

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, NOVEMBER 15, 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

PRESENTATION – Community Advisory Committee

A. CONSENT AGENDA

a. APPROVAL OF MINUTES

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

B. NEW BUSINESS

a. ORD. NO. 14-11 (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

b. ORD. NO. 15-11 (1st Reading)

An Ordinance repealing Chapter 33.08 – Insurance and enacting a new Chapter 33.08 - Insurance of the Piqua Code, relating to Employee policy

c. ORD. NO. 16-11 (1st Reading)

An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2012

d. ORD. NO. 17-11 (1st Reading)

An Ordinance providing for the issuance and sale of \$49,328.92 of bonds in anticipation of the collection of special assessments to pay costs of construction in the year 2010, sidewalks, curbs and gutters on Broadway (Phase II) and a Stormwater Improvement with the necessary appurtenances thereto

e. RES. NO. R-128-11

A Resolution supporting the Fiscal Year 2012 United States Environmental Protection Agency Brownfield Assessment Program application

f. RES. NO. R-129-11

A Resolution nominating Gary A. Huff to the Governing Board of the Piqua Improvement Corporation

- g. RES. NO. R-130-11
A Resolution appointing a member to the Community Diversity Committee Meeting
- h. RES. NO. R-131-11
A Resolution opposing action by the Ohio Governor or General Assembly to take Municipal Tax Collection and/or administration away from Municipalities and centralize such control within a state agency or third-party entity, and declaring an emergency
- i. RES. NO. R-132-11
A Resolution appointing a member to the Board of Zoning Appeals

C. OTHER

- a. Economic Development Update

D. ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
Tuesday November 1, 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.

Mayor Fess introduced and welcomed new City Manager Gary Huff, stating he has been on board for a about week now and we have been keeping him very busy with lots of meetings. City Manager Huff thanked the Mayor stating he is very happy to be here.

Approval of the minutes from the October 18, 2011 Regular Piqua City Commission Meeting. Moved by Commissioner Wilson, seconded by Commissioner Martin, that the minutes of the Regular Piqua City Commission Meeting of October 18, 2011 be approved. Voice vote, Aye: Fess, Wilson, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously.

NEW BUSINESS

RES. NO. R-125-11

A Resolution amending the programmatic agreement with the Ohio Historic Preservation Office for the Administration programs funded by the United States Department of Housing and Urban Development

City Manager Gary Huff stated Resolution No. R-125-11 is a resolution approving the adoption of amendments to the Programmatic Agreement between the Ohio Historic Preservation Office and the City of Piqua.

The City has received federal funds through the Community Development Block Grant program and other federal funds administered by the Ohio Department of Development. These federal funds have specific requirements that local governments must meet through the National Environmental Policy Act. Recently, the Ohio Historic Preservation Office, offered amendments which now allow certain site improvements to be exempt from Ohio Historic Preservation Office review.

Public Comment

No one came forward to speak for or against Resolution No. R-125-11.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to adopt Resolution No. R-125-11. Roll call, Aye: Wilson, Fess, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-125-11 adopted.

RES. NO. R-126-11

A Resolution of Appreciation for the Public Service of William O. Wheelock as a City Employee

City Manager Huff stated Resolution No. R-125-11 is a resolution of appreciation for William O. Wheelock. Mr. Wheelock is retiring as Power Plant Manager after 26 years of service to the City of Piqua.

Mayor Fess read the proclamation and presented it to Power Systems Director Ed Krieger, as Mr. Wheelock was unable to attend the meeting.

Public Comment

No one came forward to speak for or against Resolution No. R-126-11.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-126-11 be adopted. Roll call, Aye: Terry, Martin, Vogt, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-126-11 adopted.

RES. NO. R-127-11

A Resolution appointing one member to the Energy Board

City Manager Huff stated Resolution No. R-127-11 appoints David Zimmerman to fill the unexpired term of Joe Drapp as a member of the Energy Board for a term to expire on March 1, 2012.

Public Comment

No one came forward to speak for or against Resolution No. R-127-11.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-127-11 be adopted. Voice vote, Aye: Terry, Vogt, Wilson, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-127-11 adopted.

OTHER

Monthly Reports – September 2011

Monthly Reports for September 2011 were accepted.

Mayor Fess stated she was so glad to see so many people in the audience to welcome City Manager Huff.

Brad Boehringer, 126 Mound Street came forward stating his apartment building also has the address of 701 N. Wayne Street and giving a little bit of the history of the building. Mr. Boehringer inquired if the Downtown Design Review Board covered any historical houses not located in the Downtown area, such as homes in the Piqua Caldwell Historic District. Mr. Boehringer also asked if it would be possible for the City to look into establishing a Historic Commission to oversee the historic district and historic homes in the City of Piqua.

Mayor Fess advised Mr. Boehringer to contact Jim Oda, the City Historian for information on historical recognition regarding his apartment building and the area he resides in.

Frank Barhorst, Wayne Street, stated while working on the new Shelter House at Mote Park he had the pleasure of speaking with two young girls Taylor and Katlyn playing on the playground equipment. Mr. Barhorst stated he asked them both what kind of playground equipment they would like to have in the Park in the future. Both girls agreed they wanted to have new swings and a merry-go-round, said Mr. Barhorst. Mayor Fess stated both of the items Taylor & Katlyn asked for are in the plans for the new playground at Mote Park next year.

Mr. Barhorst gave a brief update on the new Shelter House being built at Mote Park. The Shelter is close to be finished with a lot of help and support from the community by coming together for a common cause. Without the help and leadership of Russ Fashner, Chris Schmiesing, Jim Veters, Jim Cruse, Al Cooper, Commissioner Martin, and the other countless number of volunteers this project would not have been possible, said Mr. Barhorst.

Mayor Fess encouraged citizens to go up to Mote Park and see the beautiful shelter.

Tom Buecker, Hopewood Drive, representing the Water Committee Council stated they have been working very hard to acquire funds for improvements to the City of Piqua water sources. A grant was received to do some work at the Echo Hills Golf Course to clean out the water sources.

