

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, NOVEMBER 1, 2011
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PIQUA HEALTH BOARD MEETING

A. CONSENT AGENDA

- a. APPROVAL OF MINUTES
Approval of the minutes from the November 2, 2010 Piqua Health Board Meeting

B. NEW BUSINESS

- a. RES. NO. H-300
A Resolution appointing Gary A. Huff as Commissioner of the Piqua City Board of Health

C. ADJOURNMENT

REGULAR CITY COMMISSION MEETING

A. CONSENT AGENDA

- a. APPROVAL OF MINUTES
Approval of the minutes from the October 18, 2011 Regular Piqua City Commission Meeting

B. NEW BUSINESS

- a. RES. NO. R-125-11
A Resolution amending the programmatic agreement with the Ohio Historic Preservation Office for the Administration of programs funded by the United States Department of Housing and Urban Development
- b. RES. NO. R-126-11
A Resolution of Appreciation for the Public Service of William O. Wheelock as a City Employee
- c. RES. NO. R-127-11
A Resolution appointing one member to the Energy Board

C. OTHER

- a. Monthly Reports

D. ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
Tuesday November 2, 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.

PIQUA HEALTH BOARD

Consent Agenda

Approval of Minutes

Approval of the minutes from the September 21, 2009 Piqua Health Board Meeting

Moved by Commissioner Martin, seconded by Commissioner Terry, that the minutes of the September 21, 2009 Piqua Health Board Meeting be approved. Voice vote, Aye: Wilson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

RES. NO. H-299 (PUBLIC HEARING)

A Resolution modifying certain fees for services

Health and Sanitation Director Amy Welker explained each Health Department is required to do a cost analysis each year and are only permitted to recoup certain costs. These fee charges include the food program, the swimming pool program, the tattoo program, and the manufactured home park program.

For many years, the City of Piqua did not choose to adjust fees for the environmental programs, and now are below the State portion of the fee and far below industry standards when compared to other jurisdictions. The result has been that the General Fund dollars support the operation of these programs.

Commissioner Wilson stated that it would be more costly to turn this over to Miami County than to continue to operate our own Health Department.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that the Resolution No. H-299 be approved. Voice vote, Aye: Wilson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. H-299 adopted.

Adjournment

Moved by Commissioner Martin, seconded by Commissioner Terry, to adjourn from the Piqua Health Board Meeting. 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

RESOLUTION NO. H-300

A RESOLUTION APPOINTING GARY A. HUFF AS COMMISSIONER OF THE PIQUA CITY BOARD OF HEALTH

WHEREAS, Frederick E. Enderle has retired as City Manager and as City Health Commissioner; and

WHEREAS, his successor has been designated as Gary A. Huff.

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

SEC. 1: The Board of Health hereby accepts the resignation of Frederick E. Enderle upon his retirement as Health Commissioner and hereby appoints Gary A. Huff Health Commissioner, effect November 1, 2011.

SEC. 2: This Resolution shall take effect and be in force from and after passage.

LUCINDA L. FESS, PRESIDENT

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK TO HEALTH COMMISSIONER

**MINUTES
PIQUA CITY COMMISSION
Tuesday October 18, 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. Mayor Fess called the meeting to order. Also present were Commissioners Vogt, Martin, Terry, and Wilson. Absent: None.

PRESENTATION

Presented to the City of Piqua – The Auditor of State of Ohio Award with Distinction

Nicole Beckwith, Auditor of State Dayton Regional Liaison came forward and gave a brief explanation on what the Auditor of State of Ohio Award with Distinction is. Ms. Beckwith then presented the award to Finance Director /Assistant City Manager Cynthia Holtzapple along with Mayor Fess and Interim City Manager William Murphy. Ms. Beckwith thanked them for their hard work and dedication. This award is given to less than 1% of all the 5,600 audited entities across the state, and is definitely a testament to the citizens of your community on how hard you work to ensure that their tax dollars are being properly spent and put to good use, said Ms. Beckwith.

Mayor Fess thanked Ms. Beckwith, and congratulated Ms. Holtzapple and her team on the great job they do for the community.

