of Piqua to file an application to the State of Ohio to participate in the Clean Ohio Revitalization Program, is a required piece of legislation that will allow the City of Piqua to actually apply for the funding.

The second resolution, a resolution in support of an application to the Clean Ohio Council, is another required piece of legislation, which actually states that the community is in support of the filing of the application. This resolution may seem redundant to the first resolution, but it is not. There are many different authorized applicants in the program and in this instance the community is both the applicant and a supporting party.

The third resolution, a resolution acknowledging and adopting the state of the Piqua Memorial Hospital Site as the highest priority redevelopment area as defined in the Redevelopment Opportunities Redevelopment Analysis Report, is a resolution that, if adopted, will yield additional points in the City's Clean Ohio Revitalization Fund application.

The fourth resolution, a resolution declaring that future development at the site of the Piqua Memorial Hospital will incorporate sustainable design principles, is a resolution that, if adopted, will yield additional points in the City's Clean Ohio Revitalization Fund application.

RECOMMENDATION:

Adopt the four set of resolutions which will authorize the filing of the Clean Ohio Revitalization Fund application and will maximize all opportunities for the City of Piqua to be rewarded with as many ranking points as possible, increasing the City's chances to be funded.

BACKGROUND:

In 2009, a private demolition project began on the former Piqua Memorial Hospital. The project was aborted by the property owner after their hired contractor worked on the demolition project in a manner that was not environmentally sensitive. The situation became serious enough that the United States Environmental Protection Agency came in and contracted for an emergency level of environmental remediation that was caused by the contractor. Through that process the property owner expended \$1.2 million that will be used, within the Clean Ohio Revitalization Fund guidelines, as match for this grant.

The City of Piqua, in cooperation with the current property owner, contracted with Weston Environmental Services to perform a Voluntary Action Plan Phase I Environmental Assessment. It should be noted that the cost of the assessment was paid for by the current property owner. This assessment was the basis for the City of Piqua's request for funding through the Clean Ohio Assistance Fund. Earlier this year, the City of Piqua received a grant for \$199,903 for a Phase II Environmental Assessment for the site. The Phase II Environmental Assessment will be the basis of the grant request to the Clean Ohio Revitalization Fund.

The Clean Ohio Revitalization Fund is a highly competitive grant program which is designed to provide clean up and redevelopment activities at environmentally contaminated areas throughout the State of Ohio. Given the level of assistance that program provides, the Clean Ohio Revitalization Fund is viewed by City Staff as the most viable option to remediate the environmental concerns that exist at the property.

Through the Clean Ohio Revitalization Fund, applicants are allowed to apply up to \$2.0 million for all allowable costs within the program. Discussions with our environmental consultant at this point indicate that the application will be for the maximum amount of \$2.0 million. The environmental consultant does not expect that the remaining costs of the project will be more than \$2.0 million; however, in the event that the costs are higher, the environmental consultant has developed relationships with demolition contractors that specialize in salvaging materials specifically from hospitals. The consultant has indicated while there has not been an accurate inventory of materials in the building, there is a substantial amount of materials that can be salvaged to drive the cost of the project down.

ALTERNATIVES:

1. Adopt all four resolutions allowing for the filing of the application and maximizing all points available through the grant scoring process.
2. Adopt the first two resolutions allowing for the filing of the application and deny the last two resolutions, which will not allow for the application to receive the maximum points available.
3. Do not adopt any of the resolutions, which will not allow for the filing of the applications and provide further guidance.

DISCUSSION:

As previously stated there is a set of four resolutions in which adoption is being requested. The first two resolutions are required resolutions, which state that the City of Piqua is

authorized to file the application and state the City's support for the application. The other two applications allow the application to be rated higher.

The third resolution states that Piqua Memorial Hospital site is one of the highest priority areas for redevelopment in community. In April 2010, the City of Piqua finished the community's Redevelopment Opportunities Redevelopment Analysis Report. This analysis report identified areas in the community that were objectively seen as in need of redevelopment while providing short and medium range goals to allow for their development and identifying financial options to allow for the redevelopment to take place. The Piqua Memorial Hospital site was identified as an area in need of redevelopment and the Clean Ohio Revitalization Fund was identified as a source of funds. By adopting the resolution, the City is simply stating that it acknowledges and adopts the facts of the plan dealing with the Piqua Memorial Hospital. Adoption of this resolution demonstrates to the Clean Ohio Council that the city views redevelopment opportunities in a systematic and comprehensive manner and will yield additional points for the community's application.

It is important to state that one of the major objectives of the Clean Ohio Revitalization Fund is not just to provide funding to simply remediate environmental issues that may exist at specific sites throughout the state, but also lay the foundation that future development on supported sites are completed in a manner that supports the principles of sustainable development. The fourth resolution commits the parcel to be redeveloped in a manner than is deemed to be sustainable through adherence to Leadership in Energy and Environmental Design (LEED) Standards.

There are four different sets of LEED standards; certified, silver, gold and platinum. During an audit of a building, the new structure received points; accordingly, the higher the point total, the higher the standard. According to research, buildings that are LEED certified, tend to be 25-30% more energy efficient than non-LEED certified buildings. These savings are usually attributed to better temperature control, improved lighting controls and reduced indoor air pollution. LEED certified buildings tend to command higher rents once completed, however, the cost of construction of a new LEED certified building has been estimated to be 3% for a basic certified building and 6% for a silver certified building.

FINANCIAL IMPACT:

There is no negative financial impact to adoption of the resolutions. For the grant, the City of Piqua is using the \$1.2 million already spent by the current property owner as match dollars for the grant. Grant rules stipulate that the funds must have been spent within the past two years, in which these funds have been. Unfortunately, if the community is unsuccessful in receiving grant funds during this round, the city will lose the ability to have the \$1.2 million already spent to count towards the match since the two year "look back window" will have expired.

If the city is to receive the grant funding, the City will take ownership of the property and will oversee clean up of the property in accordance with the grant agreement with the state. Upon completion, the City will have an environmentally clean set of parcels, which can be marketed.

COMMUNITY IMPACT:

The impact on these four resolutions and the subsequent grant application can have far reaching effects on the community. Since the closing of the Piqua Memorial Hospital in the late 1990s, the community has been burdened with a building that has become an outlet for vandalism, a severe public health risk and an aesthetic eyesore. Efforts to redevelop this property with the building have fallen flat each and every time. Upon demolition and remediation of the property, the community will be in a position to rid itself of this most unfortunate building.

CONFORMITY TO CITY PLANS & POLICIES:

This opportunity for grant funding capitalizes on leveraging other funds to further the community's goals. More importantly, the demolition, clean up and redevelopment of the hospital site is consistent with the community's plans and policies.

RESOLUTION NO. R-141-10

A RESOLUTION IN SUPPORT OF AN APPLICATION TO THE CLEAN OHIO COUNCIL

WHEREAS, The City of Piqua is interested in supporting the City of Piqua's application to the Clean Ohio Council for the Clean Ohio Revitalization Fund – Piqua Memorial Hospital Project; and

WHEREAS, The State of Ohio, through the Clean Ohio Council, provides financial assistance to local governments for the purpose of addressing local needs; and

WHEREAS, The City of Piqua is submitting a Clean Ohio Revitalization Fund Program Application to completed the eligible activities, including but not limited to the performance of remedial activities at the Piqua Memorial Hospital Project; and

WHEREAS, The Piqua Memorial Hospital Project is an approximately 6 1/2 acre property located principally at 624 Park Avenue and 813 Nicklin Avenue identified as Permanent Parcel Numbers N44-011205 through N44-011209 and N44-011211 through N44-011215 and located within the boundary of the City of Piqua; and

WHEREAS, The City of Piqua intends to remediate the property, which formerly operated as the Piqua Memorial Hospital for future redevelopment; and

WHEREAS, The City of Piqua is committed to working with the City of Piqua to prepare and submit the Application for the Clean Ohio Revitalization Fund to pursue the remediation and redevelopment of the property; and

WHEREAS, The Clean Ohio Revitalization Fund grant is vital to making the completion of the Piqua Memorial Hospital Project redevelopment project economically feasible.

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

SEC. 1: The City of Piqua approves and authorizes the City of Piqua to submit a Clean Ohio Revitalization Fund application for work at the Piqua Hospital and that the District 11 Integrating Committee and the Clean Ohio Council are encouraged to fund this innovative and worthwhile project.

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-142-10

A RESOLUTION ACKNOWLEDGING AND ADOPTING THE STATUS OF THE PIQUA MEMORIAL HOSPITAL SITE AS ONE OF THE HIGHEST PRIORITY REDEVELOPMENT AREAS AS DEFINED IN THE REDEVELOPMENT OPPORTUNITIES REDEVELOPMENT ANALYSIS REPORT

WHEREAS, In April 2010, the Redevelopment Opportunities plan was completed outlining and prioritizing specific sites in the community for redevelopment; and

WHEREAS, The Piqua Memorial Hospital site was identified as one of the highest priority redevelopment sites in the Redevelopment Opportunities Redevelopment Analysis Report; and

WHEREAS, It is in the best interest of the City of Piqua to formally acknowledge the fact that the Piqua Memorial Hospital site was identified as one of the highest priority sites in said plan in order to maximize opportunities through the Clean Ohio Revitalization Fund Program.

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

SEC. 1: The City of Piqua acknowledges and adopts the fact that the Piqua Hospital Site at 624 Park Avenue/813 Nicklin Avenue is one of the highest priority sites for redevelopment within the City of Piqua.

SEC. 2: The City Manager is directed to submit a copy of this resolution with the City of Piqua's Clean Ohio Revitalization Fund application for consideration by the Clean Ohio Council and the District 11 Integrating Committee.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-143-10

A RESOLUTION DECLARING FUTURE DEVELOPMENT AT THE SITE OF THE PIQUA MEMORIAL HOSPITAL WILL INCORPORATE SUSTAINABLE DESIGN PRINCIPLES

WHEREAS, This Commission believes that high-performance buildings are desirable for the City of Piqua because they protect, conserve, and enhance environmental resources, yield cost savings to the City of Piqua's taxpayers through reduced operating costs, and the provision of healthy work and living environments; and

WHEREAS, The City of Piqua desires to merge sound, environmentally responsible practices into one discipline that looks at the environmental, economic and social effects of a building or built project as a whole.

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

SEC. 1: The City of Piqua will require the use of building materials and methods that promote environmental quality, economic vitality and social benefit through the design, construction and renovation at the Clean Ohio Revitalization Fund Project – Piqua Memorial Hospital located at 624 Park Avenue/813 Nicklin Avenue.

SEC. 2: The City of Piqua will require the establishment of performance goals for both renovation and new construction projects located at 624 Park Avenue/813 Nicklin Avenue and require utilization of Leadership in Energy and Environmental Design (LEED) standards developed by United States Green Building Council.

SEC. 3: This Resolution shall take effect only if the City of Piqua is successful in receiving grant funds for the Piqua Memorial Hospital Project through the Clean Ohio Revitalization Fund.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-144-10

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO APPLY FOR CITY MEMBERSHIP TO AMERICAN
MUNICIPAL POWER INC.**

WHEREAS, Section 30.01 of the Piqua Code requires this Commission's approval for the City Manager to join trade organizations with annual membership dues in excess of \$25,000;

WHEREAS, Piqua receives wholesale Power Supply from AMP. In addition, Piqua participates in the development of long-term generation assets by AMP, Inc. including the the Prairie State Energy Campus and several hydroelectric projects thus providing the need for the City to continue membership with AMP.

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 and directed to continue the City's membership to AMP for 2011.

SEC. 2: The Finance Director is hereby authorized to draw her warrants 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 December 7th, 2010

TO: Fred Enderle, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: AMP Membership Dues for 2011

PURPOSE:

Approve the Resolution No. R-144-10, allowing the City of Piqua Power System to continue its membership in American Municipal Power for 2011.

RECOMMENDATION:

I am requesting approval of Resolution No. R-144-10, which will allow the City of Piqua Power System to continue its membership in American Municipal Power for 2011.

BACKGROUND:

American Municipal Power was founded in 1971 with the purpose of providing the generation, transmission and distribution of electric power and energy to its members at lower costs. This purpose is served by joint ownership of electric facilities, pooled buying power in the energy markets and pursuing additional means of generating, transmitting and distributing electric power and energy.

The original members were all located in Ohio, giving American Municipal Power-Ohio, or AMP-Ohio its name. By 2009, AMP-Ohio had grown to serve member communities in six states, thus the Board of Trustees dropped Ohio from the name to better reflect the growing geographic footprint. AMP membership now includes 128 electric municipalities located in the states of Ohio, Michigan, Pennsylvania, Virginia, Kentucky and West Virginia who in turn serve over 570,000 electric customers. AMP is owned and governed by its member communities.

ALTERNATIVES:

- 1) Approve Resolution NO. R-144-10 allowing the City of Piqua Power System to continue its membership in American Municipal Power for 2011.
- 2) Do not approve Resolution NO. R-144-10, which will terminate the City of Piqua Power System's membership in American Municipal Power for 2011.
- 3) Do not approve the Resolution and provide staff with further direction

DISCUSSION:

AMP has been Piqua's power supplier since 2007. Piqua is also participating in several long-term generation assets under development by AMP, including the Prairie State Energy Campus and the Cannelton, Smithland, Willow Island, Meldahl and Greenup hydroelectric projects. Piqua currently is a governing member of the AMP Board of Trustees.

FINANCIAL IMPACT:

The Power System has included \$40,500 in the 2011 budget to cover the cost of AMP membership dues.

COMMUNITY IMPACT:

The approval of Resolution No. R-144-10 will provide the City of Piqua Power System the member benefits of AMP. These benefits allow the Power System to continue to operate under the high standards and reliability that is expected by our community.

CONFORMITY TO CITY PLANS & POLICIES:

Section 30.01 of the Piqua Code requires commission approval to join trade organizations with annual membership dues in excess of \$25,000. The Energy Board members unanimously approved to continue its membership in American Municipal Power for 2011 during the meeting of November 23, 2010.

RESOLUTION NO. R-145-10

**A RESOLUTION AUTHORIZING THE CITY
PURCHASING AGENT TO PURCHASE
#2 FUEL OIL ON THE OPEN AND SPOT
MARKET**

WHEREAS, Section 34.19 of the Piqua Code permits the purchase of supplies for City departments without advertising when, in the judgment of the City Purchasing Agent, advertising would not be of any material economic benefit; and

WHEREAS, it is the judgment of the City Purchasing Agent that purchasing #2 fuel oil for the City, at the best price available when it is needed, on the open and spot market during the year 2011 without advertising, is permissible and advisable by said Section 34.19;

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 Purchasing Agent is authorized to dispense with advertising for the purchase of #2 fuel oil for the City during the year 2011 and to make said purchases at the best price available when it is needed on the open and spot market;

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasury from time to time to pay for said purchases.

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 December 7th, 2010

TO: Fred Enderle, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: #2 Fuel Oil Purchases for 2011

PURPOSE:

Approve the Resolution No. R-145-10 authorizing the City of Piqua Power System to purchase #2 fuel oil as needed for 2011.

RECOMMENDATION:

I am requesting approval of Resolution No. R-145-10, which will authorize the City of Piqua Power System to purchase #2 fuel oil as needed for 2011 from one or more of the suppliers listed below.

BACKGROUND:

The Power System owns and operates two combustion turbine generators that burn #2 fuel oil to generate electricity. These units are peak load generating units, which mean they are only used to meet requirements during the periods of greatest or peak load on the system. These units may also be operated as part of PJM's demand response program, for which the City receives significant financial benefit. The use of these units fluctuates annually.

ALTERNATIVES:

- 1) Approve Resolution No. R-145-10 authorizing the City of Piqua Power System to purchase #2 fuel oil as needed for 2011.
- 2) Do not approve Resolution No. R-145-10.
- 3) Do not approve the Resolution and provide staff with further direction

DISCUSSION:

The Power System purchases #2 fuel oil at various times during the year, depending on how often the combustion turbine generators are operated. In previous years these purchases have been made by obtaining quotes from various suppliers prior to placing an order. The quantity and timing of fuel burned annually fluctuates depending on the need to run the generating units. This coupled with the unpredictable fuel market makes it impractical to obtain an annual fixed cost for this commodity. Recent suppliers of fuel oil include:

- Earhart Petroleum Inc., 1494 Lytle Rd., Troy OH
- Burke Petroleum Inc., 315 W. First St., Minster OH
- Ports Petroleum Co. Inc., 1337 Blachleyville Rd., Wooster OH
- Kevin Mote Petroleum Distributor Inc., 11611 St. Rte. 571, Laura OH
- Schafer Oil Co., 9201 St. Rte. 66, Fort Loramie OH

It is necessary for the Power System to purchase #2 fuel oil as needed for 2011 from one or more of the suppliers listed above.

FINANCIAL IMPACT:

The Power System has included \$50,000 in the 2011 budget to cover these potential purchases.

COMMUNITY IMPACT:

The approval of Resolution No. R-145-10 will allow the City of Piqua Power System to purchase #2 fuel oil as needed, which will minimize the total cost of fuel oil.

CONFORMITY TO CITY PLANS & POLICIES:

Section 34.19 of the Piqua Code permits the purchase of supplies for City Departments without advertising when, in the judgment of the City Purchasing Agent, advertising would not be of any material economic benefit. The Energy Board members unanimously approved to purchase #2 fuel oil as needed for 2011 during the meeting of November 23, 2010.

RESOLUTION NO. R-146-10

A RESOLUTION RETAINING THE SERVICES OF SAWVEL AND ASSOCIATES TO PROVIDE PROFESSIONAL CONSULTING AND ENGINEERING SERVICES FOR THE CITY

WHEREAS, it is deemed advisable for the City to retain the services of Sawvel and Associates as a professional firm to provide consulting and engineering services for the Power System; and

WHEREAS, Sawvel and Associates will provide professional services for which the solicitation of bids would, in the City Manager's judgment, be of no material benefit.

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: Sawvel and Associates is hereby retained by the City of Piqua as a professional consulting and engineering firm.

SEC. 2: For such services, Sawvel and Associates shall be paid just and reasonable fees as approved by the City Manager, incurred in rendering such services, from funds appropriated, or that may be appropriated by this Commission from time to time for such purposes until December 31, 2011;

SEC. 3: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasury from time to time in payment for said services rendered;

SEC. 4: It is found and determined that all formal actions of this Commission concerning and relating to the adoption of this resolution were adopted in an open meeting of this Commission, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements;

SEC. 5: 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 December 7th, 2010

TO: Fred Enderle, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: Sawvel and Associates

PURPOSE:

Approve the Resolution No. R-146-10 authorizing the City of Piqua Power System to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2011.

RECOMMENDATION:

I am requesting approval of Resolution No. R-146-10, which will authorize the Power System to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2011.

BACKGROUND:

Sawvel and Associates (Sawvel) is an independent consulting and engineering firm located in Findlay, Ohio. Sawvel provides services to a number of publicly owned utilities in Ohio, Indiana and Michigan. For over twenty years, Sawvel has provided the Piqua Power System with cost-of-service and rate design, advised the City on electric power supply and transmission arrangements, and made recommendations concerning Piqua's potential participation in AMP joint-venture generating projects.

ALTERNATIVES:

- 1) Approve Resolution No. R-146-10 authorizing the City of Piqua Power System to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2011.
- 2) Do not approve Resolution No. R-146-10.
- 3) Do not approve the Resolution and provide staff with further direction

DISCUSSION:

I would consider the employees of Sawvel to be an extension of the Power System staff. Over the years, Sawvel employees have proven to be readily available, as well as an invaluable resource to assist with making difficult decisions related to the long-term interests of the Power System. In 2011, Sawvel will work with Piqua staff to complete the following initiatives:

- Update Long-Range (2011-2021) Business Plan
- Evaluate Market Power Purchases
- Evaluate AMP Generation Opportunities
- Provide Consulting and Engineering on Additional Items as Needed

FINANCIAL IMPACT:

The Power System has included \$80,000 in the 2011 budget to cover the cost of these services.

COMMUNITY IMPACT:

The approval of Resolution No. R-146-10 will provide the City of Piqua Power System professional consulting and engineering services. These benefits allow the Power System to continue to operate under the high standards and reliability that is expected by our community.

CONFORMITY TO CITY PLANS & POLICIES:

Sawvel will provide professional services for which the solicitation of bids would be of no material benefit. The Energy Board members unanimously approved to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2011 during the meeting of November 23, 2010.

RESOLUTION NO. R-147-10

A RESOLUTION RETAINING THE SERVICES OF COOPERATIVE RESPONSE CENTER, INC. TO PROVIDE PROFESSIONAL CUSTOMER CALL ANSWERING AND DISPATCH SERVICES FOR THE CITY

WHEREAS, it is deemed advisable for the City to retain the services of Cooperative Response Center, Inc. as a professional firm to provide customer call answering and dispatch services for the Power System; and

WHEREAS, the Cooperative Response Center, Inc. will provide professional services for which the solicitation of bids would, in the City Manager's judgment, be of no material benefit.

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 Cooperative Response Center, Inc. is hereby retained by the City of Piqua as a professional customer call service firm.

SEC. 2: For such services, the Cooperative Response Center, Inc. shall be paid just and reasonable fees as approved by the City Manager, incurred in rendering such services, from funds appropriated, or that may be appropriated by this Commission from time to time for such purposes until December 31, 2011;

SEC. 3: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasury from time to time in payment for said services rendered;

SEC. 4: It is found and determined that all formal actions of this Commission concerning and relating to the adoption of this resolution were adopted in an open meeting of this Commission, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements;

SEC. 5: 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 December 7th, 2010

TO: Fred Enderle, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: Cooperative Response Center

PURPOSE:

Approve the Resolution No. R-147-10 authorizing the City of Piqua Power System to retain the services of the Cooperative Response Center, Inc. to provide professional customer call and dispatch services for 2011.

RECOMMENDATION:

I am requesting approval of Resolution No. R-147-10, which will authorize the Power System to retain the services of the Cooperative Response Center, Inc. to provide professional customer call and dispatch services for 2011

BACKGROUND:

In March of 2007, the Power System began utilizing the Cooperative Response Center (CRC), headquartered in Austin, Minnesota to provide after-hours call answering and dispatch services. This arrangement was necessitated when the steam and hot water system was shutdown in December of 2006. This resulted in the elimination of shift operators who provided these same services for the Power System, although in a significantly less efficient manner.

ALTERNATIVES:

- 1) Approve Resolution No. R-147-10 authorizing the City of Piqua Power System to retain the services of the Cooperative Response Center, Inc. to provide professional customer call and dispatch services for 2011.
- 2) Do not approve Resolution No. R-147-10.
- 3) Do not approve the Resolution and provide staff with further direction

DISCUSSION:

To date, the Power System has been totally satisfied with the level of service provided by CRC, as well as the cost to provide these services. CRC was originally developed by a group of nineteen electric cooperatives in 1992. It has expanded to 263 members in 38 states. Calls are answered and dispatched from either the Austin, Minnesota or Dunlap, Tennessee Contact Centers. These centers received 2.25 million consumer calls in 2009.

FINANCIAL IMPACT:

The Power System has included \$30,000 in the 2011 budget to cover the cost of these services.

COMMUNITY IMPACT:

The approval of Resolution No. R-147-10 will provide the City of Piqua Power System professional customer call and dispatch services. These benefits allow the Power System to continue to operate under the high standards and reliability that is expected by our community.

CONFORMITY TO CITY PLANS & POLICIES:

CRC will provide professional services for which the solicitation of bids would be of no material benefit. CRC has been fully integrated into the operations of the Power System, and provides a significant advantage to our customers in terms of enhanced service reliability through its state-of-the-art after-hour call answering and dispatch services. The Energy Board members unanimously approved to retain the services of CRC to provide professional customer call and dispatch services for 2011 during the meeting of November 23, 2010.

RESOLUTION NO. R-148-10

A RESOLUTION AMENDING THE PURCHASE ORDER TO REYNOLDS INLINER, LLC. FOR A CURRENT CHANGE ORDER PLUS ADDITIONAL FUNDS ON THE 36" WEST INTERCEPTOR SEWER REHABILITATION PROJECT.

WHEREAS, by Resolution No. R-110-10 passed on Sept. 21st 2010 this Commission approved a contract with Reynolds Inliner, LLC to perform certain work on the 36" West Interceptor; and

WHEREAS, it was found that a change order is needed due to problems with the old sewer after starting to excavate; and

WHEREAS, the Engineering firm of Camp Dresser & McKee Inc. of Cincinnati has reviewed the current and any change orders to come; 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: This PO be changed to \$450,000 (Originally \$318,683) for change orders that have and could come as this project continues;

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 December 7, 2010

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

PURPOSE:

The City of Piqua Commission approval to increase the PO to Reynolds Inliner, LLC for the 36" West Interceptor Sewer Rehabilitation Project in order to replace additional sections of that sewer and rerouting of the sewer.

RECOMMENDATION:

Approval of this Resolution is to increase the original PO to pay for change orders approved by our Engineers for Option 2.

BACKGROUND:

This particular Change order is for additional repairs to the sewer section we are replacing. We need to go back further on this pipe to get the proper fall in order to take out a 7' drop in the line. We are asking for additional funds in case we have additional changes as this project continues.

ALTERNATIVES:

See the estimated options for the repair from Reynolds Inliner. Attached.

DISCUSSION:

This change order will coincide with the repairs that are taking place on the original contract and allow us to repair it correctly.

FINANCIAL IMPACT:

Should the City decide to approve this change order, the financial impact would be below estimated projections from the budget process of 2010. It was estimated \$679,150 and would increase the PO to \$450,000. Which is still under the final engineering estimate of \$550,000. Please see attached spreadsheet.

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:

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.

Dave Davis

From: Macomber, Jeffrey [MacomberJR@cdm.com]
Sent: Monday, November 29, 2010 12:37 PM
To: Todd Brandenburg; Dave Burtner; Dave Davis; Shane Johnson
Cc: Yoxthimer, Robert; Ebbeler, David
Subject: RE: Piqua West Interceptor - Two Options for Cost

I talked with Jeremy at Reynolds today about the 2 options for gravity sewer changes for the West Interceptor. Option #2 does not include the credit for the 43 feet of 36" sewer already under the base bid. This lowers their change order price from \$82,829 to \$72,638. This cost is in-line with what I estimated the extra work would cost (\$70,600).

Reynolds' bid included a line item price of \$237/LF of new 36" sewer installed, which was by far the lowest of all the received bids. Other bidders were at \$350/LF, \$360/LF, and \$489/LF. Taking out the manhole bases and abandoning pipe costs, I calculate their change order unit price around \$360/LF for new sewer installed. Given the rush order, more extensive rock excavation through longer unknown conditions, and protecting the Maplewood building foundation, the greater unit cost can be justified.

I recommend accepting the option #2 change order and moving forward.

Thanks,
Jeff

From: Macomber, Jeffrey
Sent: Tuesday, November 23, 2010 5:07 PM
To: 'Todd Brandenburg'; 'Dave Burtner'; 'Dave Davis'; 'Shane Johnson'
Cc: Yoxthimer, Robert; Ebbeler, David
Subject: FW: Piqua West Interceptor - Two Options for Cost

Here is the cost estimate for the additional work on the West Interceptor. They are recommending Option #2 at \$82,829. I had estimated this around \$70,600. I know they are concerned about the rock excavation. I'll compare to the bid tab to see how different their change order proposal is from their original bid.

Thanks,
Jeff

From: Jeremy Ingle [<mailto:jpingle@ReynoldsInc.com>]
Sent: Tuesday, November 23, 2010 4:55 PM
To: Macomber, Jeffrey; Jeff Armintrout
Subject: RE: Piqua West Interceptor - Two Options for Cost

Jeff,
Please see the attached cost breakdown for the requested work.

If you have any questions give me a call.

Thanks.

From: Macomber, Jeffrey [<mailto:MacomberJR@cdm.com>]
Sent: Tuesday, November 23, 2010 11:49 AM
To: Jeremy Ingle; Jeff Armintrout
Subject: RE: Piqua West Interceptor - Two Options for Cost

Have you guys come up with any costs for this potential change? We are looking to move pretty quickly in assessing the two options (or others if you have any).

Thanks,
Jeff

From: Macomber, Jeffrey
Sent: Thursday, November 18, 2010 1:31 PM
To: 'Jeremy Ingle'; Jeff Armintrout
Subject: Piqua West Interceptor - Two Options for Cost

Jeremy & Jeff,

We've come up with a couple options for the Piqua West Interceptor. Can you please review and provide cost estimates for either option? The City needs actual costs to help decide which way to go, either could work hydraulically. This will certainly be a change order to Reynolds' contract with C&G doing the work.

Attached are sketches/drawings for the two options to review, with details also below. Losing six feet of elevation is tough without a drop manhole, so we're increasing new sewer slope to make it up over a longer length.

1. Replace sewer in same alignment, steeper slope (8.5x11 sketch)

- a. Excavation is fairly deep and close to Maplewood's building. Take caution to not undermine its foundation.
- b. Extend sewer up 160 feet, lay new 36" sewer at 1.6% slope to match existing 49" invert
- c. This option salvages much of the existing manholes on-site, but needs a new MH, and couple changes to the others.

2. Replace sewer in new alignment, steeper slope (11x17 aerial drawing)

- d. Non-perform the 43 feet of 36" sewer through rock and relocate the new sewer section.
- e. Lay 103 feet of new sewer in new trench, likely needing to remove rock. Also watch out for the building foundation.
- f. Need to check OUPS since we're out of the previously disrupted trench line
- g. Not much salvage from the existing MHs, except the tops.

In any case, we're looking at slip lining the existing 49" sewer for a small section just to get into a new manhole on the upstream side. The 36" PVC bell will fit within the sewer ID, and can be sealed with a product like Adeka Seal or Greenstreak's Hydrotite, then encased in grout back to the new manhole. This gives us a 36" nominal penetration into a precast MH base that is more locally available.

Give me a call if you want to discuss.

Thanks,
Jeff

Jeff Macomber, P.E.

Project Manager | CDM | 8805 Governor's Hill Drive #260 | Cincinnati, OH 45249 | (p) 513-716-6533 | (c) 513-545-3132 | macomberjr@cdm.com



November 23, 2010

Jeff Macomber
Co; Camp Dresser & McKee, Inc.
8805 Governor's Hill Dr., Suite 260
Cincinnati, OH 45249

Re: 36" West Interceptor Sewer Rehabilitation Project No. 09-03

Mr. Jeff Macomber,

Reynolds Inliner, LLC is pleased to submit pricing on the above mentioned project

Option #1

Furnish New MH Bases (#71 and #76)

Furnish and Install New MH (1ea)

Furnish and Install additional 36" pipe (approx 173')

Rock Excavation

Repair Asphalt (Trench area)	1	LS	\$79,541.00	\$ 79,541.00
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Bypass Pumping per week	1	wk	\$11,334.00	\$ 11,334.00
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Bypass watch for 12hr shift	8	shift	\$ 900.00	\$ 7,200.00
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36" PVC Replacement under original contract	43	ft	\$ 237.00	\$ 10,191.00
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Option #1 price \$108,266.00

Option #2

Furnish new MH bases (#71 & #76)

Furnish and install 36" Pipe (approx 116lf)

Rock Excavation

Repair Asphalt (Trench area)

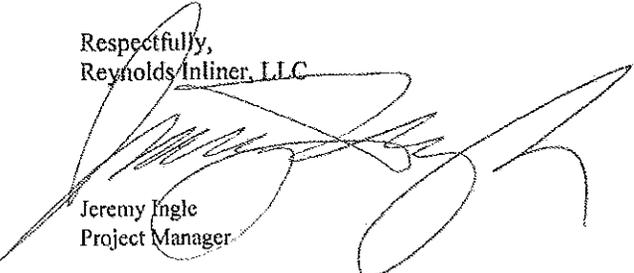
Abandon Existing Pipe W/LSM	1	LS	\$64,295.00	\$ 64,295.00
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Bypass Pumping per week	1	wk	\$11,334.00	\$ 11,334.00
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Bypass watch for 12hr shift	8	shift	\$ 900.00	\$ 7,200.00
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Option #2 price \$ 82,829.00

Respectfully,
Reynolds Inliner, LLC

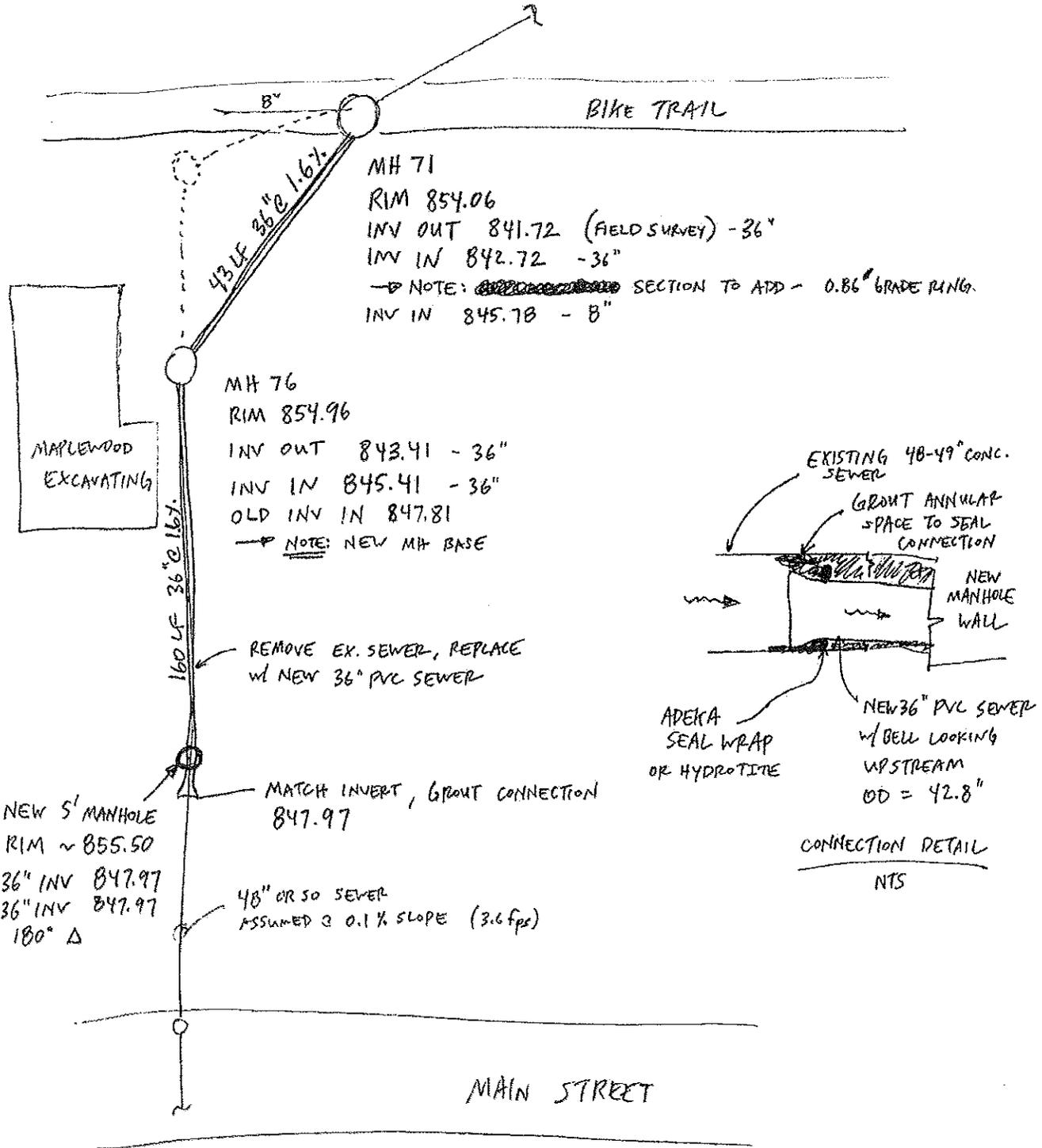


Jeremy Ingle
Project Manager

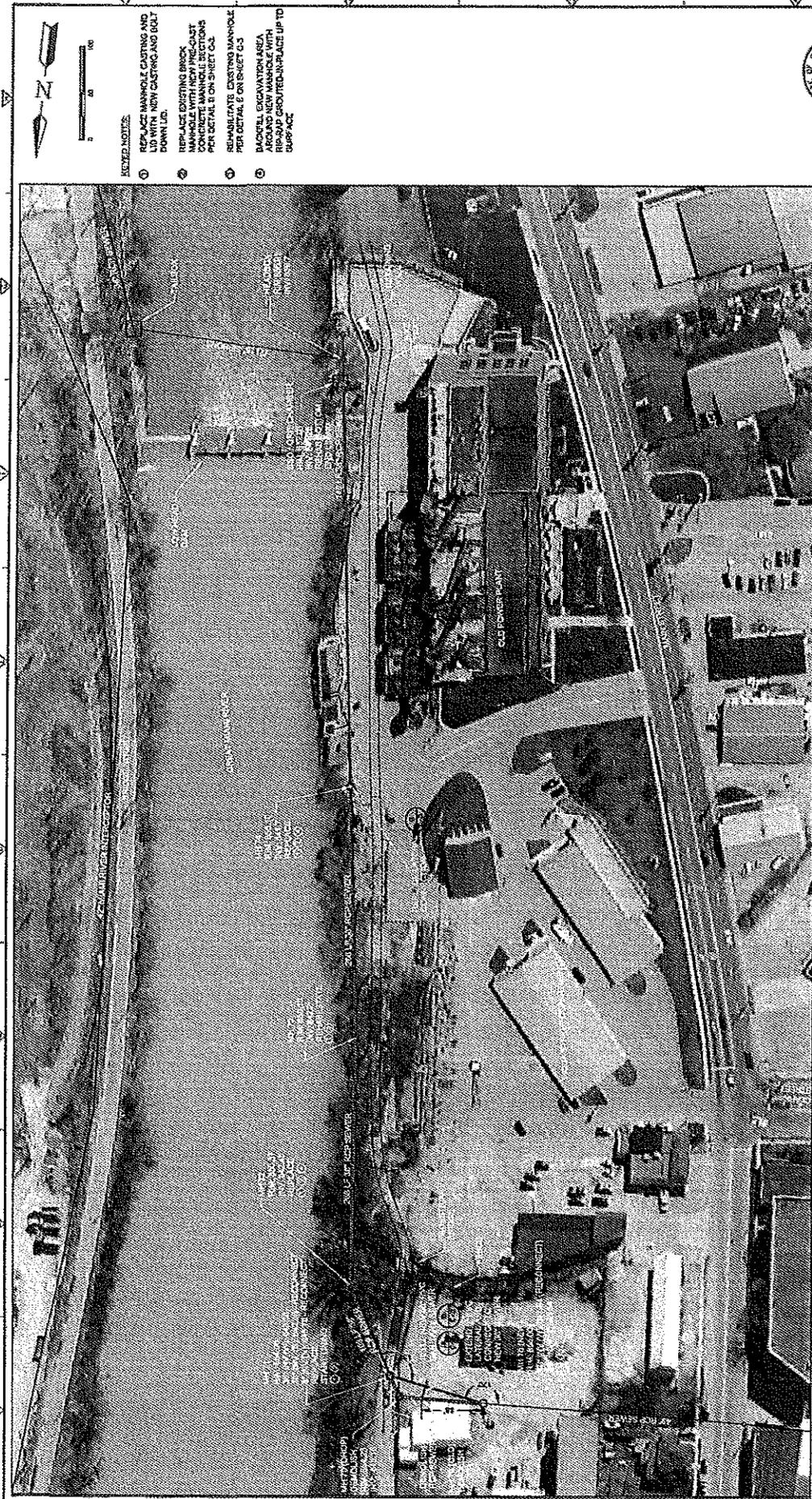
4143 Weaver Court Hilliard, OH 43026 614/529-6440 Fax: 614/529-6441

Birmingham, AL • Phoenix, AZ • Clearwater, FL • Ft. Lauderdale, FL • Lake Mary, FL • Longwood, FL
Atlanta, GA • Orleans, IN • Fairfield, ME • Charlotte, NC • Hilliard, OH • Baytown, TX

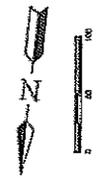
Handwritten signature/initials



OPTION 1
 SAME ALIGNMENT



- NOTED NOTES:**
- 1 REPLACE MANHOLE CASTING AND LID WITH NEW CASTING AND BOLT DOWN LID.
 - 2 REPLACE EXISTING BRICK MANHOLE WITH NEW PRE-CAST CONCRETE MANHOLE WITH METAL B ON STREET CO.
 - 3 REHABILITATE EXISTING MANHOLE PER DETAIL 6 ON SHEET C-2.
 - 4 BACKFILL EXCAVATION AREA AROUND NEW MANHOLE WITH SAND AND GRAVEL. PLACE UP TO SURFACE.



PROJECT NO. 47766-7152
 FILE NAME: _____
 SHEET NO. C-2

WEST INTERCEPTOR WORK AREA

CITY OF Piqua, Ohio
 36" WEST INTERCEPTOR
 SEWER REHABILITATION

WEST INTERCEPTOR WORK AREA
 PLAN
 1"=50'

CDM
 City of Piqua
 1000 Main Street
 Piqua, Ohio 45351

DESIGNED BY: J. J. COLELLA
 CHECKED BY: J. J. COLELLA
 DATE: 04/10/12
 DRAWN BY: J. J. COLELLA
 APPROVED BY: J. J. COLELLA
 DATE: 04/10/12

NO.	DATE	BY	DESCRIPTION
1	04/10/12	JJC	ISSUED FOR CONSTRUCTION
2	04/10/12	JJC	ISSUED FOR CONSTRUCTION
3	04/10/12	JJC	ISSUED FOR CONSTRUCTION
4	04/10/12	JJC	ISSUED FOR CONSTRUCTION

100% SUBMITTAL

Option 2

36" West Interceptor Sewer Project

Change Order

2010 original budget figure	\$679,150
By Bid time- Estimated at	\$550,000 before going out to bid savings of \$129,150
Bid By Reynolds Inliner	\$289,712
added 10% for contingency	\$318,683 Original Legislation \$ 231,317 lower than Engineering Estimates
Request for increase in P.O.	<u>\$131,317</u> \$450,000 If approved still saving from Engineering est. \$100,000

Engineers Construction Estimate of change \$72,638

Would have available for additional changes under new PO amount \$87,650

The major cost of the 1st change order is due to a larger than expected elevation drop at the manholes behind Maplewood Excavating. We are also asking for additional funds if there are any more unexpected issues arise after this change.

RESOLUTION NO. R-149-10

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT WITH THE TRUSTEES
OF SPRINGCREEK TOWNSHIP TO FURNISH EMERGENCY
AMBULANCE SERVICE AND FIRE PROTECTION**

WHEREAS, the Trustees of Springcreek Township have requested that the City of Piqua, Ohio, furnish emergency ambulance service and fire protection to the inhabitants of said Township; and

WHEREAS, the City of Piqua agrees to provide fire and emergency ambulance service for a five (5) year period commencing with the date of execution of the attached agreement in substantially this form (Exhibit "A"), for which the Township agrees to pay pursuant to the attached schedule (Exhibit "A"); and

WHEREAS, Section 505.44 of the Ohio Revised Code provides for the furnishing of said service;

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 and directed to execute an agreement in substantially this form with the Trustees of Springcreek Township, Miami County, Ohio, for emergency ambulance service and fire protection to the inhabitants of said Township, a copy of which is attached hereto as Exhibit "A";

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



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 7, 2010

TO: City Commission

FROM: Fred Enderle, City Manager

SUBJECT: Resolution R-149-10: authorization for City Manager to execute a fire and emergency ambulance service agreement with Springcreek Township.

PURPOSE:

Request for City Commission authorization to execute a new 5-year fire and emergency ambulance service agreement with Springcreek Township.

RECOMMENDATION:

Approval of the Resolution to allow for continuation of fire and EMS service to Springcreek Township.

BACKGROUND:

The City has provided fire and EMS service to the two adjoining Townships since 1973. Our previous contract with Springcreek Township was a three (3) year contract running from March 1, 2007 to February 28, 2010 at an annual rate of \$59,775. The City and the Township executed a contract extension to September 30, 2010 to provide additional time to negotiate new terms for a renewed contract. During negotiations with Springcreek officials it became clear to them they would need to seek a fire & EMS levy on the November 2, 2010 ballot to support a new contract. Therefore, the Administration agreed to continue providing EMS and fire service under a memorandum of understanding through the balance of 2010 which ran from September 1, 2010 through December 31, 2010. The total amount of \$61,568 for that period has been paid in full.

ALTERNATIVES:

- 1) Approve the Resolution authorizing the City Manager to execute the 5-year contract with Springcreek Township.
- 2) Do not approve the Resolution and provide further direction.

DISCUSSION:

Over time, the EMS and fire service agreements with Washington and Springcreek Townships have diminished in value to the City. The 2007 contract provided service to Washington Township at an annual fee of \$60,260 and Springcreek Township at an annual fee of \$59,775. Given the percentage of total Piqua Fire Department runs to Washington Township (3.03%) and Springcreek Township (4.04%) the contract were inequitable to the City and Washington Township. While the average cost of a run to the City of Piqua was \$1,162 the cost to Washington Township was \$634 and Springcreek Township \$474.

The new contract is based on the average cost per run of the Piqua Fire Department of approximately \$1,100 and a level of service that provides Springcreek Township the following:

1. Emergency Ambulance Service at the same service level (and priority) as resident of the City of Piqua; and
2. Fire service that provides a response of one piece of fire apparatus and two firefighters; and also provides that City of Piqua fire service calls will take precedence over Springcreek Township calls.

Given that Springcreek Township will pay the same rate per run as the City, adjusted for the above-described level of service, the agreement is equitable to all.

By straight calculation of the new formula Springcreek Township's new rate would be \$127,000. However, because the large difference from the 2007-2010 rate (about \$67,225) the agreement provides annual rate adjustments to bring the Township up to the full rate in January 2014. The contract also provides for a Township 5-year option for renewal at 3% annual adjustments. The annual rates are as follows:

Initial 5 year Agreement Rate Adjustment Schedule:

Year	Annual Rate	increase from previous year
2010	\$ 61,568	
2011	\$ 100,000	\$ 38,432
2012	\$ 107,000	\$ 7,000
2013	\$ 114,000	\$ 7,000
2014	\$ 127,000	\$ 7,000

5 year Option for renewal at 3% annual adjustment:

Year	Annual Rate	% increase from previous year
2015	\$ 130,810	3%
2016	\$ 134,734	3%
2017	\$ 138,776	3%
2018	\$ 142,940	3%
2019	\$ 147,228	3%

FINANCIAL IMPACT:

The financial impact to the City is total revenue of \$509,568 over the initial five-year term of the agreement. The agreement is also more equitable for the City, based on both the City and Township paying the same cost per run of approximately \$1,100

COMMUNITY IMPACT:

Community impact will be occasions when a squad will be occupied with an EMS call outside the City, while the remaining squad is also on a call, it may necessitate calling in additional resources. However, this situation exists now, and has for a number of years, under past agreements with the adjoining townships.

CONFORMITY TO CITY PLANS & POLICIES:

Fire and emergency ambulance service to the adjoining townships has been a planned budgeted activity of the City for over 37 years. It has been a long unwritten policy of the City to provide assistance to neighboring communities where the City is able to do so.

**FIRE AND EMERGENCY AMBULANCE SERVICE
SPRINGCREEK TOWNSHIP**

This Agreement is made and entered into this ____ day of December, 2010, by and between the City of Piqua, acting by and through the City Manager ("City") and Springcreek Township, by and through the Springcreek Township Trustees ("Springcreek Township").

The City agrees to provide fire and emergency ambulance service described below for a period of five (5) years commencing with the date of execution of this agreement, for which the Township agrees to pay pursuant to the following schedule:

- I. Total payment of \$61,568 for the contract year September 1, 2010 through December 31, 2010 are as follows:
 - a. \$20,523 Due September 1, 2010 and paid pursuant to the Memorandum of Understanding dated on August 31, 2010.

- II. Total payment of \$100,000 for the contract year January 1, 2011 through December 31, 2011 are as follows:
 - a. \$50,000 Due on January 31, 2011.
 - b. \$50,000 Due on July 31, 2011

- III. Total payment of \$107,000 for the contract year January 1, 2012 through December 31, 2012 are as follows:
 - a. \$53,500 Due on January 31, 2012.
 - b. \$53,500 Due on July 31, 2012

- IV. Total payment of \$114,000 for the contract year January 1, 2013 through December 31, 2013 are as follows:
 - a. \$57,000 Due on January 31, 2014.
 - b. \$57,000 Due on July 31, 2014

- V. Total payment of \$127,000 for the contract year January 1, 2014 through December 31, 2014 are as follows:
 - a. \$63,500 Due on January 31, 2014.
 - b. \$63,500 Due on July 31, 2014.

A. Scope of Services

The fire protection and emergency ambulance service, which the City shall provide in response to calls for emergency assistance shall consist of such equipment and personnel as in the Piqua Fire Chief, or his designee's, discretion shall appear warranted, except that the City shall respond to structure fires with no less than one piece of fire apparatus and two firefighters. It is expressly understood by the City and the Township

that, notwithstanding any of the foregoing terms, fire calls within the City of Piqua shall take precedence and have priority over all fire calls within the Township. Said precedence and priority applies to the availability of fire apparatus and personnel. Emergency ambulance service shall be handled in the City's normal priority of emergency medical service calls.

Nothing in this agreement shall be construed or interpreted to deny the City any statutory exemption from liability for personal and/or property damage occurring during a response to, or actions taken at a call for emergency assistance in the Township, and it is expressly agreed by parties hereto, that the City shall not be liable for damages of whatever nature to the Township or any of its inhabitants for failure to respond to any call for emergency assistance, or for lack of speed in responding to any such call for any insufficiency of apparatus, inadequacy of operating apparatus, failure to extinguish any fire, or for any cause whatsoever in carrying out this Agreement.

B. Option for Renewal

The term of this Agreement shall be for five (5) years with an option for renewal by the Township, under the same terms for an additional five (5) years with 3% annual rate adjustments as follows:

<u>Year</u>	<u>Annual Rate</u>
2015	\$130,810
2016	\$134,734
2017	\$138,776
2018	\$142,940
2019	\$147,228

C. Termination

Either party may terminate this agreement, at the end of any contract year, by giving written notice to the other party at least six (6) months in advance of the end of any one contract year.

D. EMS Billing

The City shall administer and transfer all funds, net of fees and expenses, received from Med3000, or any other third party administrator contract for EMS billing, to Springcreek Township for billing within the Township within fifteen (15) days following month end or 15 days after the City receives the funds from Med3000.

E. Entirety

This Agreement, except as noted herein, shall govern and all verbal discussions, representations or promises concerning the terms of this Agreement shall be of no force and effect. If there is any conflict between

the terms of this Agreement and any of the other documents that are referred to herein, this Agreement governs.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein. Further, this Agreement shall not create any rights in any party not a signatory hereto.

F. Notice

Any notice shall be served upon the following:

City Manager
City of Piqua
201 W. Water Street
Piqua, OH 45356

Springcreek Township Trustees
Township Building
7730 N. Union Shelby Rd.
Piqua, OH 45356

G. Amendments

Any modification to this Agreement shall be in writing and mutually agreed to by both parties or shall have no effect.

The parties enter into this Agreement this _____ day of November , 2010, as executed and witnessed in accordance with the below signatures.

City of Piqua
By:

Springcreek Township Trustees
By:

City Manager, Frederick E. Enderle

Trustee Thomas W. Hill

Witness:

Trustee Michael Havenar

Approved as to Form:

Trustee Doug DeWeese

Approved as to form:

Stacy M. Wall, City Law Director
City of Piqua

Counsel for Springcreek
Township Trustees