Several of the committee members were also present at the meeting. Mr. Buecker stated the Water Committee Council has a brief power point presentation they would like to present to the City Commission, and would like to be included on the November 15th agenda if possible.

Mayor Fess stated she wanted to recognize the work the committee has done, and would be happy to put them on the November 15th City Commission agenda. Mayor Fess inquired about a weed cutter they had planned to purchase for use in the waterways, and if they were able to get it. Mr. Buecker stated they were not able to get that particular weed cutter at this time due to a price difference, and further explained the reason and their future plans.

Jeff Lange, State Route 66, came forward and welcomed City Manager Gary Huff. Mr. Lange gave a brief history of POWW (Protecting Our WaterWays) citing some of their accomplishments. Mr. Lange voiced his concern over the water quality now and in the future of many of our local water sources. Mr. Lange stated the CAC (Citizens Advisory Council) is bound by the city limits of Piqua, and is now a part of the Middle Great Miami River Watershed Alliance. Mr. Lange encouraged citizens to attend the Citizens Advisory Council Meeting when they see them posted if they are concerned about protecting Piqua's water and natural waterways in the future.

Mr. Lange stated he personally supports the City of Piqua building a new water plant with existing well water sources. Mr. Lange is concerned about other sources of water stating they are ground water sources, and encouraged citizens to look at the Superfund Sites in Miami County for further information regarding the ground water.

Scott Phillips, Piqua Lockington Road, Vice President of POWW, and Vice President of the Middle Great Miami River Watershed Alliance came forward. Mr. Phillips stated on November 10, 2011 at 7:00 P.M. an open forum is scheduled at Edison Community College concerning the water issues, and encouraged citizens to attend. Mr. Phillips also passed out an informational brochure on Protecting and Preserving our Water produced by the Piqua Community Advisory Committee (CAC), and The Middle Great Miami River Watershed Alliance, LLC, (MGMRW).

Ruth Koon, Park Avenue, representing MainStreet Piqua, came forward and welcomed City Manager Gary Huff to Piqua. Mrs. Koon stated she would like to introduce the MainStreet organization to Mr. Huff and gave a brief update on the various activities of MainStreet Piqua in the community. Mrs. Koon thanked the City of Piqua for their support in the past and asked that the City consider their support in the future. Fundraising is a very important part of MainStreet Piqua, and listed several of the many events held each year to raise funds. MainStreet Piqua has only one paid employee Lorna Swisher, Executive Director and has the help of many volunteers, stated Mrs. Koon.

Mayor Fess stated they are looking at many items in the 2012 Budget, and complimented MainStreet Piqua on the all of the good things they do for the community.

Bob Bloom, Union -Shelby Road, came forward to encourage citizens to support the 2011 Marine Corps Reserve Toys-for-Tots program in our area. New toys and monetary donations will be accepted. Last year 2,745 toys were delivered to area children, and this year a "fill the truck" event is scheduled for December 10th from 12:00 – 4:00 P.M. in front of the Piqua Big Lots store located in Piqua on East Ash Street for anyone wishing to donate toys. All of the toys collected remain in the community where they are collected, all money is used locally, and donations are tax deductible, stated Mr. Bloom.

Commissioner Wilson commented that all of the events sponsored by MainStreet Piqua are great and are well attended. The MainStreet Piqua group seems to have a lot of energy, said Commissioner Wilson. Commissioner Wilson mentioned this is Mr. Huff's first night on television, and stated the Commissioners went through over a 100 resumes, with one of the most important requirements being they wanted the City Manager to have good people skills. Commissioner Wilson stated Mr. Huff has those people skills we were looking for, and encouraged citizens to get to know City Manager Huff.

Commissioner Wilson congratulated Theresa Anderson on her recognition as Principle of the Year in Ohio. Commissioner Wilson reminded and encouraged citizens to get out and vote on November 8, 2011.

Commissioner Terry stated on Wednesday, November 2, at 7:30 P.M. the Piqua YWCA is sponsoring "Meet the Candidate Night" and encouraged citizens to attend. The candidates for the 5th Ward Commission Seat, the Mayor's Seat, and information on the Piqua City Charter Amendments along with State and County Issues will be presented.

Commissioner Terry welcomed City Manager Huff to Piqua, stating she is very happy to have him here.

Commissioner Terry noted according to the Monthly Reports recycling numbers are up in September and encouraged citizens to continue recycling.

Commissioner Terry asked if it would be possible to coordinate with Shelby County next year on Trick or Treat night, citing she seemed to have a lot of children from out of the area. The City of Piqua currently coordinates with Miami County on scheduling the evening and would like to see Shelby County included next year if possible.

Commissioner Terry thanked the many volunteers who volunteer their time to the organizations and committees in the City of Piqua. It is nice to see cooperation from different groups working together for the good of the community, and it is a good time to be a volunteer, said Commissioner Terry.

Commissioner Vogt stated we have great volunteers in our town, including MainStreet Piqua, the Chamber of Commerce, and the Watershed Committee along with all of the other Boards and Committees who all deserve our support. Commissioner Vogt noted it is quite an undertaking to complete the removal of the silt from the waterways, stating he plans to get more involved with the organizations to help keep our waterways clean in the future.

Commissioner Vogt also reminded citizens to get out and exercise their right to vote on Tuesday, November 8, 2011.

Commissioner Martin stated he has had the pleasure of working with a very great diverse group of volunteers the past four weekends building the Mote Park Shelter, and thanked all of them for their help. This shelter will be something the citizens of Piqua can be proud of, stated Commissioner Martin. Commissioner Martin also thanked all the volunteers on the Boards and Committees for helping to make Piqua a better place to work and live.

City Manager Huff stated he is very excited to be here and thanked the Commission for the opportunity to work for the City of Piqua. Mr. Huff further stated he appreciates the warm welcome and reception he has received and especially wanted to thank the staff for their patience and helpfulness on getting him up to speed.

City Manager Huff stated on November 9, 2011 the Federal Government would be conducting an Emergency Alert System Test. This is the first nationally scheduled test conducted, and will be simulating a message from the President of the United States. This will be conducted like the monthly emergency test we currently have each month. More information regarding this test is available on the City website.

City Manager Huff announced the City of Piqua will be sponsoring a new program on the website entitled "Piqua Alert" where citizens can go to the website and sign up for any alerts the city might post. The purpose is for citizens to receive emails automatically if they are signed up with the program regarding any information the city puts out including road closings, Neighborhood information, power outages, press releases, and etc.

City Manager Huff announced several Board openings including the Board of Zoning Appeals (1), Community Diversity Committee (2), Civil Service Board (1), Income Tax Review Board (1) and the Stormwater Utility Board (2) and urged citizens to apply. Applications are available online and in the City Manager's Office.

City Manager Huff stated the Piqua Daily Call published recognition of the City of Piqua Finance Department and the Piqua Municipal Power Systems on their recent awards. City Manager Huff congratulated both departments on their recent achievements.

Mayor Fess congratulated both departments on their awards, further stating both departments continue to bring many national awards and recognition to the City of Piqua, and she appreciates what they do.

Mayor Fess stated in the 1990's the City of Piqua went to the finals of the "All American Cities" several times. One of the things we were most proud of was the large number of volunteer hours the City of Piqua had. There were cities much larger than Piqua who had less volunteer hours and that was something to be proud of for the City of Piqua. I think we are more volunteer minded today than back in the 1990's. That is what makes a community strong, being able to work together as volunteers to help make our community the best it can be stated Mayor Fess, and added her thanks to all the volunteers in the community.

Mayor Fess stated City Manager Huff is bringing a lot of new ideas to the City of Piqua and she is very excited to be working with him. Beginning the first of the year City Manager Huff will be starting a "Citizens Government Academy" and asked City Manager Huff to explain.

Mr. Huff explained that local government can be complex and the academy will explain how local government works, especially here in the City of Piqua as it relates to the operations. This academy will be an eight or nine week program that will take citizens through the various departments to see how they work and see the overall day-to-day operations of the city. At the end of the program there may be a mock City Commission Meeting where the citizens will participate in making decisions and see how the whole local government process works together. City Manager Huff encouraged citizens to participate and sign up for the academy, stating it will be a very rewarding program.

Mayor Fess stated this is an opportunity for citizens to understand how local government works, especially in the finance area, which is pretty complex. There is no fee for this program and City Manager Huff will be teaching the academy. We are very excited about the "Citizens Government Academy" and we are encouraging citizens to sign up, stated Mayor Fess.

Mayor Fess noticed there are only two empty seats in the City Commission Chambers this evening, stating she is glad to see so many people in attendance. Mayor Fess encouraged citizens to continue attending the Commission Meetings in the future.

Adjournment

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:25 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

ORDINANCE NO. 14-11

**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. 34-10, 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
January 1, 2012.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

CLASSIFICATION/ TITLE	HOURLY RATE	
CLERK TYPIST (CO-OP STUDENT)	7.70	
CITY CLERK*	7.70	
CLERK TYPIST A	7.70	
CLERK TYPIST B	7.70	
RECORDS & DATA ENTRY CLERK	7.70	
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	7.70 to 12.36	
PARKING CONTROL OFFICER	7.92	
ANIMAL CONTROL OFFICER	7.70	
POWER DISTRIBUTION STOREKEEPER	15.45	
PLUMBING INSPECTOR	19.10	
CONSTRUCTION INSPECTOR	19.10	
PUBLIC HEALTH NURSE	19.10	
STREET SWEEPER	10.00	
LABORER A	7.70	
LABORER B	8.26	
LABORER C	9.18	
CUSTODIAN	7.70	
REFUSE COLLECTOR	7.70	
MAINTENANCE WORKER	7.70	
STREET DEPT. MAINTENANCE SUPV.	9.91	
SEASONAL GOLF COURSE MAINT. LABORER A	7.70	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	7.70	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER B	7.70	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER C	7.70	plus free golf**
GOLF COURSE CLUBHOUSE ATTENDANT	7.70	plus free golf**
CART/RANGE ATTENDANT	7.70	plus free golf**
FOOD SERVICE ATTENDANT (GOLF)	7.70	plus free golf**
LIFEGUARD A	7.70	
LIFEGUARD B	7.70	
LIFEGUARD C	7.70	
TICKET WINDOW ATTENDANT A	7.70	
TICKET WINDOW ATTENDANT B	7.70	
HEAD TICKET WINDOW ATTEND. A	7.70	
HEAD TICKET WINDOW ATTEND. B	7.83	
RECREATION LEADER	7.79	
RECREATION ASSISTANT	7.70	
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



STATE OF OHIO

2012 MINIMUM WAGE

OHIO DEPARTMENT OF COMMERCE
DIVISION OF INDUSTRIAL COMPLIANCE & LABOR

JOHN R. KASICH
Governor

DAVID GOODMAN
Director

www.com.ohio.gov

NON-TIPPED EMPLOYEES

A Minimum Wage of

\$7.70 per hour

"Non-Tipped Employees" includes any employee who does not engage in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips from patrons or others.

"Employers" who gross under \$283,000.00 shall pay their employees no less than the current Federal Minimum wage rate.

"Employees" under the age of 16 shall be paid no less than the current federal minimum wage rate.

"Current Federal Minimum Wage" is \$7.25 per hour.

TIPPED EMPLOYEES

A Minimum Wage of

\$3.85 per hour **PLUS TIPS**

"Tipped Employees" includes any employee who engages in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips from patrons or others. The tips are proven if indicated by the employee's declaration for the purposes of the federal insurance contribution act. Including when tips are added to the employee's wage, his/her hourly pay cannot be less than the regular minimum wage of \$7.70 prescribed by law.

Below is a partial summary of the requirements and exemptions for minimum and overtime wages. Persons should refer to Ohio Revised Code Chapter 4111 and the federal Fair Labor Standards Act of 1938, as amended, for specific requirements applicable to them. For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance & Labor, 6606 Tussing Road, Reynoldsburg, Ohio 43068. Phone: (614) 644-2239. TTY/TDD: 1-800-750-0750.

OVERTIME

1. An employer shall pay an employee for overtime at a wage rate of one and one-half times the employee's wage rate for hours in excess of forty hours in one work week, except for employers grossing less than \$150,000 per year.
2. Hospitals and Nursing Homes are permitted time and one-half in excess of eighty hours in a two week period and also in excess of eight hours a day.

PERMANENT RECORDS TO BE KEPT BY THE EMPLOYER

1. Each employer shall keep permanent records for at least three years, available for copying and inspection by the Director of the Ohio Department of Commerce, showing the following information concerning each employee:
 - A. Name
 - B. Address
 - C. Occupation
 - D. Rate of Pay
 - E. Amount paid each pay period
 - F. Hours worked each day and each work week
2. The records may be opened for inspection or copying at any reasonable time and no employer shall hinder or delay the Director of the Ohio Department of Commerce in the performance of these duties.

HANDICAPPED RATE

To prevent the curtailment of opportunities for employment and avoid undue hardship to individuals whose earning capacity is affected or impaired by physical or mental deficiencies or injuries, a sub-minimum wage may be paid, as provided in the rules and regulations set forth by the Director of the Ohio Department of Commerce.

INDIVIDUALS EXEMPT FROM MINIMUM WAGE

1. Any individual employed by the United States;
2. Any individual employed as a baby-sitter in the employer's home, or a live-in companion to a sick, convalescing, or elderly person whose principal duties do not include housekeeping;
3. Any individual employed as an outside salesman compensated by commissions or in a bona fide executive, administrative, or professional capacity, or computer professionals;
4. Any individual who volunteers to perform services for a public agency which is a State, a political subdivision of a State, or an interstate government agency, if
 - (i) the individual receives no compensation or is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered; and
 - (ii) such services are not the same type of services which the individual is employed to perform for such public agency;
5. Any individual who works or provides personal services of a charitable nature in a hospital or health institution for which compensation is not sought or contemplated;
6. Any individual in the employ of a camp or recreational area for children under eighteen years of age and owned and operated by a non-profit organization or group of organizations.
7. Employees of a solely family owned and operated business who are family members of an owner.

POST IN A CONSPICUOUS PLACE



CITY COMMISSION MEETING REPORT

For the Regular Meeting of November 15, 2011

Date: November 9, 2011

TO: Gary A. Huff, 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 \$7.40 per hour to \$7.70 per hour.*

RECOMMENDATION:

Adopt Ordinance No. 14-11 to increase the wages of certain temporary, seasonal, and part-time employees.

BACKGROUND:

On January 1, 2012, the minimum wage rate in the State of Ohio will be increased from \$7.40 per hour to \$7.70 per hour. There are several positions included on Schedule A-1 that are below \$7.70 per hour. Passage of this ordinance will put the City in compliance with state law.

ALTERNATIVES:

- 1) Adopt Ordinance No. 14-11 increasing the wage rates of certain temporary, seasonal, and part-time employees to the minimum wage rate to take effect on January 1, 2012.
- 2) Do not adopt the Ordinance and be out of compliance with state law.

DISCUSSION:

The increase to the minimum wage rate will affect the seasonal and summer employees wage rates in 2012.

FINANCIAL IMPACT:

The increase in minimum wage has been accounted for in the 2012 calendar year budget.

Schedule A-1
November 9, 2011

COMMUNITY IMPACT:

N/A

CONFORMITY TO CITY PLANS & POLICIES:

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

ORDINANCE NO. 15-11

**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 November 15, 2011

Date: November 9, 2011

TO: Gary A. Huff, City Manager
FROM: Elaine G. Barton, Human Resources Director
SUBJECT: Ordinance No. 15-11

PURPOSE:

- 1. Approve the ordinance updating Chapter 33.08 of the Piqua Code with regard to employee health insurance for the 2012 benefit year.*

RECOMMENDATION:

I am requesting that Ordinance No. 15-11 be approved to update Chapter 33.08 - Insurance to reflect the amount that city employees (non-union) will be contributing toward their health insurance for the 2012 benefit plan year.

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. The City share of the deductible funding as well as the employee's premium contribution percentage will remain the same as the current (2011) benefit plan year.

ALTERNATIVES:

- 1) Approve Ordinance No. 15-11 revising the plan year date from 2011 to 2012 while keeping the contribution levels from the City for the health reimbursement and health savings accounts the same for non-union employees. In addition, the employee premium contribution percentage remains the same for 2012 as they were in 2011.*
- 2) Do not approve the Ordinance and provide staff with further direction.*

FINANCIAL IMPACT:

The 2012 City budget includes 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 contribution plan for non-union employees for health insurance for the 2012 benefit year.

§ 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. 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 ~~2011~~ **2012** 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 ~~2011~~ **2012** 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 ~~2011~~ **2012** 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 (~~2011~~ **2012**) 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; Am. Ord. 2-11, passed 4-5-11)

ORDINANCE NO. 16-11
AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO FOR THE YEAR 2012