REGULAR CITY COMMISSION MEETING

Approval of the minutes from the September 20, 2011 Regular Piqua City Commission Meeting, and the Special City Commission Meeting of September 30, 2011. Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the Regular Piqua City Commission Meeting of September 20, 2011, and the Special City Commission Meeting of September 30, 2011 be approved. Voice vote, Aye: Fess, Wilson, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

RES. NO. R-120-11

A Resolution authorizing an increase in the purchase order to the City of Dayton for the 2011 purchase of quicklime

Interim City Manager Bill Murphy stated Resolution No. R-120-11 is a resolution authorizing the increase of the purchase order with the City of Dayton for the 2011 purchase of Quicklime. The City of Dayton has the lowest tonnage price and we would like to continue to use them, as the quicklime is available for the remainder of the year, said Mr. Murphy.

Public Comment

No one came forward to speak for or against Resolution No. R-120-11.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adopt Resolution No. R-120-11. Voice vote, Aye: Fess, Martin, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-120-11 adopted.

RES. NO. R-121-11

A Resolution awarding a contract to Brumbaugh Construction, Inc. for the Echo Hills Golf Course Stream Restoration Project

Interim City Manager Bill Murphy stated Resolution No. R-121-11 is a resolution approving the contract with Brumbaugh Construction, Inc. for the Echo Hills Golf Course Stream Restoration Project. The City received a grant from the Ohio Environmental Protection Agency for \$149,484 through the Surface Water Improvement Fund. Brumbaugh Construction was one of two bidders on the project and the contract is for a not to exceed cost of \$128,000 for work on the Echo Hills Golf Course Stream Restoration Project.

Mayor Fess asked what this encompasses? City Engineer Amy Havenar explained we will be taking approximately 1,050 feet of stream at the Echo Hills Municipal Golf Course. In some areas we will be relocating the stream slightly, and in some areas be doing some excavation to remove the sediment, and in other areas we will be putting in rocks. This project will also involve an excessive amount of shrub and tree plantings to help stabilize the banks.

Commissioner Martin asked why if the bid was for \$87,114 why are we asking for \$128,000? Ms. Havenar explained the whole grant was for \$149,484 and the design and the permitting came out of that with the remainder being the \$128,000. We cannot add to the project as far as the physical limits, but if there are items we come across that we may need such as rock it can be used for that. This would be for work that may be required but was not included in the original plans, stated Ms. Havenar. Mayor Fess asked if the grant money was not all used would it have to be returned? Ms. Havenar stated yes, the money would have to be returned.

Public Comment

No one came forward to speak for or against Resolution No. R-121-11.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-121-11 be adopted. Roll call, Aye: Fess, Terry, Vogt, Wilson, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-121-11 adopted.

RES. NO. R-122-11

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

Interim City Manager Bill Murphy stated Resolution No. R-122-11 authorizes the City to make application to the Miami Valley Regional Planning Commission for Safetea-Lu-Funds specifically for the fiscal year 2017. This application is for the resurfacing of Looney Road from County Road 25-A to Patrizio Place, and is to be used for construction only. This is a 75% federally funded grant with the city paying 25%. The city is also responsible for the engineering design which will be done in house, said Interim City Manager Murphy.

Commissioner Martin asked if the road is wide enough now to add the bike lane without widening the road. Ms. Havenar stated there would be two lanes with a turn lane and the bike lane can be on added to either side. Right now Looney Road is a four-lane road, but we have to comply with the Miami Valley Regional Planning Commission and their policy. Ms. Havenar further explained the policy requirements.

There was further discussion on the changes to the traffic lanes on Looney Road, including the narrowing of the lanes to install a bike lane. There will be further discussion in the future.

Commissioner Wilson asked several questions regarding the narrowing of road lanes on Looney Road and the installation of a bike lane, especially with the schools being located in the area. Ms. Havenar further explained the reasons for the changes. Commissioner Wilson asked if the

Commission was committing to having just two lanes if they approve Resolution R-122-11 at this time? Ms. Havenar stated no, we just have to account for bicyclist somehow on Looney Road. The whole project idea is to make it more user friendly, and encourage other modes of transportation.

Public Comment

Brad Boehringer, Mound Street, came forward and asked about the exception on transit use and what it means by transit use.

Ms. Havenar explained that it relates to bus routes and bus stops, and the City of Piqua does not have any bus routes or stops.

Commissioner Martin asked if there are sidewalks on Looney Road. Ms. Havenar stated there are sidewalks from Route 36 to County Road 25-A on the east side, but no sidewalks from Route 36 to Garbry Road. ADA ramps will be installed, as it is required whenever road improvements are being made, stated Ms. Havenar.

Commissioner Wilson asked if we would have the option of putting sidewalks on one side, the bike lane on the other side, and still be able to keep the four lanes in the middle. Ms. Havenar stated these are things that they will look into when they get into the design phase, right now we are just trying to secure the funding.

Mayor Fess stated if we get the Grant it will have to come back before the City Commission for approval anyway, and we will have the opportunity then to look at all of the options.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-122-11 be adopted. Roll call, Aye: Terry, Vogt, Wilson, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-122-11 adopted.

RES. NO. R-123-11

A Resolution accepting the resignation of Shawn Hicks as a member of the Board of Zoning Appeals

Interim City Manager Murphy stated Resolution No. R-123-11 accepts the resignation of Shawn Hicks from the Board of Zoning Appeals.

Public Comment

No one came forward to speak for or against Resolution No. R-123-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-123-11 be adopted. Voice vote, Aye: Wilson, Vogt, Fess, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-123-11 adopted.

RES. NO. R-124-11

A Resolution approving the purchase of Excess Liability Insurance

Interim City Manager Murphy stated Resolution No. R-124-11 certain specialty areas do not fall within the coverage of the City's general liability policy and excess liability insurance is needed for coverage. Associated Electric & Gas Insurance Services Limited (AEGIS) has provided excess liability coverage to the City for over twenty years and will continue in the amount not to exceed \$54,676.00, said Interim City Manager Murphy.

Public Comment

No one came forward to speak for or against Resolution No. R-124-11 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-124-11 be adopted. Roll call, Aye: Wilson, Martin Fess, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-124-11 adopted.

Other

Update- Mote Park Shelter

City Planner Chris Schmiesing stated he wanted to share a little information about this exciting project and how it has evolved into something that really captured a lot of energy and spirit within the community. Mr. Schmiesing gave a brief overview of the Mote Park Shelter Project with some help from his son Jack, by putting together a very informative presentation. This project was identified earlier in the year by the Southview Neighborhood Association and is just one of many ideas for upgrades and improvements to Mote Park. Around 40 volunteers have worked at Mote Park the last two Saturdays setting posts and pouring concrete, along with the support of the business community who have contributed significant amounts of services and materials at little or no cost to the project. They include Piqua Concrete, Piqua Lumber, Quint Custom Signs, Casto Landscaping, and Classic Metal Roofing Systems. Also included are the many citizen volunteers who came forth to help with the labor. There are a number of organizations working with the volunteers including representatives from the P.O.I.N.T Group, and PPP (Positively Promoting Piqua) working side by side on the this project, as well as employees from local businesses like Hartzell Propeller, along with Commissioner Martin and Mr. Schmiesing. Mr. Schmiesing thanked the Neighborhood Associations led by the Southview Neighborhood Association and their President Jim Vetter for his leadership.

Mayor Fess thanked Mr. Schmiesing for the wonderful presentation, and also thanked Russ Fashner for his construction expertise in helping to build the beautiful shelter at Mote Park.

Frank Barhorst, S. Wayne Street, speaking on behalf of the Southview Neighborhood Association stated Mote Park is kind of like our foster child. Mr. Barhorst further explained some of the various projects that have been completed at the park, and how the need for the shelter came about. Mr. Barhorst also thanked the Northparks Neighborhood Association President Russ Fashner for his help stating, "that guy's construction expertise has been outstanding", and also thanked Jim Cruse P.O.I.N.T. President, and the many other volunteers who came out to work on the project. This has been a great experience for all of us, said Mr. Barhorst.

The PPP (Positively Promoting Piqua) group has been very involved in this project. It is high time Mote Park has a nice shelter with electric and running water, said Mr. Barhorst. A big thanks also goes to the City and all the volunteers along with the City employees and Chris Schmiesing's leadership. I can't say enough about the Southview and Northparks Neighborhood Associations working side by side and getting stronger and stronger working on this project, said Mr. Barhorst.

Monthly Reports – August 2011

Monthly Reports for August 2011 were accepted.

Mayor Fess thanked the Northparks Neighborhood Association and Russ Fashner for the wonderful job of cleaning up the Hospital property. The area looks great and stated she has received numerous telephone calls from neighbors regarding the cleanup.

Gary Koenig, Kestrel Court, candidate from the 5th Ward running for Commissioner and Mayor came forward and gave a brief biography, and asked for citizen's support in the upcoming election.

Kay Henne, Wilson Avenue, expressed her concern over her neighbors pellet stove not being properly vented, and the smoke coming into her home. She stated she contacted several City Departments asking for help and wanted someone to provide her assistance with her problem. There was discussion on the height limit and the construction of the venting system for the pellet stove. It was stated this is the reason for the requirement of permits as it allows for follow up inspections to insure the pellet stove is properly installed and vented.

Commissioner Vogt stated he felt the City should look at the height limit on the chimney and vent system.

Mayor Fess stated they would look into the situation and assist her with the problem.

Commissioner Terry asked if there was a City Ohio Code section that deals with this particular type of situation?

Law Director Stacy Wall stated we have a lot of codes that need to be examined. Part of the City's code adopts the Building Code as well as the State Fire Code and is probably already a part of the Ordinances, but will look into it and see what sections we are talking about, stated Ms. Wall.

Commissioner Wilson congratulated Ms. Holtzaple and her staff on receiving the Award of Distinction with only 1% receiving this award it is truly an honor to receive it. Commissioner Wilson also commented on the work that was completed at the Hospital property stating it looks really nice. Commissioner Wilson commented on the work being done on the Mote Park Shelter House by all of the volunteers.

Commissioner Wilson stated on Sunday, October 23 there are several things going on in the City with the Ribbon Cutting at the Habitat for Humanity Home on Clark Avenue, which was completed by an all female construction crew. Several fundraisers are also planned for Sandra Getzendiner, this weekend. Ms Getzendiner is the victim of the recent Pit Bull attack and a parade and Poker Run are scheduled on October 22, 2011 in her behalf. Commissioner Wilson further stated there is a lot of volunteering going on in our community, and thanked all who are involved.

Commissioner Terry asked if the figures were in yet for the revenues on the City Swimming Pool. Finance Director Holtzaple stated the final figures would be in the monthly report she would receive at the end of the month.

Mayor Fess asked if there has been any new information and what the City's position is on the Pit Bull situation?

Law Director Wall stated there has been little discussion internally between Health and Police but there is still State legislation pending. Police Chief Jamison stated it was his understanding the Commissioners was interested in a Work Session. Chief Jamison stated he is putting something together involving Law, Health, and Police to explain what the current situation is, some of the improvements they would like to see take place, and options for the Commission to consider.

Mayor Fess congratulated the Piqua Chamber of Commerce on another successful Regional Business Showcase this year. Mayor Fess stated she attended the Business Showcase with the new City Manager Gary Huff who stated he was very impressed with all the people he met at the Showcase, and is very excited to be coming to the City of Piqua. Mr. Huff will move into his position as City Manager on Monday, October 24, 2011.

Mayor Fess thanked Assistant City Manager/Economic Development Director Bill Murphy for all he has done the past several months for the City of Piqua. Bill has worked endlessly and tirelessly doing two jobs and has done an exceptional job of keeping the City on track, and we certainly appreciate it very much, stated Mayor Fess.

Interim City Manager Bill Murphy thanked the City Commission for giving him the opportunity to serve the City of Piqua. I could not have done it with out all of the help and support of the Department Heads and staff working with me, stated Mr. Murphy.

Mayor Fess stated City Manager Huff has found temporary housing in the City of Piqua and will be moving in soon, and will continue looking for permanent housing. Mr. Huff is very enthusiastic about coming to Piqua. Mr. Huff is a visionary and a very dedicated person who will bring a lot to the City of Piqua, stated Mayor Fess.

Adjournment

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:20 P.M. Voice vote, Aye: Martin, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously.

Lucinda L. Fess, Mayor

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-125-11

A RESOLUTION AMENDING THE PROGRAMMATIC AGREEMENT WITH THE OHIO HISTORIC PRESERVATION OFFICE FOR THE ADMINISTRATION OF PROGRAMS FUNDED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the United States Department of Housing and Urban Development has allocated Community Development Block Grant and other funds to the State of Ohio, through the Ohio Department of Development, and

WHEREAS, the Ohio Department of Development has awarded Community Development Block Grant and other funds to the City of Piqua, and

WHEREAS, in accordance with 24 CFR Part 58, the City of Piqua, assumes responsibility for environmental review, decision making and actions that would otherwise apply to the United States Department of Housing and Urban Development under the National Environment Policy Act and other provisions of law and agreement coordinating the analysis and review of projects under 36 CFR Part 800, regulating the implementation of Section 106 of the National Historic Preservation Act (16 U.S.C. 470) in order to meet the purposes and requirements of both statutes in a timely and efficient manner is desired, and

WHEREAS, the City of Piqua has consulted with the Ohio State Historic Preservation Officer regarding the development of this agreement pursuant to 36 CFR Part 800 dealing with the regulations of implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470); and

WHEREAS, the City of Piqua entered into a Programmatic Agreement with the Ohio Historic Preservation Office on May 18, 2009 through Resolution R-42-09; and

WHEREAS, the Ohio Historic Preservation Office has offered recommended amendments to the agreement.

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

SEC. 1. The Programmatic Agreement between the State Historic Preservation Office and the City of Piqua is hereby amended and the City Manager is hereby authorized and directed to submit the amendments to the Programmatic Agreement to the Ohio Historic Preservation Office.

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

LUCINDA FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



DEVELOPMENT OFFICE

William Lutz – Development Program Manager
201 West Water Street • Piqua, Ohio 45356
(937) 778-2062 • FAX (937) 778-0809
E-Mail: blutz@piquaoh.org
Web: <http://www.piquaoh.org>

To: Gary Huff, City Manager

CC: William Murphy, Assistant City Manager/Development Director

From: William Lutz, Development Program Manager

Date: October 19, 2011

Subj.: Resolution for Consideration by Commission: Adoption of Amendments to the Programmatic Agreement between the Ohio Historic Preservation Office and the City of Piqua

Mr. Huff:

Please present the attached resolution for discussion by the City Commission in regards to the adoption of amendments to the Programmatic Agreement between the Ohio Historic Preservation Office and the City of Piqua.

Purpose of the Legislation

Adopt a resolution approving the adoption of amendments to the Programmatic Agreement between the Ohio Historic Preservation Office and the City of Piqua.

Recommendation

City Staff recommends the approval of the Adoption of Amendments to the Programmatic Agreement between the Ohio Historic Preservation Office and the City of Piqua.

Background

The City of Piqua has been a recipient of federal funds through the Community Development Block Grant program and other federal funds administered by the Ohio Department of Development. As such, these federal funds have specific requirements that local governments must meet through the National Environmental Policy Act.

The Ohio Historic Preservation Office provides technical assistance to communities throughout the state that receive federal funds. The assistance ensures that communities are in compliance with the provisions of the National Environmental Policy Act. The assistance is provided when communities follow the terms and conditions of the Programmatic Agreement between a community and the Ohio Historic Preservation Office.

In 2009, the City of Piqua executed their Programmatic Agreement with the Ohio Historic Preservation Office. Recently, the Ohio Historic Preservation Office, has offered amendments which now allow certain site improvements, exterior repairs and basement repairs to be exempt from Ohio Historic Preservation Office review.

Alternatives

The City Commission may take the following actions:

1. Approve the resolution and amendments to the Programmatic Agreement between the Ohio Historic Preservation Office and the City of Piqua.
2. Reject the resolution and deny the amendments to the Programmatic Agreement between the Ohio Historic Preservation Office and the City of Piqua.

Discussion

This is an administrative action which will assist the city in declaring more projects to be exempt and not subject to the review of the Ohio Historic Preservation Office.

Financial Impact

There is no financial impact upon the adoption of the amendments.

Community Impact

The impact of this resolution is of minimal importance to the community. Rather, this is a strictly administrative measure that allows the community to have more exempt activities that do not need to be reviewed by the Ohio Historic Preservation Office.

Conformity to City Plans and Policies

This resolution assists the city in their efforts in the administration of federal funds from the Ohio Department of Development and also in the compliance of the National Environmental Policy Act.

**Amendment to
Programmatic Agreement for Coordination
between
The City of Piqua
and the
Ohio Historic Preservation Office
for the
Administration of Programs Using HUD Allocated Funds with Delegated Review
Responsibilities Authorized Under 24 CFR Part 58**

WHEREAS the Agreement was executed on May 18, 2009; and

WHEREAS stipulations are being updated to provide increased clarity, add exempt activities, insert required administrative provisions, and extend the expiration date until December 31, 2014; and

WHEREAS the City of Piqua will send a copy of this executed amendment to the ACHP; and

NOW THEREFORE, in accordance with Stipulation X of the Agreement, the Signatories of the Agreement agree to amend the Agreement as follows:

1. Amend Stipulation II.B.1.e so it reads as follows:
 - e. Mortgage refinancing or purchasing of a property where no change in use, new construction, or rehabilitation will occur.
2. Amend Stipulation II.B.2 so it reads as follows:
 2. Site Work
 - a. Repair, line painting, paving, resurfacing, and maintenance of existing streets, roads, alleys, parking lots, sidewalks, curbs, ramps, and driveways where no change in width, surfaces, or vertical alignment to drainage is to occur.
 - b. Maintenance and repair of existing landscape features, including planting, fences, retaining walls, and walkways.
 - c. Installation of exterior lighting for individual properties, including parking lots, sidewalks, and freestanding yard lights, but excluding lighting types that are to be attached to a historic building greater than fifty years old. This exemption is not meant to include street lighting that will serve multiple properties.
 - d. Repair, maintenance, or direct replacement of existing residential water and sanitary sewer service connections within the previously excavated trench.
3. Amend Stipulation II.B.3.b so it reads as follows:
 - b. Repair of porches, cornices, exterior siding, doors, windows, balustrades, stairs, or other trim as long as any new materials matches existing features in composition, design, color, texture, and other visual and physical qualities.
4. Amend Stipulation II.B.4.a so it reads as follows:

- a. Repair of existing basement floors or the installation of new basement floors
5. Amend Stipulation X so it reads as follows:

X. Amendment & Duration, Termination

- A. At the request of either party, this Agreement may be reviewed for amendment or termination at any time. This Agreement may be amended when the terms of modifications are agreed to in writing by all signatories. The amended Agreement will be effective on the date a copy of the amendments signed by all of the signatories is filed with the ACHP.
 - B. This Agreement will continue in full force until December 31, 2014 and will be reviewed for modifications, renewal, or termination before this date has passed.
 - C. This Agreement may be terminated at the request of any signatory, after giving a thirty-day written notice of their intent to the other signatories. If this Agreement is terminated, then the grantee will be responsible for following the standard consultation process required at 36 CFR Part 800.
6. Add new Stipulation XI:

XI. Emergencies

- A. In the event that the grantee determines that a project must be completed on an emergency basis due to an imminent threat to life or property, the grantee may set aside the timeline established in Stipulation III to facilitate expedited review by the SHPO.
 - 1. The grantee will submit a request for an expedited review time of five business days, including the following documentation:
 - a. The address of the property and the nature of the emergency
 - b. Recent photographs of the property
 - c. A signed copy of any local order compelling immediate action
 - d. An Ohio Historic Inventory Form or other documentation regarding the National Register eligibility of the affected property
 - 2. The SHPO shall promptly notify the grantee of its concurrence with the grantee's effect determination or may request additional information.

Execution of this Amendment to the Agreement by the grantee and SHPO and implementation of its terms evidence that the grantee has taken into account the effects of its undertakings on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

The City of Piqua:

Signature
Gary Huff, City Manager
City of Piqua

Date

OHPO:

Signature
Mark J. Epstein, Department Head, Resource Protection and Review
Ohio State Historic Preservation Office

Date

RESOLUTION NO. R-126-11

**A RESOLUTION OF APPRECIATION FOR THE
PUBLIC SERVICE OF WILLIAM O. WHEELOCK
AS A CITY EMPLOYEE**

WHEREAS, William O. Wheelock has retired as Power Plant Manager with the Power System; and

WHEREAS, his retirement follows over 26 years of faithful and dedicated service to the City and its citizens;

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

SEC. 1: In recognition and appreciation of the public service of William O. Wheelock as Power Plant Manager, this Commission tenders its unanimous and respectful tribute by this Resolution, which shall be a matter of public and permanent record.

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-127-11

**A RESOLUTION APPOINTING ONE 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: David A. Zimmerman is hereby appointed to fill the unexpired term of Joe Drapp a member of the Energy Board for a term to expire on March 1, 2012 or until his successor is confirmed and qualified.

SEC. 2: David A. Zimmerman is hereby appointed as a member of the Energy for a term to expire on March 1, 2012.

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