

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, APRIL 5, 2011
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
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 March 15, 2011 Regular City Commission Meeting and the minutes from the Piqua City Commission Special Meeting of March 30, 2011

B. NEW BUSINESS

a. ORD. NO. 2-11

An Ordinance repealing existing Chapter 33.08 (Insurance) and enacting a New Chapter 33.08 (Insurance) of the Piqua Code, relating to Employee Policy

b. RES. NO. R-52-11

A Resolution retaining the services of Segal, Inc. to provide Professional Engineering Services for the City

c. RES. NO. R-53-11

A Resolution appointing a member to the Board of Zoning Appeals

d. RES. NO. R-54-11

A Resolution supporting the Firearms Simulation System and authorizing the City Manager to enter into a Memorandum of Understanding with Edison Community College

e. RES. NO. R-55-11

A Resolution appointing a member to the Energy Board

f. RES. NO. R-56-11

A Resolution appointing a member to the Community Diversity Committee

g. RES. NO. R-57-11

A Resolution appointing a member to the Park Board

C. OTHER

- a. Monthly Reports – February 2011

D. ADJOURNMENT TO EXECUTIVE SESSION

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

**MINUTES
PIQUA CITY COMMISSION
Tuesday March 15, 2011
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. Vice Mayor Vogt called the meeting to order. Also present were Commissioners Martin, Terry, and Wilson. Absent: Mayor Fess.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to excuse Mayor Fess from the March 15, 2011 Piqua City Commission Meeting. Voice vote, Aye: Martin, Wilson, Vogt, and Terry. Nay, None.

REGULAR CITY COMMISSION MEETING

PROCLAMATION

Proclamation honoring Mrs. Helen Dehila Gilmore

Vice Mayor Vogt read the proclamation and presented it to Mr. Issac Gilmore and his son Robert. Vice Mayor Vogt stated he had the pleasure of working with Mrs. Gilmore at the Upper Valley JVS, and she was a wonderful person. "Helen would have been very honored to receive this proclamation", said Mr. Gilmore.

Consent Agenda

Approval of Minutes

Approval of the minutes from the March 1, 2011 Regular Piqua City Commission Meeting

Moved by Commissioner Martin, seconded by Commissioner Wilson, that the minutes of the March 1, 2011 Regular Piqua City Commission Meeting be approved. Voice vote, Aye: Wilson, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

RES. NO. R-29-11

A Resolution awarding a contract for the purchase of two fairway mowers and two greens mowers for the Golf Course

City Manager Enderle stated both the two Fairway mowers and the two Greens mowers are sixteen years old and need to be replaced at this time. The plan is to replace the Fairway mowers with two Toro Fairway mowers from Century Equipment for the cost of \$74,401.94, and two Jacobsen Greens movers from Midwest Golf & Turf for the cost of \$46,000.99. The 2011 budgeted included \$122,000 for the purchase of the new mowers, and we are under budget with the proposal of \$120,401.94 for all four mowers, said City Manager Enderle.

Kirt Huemmer, Golf Course Supervisor, stated they have been putting together a replacement schedule for quite a while anticipating the purchase of the new mowers due to the age of the current mowers.

Commissioner Martin asked if all the mowers used the same type of fuel? Mr. Huemmer stated yes, all of the mowers use the same fuel.

Public Comment

No one came forward to speak for or against Resolution No. R-29-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-29-11 be adopted. Roll call, Aye: Martin, Vogt, Wilson, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-29-11 adopted.

RES. NO. R-30-11

A Resolution awarding a contract for the purchase of ten commercial zero turn mowers and one utility vehicle and one all-wheel drive tractor for the Streets, Parks and Water Departments

City Manager Enderle stated this resolution would approve the purchase of ten (CZT) Commercial Zero Turn mowers, one Utility vehicle, and one All-wheel drive Tractor. Streets will be purchasing 4 CZT mowers and splitting the cost of the tractor with the Water Department. Parks will be purchasing 4 CZT mowers and the Utility vehicle, and Water will be purchasing 2 CZT mowers and splitting the cost of the tractor with the Street Department. The 2011 budget for all three departments for purchase of new equipment this year was \$63,298.00, and we are under that amount with the proposal of \$50,426.99. The Street Department will be paying \$23,896.87, the Parks Department will be paying \$3,806.66, and the Water Department will be paying \$22,723.46, said City Manager Enderle.