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>	2012 APPROPRIATIONS
<u>City Building</u>	
Operation and Maintenance	\$100,912
Allocated Expenses	(\$11,547)
TOTAL	\$89,365
<u>City Commission</u>	
Personal Services/Administrative Support	\$34,894
Operation and Maintenance	\$66,082
TOTAL	\$100,976
<u>City Manager</u>	
Personal Services/Administrative Support	\$227,564
Operation and Maintenance	\$41,819
Allocated Expenses	(\$197,188)
TOTAL	\$72,195
<u>Civil Service</u>	
Operation and Maintenance	\$18,600
TOTAL	\$18,600
<u>Engineering</u>	
Personal Services/Administrative Support	\$341,564
Operation and Maintenance	\$29,283
Allocated Expenses	(\$301,943)
TOTAL	\$68,904
<u>Finance</u>	
Personal Services/Administrative Support	\$475,437
Operation and Maintenance	\$35,869
Allocated Expenses	(\$354,130)
TOTAL	\$157,176
<u>Health</u>	
Personal Services/Administrative Support	\$249,678
Operation and Maintenance	\$94,800
TOTAL	\$344,478
<u>Law</u>	
Personal Services/Administrative Support	\$191,278
Operation and Maintenance	\$16,461
Allocated Expenses	(\$123,804)
TOTAL	\$83,935
<u>Planning & Zoning</u>	
Personal Services/Administrative Support	\$178,674
Operation and Maintenance	\$14,400
TOTAL	\$193,074
<u>General Government</u>	
Operation and Maintenance	\$220,330
Non Government/Transfers/Refunds	\$100
TOTAL	\$220,430
<u>Human Resources</u>	
Personal Services/Administrative Support	\$166,632
Operation and Maintenance	\$14,581
Allocated Expenses	(\$155,596)
TOTAL	\$25,617
<u>Purchasing</u>	
Personal Services/Administrative Support	\$75,874
Operation and Maintenance	\$5,548
Allocated Expenses	(\$79,475)
TOTAL	\$1,947

Income Tax

Personal Services/Administrative Support	\$174,614
Operation and Maintenance	\$175,696

TOTAL \$350,310

Transfers

Transfer to NIT Fund 104	\$26,192
Transfer to Parks Fund 105	\$125,000
Transfer to Safety Fund 106	\$3,550,000
Transfer to Forest Hill Mausoleum Fund 110	\$3,920
Transfer to Pro Piqua Fund 128	\$59,000
Transfer to Golf 409	\$225,000
Transfer to Ft. Piqua Plaza 410	\$180,000
Transfer to Swimming Pool Fund 415	\$80,000

TOTAL \$4,249,112

TOTAL GENERAL FUND \$5,903,924

SEC. 2: That there be appropriated from the STREET DEPARTMENT FUND (101)

Personal Services/Administrative Support	\$868,657
Operation and Maintenance	\$1,512,632
Capital Outlay (including labor)	\$184,000

TOTAL \$2,565,289

SEC. 3: That there be appropriated from the STREET INCOME TAX FUND (103)

Operation and Maintenance	\$338,348
Capital Outlay (including labor)	\$2,782,759
Non Government/Transfers/Refunds	\$188,866

TOTAL \$3,309,973

SEC. 4: That there be appropriated from the NEIGHBORHOOD IMPROVEMENT TEAM FUND (104)

Personal Services/Administrative Support	\$12,082
Operation and Maintenance	\$14,110

TOTAL \$26,192

SEC. 5: That there be appropriated from the PARK AND RECREATION FUND (105)

Personal Services/Administrative Support	\$267,179
Operation and Maintenance	\$168,672

TOTAL \$435,851

SEC. 6: That there be appropriated from the PUBLIC SAFETY FUND (106)

009 Fire Department

Personal Services/Administrative Support	\$3,175,034
Operation and Maintenance	\$398,148
Capital Outlay (including labor)	\$219,900
Non Government/Transfers/Refunds	\$70,300

TOTAL \$3,863,382

014 Police Department

Personal Services/Administrative Support	\$3,541,215
Operation and Maintenance	\$590,597
Capital Outlay (including labor)	\$124,300
Non-Government/Transfers/Refunds	\$18,627

TOTAL \$4,274,739

TOTAL PUBLIC SAFETY \$8,138,121

SEC. 7: That there be appropriated from the PIQUA TREE FUND (107)

Operation & Maintenance	\$3,000
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TOTAL \$3,000

SEC. 8: That there be appropriated from the D.U.I. EDUCATIONAL FUND (109)

Operation & Maintenance	\$3,000
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TOTAL \$3,000

SEC. 9:	That there be appropriated from the FOREST HILL MAUSOLEUM FUND (110)	
	Operation & Maintenance	<u>\$3,920</u>
TOTAL		\$3,920
SEC. 10:	That there be appropriated from the MANDATORY DRUG FINE FUND (111)	
	Operation and Maintenance	<u>\$1,200</u>
TOTAL		\$1,200
SEC. 11:	That there be appropriated from the CHIP 2010 FUND (112)	
	Operation and Maintenance	<u>\$279,965</u>
TOTAL		\$279,965
SEC. 12:	That there be appropriated from the RENEW PIQUA FUND (114)	
	Operation and Maintenance	<u>\$6,000</u>
TOTAL		\$6,000
SEC. 13:	That there be appropriated from the CHIP 2012 FUND (117)	
	Operation and Maintenance	<u>\$400,000</u>
TOTAL		\$400,000
SEC. 14:	That there be appropriated from the C.H.I.P. PROGRAM INCOME FUND (119)	
	Operation and Maintenance	<u>\$12,072</u>
TOTAL		\$12,072
SEC. 15:	That there be appropriated from the POLICE AUXILIARY FUND (120)	
	Operation & Maintenance	<u>\$2,625</u>
TOTAL		\$2,625
SEC. 16:	That there be appropriated from the COMMUNITY DEVELOPMENT BLOCK GRANT FUND (122)	
	Operation and Maintenance	\$21,600
	Capital Outlay (including labor)	<u>\$86,400</u>
TOTAL		\$108,000
SEC. 17:	That there be appropriated from the WORKER'S COMP FUND (124)	
	Personal Services/Administrative Support	<u>\$223,702</u>
TOTAL		\$223,702
SEC. 18:	That there be appropriated from the INSURANCE RESERVE FUND (125)	
	Operation & Maintenance	<u>\$311,214</u>
TOTAL		\$311,214
SEC. 19:	That there be appropriated from the DEMOLITION DEFENSE FUND (126)	
	Non Government/Transfers/Refunds	<u>\$30,000</u>
TOTAL		\$30,000
SEC. 20:	That there be appropriated from the ENTERPRISE ZONE APPLICATION FUND (127)	
	Operation & Maintenance	<u>\$300</u>
TOTAL		\$300
SEC. 21:	That there be appropriated from the PRO PIQUA FUND (128)	
	Operation and Maintenance	<u>\$59,000</u>
TOTAL		\$59,000
SEC. 22:	That there be appropriated from the REVOLVING LOAN FUND (130)	
	Operation and Maintenance	<u>\$20,250</u>
TOTAL		\$20,250

SEC. 23:	That there be appropriated from the BROWNFIELD EPA GRANT (131)	
	Operation and Maintenance	\$400,000
	TOTAL	\$400,000
SEC. 24:	That there be appropriated from the COMMUNITY DEVELOPMENT FUND (135)	
	Personal Services/Administrative Support	\$223,981
	Operation and Maintenance	\$79,987
	Allocated Expenses	(\$303,968)
	TOTAL	\$0
SEC. 25:	That there be appropriated from the DOWNTOWN REVITALIZATION (GENERAL BUSINESS) FUND (137)	
	Operation and Maintenance	\$50,000
	TOTAL	\$50,000
SEC. 26:	That there be appropriated from the FEMA FUND (139)	
	Personal Services/Administrative Support	\$20,000
	TOTAL	\$20,000
SEC. 27:	That there be appropriated from the ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (141)	
	Operation and Maintenance	\$200,000
	TOTAL	\$200,000
SEC. 28:	That there be appropriated from the AGRICULTURAL REVOLVING LOAN FUND (142)	
	Operation and Maintenance	\$20,250
	TOTAL	\$20,250
SEC. 29:	That there be appropriated from the CLEAN OHIO ASSISTANCE FUND DEMOLITION (144)	
	Operation and Maintenance	\$2,000,000
	TOTAL	\$2,000,000
SEC. 30:	That there be appropriated from the SPECIAL ASSESSMENT DEBT SERVICE FUND (202)	
	Operation and Maintenance	\$69,355
	Non Government/Transfers/Refunds	\$28,836
	TOTAL	\$98,191
SEC. 31:	That there be appropriated from the OWDA-1995 LOAN WASTEWATER DEBT SERVICE FUND (210)	
	Non Government/Transfers/Refunds	\$506,538
	TOTAL	\$506,538
SEC. 32:	That there be appropriated from the SIB 25A NOTE '08 FUND (216)	
	Non Government/Transfers/Refunds	\$173,754
	TOTAL	\$173,754
SEC. 33:	That there be appropriated from the SWIMMING POOL DEBT SERVICE FUND (221)	
	Non Government/Transfers/Refunds	\$8,437
	TOTAL	\$8,437
SEC. 34:	That there be appropriated from the ELECTRIC G O BONDS DEBT SERVICE FUND (238)	
	Non Government/Transfers/Refunds	\$118,528
	TOTAL	\$118,528

SEC. 35:	That there be appropriated from the GOLF COURSE EXPANSION G.O. BONDS DEBT SERVICE FUND (243)	
	Non Government/Transfers/Refunds	<u>\$167,328</u>
TOTAL		\$167,328
SEC. 36:	That there be appropriated from the PFDP PENSION G. O. BONDS DEBT SERVICE FUND (249)	
	Non Government/Transfers/Refunds	<u>\$42,188</u>
TOTAL		\$42,188
SEC. 37:	That there be appropriated from the WATER TOWER DEBT SERVICE FUND (250)	
	Non Government/Transfers/Refunds	<u>\$132,822</u>
TOTAL		\$132,822
SEC. 38:	That there be appropriated from the WATER TOWER DEBT SERVICE FUND 2006 (251)	
	Non Government/Transfers/Refunds	<u>\$14,351</u>
TOTAL		\$14,351
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>\$46,513</u>
TOTAL		\$46,513
SEC. 41:	That there be appropriated from the SWIMMING POOL CONSTRUCTION FUND (323)	
	Non Government/Transfers/Refunds	<u>\$40</u>
TOTAL		\$40
SEC. 42:	That there be appropriated from the POWER SYSTEM FUND (401)	
	Personal Services/Administrative Support	\$2,093,848
	Operation and Maintenance	\$24,375,570
	Capital Outlay (including labor)	\$6,672,864
	Overhead Transfers	(\$300,000)
	Non Government/Transfers/Refunds	<u>\$118,528</u>
TOTAL		\$32,960,810
SEC. 43:	That there be appropriated from the WATER SYSTEM FUND (403)	
	Personal Services/Administrative Support	\$1,251,188
	Operation and Maintenance	\$1,735,975
	Capital Outlay (including labor)	\$2,888,572
	Non Government/Transfers/Refunds	<u>\$147,136</u>
TOTAL		\$6,022,871
SEC. 44:	That there be appropriated from the WASTEWATER SYSTEM FUND (404)	
	Personal Services/Administrative Support	\$1,140,901
	Operation and Maintenance	\$1,162,270
	Capital Outlay (including labor)	\$263,971
	Non Government/Transfers/Refunds	<u>\$801,840</u>
TOTAL		\$3,368,982
SEC. 45:	That there be appropriated from the GARBAGE AND REFUSE FUND (405)	
	Personal Services/Administrative Support	\$561,818
	Operation and Maintenance	\$1,160,961
	Capital Outlay (including labor)	<u>\$126,500</u>
TOTAL		\$1,849,279

SEC. 46:	That there be appropriated from the CITY INCOME TAX ADMINISTRATION FUND (407)	
	Non Government/Transfers/Refunds	\$7,750,000
	TOTAL	\$7,750,000
SEC. 47:	That there be appropriated from the INFORMATION TECHNOLOGY FUND (408)	
	Personal Services/Administrative Support	\$281,097
	Operation and Maintenance	\$165,882
	Capital Outlay (including labor)	\$185,000
	TOTAL	\$631,979
SEC. 48:	That there be appropriated from the GOLF COURSE FUND (409)	
	Personal Services/Administrative Support	\$253,875
	Operation and Maintenance	\$297,847
	Non Government/Transfers/Refunds	\$168,502
	TOTAL	\$720,224
SEC. 49:	That there be appropriated from the FORT PIQUA PLAZA FUND (410)	
	Operation & Maintenance	\$287,806
	Non Government/Transfers/Refunds	\$3,000
	TOTAL	\$290,806
SEC. 50:	That there be appropriated from the STORMWATER UTILITY FUND (411)	
	Personal Services/Administrative Support	\$267,869
	Operation and Maintenance	\$419,526
	Capital Outlay (including labor)	\$515,000
	TOTAL	\$1,202,395
SEC. 51:	That there be appropriated from the METER READERS FUND (412)	
	Personal Services/Administrative Support	\$215,930
	Operation and Maintenance	\$30,685
	Allocated Expenses	(\$246,615)
	TOTAL	\$0
SEC. 52:	That there be appropriated from the UTILITIES BUSINESS OFFICE FUND (413)	
	Personal Services/Administrative Support	\$480,805
	Operation and Maintenance	\$367,154
	Non Government/Transfers/Refunds	\$5,000
	Allocated Expenses	(\$852,959)
	TOTAL	\$0
SEC. 53:	That there be appropriated from the SWIMMING POOL FUND (415)	
	Personal Services/Administrative Support	\$78,006
	Operation and Maintenance	\$75,136
	Non Government/Transfers/Refunds	\$8,628
	TOTAL	\$161,770
SEC. 54:	That there be appropriated from the UNCLAIMED TRUST FUND (606)	
	Non Government/Transfers/Refunds	\$1,000
	TOTAL	\$1,000
SEC. 55:	That there be appropriated from the CONSERVANCY FUND (611)	
	Operation and Maintenance	\$46,700
	TOTAL	\$46,700

SEC. 56: That there be appropriated from the CITY HEALTH INSURANCE FUND (614)

Personal Services/Administrative Support	
Operation and Maintenance	\$2,875,000
Non Government/Transfers/Refunds	\$340,000
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TOTAL	\$3,215,000

SEC. 57: That there be appropriated from the EMPLOYEE FLEXIBLE SPENDING FUND (615)

Administrative Support	\$185,000
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TOTAL	\$185,000

SEC. 58: That there be appropriated from the WEED CUTTING FUND (735)

Operation and Maintenance	\$20,000
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TOTAL	\$20,000

SEC. 59: That there be appropriated from the BROADWAY STREET RECONSTRUCTION FUND (754)

Capital Outlay (including labor)	\$98,250
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TOTAL	\$98,250

SEC. 60: That there be appropriated from the SAFETY EQUIPMENT REPLACEMENT FUND (809)

Non Government/Transfers/Refunds	\$317,400
	<hr/>
TOTAL	\$317,400

SEC. 61: 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. 62: 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 2012 when passed and legally contracted for in conformity by law.

SEC. 63: 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, 2012; except those that are to be reimbursed by federal or state grant programs that were previously approved by this Commission.

SEC. 64: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 17-11

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$49,328.92 OF BONDS IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS TO PAY COSTS OF CONSTRUCTION IN THE YEAR 2010, SIDE-WALKS, CURBS AND GUTTERS ON BROADWAY (PHASE II) AND A STORMWATER IMPROVEMENT 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 \$49,328.92 (the Bonds) in anticipation of the collection of special assessments to pay cost of constructing in the year 2010, sidewalks, curbs and gutters on Broadway Phase II and a Stormwater Improvement 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 \$8,484.24, and four (4) at \$8,481.00, and one (1) at \$1,384.68, and four (4) at \$1,384.00 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, 2012, 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:

2013	\$8,481.00
2014	\$8,481.00
2015	\$8,481.00
2016	\$8,481.00
2017	\$8,484.24
2018	\$1,384.00
2019	\$1,384.00
2020	\$1,384.00
2021	\$1,384.00
2022	\$1,384.68

ORDINANCE NO. 17-11

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 or 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;

ORDINANCE NO. 17-11

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;

ORDINANCE NO. 17-11

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.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of November 15, 2011

TO: Gary Huff, 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. 17-11

PURPOSE:

Approve the Ordinance No. 17-11 determining the issuance and sale of bonds in anticipation of the collection of special assessments to pay costs of construction on Broadway and for a Stormwater Improvement. This will restore the dollars to Street Construction Fund 103 and to Stormwater 411 Fund for future use.

RECOMMENDATION:

I am requesting approval of Ordinance No. 17-11 determining the issuance and sale of bonds in anticipation of the collection of special assessments to pay costs of construction on Broadway and for a Stormwater Improvement. This will restore the dollars to Street Construction Fund 103 and to Stormwater 411 Fund for future use.

BACKGROUND:

The Street Construction Fund 103 originally paid for the Broadway Construction Project. Property owner costs for constructing sidewalks, curbs, and gutters were then invoiced on April 1, 2011 with a due date of June 17, 2011. Ordinance No. 9-10 was approved by City Commission on September 6, 2011 to assess the unpaid reconstruction costs to the property owners' tax duplicate for five or ten years based on the property owners' choice. The original project cost \$98,249.54. We collected \$51,646.28 and the remaining amount of \$46,603.26 was assessed to the public by the county.

The Stormwater Fund 411 originally paid for the Stormwater Improvements. The property owner was invoiced August 3, 2011. Ordinance No. 10-11 was approved by City Commission on September 6, 2011 to assess the unpaid improvement costs to the property owner's tax duplicate for five years based on the property owner's choice. The project cost \$2,725.66 and was assessed to the public by the county.

By issuing and selling these bonds the City will be able to restore the dollars to Street Construction Fund 103 and Stormwater Fund 411 for the reconstruction costs now and not have to wait for ten years. The bonds are for the remaining amount of the Broadway project and the Stormwater Improvement which totals \$49,328.92.

ALTERNATIVES:

- 1) Approve Ordinance No. 17-11 authorizing the issuance and sale of bonds in anticipation of the collection of special assessments for payment of the costs of construction on Broadway and for the Stormwater Improvement.
- 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 Broadway and for the Stormwater Improvement impeding the flow of funds for future special 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 and to the Stormwater Fund 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 Broadway construction costs and Stormwater Fund for the Stormwater Improvement.

FINANCIAL IMPACT:

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

COMMUNITY IMPACT:

The Broadway reconstruction and the Stormwater project were public improvements. The costs of these improvements 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 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 construction projects.

RESOLUTION NO. R-128-11

A RESOLUTION SUPPORTING THE FISCAL YEAR 2012 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD ASSESSMENT PROGRAM APPLICATION

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

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

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

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

SEC. 1. The Fiscal Year 2012 Brownfield Assessment Grant Program is hereby supported and the City Manager is hereby authorized and directed to submit the City's program application to the United States Environmental Protection Agency, including all understandings and assurances therein. The approved activities are: Phase One and Phase Two environmental assessments on all eligible properties.

SEC. 2. The City Manager is to be the designated agent of the program in connection with the application and is authorized to execute all agreements in conjunction with the Fiscal Year 2012 Brownfield Assessment Grant Program.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of November 15, 2011

For the Special Meeting of

For the Study Session of

TO: Gary Huff, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: U. S. EPA Brownfield Assessment Grant Application

PURPOSE:

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

RECOMMENDATION:

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

BACKGROUND:

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

ALTERNATIVES:

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

DISCUSSION:

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

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

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

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

FINANCIAL IMPACT:

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

COMMUNITY IMPACT:

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

CONFORMITY TO CITY PLANS & POLICIES:

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

RESOLUTION NO. R-129-11

**A RESOLUTION NOMINATING GARY A. HUFF TO THE
GOVERNING BOARD OF THE PIQUA IMPROVEMENT
CORPORATION**

WHEREAS, by Resolution No. C-6538, passed September 5, 1979, this Commission nominated the elected or appointed officials of the City to sit on the Governing Board of the Piqua Improvement Corporation; and

WHEREAS, a vacancy now exists on said Governing Board, due to the retirement Frederick E. Enderle as City Manager;

SEC. 1: Gary A. Huff is hereby nominated as one of the City officials authorized for appointment to the Governing Board of the Piqua Improvement Corporation;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-130-11

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

WHEREAS, by Resolution No. R-28-08, Piqua City Commission established a Community Diversity Committee and adopted the Committee's mission and responsibilities; and

WHEREAS, The Community Diversity Committee consists of the appointment of the City Manager.

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: Gary A. Huff is hereby appointed to serve as one of the City officials for appointment to the Community Diversity Committee.

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-131-11

A RESOLUTION OPPOSING ACTION BY THE OHIO GOVERNOR OR GENERAL ASSEMBLY TO TAKE MUNICIPAL TAX COLLECTION AND/OR ADMINISTRATION AWAY FROM MUNICIPALITIES AND CENTRALIZE SUCH CONTROL WITHIN A STATE AGENCY OR THIRD-PARTY ENTITY, AND DECLARING AN EMERGENCY.

WHEREAS, recent communications from Governor John Kasich, Lieutenant Governor Mary Taylor, and Ohio Tax Commissioner Joe Testa have proposed that the State of Ohio Department of Taxation take over collection of municipal income taxes; and

WHEREAS, although the current pending legislation does not provide for the State to take control of municipal income tax collections, State Legislators may be asked to amend the legislation before final consideration and mandate centralized collection by the state; and

WHEREAS, income tax is the largest source of general fund revenue for the City of Piqua and most other Ohio municipalities; and

WHEREAS, the State of Ohio recently adopted a biennial budget which substantially reduces annual Local Government Fund distributions beginning in 2011 and totally eliminates Estate Tax revenues to the City of Piqua beginning in 2013; and

WHEREAS, any consolidating or centralizing of municipal income tax collections would significantly reduce revenue to the City of Piqua, making it increasingly difficult for the City of Piqua to pay for local public services including police, fire, EMS, public works, roadway maintenance, and recreation programs; and

WHEREAS, any taking from local governments of the authority to collect and administer local income taxes is an assault on Home rule Authority granted by Article XVIII of the Ohio Constitution; and

WHEREAS, the State of Ohio has a poor record of performance related to its currently mandated centralized income tax collections on behalf of local school districts; and

WHEREAS, municipalities currently provide the best service and personalized assistance to their taxpayers in all matters related to local income taxes in the most economical cost; and

WHEREAS, municipalities such as the City of Piqua have a strong record of properly and promptly auditing local tax returns, thus ensuring that all taxpayers pay their fair share without causing higher costs of compliance for all; and

WHEREAS, only local municipalities can and will aggressively pursue non-compliant and delinquent taxpayers who, by their omission or deliberate deceit, drive up costs to honest taxpayers; and

WHEREAS, it is an unquestionable fact that the greatest public accountability exists within the governmental agencies that are closest to the people;

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: That this Commission does hereby declare its strong opposition to any effort by the State of Ohio to take over the collection and/or administration of municipal income taxes in Ohio.

SEC. 2: That this Commission urges the Governor and the State Legislators to reject and oppose any amendment to pending bills or the introduction of new legislation that proposes to transfer collection and/or control of municipal income taxes to the State of Ohio Department of Taxation or any third party central collection agency, and to recognize the reduced revenue and increased costs centralized income tax collection would have on the City of Piqua.

SEC. 3: That the Clerk of Commission is hereby directed to send a copy of this Resolution to the Governor, Tax Commissioner, Senator Bill Beagle, Representative Richard Adams and all members of the State Legislature representing the City of Piqua.

SEC. 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the further reason that the City shall conduct its business more efficiently by continuing to administer its own municipal tax collections; therefore, this Resolution shall be in full force and effect immediately upon its adoption by Commission.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-132-11

**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: Daniel J. Henthorn is hereby appointed to fill the unexpired term of Shawn Hicks as a member of the Board of Zoning Appeals for a term to expire on March 1, 2014 or until his successor is confirmed and qualified;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION