

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, DECEMBER 6, 2011
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATION

Jan Mulder Citizenship Award Presentation

REGULAR CITY COMMISSION MEETING

A. CONSENT AGENDA

a. APPROVAL OF MINUTES

Approval of the minutes from the November 15, 2011 Regular Piqua City Commission Meeting and the minutes from the November 17 and November 29, 2011 Piqua City Commission Budget Meetings

B. OLD BUSINESS

a. ORD. NO. 14-11 (2nd Reading)

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

b. ORD. NO. 15-11 (2nd 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 (2nd Reading)

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

d. ORD. NO. 17-11 (2nd 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

C. NEW BUSINESS

a. RES. NO. R-133-11

A Resolution requesting final legislation to enter into an agreement with the Ohio Department of Transportation for the US 36 (E. Ash Street) reconstruction project

- b. RES. NO. R-134-11
A Resolution of Intent to vacate public right-of-way
- c. RES. NO. R-135-11
A Resolution retaining the services of Cooperative Response Center, Inc. to provide professional customer call answering and dispatch services for the City
- d. RES. NO. R-136-11
A Resolution authorizing the City Manager to apply for City Membership to American Municipal Power Inc.
- e. RES. NO. R-137-11
A Resolution retaining the services of Sawvel and Associates to provide professional consulting and engineering services for the City
- f. RES. NO. R-138-11
A Resolution amending the contract with Emerson Process Management for additional planned maintenance to the City's #9 gas turbine
- g. RES. NO. R-139-11
A Resolution authorizing the City Purchasing Agent to purchase #2 fuel oil on the open and spot market

D. OTHER

- a. Monthly Reports for October 2011

E. ADJOURNMENT



PIQUA POLICE DEPARTMENT

Chief Bruce A. Jamison, CLEE

100 North Wayne Street • Piqua, Ohio 45356

Phone: (937) 778-2027 • Fax: (937) 778-2008

Emergency Police Dispatch: 9-1-1 • Non-emergency: (937) 440-9911

www.piquaohpd.org • E-Mail: bjamison@piquaoh.org

November 21, 2011

To: Gary Huff, City Manager
Subject: **Jan Mulder Citizenship Award Presentation for December 6, 2011**
From: Bruce Jamison, Chief of Police

Sir,

The Community Affairs Committee of the Piqua Area Chamber of Commerce established the "Jan Mulder Citizenship Award" in 1971 in honor of Piqua Police Officer Jan Mulder who was shot and killed in the line of duty on August 11, 1970. The award is bestowed on citizens who go above and beyond moral obligation in helping their fellow men, community, or law enforcement personnel. The purpose of the Jan Mulder Award is to recognize a person in a time of crisis or emergency, who through disregard of personal safety or through prompt alert action, saves the life or attempts to save the life of an individual or individuals.

When Sandra Getzendiner was attacked and seriously wounded by two pit bull dogs on September 11, 2011, the Commission and community was deeply moved and also resoundingly appreciative of the people who stopped to help Ms Getzendiner as she was being attacked. Many expressed interest in seeing some type of recognition for these people.

Officer Dave Short was assigned to review the Getzendiner case (which he was instrumental in preparing for prosecution), in accordance with the criteria for the Jan Mulder Citizenship Award. He presented information to the Community Affairs Committee of the Piqua Area Chamber of Commerce, which included Mayor Lucy Fess. The committee reviewed all eligibility requirements pre-established for this award, including the description detailed above. They also concur that a regular meeting of the Piqua City Commission is an ideal setting for bestowal of these awards.

Please add an agenda item at the beginning of the meeting of December 6, 2011 for the purpose of awarding the Jan Mulder Citizenship Award to the following six individuals: Brittanie Evans, James McMaken, Vicki Schneider, Caleb Huber, Richard Richmond, and Sandra Getzendiner. I will be glad to coordinate this portion of the meeting by leading with a short description of the award, followed by a structured presentation that will involve Mrs. Nancy Mulder, Officer Short, the recipients, the Chamber, the Commission, and the media. Please let me know if you have any issues or concerns relative to this portion of the meeting.

Respectfully Submitted,

Bruce A. Jamison, CLEE
Chief of Police

**MINUTES
PIQUA CITY COMMISSION
Tuesday November 15, 2011
7:30 P.M.**

Piqua City Commission met at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Fess called the meeting to order. Also present were Commissioners Vogt, Martin, and Wilson. Absent: Commissioner Terry.

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

Presentation – Community Advisory Council

Scott Phillips came forward and gave a brief overview of the Community Advisory Council responsibilities, and presented a power point presentation on the projects they have been involved with and working on. Mr. Phillips stated the Community Advisory Council has completed extensive research on the Superfund sites in Troy. The Troy water plant is over forty years old, and the CAC would like to recommend the City of Piqua partner with the City of Troy and build a new Water Treatment Plant in the City of Piqua. This Water Treatment Plant would be a gravity fed system which would also save electricity, stated Mr. Phillips. Several of the CAC members were present in the audience and Mr. Phillips introduced them. Information regarding the Community Action Council can be found on City of Piqua Website.

Tom Buecker, Hopewood Drive, President of the Community Advisory Council came forward and thanked the City Commission for appointing him to the CAC Committee as he has learned a great deal about the water in the City of Piqua and what we can do to preserve it and protect our waterways. Mr. Buecker stated the Committee would like for Piqua to think very positively about building a new Water Plant. The CAC has accomplished quite a bit acquiring a \$150, 000 grant to clean out the silt at Echo Lake at Echo Hills Golf Course, and have received a \$125,000 grant to purchase a weed harvester to help clean up the lake water. The CAC is encouraging the city to not give up the control of our water.

City Manager Huff stated the City Commission is looking at alternatives and no decision has been made at this time. There will be public Work Sessions held to receive public input before any decisions are made. Mr. Buecker invited citizens to attend any of the Community Advisory Committee meetings to share their information. Mayor Fess thanked all of the CAC Committee members for their time and for working so hard and further stated she appreciates all the information they have provided.

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

NEW BUSINESS

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

City Manager Huff stated the minimum wage in the State of Ohio will be increased from \$7.40 to \$7.70 per hour. There are several positions included on Schedule A-1 that will need to be adjusted to be in compliance with the State of Ohio minimum wage rate requirement.

Public Comment

No one came forward to speak for or against Ordinance No. 14-11.

Ordinance No. 14-11 was given a first reading.

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

City Manager Huff stated this Ordinance would approve the updating of Chapter 33.08 of the Piqua Code with regards to employee health insurance for the 2012 benefit year. This would keep the 2012 non-union employee contribution for health insurance coverage at the same percentage as 2011.

Finance Director Cynthia Holtzapple explained the City would continue with coverage from United Health Care again for the 2012 benefit year with only a 9% increase.

Public Comment

No one came forward to speak for or against Ordinance No. 15-11.

Ordinance No. 15-11 was given a first reading.

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

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

City Manager Huff stated this is the first reading of the appropriations for the year 2012 Budget that will be appropriated from the General Fund. The first Budget Meeting is scheduled for November 17 at 6:00 P.M. in the Administrative Conference Room, and is open to the public. This will cover the Enterprise Fund, Community Development, Streets, 101 and 103. Additional Budget Meetings are scheduled for November 28th at 6:00 P.M. for the General Fund and if needed November 30th at 6:00 PM. in the Administrative Conference Room.

Mayor Fess stated the Commissioner's received their 2012 Budget Books before the Commission Meeting and will be reviewing the information.

Public Comment

No one came forward to speak for or against Ordinance No 16-11.

Ordinance No. 16-11 was given a first reading.

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

City Manager Huff asked Finance Director Cynthia Holtzapple to give a brief overview of the issuance and sale of bonds in anticipation of the collection of special assessments to pay the costs of construction on Broadway and for a Stormwater Improvement.

Finance Director Cynthia Holtzapple explained that this Ordinance would restore the dollars to the Street Construction Fund 103 and to the Stormwater 411 Fund for future use. The Broadway reconstruction and the Stormwater project were public projects. The costs of these improvements are the responsibility of the property owner. Some of the 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, stated Finance Director Holtzapple.

Mayor Fess stated the City would also gain interest on these bonds.

Finance Director Holtzapple asked that the Commission give this a first reading at this time, and would like to have it passed at the December 6th meeting if possible.

Public Comment

No one came forward to speak for or against Ordinance No 17-11.

Ordinance No. 17-11 was given a first reading.

RES. NO. R-128-11

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

City Manager Gary Huff stated Resolution No. R-128-11 is a resolution of support for 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.

Our community has numerous parcels that can be defined as a "Brownfield". 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 review this year. This program is highly competitive with only about 20% of the applications being funded.

Commissioner Martin asked if there were specific sites that the funds could be used for at this time? Economic Development Director/Assistant City Manager Bill Murphy explained the ReDo Piqua Plan completed in 2009 identified several potential sites and these funds can be used and will be considered if needed. Mayor Fess asked if property owners would be able to benefit from these funds? Mr. Murphy explained the will help the property owners work with the city to clean up their properties. Commissioner Wilson asked if a Company would be eligible for help from these funds. Mr. Murphy stated the money would come from the grant to cover the environmental assessment and funds could be used to pay for either the Phase I or Phase II evaluation. The potential cleanup would be their responsibility if no other grant funds were available at that time, stated Mr. Murphy.

Public Comment

No one came forward to speak for or against Resolution No. R-128-11.

Moved by Commissioner Wilson, seconded by Commissioner Martin, to adopt Resolution No. R-128-11. Roll call, Aye: Wilson, Vogt, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-128-11 adopted.

RES. NO. R-129-11

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

City Manager Huff stated Resolution No. R-129-11 is a resolution nominating the City Manager to the Governing Board of the Piqua Improvement Corporation due to the retirement of former City Manager Fred Enderle.

Public Comment

No one came forward to speak for or against Resolution No. R-129-11.

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Resolution No. R-129-11 be adopted. Voice vote, Aye: Martin, Vogt, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-129-11 adopted.

RES. NO. R-130-11

A Resolution appointing a member to the Community Diversity Committee

City Manager Huff stated Resolution No. R-130-11 appoints the City Manager to serve as one of the City officials for appointment to the Community Diversity Committee.

Public Comment

No one came forward to speak for or against Resolution No. R-130-11.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, that Resolution No. R-130-11 be adopted. Voice vote, Aye: Fess, Wilson, Martin, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-130-11 adopted.

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

City Manager Huff stated the State of Ohio recently adopted a biennial budget that substantially reduces annual Local Government Fund distributions beginning in 2011, and totally eliminates the Estate Tax revenues to the City beginning in 2013.

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 to pay for local public services including police, fire, EMS, public works, roadway maintenance, and recreation programs, stated City Manager Huff.

Commissioner Vogt stated the City of Piqua tries to spend the citizen's money wisely, and it makes him mad to think we might have to turn our tax money over to the State so they can charge us a fee to administer it. Commissioner Vogt encouraged citizens to e-mail or write to their legislators to voice their opposition to the Municipal Tax Collection by the State of Ohio.

Mayor Fess stated the Mayor's and City Managers Associations are also sending the same opposition letters to the State of Ohio opposing this Municipal Tax Collection.

Commissioner Wilson asked if the City of Piqua knows how much the percentage fee will be to administer the tax collection yet? Finance Director Holtzapple stated currently there is nothing in place yet, but it has been rumored it could be 1 ½ to 4%.

Mayor Fess said in our local communities we go after the delinquent taxes, but the State will not have the manpower to do that so we stand to lose a lot of tax dollars.

Finance Director Holtzaple explained the City collects taxes on a weekly and monthly basis to meet our monthly needs, but the State has not indicated when and how the City of Piqua would be reimbursed. It has been stated it could possibly be done on a quarterly basis, which would significantly impact the City of Piqua General Fund. Also the State does not know of all of the various types of taxes we collect, and we will also lose the Estate Tax in 2013, said Ms. Holtzaple.

Public Comment

No one came forward to speak for or against Resolution No. R-131-11.

Moved by Commissioner Wilson, seconded by Commissioner Vogt that Resolution No. R-131-11 be adopted. Roll call, Aye: Vogt, Martin, Fess, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-131-11 adopted.

RES. NO. R-132-11

A Resolution appointing a member to the Board of Zoning Appeals

City Manager Huff stated Resolution No. R-132-11 appoints Daniel J. Henthorn 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.

Public Comment

No one came forward to speak for or against Resolution No. R-132-11.

Moved by Commissioner Wilson, seconded by Commissioner Vogt, that Resolution No. R-132-11 be adopted. Voice vote, Aye: Vogt, Wilson, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-132-11 adopted.

OTHER

Economic Development Update

Bill Murphy Economic Development Director/Assistant City Manager gave a quick presentation on the Economic Development activities in 2011 so far. Mr. Murphy listed some of the success stories and new opportunities for 2012. Mr. Murphy presented a quick update on the Grow Piqua Now work plan. This includes focus on international recruitment in partnership with the Dayton Coalition and the Troy Development Council, working with our regional partners in Troy and in the northern Miami Valley on domestic business recruitment with research on investment (ROI), have undertaken a consultant engagement program to raise awareness of the specifics of business development opportunities that exist in Piqua, engaged a consultant to help us better understand the retail opportunities that exist at our various shopping centers in Piqua, this year with our partners the Piqua Chamber of Commerce we have taken on an aggressive Retention and Expansion program and visited with several companies to provide them with information and have spoken with them about the challenges and the opportunities here in Piqua. This has been the best year in terms of construction activity in nearly a decade with \$27.2 million dollars in construction activity with investments from the public and the private sector. There were three significant expansion announcements Atlas Precision, Palmer Bolt, and Berwick Steel. The Berwick Steel expansion is a \$2 million dollar investment in the City of Piqua. The City of Piqua has been very successful in receiving grant applications in 2011, receiving \$2 million dollars from the Clean Ohio Revitalization Fund award for the clean up and demolition of the Piqua Memorial Hospital site, which may get started yet this year, have applied for \$1.4 million dollars through the Clean Ohio Revitalization Fund Sustainable Redevelopment Tract for the remediation and redevelopment of the area located behind the Power Plant at 919 S. Main Street. Have made new partnerships opportunities with Edison Materials Technology Center (EMTEC) and Western Ohio

TV Consortium (WOTVC) in 2012. There will a lot of opportunities for the City of Piqua in 2012 stated Mr. Murphy.

Mayor Fess thanked Mr. Murphy for his very informative report and encouraged him to keep up the good work he is doing for the City of Piqua in the future.

Mayor Fess recognized Rick Deitering, Troop Leader and the Boy Scouts from Troop #344 from the Knights of St. John. Nick Berger came forward and addressed the Commission on behalf of Troop #344 giving a brief overview of their accomplishments. Mayor Fess thanked Boy Scout Troop #344 for coming to the Commission meeting and stating she hoped they were able to learn something about local City government.

Public Comment

Tom Buecker, Hopewood Drive, came forward and inquired about the work currently being done on Echo Lake. City Engineer Amy Havenar gave a brief update on the progress of the work being done at Echo Lake at this time.

Commissioner Vogt, stated looking at the Boy Scouts in the audience he wondered how many of them are possible potential City Managers or City Commissioners, further stating he was glad to see them attend the City Commission Meeting.

Commissioner Vogt asked citizens to take a look at the new Channel 5 the Piqua Access Channel and see all the new changes that have been made with the weekly weather, good music, the monthly meeting schedules and much more. Jennifer Welker the new Executive Director is doing a wonderful job, stated Commissioner Vogt.

City Manager Huff stated the first Commission Coffee meeting would be held on Wednesday, November 16 at 9:00 A.M. This will be an informal meeting with the City Commissioners and the Department Heads and we will be meeting every other month with the various city departments throughout the City. This will give the hosting department the opportunity to share some information about the department and highlight the important activities and programs going on. This will be a good way to share information with the Commission, said City Manager Huff.

Beginning on December 8, the Commission will be holding regularly Monthly Work sessions, and they will take place on the 2nd Thursday of each month at 7:30 P.M. in the Commission Chambers. These will be informal meetings open to the public where the Commissioners will discuss various topics about upcoming legislation. City Manager Huff encouraged citizens to attend and ask questions.

City Manager Huff stated there has been some inquiry as to the Sunset Drive this week and gave a brief explanation on the work being done at this time. City Manager Huff stated they would get more information out to the community in the future.

City Manager Huff also reminded citizens to sign up for the Piqua Alert Program, which is a notification system that the City will announce emergencies or road closings, and vital information out to the citizens in a timely manner. Also the Piqua Police Department was awarded a grant in the amount of \$23,406 for new Police Cruiser cameras, and compliment the staff for going after those grants, which will help the City Budget, stated City Manager Huff.

Mayor Fess stated she attended the Miami County Foundation Awards as they encourage groups to apply for the grants and also for the scholarships they have available. For more information contact Cheryl Stiefel-Francis at the Miami County Foundation. Mayor Fess also congratulated Sean Ford on his new position as Director of the United Way. Mayor Fess congratulated Berwick Steel on their expansion and they stated they hope to have another expansion in the future.