Commissioner Martin asked if the mowers would have articulating arms or would they mow up and down the hills.

Doug Harter, Street Department Supervisor stated part of the reason for the purchase of the some of the new mowers was to use them on the hills at French Park, Route 36, and on the levees. They would mow up and down the hills as there are no articulating arm attachments included.

Public Comment

No one came forward to speak for or against Resolution No. R-30-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Resolution No. R-30-11 be adopted. Roll call, Aye: Vogt, Martin, Terry, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-30-11 adopted.

RES. NO. R-31-11

A Resolution requesting authorization to issue a purchase order to Kleingers & Associates for the Engineering Design on the County Road 25-A Phase II Reconstruction Project

City Manager Enderle stated this resolution would allow the City of Piqua to enter into a contract with Kleingers & Associates for the engineering design of the County Road 25-A Phase II Reconstruction Project, at a cost not to exceed \$103,000. The cost will be split with Miami County 50/50 with half being in the city and half being in the County. The City has received outside funding from the Federal Highway Administration through the Miami Valley Regional Planning Commission in the amount of \$2,046,000. The total project cost excluding right-of-way, is estimated to be approximately \$3.1 million. The City has also applied for grant money through the Ohio Public Works Commission to help offset some of the local share portion of the project. The City has been anticipating this project for a number of years and therefore has budgeted funds in the 2011 budget for the engineering design. This request includes 15% contingency for items, which may be required as the plan preparation moves forward, said City Manager Enderle.

Commissioner Martin asked where the project is located. City Manager Enderle stated the roadway between Country Club Road and Looney Road.

Commissioner Vogt asked if the city was receiving any Federal money for this project. City Manager Enderle stated the city will receive Federal funds for the actual construction of the project

but not for the design work. The design work is up to the locals thus the reason for splitting with the County, and the City's share of the design plan will come out of the Street Levy Fund.

There were questions regarding the use of the design study if the money does not come in from the State, will the money be refunded for the study. City Manger Enderle stated no the money would not be refunded for the study, it would be a design study that would be put in a drawer and wait until we have the money to implement it. The design needs to be ready when the money comes in, it is not a waste of money, the risk of losing the money is to great to delay doing this, said City Manager Enderle.

Public Comment

Joe Drapp, Park Avenue, came forward and asked if the money in question was state and federal highway dollars. City Manager Enderle said yes, but that money is also in jeopardy now due to the cutbacks.

Commissioner Martin asked how soon after the budget is adopted would the funds be available? City Manager Enderle stated this project is not scheduled to be done until 2013, so that is the earliest these funds would be available for construction. The design has to be done a couple years ahead and ready when the dollars come in.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-31-11 be adopted. Roll call, Aye: Vogt, Martin, Wilson, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-31-11 adopted.

RES. NO. R-32-11

A Resolution appointing a member to the Civil Service Commission

City Manager Enderle stated this Resolution would appoint Michael Gutmann to the Civil Service Commissioner for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-32-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-32-11 be adopted. Roll call, Aye: Terry, Wilson Vogt, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-32-11 adopted.

RES. NO. R-33-11

A Resolution appointing a member to the Civil Service Commission

City Manager Enderle stated this Resolution would appoint Alissa Blankenship to the Civil Service Commissioner for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-33-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-33-11 be adopted. Roll call, Aye: Martin, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-33-11 adopted.

RES. NO. R-34-11

A Resolution appointing a member to the Civil Service Commission

City Manager Enderle stated this Resolution would appoint Paul Jackson to the Civil Service Commissioner for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-34-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Resolution No. R-34-11 be adopted. Roll call, Aye: Vogt, Martin, Wilson, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-34-11 adopted.

RES. NO. R-35-11

A Resolution appointing a member to the Community Diversity Committee

City Manager Enderle stated this resolution would appoint Larry Hamilton to the Community Diversity Committee for a term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-35-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-35-11 be adopted. Roll call, Aye: Terry, Martin, Vogt, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-35-11 adopted.

RES. NO. R-36-11

A Resolution appointing a member to the Community Diversity Committee

City Manager Enderle stated this resolution would appoint Gordon L. Wise to the Community Diversity Committee for a term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-36-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Resolution No. R-36-11 be adopted. Roll call, Aye: Wilson, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-36-11 adopted.

RES. NO. R-37-11

A Resolution appointing a member to the Community Diversity Committee

City Manager Enderle stated this resolution would appoint Barbara Miller to the Community Diversity Committee for a term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-37-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Resolution No. R-37-11 be adopted. Roll call, Aye: Martin, Terry, Vogt, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-37-11 adopted.

RES. NO. R-38-11

A Resolution appointing a member to the Community Diversity Committee

City Manager Enderle stated this resolution would appoint Karen Schultz to the Community Diversity Committee for a term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-38-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-38-11 be adopted. Roll call, Aye: Vogt, Terry, Martin, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-38-11 adopted.

RES. NO. R-39-11

A Resolution appointing a member to the Board of Zoning Appeals

City Manager Enderle stated this resolution would appoint Skip Murray to the Board of Zoning Appeals for a five-year term expiring on March 1, 2016.

There was discussion on why the current board member was not reappointed, and if appointing Mr. Murray there could possibly be a conflict of interest at times. City Manager Enderle explained the reason for the change and felt it would not be a conflict of interest for Mr. Murray.

Public Comment

No one came forward to speak for or against Resolution No. R-39-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-39-11 be adopted. Roll call, Aye: Terry and Wilson. Nay: Martin and Vogt. Roll call motion resulted in a 2-2 vote for Resolution No. R-39-11 Vice Mayor Vogt stated Resolution No. R-39-11 defeated.

RES. NO. R-40-11

A Resolution appointing a member to the Tree Committee

City Manager Enderle stated this resolution would appoint Brenda Vetter to the Tree Committee for a four-year term to expire on March 1, 2015.

Public Comment

No one came forward to speak for or against Resolution No. R-40-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-40-11 be adopted. Roll call, Aye: Vogt, Martin, Terry, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-40-11 adopted.

RES. NO. R-41-11

A Resolution appointing a member to the Tree Committee

City Manager Enderle stated this resolution would appoint Larkin Cornett to the Tree Committee for a four-year term to expire on March 1, 2015.

Public Comment

No one came forward to speak for or against Resolution No. R-41-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-41-11 be adopted. Roll call, Aye: Terry, Vogt, Wilson, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-41-11 adopted.

RES. NO. R-42-11

A Resolution appointing a member to the Income Tax Board of Reviews

City Manager Enderle stated this resolution would appoint Jeff Ortlieb to the Income Tax Board of Review for a five-year term to expire on March 1, 2016.

Public Comment

No one came forward to speak for or against Resolution No. R-42-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-42-11 be adopted. Roll call, Aye: Martin, Vogt, Wilson, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-42-11 adopted.

RES. NO. R-43-11

A Resolution appointing a member to the Park Board

City Manager Enderle stated this resolution would appoint Cheryl L. Burkhardt to the Park Board for a five-year term to expire on March 1, 2016.

Public Comment

No one came forward to speak for or against Resolution No. R-43-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Resolution No. R-43-11 be adopted. Roll call, Aye: Terry, Vogt, Wilson, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-43-11 adopted.

RES. NO. R-44-11

A Resolution appointing a member to the Golf Advisory Board

City Manager Enderle stated this resolution would appoint Richard (Gene) Hill to the Golf Advisory Board for a four-year term expiring on March 1, 2015.

Public Comment

No one came forward to speak for or against Resolution No. R-44-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-44-11 be adopted. Roll call, Aye: Vogt, Terry, Martin, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-44-11 adopted.

RES. NO. R-45-11

A Resolution appointing a member to the Golf Advisory Board

City Manager Enderle stated this resolution would appoint Scott Razor to the Golf Advisory Board for a four-year term to expire on March 1, 2015.

Public Comment

No one came forward to speak for or against Resolution No. R-45-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-45-11 be adopted. Roll call, Aye: Wilson, Vogt, Terry and Martin. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-45-11 adopted.

RES. NO. R-46-11

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

City Manager Enderle stated this resolution would appoint Brenda Vetter to the Downtown District Design Review Board for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-46-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-46-11 be adopted. Roll call, Aye: Martin, Terry, Vogt, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-46-11 adopted.

RES. NO. R-47-11

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

City Manager Enderle stated this resolution would appoint Ann DeBrosse Comer to the Downtown District Design Review Board for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-47-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-47-11 be adopted. Roll call, Aye: Wilson, Martin, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-47-11 adopted.