Adjournment

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:40 P.M. Voice vote, Aye: Martin, Wilson, Vogt, and Fess. Nay: None. Motion carried unanimously.

Lucinda L. Fess, Mayor

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

MINUTES
PIQUA CITY COMMISSION BUDGET MEETING
NOVEMBER 17, 2011
6:00 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

Piqua City Commission met in Budget Meeting at 6:00 P.M. in the Municipal Government Complex Administrative Conference Room, 201 W. Water Street. Mayor Fess called the meeting to order at 6:00 P.M. Also present were Commissioners Wilson, Martin, Terry and Vogt. Absent: None. Also present, Finance Director Cynthia Holtzapple, City Manager Gary Huff.

Purpose of the Budget Meeting is to review the 2012 Budget.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Budget Meeting at 9:05 P.M. Voice vote, Aye: Martin, Terry, Wilson, Vogt, and Fess. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

MINUTES
PIQUA CITY COMMISSION BUDGET MEETING
NOVEMBER 29, 2011
6:00 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

Piqua City Commission met in Budget Meeting at 6:00 P.M. in the Municipal Government Complex Administrative Conference Room, 201 W. Water Street. Mayor Fess called the meeting to order at 6:00 P.M. Also present were Commissioners Wilson, Martin, Terry and Vogt. Absent: None. Also present, Finance Director Cynthia Holtzapple, City Manager Gary Huff.

Purpose of the Budget Meeting is to continue the review the 2012 Budget.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Budget Meeting at 9:10 P.M. Voice vote, Aye: Martin, Terry, Wilson, Vogt, and Fess. 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.

1st Reading 11-15-11

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: 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.

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



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

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.

1st Reading 11-16-11

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

2012
APPROPRIATIONS

<u>Income Tax</u>	
Personal Services/Administrative Support	\$174,614
Operation and Maintenance	\$175,696
TOTAL	\$350,310

<u>Transfers</u>	
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	\$5,976,119

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)

<u>009 Fire Department</u>	
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

<u>014 Police Department</u>	
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
TOTAL	\$3,000

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

Operation & Maintenance	\$3,000
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	<u>\$21,600</u>
	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 SERV 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 PFD 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)		\$6,672,854
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	\$165,862
	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	\$419,525
	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	\$2,875,000
	Operation and Maintenance	\$340,000
	Non Government/Transfers/Refunds	<hr/>
	TOTAL	\$3,215,000
SEC. 57:	That there be appropriated from the EMPLOYEE FLEXIBLE SPENDING FUND (615)	
	Administrative Support	<hr/> \$185,000
	TOTAL	\$185,000
SEC. 58:	That there be appropriated from the WEED CUTTING FUND (735)	
	Operation and Maintenance	<hr/> \$20,000
	TOTAL	\$20,000
SEC. 59:	That there be appropriated from the BROADWAY STREET RECONSTRUCTION FUND (754)	
	Capital Outlay (including labor)	<hr/> \$98,250
	TOTAL	\$98,250
SEC. 60:	That there be appropriated from the SAFETY EQUIPMENT REPLACEMENT FUND (809)	
	Non Government/Transfers/Refunds	<hr/> \$317,400
	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.

1st Reading 11-15-2011

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

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

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

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

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

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.

1st Reading 11-15-11

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-133-11

**A RESOLUTION REQUESTING FINAL LEGISLATION
TO ENTER INTO AN AGREEMENT WITH THE OHIO
DEPARTMENT OF TRANSPORTATION FOR THE
US 36 (E. ASH STREET) RECONSTRUCTION PROJECT**

WHEREAS, on 1st day of March, 2004, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The limits of the project are from the intersection of Spring Street and Ash Street to the west side of the bridge crossing the Miami River. The project consists of the full depth pavement reconstruction, construction of new sidewalks and curbs, new storm sewer, sanitary sewer, water line and new pavement markings, lying within the City of Piqua; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right-of-Way, excluding in-house preliminary engineering and Right-of-Way charges incurred by the State.

The share of the cost of the LPA is now estimated in the amount of Nine Hundred Seventy One Thousand Five Hundred Forty Six and - - 00/100 Dollars (\$971,546.00) less Ohio Public Works Commission Grant (CKV05) in the amount of Four Hundred Sixty Eight Thousand One Hundred Fifty Eight and - - 00/100 Dollars (\$468,158.00) leaving the balance due in the amount of Five Hundred Three Thousand Three Hundred Eighty Eight and - - 00/100 Dollars (\$503,388.000), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

SEC. 1: That the sum of Six Hundred Four Thousand and - - 00/100 Dollars (\$604,000.000) is hereby appropriated for the improvement described above and the fiscal

officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds. Said appropriated amount shall cover the estimated cost and any contingency for the actual dollar amount of the Project.

SEC. 2: That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SEC. 3: That That the LPA enter into a contract with the State, and that City Manager be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SEC. 4: That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the 1st day of March, 2004, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

SEC. 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 6, 2011

TO: Gary A. Huff, City Manager

FROM: Amy Havenar, City Engineer

SUBJECT: Final Legislation with the Ohio Department of Transportation (ODOT) for the E. Ash Street Reconstruction Project

PURPOSE:

Approve the resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation (ODOT) for the E. Ash Street Reconstruction Project.

RECOMMENDATION:

Approval of the Resolution to allow for ODOT to complete this reconstruction project.

BACKGROUND:

On March 4, 2004, City Commission passed a resolution authorizing the City Manger to enter into a preliminary agreement with ODOT for the E. Ash Street Reconstruction Project. The City then engaged consultants to begin the detailed design, the environmental documents, and also the right-of-way acquisition.

As part of the environmental process, the City conducted a public open house meeting on February 25, 2009 to present various design alternatives. As a result of the input received from the public at that meeting, the roadway design consisting of two through lanes plus a center turn lane was selected as the preferred design alternative. Final construction plans were then developed based upon that design.

ALTERNATIVES:

- 1) Approve Resolution to allow the City Manager to enter into an agreement with ODOT.*
- 2) Do not approve the Resolution and have ODOT abandon this project.*

DISCUSSION:

The E. Ash Street Reconstruction Project will consist of the installation of new utilities (water mains, sanitary sewer mains, and storm sewers), roadway base, asphalt, curb & gutter, and sidewalks. This project will also include streetscape features such as decorative street lights and sign posts, similar to those present in the downtown.

The roadway will be closed to through traffic throughout the duration of construction. An official detour route will be posted as a part of the project consisting of I-75 to CR 25-A to North Street (SR 66) to Spring Street (SR 66).

The bid opening for this project is scheduled for the middle of December 2011. It is anticipated that construction will take approximately a year to complete.

FINANCIAL IMPACT:

The E. Ash Street Reconstruction Project has an estimated cost of approximately \$2.5 million. The City has applied for, and received, numerous grants to help offset the cost of this construction project. The City will be receiving approximately \$2.0 million in grants ranging from Federal Surface Transportation Project (STP) funds administered through the Miami Valley Regional Planning Commission (MVRPC), ODOT Safety funds, ODOT Urban Paving Program funds, and State of Ohio Issue II funds.

The City's local share of the project at this point is estimated to be approximately \$504,000. This amount could vary up or down depending on how the bids come in. The City has been planning for this project for a number of years and has the money budgeted for in the 103 Street Fund.

COMMUNITY IMPACT:

An "open house" meeting was held on February 25, 2009 with representatives from the City of Piqua, ODOT and the design consultant all in attendance to present the project to the public. All those in attendance were provided with a project information packet that included drawings of each of the alternatives. The project was discussed in detail and the residents were given an opportunity to view the proposed improvements on their individual properties and to express any concerns they had.

CONFORMITY TO CITY PLANS & POLICIES:

This area was identified as one of the main gateways to the City of Piqua in the Plan It Piqua 2007 Comprehensive Plan Update. The common theme in the Comprehensive Plan Update was to improve the gateways to the City. This project will allow for just that. This project will also compliment the improvements made to the I-75/US 36 bridge and landscaping project completed this past summer.

RESOLUTION NO. R-134-11

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

WHEREAS, pursuant to Piqua Charter Section 98, this Commission must adopt a resolution expressing its intention to vacate platted right-of-way located prior to such action being considered; and,

WHEREAS, a petition requesting the vacation of portions of platted public right of way known as Bassett Avenue and Statler Avenue, as described in Exhibit "A" attached hereto, has been filed with the Clerk of Commission;

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

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

Exhibit 'A'

VACATION OF PARTS STATLER AVENUE AND BASSETT AVENUE
CITY OF PIQUA, MIAMI COUNTY, OHIO

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

MIAMI COUNTY RECORDER BY DEPUTY RECORDER

MIAMI COUNTY AUDITOR
APPROVED AND TRANSFERRED _____ 20____

MIAMI COUNTY AUDITOR BY DEPUTY AUDITOR

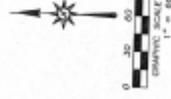
CITY OF PIQUA PLANNING COMMISSION
ACCEPTED AND APPROVED BY THE PLANNING COMMISSION
OF THE CITY OF PIQUA, OHIO
THIS _____ DAY OF _____ 20____

CHAIRMAN _____ SECRETARY _____

CITY OF PIQUA COMMISSIONERS
ACCEPTED AND APPROVED BY THE COMMISSIONERS OF
THE CITY OF PIQUA, OHIO
THIS _____ DAY OF _____ 20____
ORDINANCE # _____

AYAYOR _____ CLERK _____

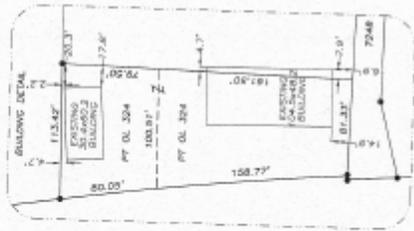
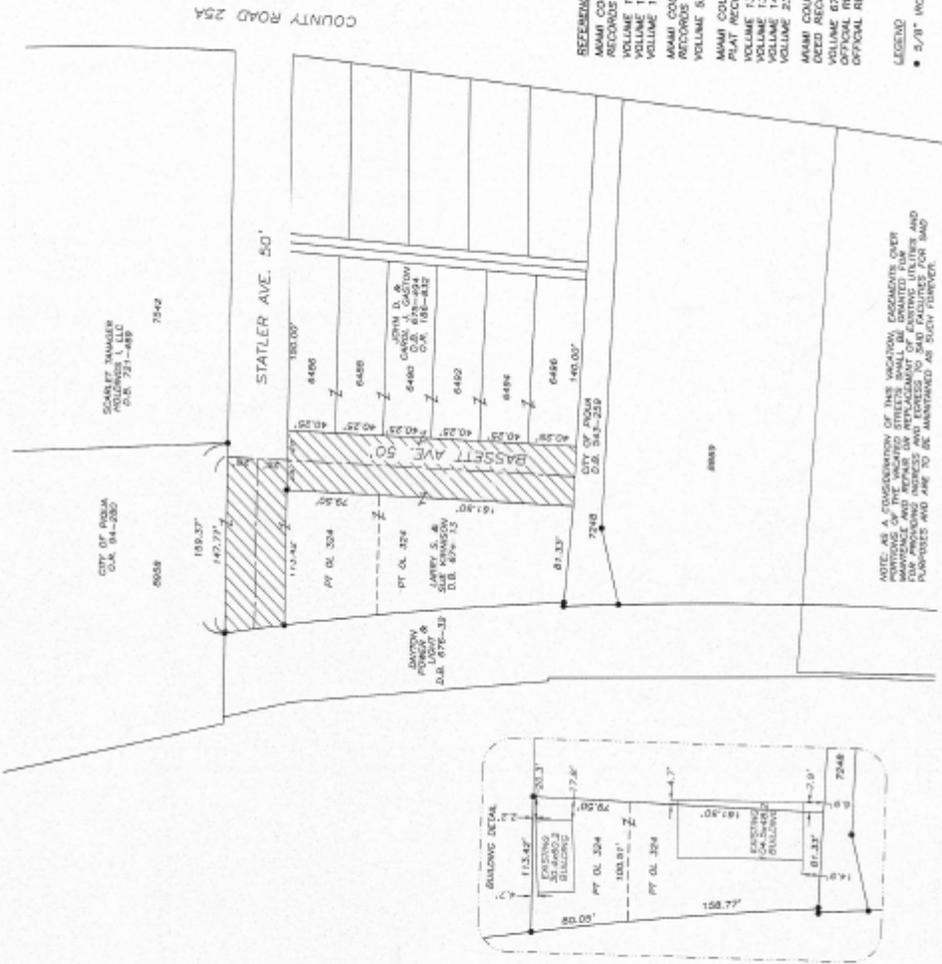
- REFERENCES
MIAMI COUNTY ENGINEER'S
RECORDS OF LOT SURVEYS:
VOLUME 13, PAGE 7
VOLUME 13, PAGE 37
VOLUME 12, PAGE 32
MIAMI COUNTY ENGINEER'S
RECORDS OF LOTS SURVEYS:
VOLUME 52, PAGE 164
MIAMI COUNTY RECORDER'S
PLAT RECORDS:
VOLUME 13, PAGE 116
VOLUME 13, PAGE 148
VOLUME 14, PAGE 13
VOLUME 23, PAGE 36
MIAMI COUNTY RECORDER'S
DEED RECORDS:
VOLUME 674, PAGE 13
VOLUME 674, PAGE 280
OPTIONAL RECORD 188, PAGE 832



LEGEND

- 2/8" IRON PIN FOUND

NOTE: AS A CONSEQUENCE OF THIS VACATION, PARCELS OWNER
MAY BE REQUIRED TO RELOCATE UTILITIES. THE CITY SHALL BE GRANTED EASE
AND RIGHTS FOR UTILITIES TO CROSS THE VACATED AVENUES AND
ADJACENT PARCELS. THE LOCATION OF UTILITIES SHALL BE DETERMINED BY
SURVEYING AND ADDRESS AND DEGREE TO SHAL FACILITIES FOR SAND
PURPOSES AND ARE TO BE MAINTAINED AS SUCH PURPOSES.



STATE OF OHIO
COUNTY OF MIAMI
PROBATE
CLERK
OFFICE
100 N. WILSON AVE.
PIQUA, OHIO 45357
(937) 778-3800

GRACE S. BROOKHART, P.E., P.S.
PROFESSIONAL SURVEYOR #2428
100 N. WILSON AVE.
PIQUA, OHIO 45357
(937) 778-3800



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 6, 2011

TO: Gary Huff, City Manager
FROM: Chris Schmiesing, City Planner
SUBJECT: Petition to vacate a portion of platted public right-of-way

PURPOSE:

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

RECOMMENDATION:

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

BACKGROUND:

The property owners adjacent to the affected right of way have determined that they would prefer the subject right of way be vacated. The petitioners propose to maintain access to and from the affected properties from public right of way and or establish any ingress/egress easement as may be necessary. The Statler Avenue portion of right of way is unimproved and the existing pavement improvements in the Bassett Avenue right of way are in poor condition. The primary land use in this area is light industrial.

ALTERNATIVES:

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

DISCUSSION:

The subject right-of-way currently serves as access to and from the adjacent properties and serves no other public transportation interest. The presence of public utilities within the subject right of way may require the establishment of utility easements.

FINANCIAL IMPACT:

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

COMMUNITY IMPACT:

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

CONFORMITY TO CITY PLANS & POLICIES:

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

APPLICATION FOR VACATION OF PUBLIC RIGHT-OF-WAY

- 1. Applicant's Name LARRY & SUE KINNISON Phone # 773-5916
Applicant's Address 2 KESTREL CT. PIQUA, OH 45356
- 2. Owner's Name LARRY & SUE KINNISON Phone # 773-5916
- 3. Type of legal interest held by applicant WARRANTY DEED D.B. 674-13
- 4. Location of Public Right-Of-Way Vacation request BASSETT AVENUE FROM STATLER AVENUE SOUTH TO TERMINUS AT INLOT 72AB, STATLER AVENUE FROM CENTER LINE OF BASSETT AVENUE WEST TO D.P. & L PROPERTY (FORMERLY RAILROAD RIGHT OF WAY LINE)
- 5. Describe the reason for the requested Vacation of Public Right-Of-Way
THESE PORTIONS OF STATLER AND BASSETT AVENUES ARE NO LONGER REQUIRED FOR PUBLIC ACCESS AND VACATION WOULD BE IN BEST INTEREST OF BOTH THE CITY AND ABUTTING OWNERS.
- 6. Property owners adjacent to Right-Of-Way to be vacated.

NAME	ADDRESS	SIGNATURE
<u>LARRY & SUE KINNISON</u>	<u>2 KESTREL CT. (HOME)</u>	<u>Larry Kinnison</u>
<u>JOHN & CAROL GASTON</u>	<u>8075 GRANDVIEW</u> <u>CELINA, OH</u>	<u>Carol Gaston</u>
<u>CITY OF PIQUA</u>		<u>Cindy Gaston</u>

Signature of Applicant _____ Date _____

*****OFFICE USE ONLY*****

\$100.00 Fee Paid CWS Date Fee Paid 10-21-2011

Receipt No. _____ Res. No. _____

RESOLUTION NO. R-135-11

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

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

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

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

SEC. 1: The Cooperative Response Center, Inc. is hereby retained by the City of Piqua as a professional customer call service firm.

SEC. 2: For such services, the Cooperative Response Center, Inc. shall be paid just and reasonable fees as approved by the City Manager, incurred in rendering such services, from funds appropriated, or that may be appropriated by this Commission from time to time for such purposes until December 31, 2012;

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

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

SEC. 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 6th, 2011

TO: Gary Huff, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: Cooperative Response Center

PURPOSE:

Approve the Resolution No. R-135-11 authorizing the City of Piqua Power System to retain the services of the Cooperative Response Center, Inc. to provide professional customer call and dispatch services for 2012.

RECOMMENDATION:

I am requesting approval of Resolution No. R-135-11, which will authorize the Power System to retain the services of the Cooperative Response Center, Inc. to provide professional customer call and dispatch services for 2012.

BACKGROUND:

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

ALTERNATIVES:

- 1) Approve Resolution No. R-135-11 authorizing the City of Piqua Power System to retain the services of the Cooperative Response Center, Inc. to provide professional customer call and dispatch services for 2012.
- 2) Do not approve Resolution No. R-135-11.
- 3) Do not approve the Resolution and provide staff with further direction.

DISCUSSION:

To date, the Power System has been totally satisfied with the level of service provided by CRC, as well as the cost to provide these services. CRC was originally developed by a group of nineteen electric cooperatives in 1992. It has expanded to 266 members in 38 states. Calls are answered and dispatched from either the Austin, Minnesota, Dunlap, Tennessee or Abilene, Texas Contact Centers. These centers received 1.85 million consumer calls in 2010.

FINANCIAL IMPACT:

The Power System has included \$30,000 in the 2012 budget to cover the cost of these services.

COMMUNITY IMPACT:

The approval of Resolution No. R-135-11 will provide the City of Piqua Power System professional customer call and dispatch services. These benefits allow the Power System to continue to operate under the high standards and reliability that is expected by our community.

CONFORMITY TO CITY PLANS & POLICIES:

CRC will provide professional services for which the solicitation of bids would be of no material benefit. CRC has been fully integrated into the operations of the Power System, and provides a significant advantage to our customers in terms of enhanced service reliability through its state-of-the-art after-hour call answering and dispatch services. The Energy Board members unanimously approved to retain the services of CRC to provide professional customer call and dispatch services for 2012 during the meeting of November 22, 2011.

RESOLUTION NO. R-136-11

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

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

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

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

SEC. 1: The City Manager is hereby authorized and directed to continue the City's membership to AMP for 2012.

SEC. 2: The Finance Director is hereby authorized to draw her warrants on the appropriate account of the City treasury in payment according to this Resolution;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 6th, 2011

TO: Gary Huff, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: AMP Membership Dues for 2012

PURPOSE:

Approve the Resolution No. R-136-11, allowing the City of Piqua Power System to continue its membership in American Municipal Power for 2012.

RECOMMENDATION:

I am requesting approval of Resolution No. R-136-11, which will allow the City of Piqua Power System to continue its membership in American Municipal Power for 2012.

BACKGROUND:

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

The original members were all located in Ohio, giving American Municipal Power-Ohio, or AMP-Ohio its name. By 2009, AMP-Ohio had grown to serve member communities in six states, thus the Board of Trustees dropped Ohio from the name to better reflect the growing geographic footprint. AMP membership now includes 129 members, 128 electric municipalities located in the states of Ohio, Michigan, Pennsylvania, Virginia, Kentucky and West Virginia, as well as the Delaware Municipal Electric Corporation who in turn serve over 565,000 electric customers. AMP is owned and governed by its member communities.

ALTERNATIVES:

- 1) Approve Resolution No. R-136-11 allowing the City of Piqua Power System to continue its membership in American Municipal Power for 2012.
- 2) Do not approve the Resolution and provide staff with further direction

DISCUSSION:

AMP has been Piqua's power supplier since 2007. Piqua is also participating in several long-term generation assets under development by AMP, including the Prairie State Energy Campus and the Cannelton, Smithland, Willow Island, Meldahl and Greenup hydroelectric projects. In addition, Piqua added the natural gas fueled combined-cycle Fremont Energy Center to its generation portfolio in 2011. Piqua currently is a governing member of the AMP Board of Trustees.

FINANCIAL IMPACT:

The Power System has included \$40,500 in the 2012 budget to cover the cost of AMP membership dues.

COMMUNITY IMPACT:

The approval of Resolution No. R-136-11 will provide the City of Piqua Power System the member benefits of AMP. These benefits allow the Power System to continue to operate under the high standards and reliability that is expected by our community.

CONFORMITY TO CITY PLANS & POLICIES:

Section 30.01 of the Piqua Code requires commission approval to join trade organizations with annual membership dues in excess of \$25,000. The Energy Board members unanimously approved to continue its membership in American Municipal Power for 2012 during the meeting of November 22, 2011.

RESOLUTION NO. R-137-11

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

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

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

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

SEC. 1: Sawvel and Associates is hereby retained by the City of Piqua as a professional consulting and engineering firm.

SEC. 2: For such services, Sawvel and Associates shall be paid just and reasonable fees as approved by the City Manager, incurred in rendering such services, from funds appropriated, or that may be appropriated by this Commission from time to time for such purposes until December 31, 2012;

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

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

SEC. 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 6th, 2011

TO: Gary Huff, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: Sawvel and Associates

PURPOSE:

Approve the Resolution No. R-137-11 authorizing the City of Piqua Power System to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2012.

RECOMMENDATION:

I am requesting approval of Resolution No. R-137-11, which will authorize the Power System to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2012.

BACKGROUND:

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

ALTERNATIVES:

- 1) Approve Resolution No. R-137-11 authorizing the City of Piqua Power System to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2012.
- 2) Do not approve Resolution No. R-137-11.
- 3) Do not approve the Resolution and provide staff with further direction

DISCUSSION:

I would consider the employees of Sawvel to be an extension of the Power System staff. Over the years, Sawvel employees have proven to be readily available, as well as an invaluable resource to assist with making difficult decisions related to the long-term interests of the Power System. In 2012, Sawvel will work with Piqua staff to complete the following initiatives:

- Update Long-Range (2012-2022) Business Plan
- Evaluate Market Power Purchases
- Evaluate AMP Generation Opportunities
- Provide Consulting and Engineering on Additional Items as Needed

FINANCIAL IMPACT:

The Power System has included \$80,000 in the 2012 budget to cover the cost of these services.

COMMUNITY IMPACT:

The approval of Resolution No. R-137-11 will provide the City of Piqua Power System professional consulting and engineering services. These benefits allow the Power System to continue to operate under the high standards and reliability that is expected by our community.

CONFORMITY TO CITY PLANS & POLICIES:

Sawvel will provide professional services for which the solicitation of bids would be of no material benefit. The Energy Board members unanimously approved to retain the services of Sawvel and Associates to provide professional consulting and engineering services in 2012 during the meeting of November 22, 2011.

RESOLUTION NO. R-138-11

A RESOLUTION AMENDING THE CONTRACT WITH EMERSON PROCESS MANAGEMENT FOR ADDITIONAL PLANNED MAINTENANCE TO THE CITY'S #9 GAS TURBINE

WHEREAS, by Resolution No. R-82-11 passed July 5, 2011, this Commission awarded contracts to Emerson Process Management and ProEnergy Services for planned maintenance to the City's two gas turbines.

WHEREAS, upon further investigation and evaluation, additional maintenance items have been identified that would significantly enhance the reliability, safety and operation of the City's #9 gas turbine.

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: An additional \$267,000 is hereby approved to complete identified maintenance items to the City's #9 gas turbine, thus increasing the total contract with Emerson Process Management to \$1,059,000.

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to this Resolution.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 6, 2011

TO: Gary Huff, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: Additional Maintenance to #9 Gas Turbine

PURPOSE:

Approve the Resolution No. R-138-11 authorizing the City of Piqua Power System to contract with Emerson Process Management for planned maintenance to #9 gas turbine at a not to exceed cost of \$1,059,000.

RECOMMENDATION:

I am requesting approval of Resolution No. R-138-11, which will authorize the Power System to complete planned maintenance to the City's #9 gas turbine.

BACKGROUND:

The Power System owns and operates two combustion gas turbines. As a capacity resource bid into the PJM Regional Transmission Organization they provide a significant economic benefit to Piqua customers, effectively saving our customers over \$1,000,000 annually. In addition, the gas turbines can be black-started and are able to serve over half of the City's electric load, should the need arise. It is difficult to quantify the economic benefit of these back-up resources. However, in 2003 Piqua was not too far removed from the black-out that impacted the Midwest and East coast electric grid.

Resolution R-82-11 approved by City Commission on July 5, 2011 awarded contracts totaling \$1,109,920 to Emerson Process Management (\$792,000) and ProEnergy Services (\$317,920) to complete planned maintenance to the City's two gas turbines. ProEnergy has completed the replacement of the exhaust plenum and diffuser on #8 gas turbine and Emerson is scheduled to complete the #8 gas turbine control replacement project on 12/10/11. Coupled with the rotor repair work completed by Sulzer, #8 gas turbine will be returned to service in December in like-new condition.

Controls and fuel valve replacement on #9 gas turbine will begin after the first of the year, with completion by 6/1/12. Power System staff has evaluated and recommend implementation of six additional reliability improvement options totaling \$267,000 recommended by Emerson, per the attached proposal. The City's long-time gas turbine consultant, Jim Vines, has reviewed the recommended options and pricing and likewise recommends proceeding with making the identified improvements.

ALTERNATIVES:

- 1) Approve Resolution No. R-138-11 authorizing the Power System to contract with Emerson Process Management for additional planned maintenance to the City's #9 gas turbine.
- 2) Do not approve Resolution No. R-138-11 and provide staff with further direction.

DISCUSSION:

Emerson Process Management has completed similar maintenance projects on hundreds of gas turbine installations throughout the world. Emerson's gas turbine unit, Innovative Control Systems (ICS), is recognized as the industry leader for engineering gas turbine improvement projects, specifically for vintage machines such as Piqua's General Electric Frame 5 and Westinghouse 191 gas turbines. These units were built in the 1960's and 1970's and ICS has a specialized knowledge and experience base unmatched for this class of gas turbines.

The identified options have been recommended as those most implemented, due to their positive impact on unit reliability. After speaking with other utility representatives that have implemented the same reliability improvement options, I am convinced that investing in these additional options will provide the City a significant operational benefit and financial return over the next twenty to thirty years of their life.

FINANCIAL IMPACT:

\$267,000 has been included in the Power System's 2012 budget to cover the cost of the additional identified planned maintenance to the City's #9 gas turbine. I am requesting City Commission approval at this time, so that Emerson can incorporate the additional requested maintenance items into their engineering process, which has already begun. Approval now will allow all maintenance to be completed by June 1 of next year, which is when PJM can call on Piqua's gas turbines as part of their demand response program.

COMMUNITY IMPACT:

The approval of Resolution No. R-138-11 will provide for enhanced reliability, safety, operation and modernization of the City's #9 gas turbine. In conjunction with the work soon to be completed on #8 gas turbine, this action helps ensure the City has reliable generating resources available to provide back-up power to the City's customers should

it be needed. In addition, this action helps reduce our exposure to significant financial penalties should the City be called upon and fail to operate our gas turbines as part of our participation in the PJM demand response program. Investment in the City's gas turbines will help to maintain the high level of service reliability our customers expect, while also helping to ensure Piqua's power costs remain at an enviable and competitive cost level.

CONFORMITY TO CITY PLANS & POLICIES:

The planned maintenance to the City's gas turbines is included in the Power System's ten year capital plan. This long-planned project is consistent with the Power System's goals of providing cost-effective and reliable electric service. The Piqua Energy Board unanimously recommended City Commission to approve increasing the contract with Emerson Process Management for the additional identified maintenance items on #9 gas turbine totaling \$267,000 during the meeting of November 22, 2011.

November 8, 2011

City of Piqua
123 Bridge Street
Piqua OH 45356

Reference: City of Piqua
Gas Turbine 8 & 9 Controls Upgrade
PO # K49772
Emerson Ref # U0160/2036547
Letter # U0160-C03

Subject: Optional Offered Scope Items; Unit 9

Attention: Mr. Ed Krieger

Emerson Process Management Power & Water Solutions, Inc. is pleased to offer the following optional offered scope items for the City of Piqua Gas Turbine Unit 9 Control System Replacement project as requested by the City of Piqua in November 2011.

SCOPE

Option 1: Pressure Switch and Gauge Cabinet Upgrade

As part of the control system upgrade, most of the hydraulic and pneumatic devices in the PS&G cabinet will be retired from service. Only a limited number of pressure switches, solenoids, gauges and regulators will be retained in the new control scheme. This option provides a reworked PS&G cabinet for easy maintenance as shown below.



Materials:

- Tubing, fittings, wire, terminal boards, connectors, markers, etc. required to gut and re-tube the PS&G cabinet with existing devices
- Installation and labor supervision; demolition and re-tubing the PS&G cabinet with existing devices

Option 1 Price Adder: \$44,000

Option 2: Starting Diesel Engine Control Upgrade

The Allis-Chalmers starting diesel presently has a separate control system. Upgrade of these systems will improve engine starting reliability and information available to the operator via the Emerson TCP control system. Further, enhancements like engine warmup, cooldown and fast start can be implemented readily into the control logic.

The engine and torque converter control elements can be incorporated into the Emerson TCP as follows:

- Oil pressure switch; engine - Used in sequence to accelerate and shut down engine upon loss of oil pressure
- Water temperature switch; engine - Used to shut engine down upon high temperature
- Stop solenoid
- Throttle solenoid
- Starter solenoid - To engage engine starter motor
- Speed pickup to read engine speed - Used in combination with turbine speed to eliminate the speed switch mounted on the torque converter.

Materials:

- Pressure switch for engine lube oil pressure
- RTD for engine jacket water temperature
- RTD for converter oil temperature
- Magnetic pickup kit to sense engine speed
- Relays and control components for mounting in existing local JB
- Installation

Option 2 Price Adder: \$12,000

Option 3: Ignition System Upgrade

This upgrade replaces the high voltage transformer, as well as the exciter, output harness and igniter tip assembly for each combustion can to provide more reliable ignition. (Please see attached "High Energy Ignition System; System Description" document for more detailed information on this upgrade.)

Materials:

- High Energy Ignition Kit
- Installation

Option 3 Price Adder: \$38,000

Option 4: Liquid Fuel Flow Divider Upgrade

The flow divider modification installs a universal fuel system utilizing a flow divider. This will eliminate completely the manifold and related system. The fuel manifold will be replaced with a positive displacement flow divider, which ensures each combustion can is provided the same amount of fuel.

This modification eliminates the following devices and systems:

- Impeller oil system
- Liquid Fuel Manifold fill valve
- Liquid Fuel Manifold drain valve
- Liquid Fuel Manifold pressure limiting valve
- Liquid fuel Sump tank, level switches & associated equipment
- Associated PS&G devices

Materials:

- Flow Divider – Ensures equal division of liquid fuel flow to each combustor. Provides more reliable startup and reduced combustion spreads.
- Check valves and oil fuel pigtails.

Option 4 Price Adder: \$62,000

Option 5: Monitoring and Control Upgrade

This option is to improve monitoring and control. Modification upgrades of the various systems may include the liquid fuel, atomizing air, and lube oil systems. Attached is an example of the documentation to be provided as part of this option. New devices provided with this option include:

Device ID	Device Description	Device Function
SV-1D	Solenoid Valve – Fuel Oil Isolation Valve	Prevent fuel flow to combustors
PT-21	Atomizing Air Manifold Pressure Transmitter	Monitors A.A. pressure & provides low pressure alarm in place of existing PS-21
TE-4	Thermocouple	Thermocouple – Lube oil reservoir temperature
TE-2A	Thermocouple	Thermocouple – Lube oil cooler outlet temperature
TE-2B	Thermocouple	Thermocouple – Lube oil cooler outlet temperature
PS-114	Switch – Clutch Air Compressor Motor Control	On/Off control of clutch air compressor
SV-17	Solenoid Valve – Atomizing Air Isolation Valve	Isolate air supply from nozzles

Option 5 Price Adder: \$55,000

Option 6: Standard Re-Wire to the Turbine Base

This option includes replacement wiring of the field devices that interface with the turbine control panel.

Option 6 Price Adder: \$56,000

DELIVERY

Delivery is per the current customer schedule, provided a formal contract change notice is received by **December 15, 2011**. Emerson can initiate this supply immediately, provided the attached Pre Change Notice Authorization form, approving implementation of this entire scope, is signed and returned to Emerson with the understand that your confirming order will arrive *prior to shipment* of this material. Emerson asks that the Pre Change Notice Authorization be signed and returned by **November 18, 2011**.

TERMS AND CONDITIONS

The terms and conditions of this offer are those in the referenced Purchase Order. The price change for this scope change will be added to the overall order price and will be invoiced within the existing milestone event schedule. An invoice will be issued for the cumulative completion of this scope change following receipt of a formal contract change.

VALIDITY

This offer is valid for a period of thirty (30) days from date of issue. Any date addressed in this offer must be adjusted based on the actual date of a valid change notice.

If you should have any questions or comments regarding this offer, please contact Pradip Modi at (412) 963-4170, or myself at (412) 963-4322.

Sincerely,

Emerson Process Management
Power & Water Solutions



Michelle L. Scherer
Contract Administrator

Distribution List:

D. Blythe – Emerson, Pittsburgh PA
P. Modi – Emerson, Pittsburgh PA
B. Reid – City of Piqua, Piqua OH
P. Browne – Emerson CTC, Clifton Park NY

Attachments:

- I. High Energy Ignition System; System Description (8 pages)
- II. Pre-Change Notice Authorization Form (1 page)

HIGH ENERGY IGNITION SYSTEM

SYSTEM DESCRIPTION

W-191 GAS TURBINE

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Background

W191 Gas Turbine

Combustion in the W191 takes place in 6 separate combustion cans arranged around the perimeter of the combustion system. This unit does not have crossfire tubes to connect between adjacent combustors.

Six spring-loaded igniters project through ports in the combustors. When the compressor discharge is near atmospheric pressure, the igniter tips extend to points just beyond the combustion liners where they ignite the fuel air mixture.

As the turbine gains speed, compressor discharge pressure builds in the combustors and forces the igniters back out of the flame path into the body of the igniter.

Existing High Tension Ignition

Two high-tension air gap igniters supplied from a three H.V. ignition transformers with grounded center tap on the secondary winding. Two high-tension coaxial cables approx 20 ft long connected the transformers H.V. terminals to the igniters mounted on the turbine. The cable connects directly to the igniter without intervening base rod. Two inches back from the igniter tip a threaded collar on the igniter's barrel mounts a removable Stainless Steel cup. The cup serves as the spring seat and piston head of the retract mechanism.

MANUFACTURER:	ALLISON
XFMR TYPE:	FLOURESCENT TUBE
PRIMARY:	120V, 60 HZ, 1800 VA
SECONDARY:	15 KV, Center Tapped, 180 mA
Estimated size:	10" X 5" X 5"
Estimated weight:	50 lbs
Terminals:	2" H.V. ceramic terminal posts (project from either end)

These transformers mounted on the outside of the turbine shell. Failure to ignite, due to defective spark plugs and transformer failures were experienced.

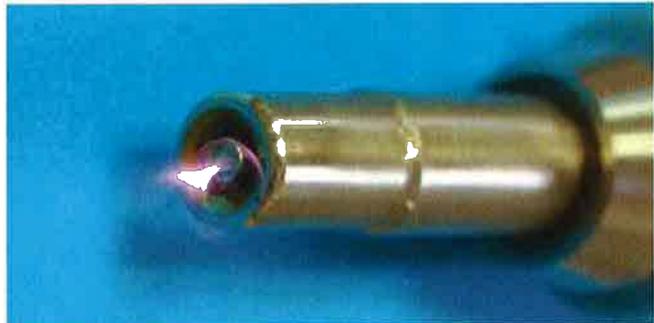
Retrofit Details

High-energy exciters replace the high voltage transformer. One system is composed of three components: exciter, output harness and igniter tip assembly. There are six systems required per engine.

- EXCITER
- HARNESS
- IGNITER TIP ASSEMBLY



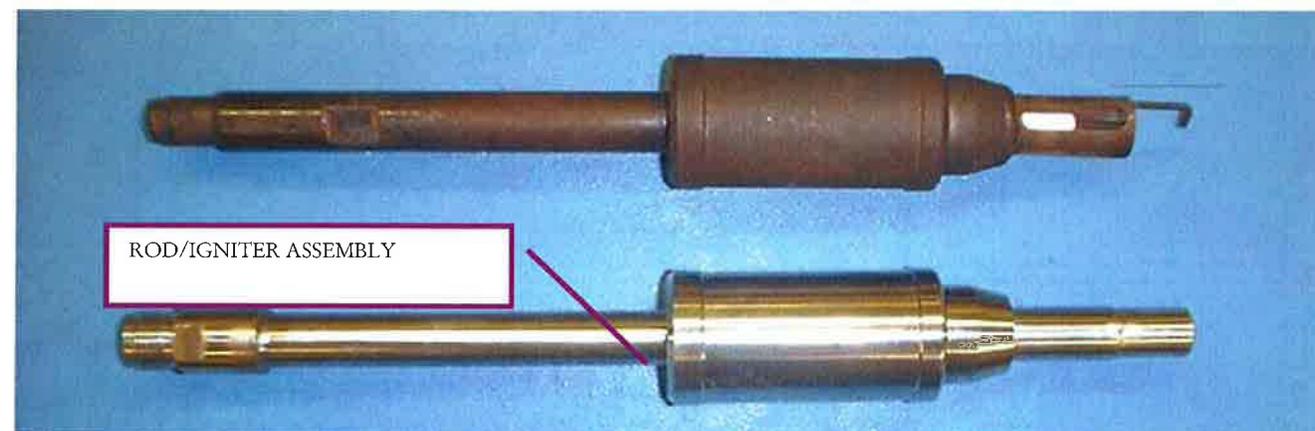
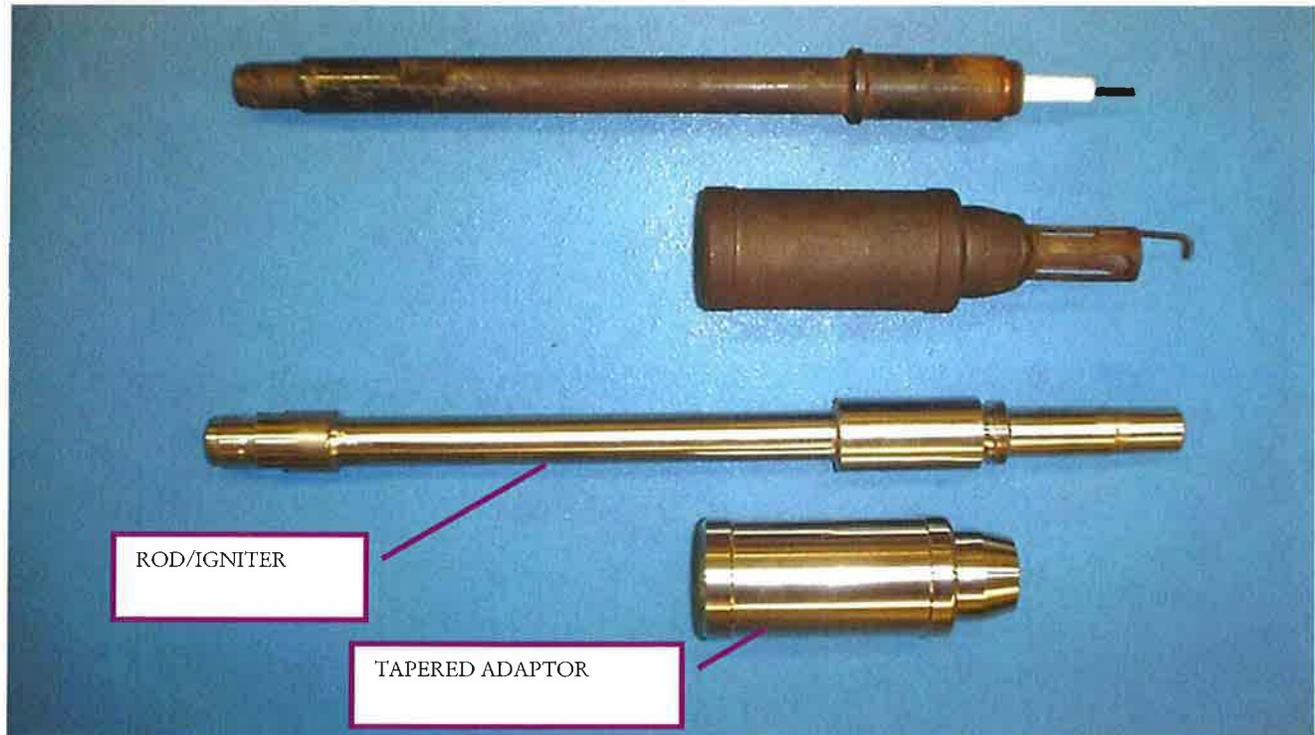
>> Spark initiation



>> Full discharge



Photo Comparison of OLD and NEW IGNITER Assemblies



- Spark location coincident with the end of the old assembly; spark plasma will protrude approximately 0.5” further into the burner can.
- The new igniter shell is 304 Stainless Steel, with the exception of the last 1” of the tip end, which is Inconel.
- The internal assembly is captivated such that the internal sections cannot escape into the turbine, even under conditions of extreme wear.

High Energy Ignition Features

Solid State Technology

The latest technology advances include Power Factor Correction and Solid State switching. The result is reduced size and weight while increasing output power. The new exciter weighs only 10 pounds (3 pounds without the enclosure)!

Features & Benefits

EASY REPAIR

The igniter tip threads are coated with a high temperature graphite compound at the factory. The exciter has a hinged entry enclosure. The Exciter sub-assembly is modular and can be easily replaced without removing the enclosure.

UNIVERSAL INPUT

The exciter has a high efficiency Power Factor Correction converter that accepts a wide input voltage range (85-265 V_{RMS}, 50-60 Hz). This design allows worldwide application. Another advantage is increased power efficiency, which minimizes the input current draw and the physical volume of the exciter electronics.

Frequently Asked Questions

Is Retraction Needed?

Retraction is only used to prevent damage to the igniter tip. The last inch of the igniter tip can withstand 1000°C. The maximum temperature of the connector end of the igniter tip is 649°C. Retraction is used if these temperature limits are exceeded; in general, this only applies for direct ignition of a main fuel.

How long will the igniter tips last?

Igniter Tips are expected to last 500,000 to 1,000,000 sparks. As they wear, the spark energy increases (spark size and intensity). Actual life will depend on the temperature, environment and duty-cycle.

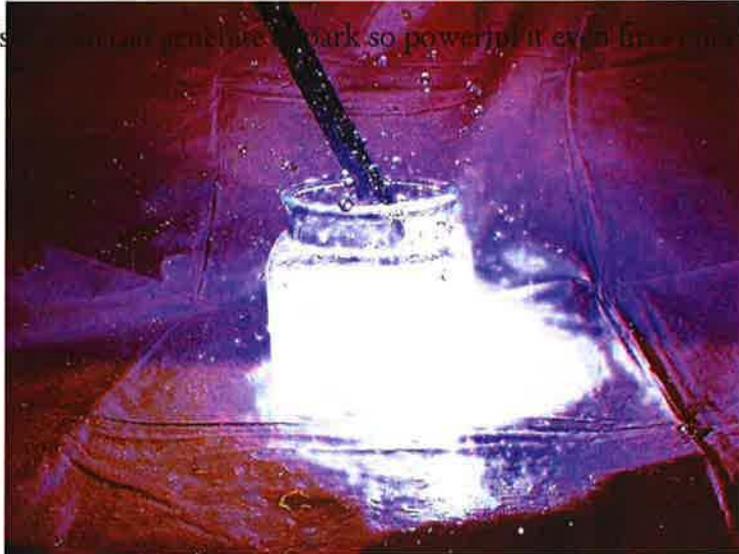
How long will the exciters last?



The exciter is warranted for one year. The most likely component to wear out is the energy storage capacitor. The expected capacitor life is approximately five million output pulses. The exciters are designed to allow replacement of capacitor assemblies. The typical useful life of many of our exciters is approximately ten years.

Is the spark reliable in high moisture conditions?

This system can generate a spark so powerful it even fires through water.



Equipment Specifications

IGNITION EXCITER

- Mechanical:** Enclosure NEMA 3, 4, 4X, 12, 13
 Box dimensions: 11" X 7" X 7" [279mm X 178mm X 178mm]
 Net Weight: 10 Lb. [4.5 kg]
 Shipping Weight: 11 Lb. [5 kg]
- Input Power:** 85-265 V_{RMS}, 50-60 Hz, 1 A_{RMS} @ 100V
- Stored Energy:** 12 Joules Minimum
- Duty Cycle:** The customer defines the preferred spark rate for the application. Flare applications generally ignite gases, which are easily ignited. A low spark rate will meet the ignition requirements for gases and extend the igniter tip life. Liquid fuels generally require a higher spark rate, where 4 SPS is acceptable for fuels such as diesel or No. 2 oil.

SPARK RATE	DUTY CYCLE	MAX AMBIENT
4 SPS	5 Min ON / 10 Min OFF	75°C
2 SPS	Continuous	60°C

OUTPUT HARNESS

- Voltage:** 3000 V DC MAX.
- Mechanical:** Weatherproof bronze outer braid
 Harness OD approximately 0.70" [18 mm]
 Coaxial construction with ball/cone aircraft style termination
 Net Weight: 1 Lb. [.45 kg] for a 6-FT [1829-mm] length
- Temperature:** -70°F to 220°F [-54°C to 105°C]
- Voltage:** 2300 V DC Minimum

IGNITER TIP

- Mechanical:** Includes adaptor collar
 Net Weight: 1.50 Lb. [0.7 kg]
 Shipping Weight: 2 Lb. [0.9 kg]
- Temperature:** 1200°F MAX [649°C]

Pre-Change Notice Authorization

In a good faith effort to minimize the potential for project delays and in advance of a formal change notice to the City of Piqua Purchase Order Number K49772, Emerson Process Management Power and Water Solutions, Inc. is willing to proceed with the implementation of the work defined in Change Request Letter Number U0160-C03, dated November 8, 2011, provided that a representative of the City of Piqua acknowledges, by signing below, that Emerson should proceed with the work, and faxes a copy of the signed document to Michelle Scherer at (412) 963-4341 or emails a copy of the signed document (in PDF format) to michelle.scherer@emerson.com.

The City of Piqua acknowledges that Emerson Process Management Power & Water Solutions, Inc. should proceed with the work detailed in Change Request Letter Number U0160-C03, dated November 8, 2011, in advance of a formal change notice to City of Piqua Purchase Order Number K49772.

Please Mark ("X") Selected Options:

1: _____ 2: _____ 3: _____ 4: _____ 5: _____ 6: _____

Acknowledged by _____

Signature _____

Title _____

Date _____



RESOLUTION NO. R-139-11

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

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

WHEREAS, it is the judgment of the City Purchasing Agent that purchasing #2 fuel oil for the City, at the best price available when it is needed, on the open and spot market during the year 2012 without advertising, is permissible and advisable by said Section 34.19;

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

SEC. 1: The City Purchasing Agent is authorized to dispense with advertising for the purchase of #2 fuel oil for the City during the year 2012 and to make said purchases at the best price available when it is needed on the open and spot market;

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



CITY COMMISSION MEETING REPORT

For the Regular Meeting of December 6th, 2011

TO: Gary Huff, City Manager
FROM: Ed Krieger, Power System Director
SUBJECT: #2 Fuel Oil Purchases for 2012

PURPOSE:

Approve the Resolution No. R-139-11 authorizing the City of Piqua Power System to purchase #2 fuel oil as needed for 2012.

RECOMMENDATION:

I am requesting approval of Resolution No. R-139-11, which will authorize the City of Piqua Power System to purchase #2 fuel oil as needed for 2012 from one or more of the suppliers listed below.

BACKGROUND:

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

ALTERNATIVES:

- 1) Approve Resolution No. R-139-11 authorizing the City of Piqua Power System to purchase #2 fuel oil as needed for 2012.
- 2) Do not approve Resolution No. R-139-11.
- 3) Do not approve the Resolution and provide staff with further direction.

DISCUSSION:

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

- Earhart Petroleum Inc., 1494 Lytle Rd., Troy OH
- Kevin Mote Petroleum Distributor Inc., 11611 St. Rte. 571, Laura OH
- Schafer Oil Co., 9201 St. Rte. 66, Fort Loramie OH

It is necessary for the Power System to purchase #2 fuel oil as needed for 2012 from one or more of the suppliers listed above.

FINANCIAL IMPACT:

The Power System has included \$50,000 in the 2012 budget to cover these potential purchases.

COMMUNITY IMPACT:

The approval of Resolution No. R-139-11 will allow the City of Piqua Power System to purchase #2 fuel oil as needed, which will minimize the total cost of fuel oil.

CONFORMITY TO CITY PLANS & POLICIES:

Section 34.19 of the Piqua Code permits the purchase of supplies for City Departments without advertising when, in the judgment of the City Purchasing Agent, advertising would not be of any material economic benefit. The Energy Board members unanimously approved to purchase #2 fuel oil as needed for 2012 during the meeting of November 22, 2011.