RES. NO. R-48-11

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

City Manager Enderle stated this resolution would appoint Ruth Koon to the Downtown District Design Review Board for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-48-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-48-11 be adopted. Roll call, Aye: Vogt, Terry, Martin, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-48-11 adopted.

RES. NO. R-49-11

A Resolution appointing a member to the Housing Council

City Manager Enderle stated this resolution would appoint Jean Kiser to the Housing Council for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-49-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-49-11 be adopted. Roll call, Aye: Terry, Martin, Wilson, and Vogt. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-49-11 adopted.

RES. NO. R-50-11

A Resolution appointing a member to the Housing Council

City Manager Enderle stated this resolution would appoint Dan Whitson to the Housing Council for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-50-11 at this time.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-50-11 be adopted. Roll call, Aye: Vogt, Martin, Wilson, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-50-11 adopted.

RES. NO. R-51-11

A Resolution appointing a member to the Housing Council

City Manager Enderle stated this resolution would appoint Jim Vetter to the Housing Council for a three-year term to expire on March 1, 2014.

Public Comment

No one came forward to speak for or against Resolution No. R-51-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-51-11 be adopted. Roll call, Aye: Wilson, Terry, Vogt, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Vogt declared Resolution No. R-51-11 adopted.

OTHER

Monthly Reports – January 2011

Monthly Reports for January 2011 were accepted.

Health and Sanitation Director Amy Welker gave a brief update on the Animal Rescue Operation at the facility located on Clark Avenue. The city was given legal custody of 108 dogs and was challenged to find a way to care for and provide assistance and homes for them. Ms. Welker

stated they had over 200 volunteers from 23 different cities step up to help clean kennels, feed, groom, walk and socialize the dogs. 88 individuals and businesses donated various supplies such as bedding, treats and toys, which was very much appreciated. Veterinary and tech services were provided by local Veterinary Dr. Lisa Nadasi DVM and other Tech volunteers.

Ms. Welker stated she wanted to also thank all the families who adopted the dogs, and all of the agencies who help with the adoption and placement of the dogs. Ms. Welker also sent out a special thanks to her family for their support and help while she spend many hours working at the Clark Avenue Facility, along with the City of Piqua Departments who helped out. I can't say enough about all the volunteers, many of them who worked to see this to the end, said Ms. Welker.

Ms. Welker stated Law Director Stacy Wall is to be commended for her quick response to the situation, other communities faced with this problem have been working on it for over seven years, and the City of Piqua was able to resolve the problem in about a month.

PUBLIC COMMENT

Frank Barhorst, Wayne Street, came forward and invited citizens to attend the Spring Dance to be held at the Ft Piqua Plaza on April 9, 2011, starting at 8:00 P.M. and tickets are available at the Senior Center on High Street.

Commissioner Vogt stated Mr. Barhorst has been an advocate of the Seniors for a long time even before he got off the Commission and has done a great job.

Edna Stiefel, Boone Street, came forward and invited citizens to attend the 8th Annual Race Cars & Future Stars Expo at the Miami Valley Centre Mall March 17 thru March 20. Ms Stiefel thanked Peggy Henthorn and the Miami Valley Center for hosting the event, and encouraged everyone to come out and vote for their favorite car.

Commissioner Wilson stated the recycling totals in the city have been decreasing lately and reminded citizens to recycle. Commissioner Wilson thanked the citizens who are participating in the recycling program at this time, and stated recycle bins may be picked up at the Utility Department.

Commissioner Wilson stated the recall was defeated and thanked all who voted, further stating they are going to look at the recall regulations in the Charter this fall, and will be asking for public input.

Commissioner Terry echoed Commissioner Wilson comments.

Commissioner Martin stated he wanted to thank all the volunteers, the City Departments, and employees who helped with the care of the dogs.

Commissioner Vogt stated the Piqua Municipal Swimming Pool passes are now on sale, and further stated there have been many changes made at the pool this year. Pool passes are available at the Street Department and the Engineering Department.

Commissioner Vogt reminded citizens to recycle stating it is easy once you get into the habit.

Adjournment

Moved by Commissioner Martin, seconded by Commissioner Terry, to adjourn from the Regular Piqua City Commission Meeting at 8:25 P.M. into Executive Session for the purpose of appointment, employment, dismissal, discipline or compensation of the City Manager. Roll call, Aye: Terry, Martin, Vogt, and Wilson. Nay: None. Motion carried unanimously.

Mayor Fess called the Executive Board Meeting to order at 8:28 P.M.

Moved by Commissioner Terry, seconded by Commissioner Martin, to adjourn from the Executive Session at 9:42 P.M., and moved by Commissioner Martin, seconded by Commissioner Terry to adjourn from the Regular Piqua City Commission Meeting at 9:42 P.M. Voice vote, Aye: Martin, Wilson, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

WILLIAM D. VOGT, VICE MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

**PIQUA CITY COMMISSION
SPECIAL MEETING-EXECUTIVE SESSION
ADMINISTRATIVE CONFERENCE ROOM
WEDNESDAY, MARCH 30, 2011
8:45 A.M.
201 W. WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

Mayor Fess called the Special Meeting-Executive Session to order at 8:45 A.M.

Purpose of the Special Meeting-Executive Session is to consider the appointment, employment, dismissal, discipline or compensation of the City Manager.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adjourn into Executive Session at 8:45 A.M. Voice vote, Aye: Terry, Fess, Wilson, Vogt, and Martin. Nay: None. Motion carried unanimously.

Adjournment

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Special Meeting-Executive Session at 5:30 P.M. Voice vote, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 2-11

**AN ORDINANCE REPEALING EXISTING CHAPTER 33.08 - INSURANCE
AND ENACTING A NEW CHAPTER 33.08 - INSURANCE OF THE PIQUA
CODE, RELATING TO EMPLOYEE POLICY**

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

SECTION 1: Existing Chapter 33.08 - Insurance of the Piqua Code is hereby repealed;

SECTION 2: Chapter 33.08 - Insurance of the Piqua Code (appended hereto as Attachment "A") is hereby enacted;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of April 5, 2011

TO: Fredrick E. Enderle, City Manager
FROM: Elaine G. Barton, Human Resources Director
SUBJECT: Ordinance No. 2-11

PURPOSE:

- 1. Approve the ordinance updating Chapter 33.08 of the Piqua Code with regard to employee health insurance to reflect the current year of 2011.*

RECOMMENDATION:

I am requesting that Ordinance No. 2-11 be approved to update Chapter 33.08 - Insurance to reflect the amount that city employees (non-union) are contributing toward their health insurance for the current plan year (2011) and the amount the City is contributing to their health reimbursement or health savings accounts.

BACKGROUND:

The City of Piqua has offered a high deductible plan with the employee's choice of either a health reimbursement account (HRA) or a health savings account (HSA) since 2007. Each year a determination has been made as to the amount that the City will contribute into the employee's HRA or HSA and also the percentage contribution that the employee will pay based on the total cost. As the City was fortunate to receive a 0% increase in premiums for the 2011 plan year, the City share of the deductible funding as well as the employee's premium contribution will remain the same. This legislation simply revises the date within this Chapter to the current plan year of 2011.

ALTERNATIVES:

- 1) Approve Ordinance No. 2-11 revising the plan year date from 2010 to 2011 while keeping the contribution levels from the City to the health reimbursement and health savings accounts the same. In addition, the employee premium contributions remain the same for 2011 as they were in 2010.*
- 2) Do not approve the Ordinance and provide staff with further direction.*

FINANCIAL IMPACT:

The 2011 City budget included the contribution levels as detailed in Chapter 33.08 – Insurance.

COMMUNITY IMPACT:

N/A

CONFORMITY TO CITY PLANS & POLICIES:

Adoption of the Ordinance will allow for Chapter 33.08 of the Piqua Code to reflect the current plan year of 2011 and the current practice.

§ 33.08 INSURANCE.

The following provisions shall apply to all Schedule A employees except those covered under §33.15 of this chapter.

The city will provide health insurance benefits including dependent coverage (~~ages 19 to 25 if a full-time student or disabled~~). The benefits will include a high deductible health plan (HDHP) and, at the employee’s option, either a health savings account (HSA) or a health reimbursement account (HRA). The HDHP will have “network” deductibles of \$2,000 for individual coverage and \$4,000 for family coverage.

(B) Employee HSA accounts will be funded by the City in the amount of \$1,500 for individual coverage and \$3,000 for family coverage for the ~~2010~~ **2011** plan year, by funding 1/12th of the annual total to be deposited the 1st of each month. Employee HRA accounts will be funded by the City in the amount of \$1,500 for individual coverage and \$3,000 for family coverage for the ~~2010~~ **2011** plan year, by funding the entire amount each year in January.

(C) The City shall select the carrier for the HDHP annually after consulting with the Insurance Committee. The City will make every effort to maintain comparable coverage.

(D) Cost Sharing. For the ~~2010~~ **2011** plan year, an employee will contribute 15% of the City’s total cost of purchasing the employee’s HDHP and funding the employee’s HSA or HRA, by weekly payroll deduction.

(E) Option Out. Eligible employees who decline the city offered health insurance benefits, will be entitled to receive a one-time payment per health insurance year (~~2010~~ **2011**) of \$2,000 for those eligible for family coverage and \$1,000 for individual coverage.

(F) The city shall provide and pay the necessary premium for group life insurance in an amount equal to two times (not to exceed \$180,000) salary for the following classifications: City Manager, Assistant City Manager, Finance Director, City Engineer, Utilities Director, Power System Director, Human Resources Director, Health and Sanitation Director, Information Technology Director, Law Director, Economic Development Director, Police Chief and Fire Chief.

(‘97 Code, § 31.09) (Am. Ord. 16-90, passed 4-16-90; Am. Ord. 13-01, passed 8-6-01; Am. Ord. 3-04, passed 1-20-04; Am. Ord. 9-04, passed 5-20-04; Am. Ord. 29-08, passed 12-15-08; Am. Ord. 21-09, passed 12-21-09)

RESOLUTION NO. R-52-11

A RESOLUTION RETAINING THE SERVICES OF SEGA, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE CITY

WHEREAS, it is deemed advisable for the City to retain the services of Sega, Inc. as a professional firm to provide engineering services for the Power System; and

WHEREAS, Sega, 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: Sega, Inc. is hereby retained by the City of Piqua as a professional engineering firm.

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasury according to contract terms, not to exceed \$79,100.

SEC. 3: 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. 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of March 29, 2011

TO: Fred Enderle, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: Sega Inc.

PURPOSE:

Approve the Resolution No. R-52-11 authorizing the City of Piqua Power System to obtain the engineering services of Sega Inc. to provide professional engineering services in 2011.

RECOMMENDATION:

I am requesting approval of Resolution No. R-52-11, which will authorize the Power System to obtain the services of Sega Inc. to provide professional engineering services in regards to Unit 8 & 9 Combustion Turbine Control System Upgrades in 2011.

BACKGROUND:

Sega Inc., founded in 1973, is an employee-owned, multidiscipline engineering and technical services firm that provides a wide range of design, planning, procurement, construction, training, and field services. Sega is uniquely qualified for this project. They have performed over 65 utility power plant upgrade projects on units totaling nearly 17,000 megawatts. A quality control system upgrade improves the reliability, thermal performance, and maintainability of the plant. Power plant controls are at the roots of Sega's 38-year history.

ALTERNATIVES:

- 1) Approve Resolution No. R-52-11 authorizing the City of Piqua Power System to obtain the services of Sega Inc. to provide professional engineering services in regards to Unit 8 & 9 Combustion Turbine Control System Upgrades in 2011.
- 2) Do not approve Resolution No.R-52-11.

DISCUSSION:

Extensive testing of combustion turbines #8 (GE Frame 5 Model N) and #9 (Westinghouse W-191-G) in the fall of 2010 revealed both are operational but with the abnormal high possibility of nuisance shutdown due to control and controls related malfunctions. Both units control system contain obsolete parts and are harder to repair each year. The reliability of these units is of paramount importance due to our agreement with AMP, and consequently with PJM (Regional Transmission Operator), that states we have the capability to produce 25,000 kilowatts in order to meet our obligations of the Demand Response program. Failure to provide 25,000 kilowatts when requested will result in significant financial penalty to the City.

Sega Inc. proposes to perform the following engineering services:

- Prepare a detailed I/O list for each control system to be replaced.
- Provide a specification for the City to procure the PLC or DCS hardware, software and installation services for the control systems upgrade.
- Review and analyze clarifications, resolve technical issues with bidders and submit a bid evaluation with recommendations to the City.
- Attend and participate in meetings with Power System personnel and control system vendor.
- Attend and participate in the control system equipment Factory Acceptance Tests (FAT).
- Provide all project status reports
- Update existing drawings or produce new drawings as necessary to reflect changes made as part of project.
- Provide on-site services to observe the installations and start-up phases.

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-52-11 will provide the City of Piqua Power System increased reliability and modernization of the combustion turbines. 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:

Sega Inc. will provide the professional services needed in order to ensure the necessary and proper upgrades to the combustion turbine controls. This project is part of the Ten Year Plan for major capital improvement projects.

RESOLUTION NO. R-53-11

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

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

SEC. 1: Skip Murray is hereby appointed as a member of the Board of Zoning Appeals for a five-year term to expire on March 1, 2016 or until his successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-54-11

A RESOLUTION SUPPORTING THE FIREARMS SIMULATION SYSTEM AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH EDISON COMMUNITY COLLEGE

WHEREAS, the City of Piqua received a 2009 Recovery Act grant for the purchase of a Firearms Simulation System; and

WHEREAS, the Piqua Police Department is the Implementing Agency for the grant; and

WHEREAS, the Firearms Simulation System provides a great training resource that is not currently available to the Piqua Police Department as well as other law enforcement agencies and Edison Community College in their Law Enforcement Academy; and

WHEREAS, through a partnership with Edison Community College, the Firearms Simulation System will be able to be located and used at Edison; and

WHEREAS, through a Memorandum of Understanding and in accordance with the terms of the grant, the City of Piqua and Edison Community College will establish a governing board and an advisory board to develop policies and procedures regarding use and oversight of the Firearms Simulation System; and

WHEREAS, Edison Community College is willing to contribute with its in-kind services by providing the space and administrative support; and

WHEREAS, the City of Piqua will be responsible for the maintenance and operation of the Firearms Simulation System until such time that a revenue stream can be produced.

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 Commission supports the working relationship with Edison Community College for the Firearms Simulation System and authorizes the City Manager to enter into a Memorandum of Understanding ("MOU") in substantial form as attached Exhibit A to formalize the City's commitment.

SEC. 2: 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

MEMORANDUM OF UNDERSTANDING
AS TO THE OPERATION OF A
FIREARMS SIMULATION SYSTEM

**ARTICLE I
PARTIES**

The parties to this instrument are the City of Piqua, Ohio ("the City"), acting by and through the City Manager as authorized by the Piqua City Commission, and the Piqua Police Department and Edison Community College, of Piqua, Ohio ("Edison"). This instrument is executed by the City under the authority of Resolution No. R-__-11 as adopted by the City of Piqua Commission on _____, 2011, and by the Edison Board of Directors on _____, 2011.

**ARTICLE II
PURPOSE**

The City of Piqua received a 2009 Recovery Act grant through the Office of Criminal Justice Services for a Firearms Simulation System, naming Edison Community College as a collaborating partner. This Memorandum of Understanding is to demonstrate the City's compliance with the terms of the grant with the assistance of and in cooperation with Edison Community College. Edison will be the host site of the Ti Training System, while the City of Piqua will continue ownership of the equipment and software. The establishment of this agreement and the System is for the purposes of training and education, locally and regionally.

**ARTICLE III
CONTRIBUTIONS OF THE PARTIES**

Section 3.1. Nature and Extent of Contributions. The parties each intend to provide valuable contributions to the operation of the Firearms Simulator System. Such contributions may be in the form of funding for operations or provision of facilities and/or equipment and/or personnel. The extent, nature and timing of each organization's contributions may vary during the term the Simulator is in operation.

Section 3.2. City of Piqua. The City will provide guidance and support to the System as well as retaining ownership.

Section 3.3. Edison Community College. Edison will provide the space and be the host site for the System. Edison will also provide administrative support such as scheduling, invoicing and other duties associated with operating the System.

Section 3.4. Annual Budget. The Governing Board will annually approve a budget for operating and maintenance, which would include any capital expenditures. The budget would be required to balance annually. The Governing Board will determine and approve expenditure of a portion of the revenues to be allocated to The City for equipment upgrade and/or maintenance. Edison Community College will retain sufficient revenues to cover operation of the training facility and program. Edison will be the fiscal agent and will pay for personnel including instructors.

**ARTICLE IV
GOVERNING BOARD**

Section 4.1. Five Directors. The Governing Board would consist of 5 voting members (“Directors”), three from Edison and two from the City. The representatives from the City shall consist of the Police Chief and a City employee as appointed by the City Manager and/or his designee. Duties of the Governing Board include budget, procedures and policy decisions.

Section 4.2. Frequency. The Board will meet as often as needed when called by the Chair, but shall meet no less than quarterly.

Section 4.3. Organizational Meeting Each January. The first quarterly directors' meeting of each year would be held in January and would be an organizational meeting at which the meeting dates for the remainder of the year's quarterly meetings will be set and an annual review is performed of the policies, procedures and fees in place.

Section 4.4. Quorum. The presence of a majority of the number of Directors in office at the time of the meeting would be necessary to constitute a quorum at that meeting.

Section 4.5. Action Without Meeting. Any action which may be taken at any meeting of Directors may be taken without a meeting if authorized by a writing signed by all of the Directors who would be entitled to notice of a meeting held for such purpose.

Section 4.6. Compensation. Directors would not receive any compensation for their services as such.

**ARTICLE V
OFFICERS**

Section 5.1. Titles. The officers of this corporation would be a Board Chair, a Vice Chair, and such other officers as the Board of Directors may determine.

Section 5.2. Term of Office. The officers would hold office for the term of one year and until their successors are appointed and qualified.

Any officer may be removed with or without cause upon the vote of the Board of Directors. A vacancy in any office, however created, would be filled by the Governing Board.

Section 5.3. Collaboration Board. The Governing Board shall appoint a Collaboration Board that acts in an advisory capacity only. The Collaboration Board is to make recommendations on policies, procedures and fees to the Governing Board and shall meet no less than once a year. The Governing Board shall decide the number of members to serve on the Collaboration Board.

**ARTICLE VI
FIREARMS SIMULATION SYSTEM**

Section 6.1. Ownership. The City of Piqua shall maintain ownership of the Ti System at all times.

Section 6.2. Maintenance. The City of Piqua shall be responsible for the upkeep, upgrade and maintenance of the Ti System until revenue can be generated through use of the System to pay for the upkeep, upgrade and maintenance, as determined by the Governing Board.

**ARTICLE VII
LIABILITY INSURANCE**

Each party shall notify their liability carrier for purposes of obtaining their own necessary insurance as neither party is responsible to insure the other party. Nothing in the performance of this Agreement shall impose liability for claims against Edison or the City for the administration of the grant award. Each party shall be responsible for its own actions under the terms of this Agreement and the grant award.

**ARTICLE VIII
POLICIES AND PROCEDURES**

Section 7.1. Marketing. The Governing Board shall be responsible for marketing of the System and should set guidelines on how the System is to be marketed and to whom. These guidelines shall be reviewed at least annually.

Section 7.2. Use of the System. The Governing Board shall establish policies and procedures for use of the System by Edison Community College and the City of Piqua. There shall be no fee charged to either entity for use of the System. There shall also be policies and procedures established for use of the System by others outside of Edison and the City, including but not limited to, defining access to the System, there must be a trained advisor present during all times the System is being used, and individual and group/entity fees for use of the System. Said policies and procedures shall require any user to execute a release and waiver of liability against Edison and the City. Said Release and Waiver shall be prepared by and/or reviewed by legal counsel.

Section 7.3. Assignability. This Agreement shall not be assignable by either party.

Executed by the parties on the dates indicated below.

CITY OF PIQUA, OHIO

EDISON COMMUNITY COLLEGE

By: _____
Frederick E. Enderle, City Manager

By: _____
Dr. Cristobal Valdez, President

Dated: _____, 2011

Dated: _____, 2011

Approved as to form by: Stacy M. Wall, City Law Director

RESOLUTION NO. R-55-11

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

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

SEC. 1: Michael Cox is hereby appointed as a member of the Energy Board for a five-year term to expire on March 1, 2016 or until his successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-56-11

**A RESOLUTION REAPPOINTING A MEMBER
TO THE COMMUNITY DIVERSITY COMMITTEE**

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

SEC. 1: Helen Cuff is hereby reappointed as a member of the Community Diversity Committee for a two-year term to expire on March 1, 2013 or until her successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-57-11

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

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

SEC. 1: Edna Stiefel is hereby appointed as a member of the Park Board for a five-year term to expire on March 1, 2016 or until her successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION