

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, MAY 1, 2012
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES
Approval of the minutes from the April 17, 2012 Regular Piqua City Commission

NEW BUSINESS

2. RES. NO. R-81-12
A Resolution approving the renewal application for placement of farmland in an agricultural district filed by Ellen J. Allenbaugh for parcel #44-100640 in the City of Piqua
3. RES. NO. R-82-12
A Resolution to approve the form and authorize the execution of Blue Creek Wind Energy Schedule with American Municipal Power, Inc. and taking of other actions in connection therewith regarding wind generated energy purchases
4. RES. NO. R-83-12
A Resolution requesting authorization to enter into an agreement with Edsall & Associates, LLC for the Engineering/Landscape design services for the US Route 36 Corridor Beautification project
5. RES. NO. R-84-12
A Resolution authorizing the purchase of property 212-214 W. Ash Street, Parcel No. N44-002220

PUBLIC COMMENT

(This is an opportunity for citizens to address the City Commission regarding issues or to provide information. Comments are requested to be limited to five (5) minutes and specific questions should be addressed to the City Manager's office.)

CITY MANAGER'S REPORT

- a. Economic Development Update
- b. Department Update – Dean Burch, Information Technology

COMMISSIONERS COMMENT

ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
Tuesday April 17, 2012
7:30 P.M.**

Piqua City Commission met at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Fess called the meeting to order. Also present were Commissioners Vogt, Martin, Terry, and Wilson. Absent: None.

**OATH OF OFFICE – PIQUA POLICE DEPARTMENT
LIEUTENANT RICHARD BYRON**

Law Director Stacy Wall administered the Oath of Office to Lieutenant Richard Byron.

PUBLIC HEARING APRIL 17, 2012

Renewal of an application for placement of farmland in an agricultural district filed by Ellen J. Allenbaugh for Parcel #44-100640 in the City of Piqua.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to open the Public Hearing for public comment. Voice vote, Aye, Martin. Vogt, Wilson, Terry, and Fess. Nay. None. Motion carried unanimously.

City Manager Huff stated this is a public hearing for an application received from Ellen J. Allenbaugh for placement of her farmland in an agricultural district in the City of Piqua. After this public hearing the City of Piqua will have thirty days to act on this.

Public Comment

No one came forward to speak for or against the application for placement of the proposed farmland in the City of Piqua at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to close the Public Hearing. Voice vote, Aye; Fess, Wilson, Terry, Vogt, and Martin. Nay; None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Terry, to place the application on the next City Commission Agenda of May 1, 2012. Voice vote, Aye; Terry, Vogt, Wilson, Martin, and Fess. Nay; None. Motion carried unanimously.

PRESENTATION – PIQUA SKATE PARK – RICHARD DONNELLY

Mr. Donnelly came forward and presented a brief overview and designs of the plans for the Piqua Skate Park to be built at Pitsenbarger Park, and would be located next to the Municipal Swimming Pool in the near future. Mr. Donnelly stated he researched various different designs, and traveled around looking at numerous other skate parks in the area before completing his final plans. Weather permitting, construction on the Skate Park should begin in early May with a tentative completion date sometime the end of June or early July. This is something that Piqua has been needing for a long time, and is glad he is able to provide it, stated Mr. Donnelly.

City Manager Huff stated this is a considerable donation by Mr. Donnelly as he is donating the design and construction of the Skate Park to the City of Piqua. The city is very grateful to Mr. Donnelly for taking on the project, as it will be a great addition to the City of Piqua, stated Mayor Fess.

PROCLAMATION

Week of the Young Child

Mayor Fess read the proclamation for the Week of the Young Child and presented it to Commissioner Terry. Commissioner Terry stated it is ironic that just this past week there was a death in the City of a young child which reminds us how precious our children are. Commissioner Terry further stated it is very important to educate our children and adults, and honor the teachers, daycare providers, and all those who are involved in the lives of young children in our community.

RESIDENCE PRIDE AWARDS

Mayor Fess read the names and addresses of the Residence Pride Award winners while a slide was shown of each property. Mayor Fess thanked and congratulated all of them on taking pride in their homes, and also thanked those who nominated them. The winners include:

Randy & Carla Baker	214 E. Main Street
Michael & Reva Ray	1600 Manier Avenue
Carol Botts	626 & 628 W. Ash Street
Jonathan & Kim Stevens	720 Park Avenue
Paul & Irene Graham	1010 Elm Street

Mayor Fess stated applications are available on the website or they can contact the City Manager's office to pick up a form to nominate a neighbor or a friend home.

REGULAR CITY COMMISSION MEETING

Approval of the minutes from the April 3, 2012 Regular Piqua City Commission Meeting.

RES. NO. R-77-12

A Resolution accepting the resignation of Larry Hamilton as a member of the Community Diversity Committee

Moved by Commissioner Martin, seconded by Commissioner Terry that the minutes of the Regular Piqua City Commission Meeting of April 3, 2012, and Resolution No. R-77-12 be approved. Roll call, Aye: Wilson, Terry, Martin, Vogt, and Fess. Nay: None. Motion carried unanimously.

RES. NO. R-78-12

A Resolution authorizing an agreement with Watchguard for the purchase of six (6) mobile video recorders for the Police Department cruisers

Police Chief Jamison stated the Police Department has been utilizing various grant opportunities over the past three years to replace in-car VHS camera systems with digital recorders that would be compatible with the in-house indexing and digital filing system for the recordings obtained in the field. Police Chief Jamison stated in May of 2011 the City responded to a Request for Proposals for JAG funding in the amount of \$27,536.25. In January of 2012 the Police Department entered into an agreement for an award of \$23,405.78, and Watchguard was chosen as the provider. Police Department Policy calls for recording certain police/citizen contacts, and has come to expect these recordings in the court system, and in the public domain. The recordings have become critical for successful prosecution of crimes such as OVI, as well as in defense of accusations against police officers, stated Chief Jamieson.

There was discussion on the capability of moving the recorders from one car to another as the police cruisers are replaced. Grant money was obtained to purchase the recorders, and is to be used for OVI stops. This will also be a great asset to the officers for recording conversations and incidents in the field, stated Chief Jamieson.

Public Comment

No one came forward to speak for or against Resolution No. R-78-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-78-12 be adopted. Roll call, Aye: Vogt, Fess, Wilson, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-78-12 adopted.

RES. NO. R-79-12

A Resolution retaining the service of Horan to provide Health Insurance Consulting Services for the City of Piqua

Human Resource Director Elaine Barton stated HORAN has been the City's provider for the last two years and would like to continue with them for the 2012 year. HORAN has been very instrumental in working with the City on setting up an on-site clinic by bringing two different vendors to review proposals for the project. HORAN has met not only with the City, but also with the school system to discuss the needs with regards to an on-site clinic. HORAN has been able to negotiate lower health insurance premiums for the City for the past two years, and they were able to negotiate a rate pass (0%) for the 2011 benefit plan year, and a single digit (9%) increase for the 2012 plan year. Each of these years a higher rate was initially released but through negotiations HORAN was able to save the city thousands of dollars. HORAN has been able to keep the city informed with regards to the changes in recent health care laws, and the City does not incur broker fees with them, as they are paid a flat fee rather than a percentage of whichever health insurance coverage is chosen.

City Manager Huff stated in working with HORAN on the on-site medical clinic they have provided a tremendous amount of work, and if it comes to be, the city will see some tremendous cost savings in the future. City Manager Huff further stated he believes the city will be getting a bargain for the amount of money being spent.

Mayor Fess stated she has only heard good things about HORAN and is happy to have them working with the City of Piqua.

HORAN Account Manager Julie Tople, stated she wanted to thank the City for approving them two years ago, further stating it has been a great experience working with the City, and she is looking forward to working with everyone in the future. The on-site clinic is very exciting for HORAN. We have not worked with a project like this before but, City Manager Huff has pushed us to go forward with this project feels this will be an exciting process. This project will probably be used with other HORAN clients, as the City of Piqua has set the bar very high for providing an on-site clinic and saving money, said Ms.Tople.

HORAN Account Executive Eric Freudenberg stated it has been an honor to work with the City of Piqua, and they have truly fallen in love with the City. They are also looking forward to working with the Piqua Chamber of Commerce to. They are very appreciative of the quality of the staff in the City, and have enjoyed working with City Manager Huff, stated Mr. Freudenberg.

Mayor Fess stated the on-site clinic will be a great benefit for city employees, and will be very cost effective in saving the City money on health insurance in the future. City Manager Huff explained how the on-site clinic would operate, who would be eligible, what services would be offered along with the type of prescriptions that would be available, and the tremendous cost savings it would be to the City of Piqua.

Mayor Fess thanked the HORAN representatives for attending and providing the information, and further stated the city is looking forward to working with them in the future.

Public Comment

No one came forward to speak for or against Resolution No. 79-12

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-79-12 be adopted. Roll call, Aye: Vogt, Fess, Wilson, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-79-12 adopted.

RES. NO. R-80-12

A Resolution requesting authorization to enter into an agreement with O.R.Colan Associates for the right-of-way acquisition services for the County Road 25-A Phase II reconstruction project.

City Engineer Amy Havenar stated this resolution would allow the City Manager to enter into an agreement with O.R. Colan Associates for the Right-of-Way Acquisition services for the County Road 25-A Phase II Reconstruction Project. The project construction limits are County Road 25-A from Country Club Road to Looney Road with the project being consistent with the improvements made on County Road 25-A Phase I Reconstruction Project completed in 2008. The roadway will be widened to 4 lanes and will be modified from a rural cross-section to an urban cross-section with the utilities being updated as necessary. New curbs, gutters, and sidewalks will be installed the full length of the project. As with all projects utilizing federal money the city has to follow their rules when hiring a consultant. Three Requests for Qualifications were sent out and O.R. Colan Associates was chosen based on their qualifications, stated Ms. Havenar.

There was discussion of providing sidewalks on both sides of the roadway, and it was stated with the schools being located in the area it is necessary to install sidewalks. The question of bike lanes being installed on the roadway was also discussed, and it was stated the roadway would have five-foot wide sidewalks but would not have any dedicated bike lanes at this time. This is something with the Complete Streets Program that could be looked at down the road, stated Ms. Havenar. It was mentioned that maybe sidewalks could be installed only on one side and a bike lane be installed on the other side. We only asked for sidewalks at this time, and with this type of grant funding all we can do is just sidewalks at this time, said Ms. Havenar.

Public Comment

No one came forward to speak for or against Resolution No. R-80-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-80-12 be adopted. Roll call, Aye: Fess, Wilson, Terry, Martin, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-80-12 adopted.

Monthly Reports – January 2012

Monthly Reports for January 2012 were accepted.

Public Comment

This is an opportunity for citizens to address the City Commission regarding issues or to provide information. Comments are requested to be limited to five (5) minutes and specific questions should be addressed to the City Manager's office.

No one came forward to speak at this time.

City Manager's Report

Economic Development Update

Economic Development Director Bill Murphy announced the State of the Economic Development is scheduled for April 19, 2012 at the Ft. Piqua Plaza, 4th Floor from 5:30 P.M. – 7:00 P.M. The speaker will be David R. Avdakov, Senior Portfolio Advisor from U.S. Bank, and will be highlighting several economic development projects from 2011 in Piqua.

Mr. Murphy stated for three weeks in a row companies from the City of Piqua have been featured on the cover of the Dayton Business Journal. These companies include Hartzell Air Movement for their high bay expansion project, WesCon Industries for their potential expansion of their growing business with the natural gas and energy sector, and Industry Products Company for their upcoming expansion that will add 125,000 square feet with up to 50 additional new jobs. The last two projects are subject to State Incentives and we will continue to work with the Dayton Development Coalition and Jobs Ohio, as we will be going to Columbus at the end of the month for the Industry Products project. Also will continue to work with the Ohio Department of Development, and the Ohio Department of Transportation on a rail spur for the WesCon project. This is great coverage and is very exciting news for the City of Piqua, stated Mr. Murphy.

Department Update – Police Department-Chief Bruce Jamison

Police Chief Jamison stated in light of the promotion of Lieutenant Richard A. Byron he would like to give a brief update on some of the little known facts of the Police Department Promotional Requirements. Chief Jamison stated the City of Piqua has a Civil Service Commission that is appointed by the City Commission, and consist of five dedicated citizens who establish rules related to hiring and promoting public safety employees.

Chief Jamison further explained the various steps to the promotional process for the Police Officers.

Chief Jamieson gave a brief history on the Police Department stating the first Chief of Police was appointed in 1903. The Civil Service Commission establishes the rules and regulates both the entry level and promotions. The recent Police Lieutenant test was made up of 50% Written Examination, 25% Assessment Process, and 25% of a Panel Interview. The written test was announced on December 21, 2011 with the test being given on February 21, 2012. After the written examination there were 18 Eligible officers. The next step was the Assessment Process which included the Human Resources Director, Chief of Police, Deputy Chiefs of Police, and a Lieutenant. The next step in the process was the Consultant Review of Organization, the Counseling Session, Oral Presentation, Written Problem-solving Exercise, and what they call an In-Basket Exercise, which was conducted on March 9, 2012. The next step was the Panel Interview held on March 16, the panel consisted of: Chief Jamison, the Human Resource Director, A City Department Head, and two Community Representatives. The candidates were then notified of their written test scores (Raw), Assessment and Interview Scores (Raw), and notified of their rank order on the eligibility list. Promotions will be made from the eligibility list for the next 12-24 months, stated Chief Jamison.

City Manager Huff stated also on Thursday April 19, the Building Sustainable Communities National Conference is scheduled at the Ft. Piqua Plaza with registration beginning at 7:30 A.M. and the program concluding at 3:30 P.M. This is a National Conference being hosted by the National Brownfield Association, and the City of Piqua is very fortunate to have this meeting held in Piqua. Attendees will be coming from all around the State into the community for this, and will be spending money in the city. This is a very positive thing for Piqua, and we would like to have this occur more often in the city, stated City Manager Huff.

City Manager Huff also explained the Drinking Water Notice that Piqua residents received in the mail recently. This notice was sent out due to water testing where the water was found to have exceeded the trihalomethanes level and a notice is required to be sent out. The water was always safe to drink, it just exceeded the trihalomethanes level. Basically, this occurs when the water remains motionless in the water lines or in the water tanks for a period of time. New procedures have been put into place to prevent this from occurring in the future. Water lines will be flushed and the water in the water tanks will be turned over on a regular basis, stated City Manager Huff.

Mayor Fess asked how the Water Department would go about changing the water or turning the water over in the water tanks. City Manager Huff explained the process.

City Manager Huff reminded citizens that May 5, 2012 is the citywide cleanup day. This is being referred to as "Piqua Pick it Up and Clean it Day" This is a citywide volunteer effort to clean up the parks, paths, and any public areas and will begin at 8:00 A.M. and conclude at 12:00. Anyone wishing to participate is encouraged to go online at www.piquaoh.org and register, or contact the City Manager's office to sign up.

City Manager Huff stated the winter was certainly good to the city regarding the use of salt, but now the grass is growing earlier and faster than we can keep up with it. We have scheduled overtime to try to get caught up, further stating the City needs to be an example for the citizens by keeping our grass mowed, said City manager Huff.

At the last City Commission Work Session on April 12, a Special Work Session was set for April 26, 2012. At this time we are going to cancel the Work Session on April 26, and will provide the information regarding the Joint Water Study with the City of Troy at the Regular Scheduled Work Session on May 10, 2012.

Commissioner Comments

Commissioner Wilson stated the city has received a lot of great news recently. The Skate Park will be a great addition to the City, as he had several inquiries as to when it will be done already. Also other good news was the presentation that was presented last week at the Commission Work Session regarding the Canal Place Improvements between Ash Street and High Street. Commissioner Wilson thanked MainStreet Piqua for stepping up and undertaking this project.

Commissioner Terry congratulated Lieutenant Byron on his promotion noting she did not realize how much he had to go through for the promotion until she heard the presentation by Police Chief Jamison. Commissioner Terry congratulated all of the Residence Pride winners stating it shows they have pride in their homes and their neighborhoods. Also, if all citizens would take a moment to pick up and clean up the area in front of their homes this would make a huge difference in the community, stated Commissioner Terry.

Commissioner Vogt thanked Mr. Donnelly for making the Skate Park a reality, as it has been a long time coming. Commissioner Vogt also congratulated Lieutenant Byron on his promotion, and congratulated all of the Residence Pride Award winners.

Mayor Fess stated with the announcement of the three new expansions recently they will be providing about 140 new jobs in the City of Piqua, which is very exciting news. On Monday April 16, Abbott Laboratories in Tipp City had their ground breaking. Mayor Fess and Economic Development Director Bill Murphy attended the event and had the opportunity to speak with the Governor, Speaker of the House, and the Chairman of Abbott Laboratories reminding them the City of Piqua is here to help support suppliers of the new company.

Mayor Fess stated she has heard nothing but raves about the Government Citizens Academy from people who are attending stating they are thrilled with what they are learning about the City. One attendee stated to the Mayor they felt everyone in the city should go through this as it exciting and educational and thinks it is wonderful. Another Government Citizens Academy will begin again in the fall, and encouraged citizens to watch for the registration soon.

Mayor Fess stated she would be presenting a proclamation to the Rehabilitation Center in recognition of their 40 Years of outstanding work in the City of Piqua.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:30 P.M. Voice vote, Aye: Martin, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R- 81 -12

**A RESOLUTION APPROVING THE RENEWAL
APPLICATION FOR PLACEMENT OF FARMLAND
IN AN AGRICULTURAL DISTRICT FILED BY
ELLEN J. ALLENBAUGH FOR PARCEL #N44-100640
IN THE CITY OF PIQUA**

WHEREAS, Ellen J. Allenbaugh has submitted a renewal application to designate Parcel # N44-100640 (attached hereto as Exhibit "A") as an agricultural use; and

WHEREAS, a Public Hearing for renewal of the Application for Placement of Farmland in an Agricultural District filed by Ellen J. Allenbaugh was held on April 17, 2012;

WHEREAS, parcel # N44-100640 is devoted exclusively for agricultural use; and

WHEREAS, the placement of this property in an agricultural use district will not adversely impact the City of Piqua's development needs;

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 renewal application to place parcel #N44-100640 is in an agricultural use district as provided by Ohio Revised Code Section 929.02 is hereby approved;

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

RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)

TO CONTINUE in the Agricultural District, the owner **MUST FILE** a **RENEWAL** form **PRIOR TO** the **FIRST MONDAY IN APRIL** every fifth year with the MIAMI COUNTY Auditor

APPLICANT: ALLENBAUGH ELLEN J
5130 N FRONT ST
COVINGTON OH 45318

Application No: 382
Original Year: 12/2007
Renewal Year: 2012

Description of Land as shown on Property Tax Statement: N44-100640
out lot 314

Location of Property: Fronting Spiker Rd. to West NW quarter Sec. 23 Washington Twp.
Spiker Rd. ~ figure

1. Do you want to renew the real estate list below in the AG District program? YES NO
2. Does any of the land lie within a municipal corporation limit? YES NO
3. Is the parcel(s) shown below presently being taxed at their Current Agricultural Use Valuation (CAUV) under section 5713.31, O.R.C.? YES NO #2585
4. Is the parcel(s) shown below exclusively devoted to agricultural purposes? YES NO
5. If the total **acreage farmed** in this unit is **less than 10 acres**, show **gross income** produced from agricultural purposes for the **last three years**:
 1. _____ 2. _____ 3. _____

TAX DIST	PARCEL NUMBER	ACRES
N44	N44-100640	71.61
TOTAL ACRES		71.61

RECEIVED

CITY OF PIQUA
DEVELOPMENT OFFICE

I declare that this report has been examined by me and to the best of my knowledge and belief is true and correct. I authorize the County Auditor to inspect the property described above to verify the accuracy of the application.

Ellen Allenbaugh 3-23-12 937-773-3578
SIGNATURE OF OWNER DATE PHONE NUMBER

DO NOT COMPLETE FOR OFFICIAL USE ONLY

Action of County Auditor

Application Approved _____ Rejected _____ *

Date Filed with County Auditor 3-27-12

Date Filed (if required) with Clerk of Municipal Corporation _____

County Auditor's Signature _____ Date _____

Date Decision Mailed to Applicant _____ Certified Mail No. _____

Action of Legislative Body of Municipal Corporation

Application Approved _____ Approved with Modifications _____ * Rejected _____ *

Date Application Filed with Clerk 3-29-12 Date of Public Hearing 4-17-12

Date of Legislative Action _____ Clerk's Signature _____ Date _____

Date Decision Mailed to Applicant _____ Certified Mail No. _____

*IF MODIFIED OR REJECTED, ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION

CITY OF PIQUA, OHIO

RESOLUTION NO. R-82-12

**A RESOLUTION TO APPROVE THE FORM AND
AUTHORIZE THE EXECUTION OF BLUE CREEK WIND ENERGY SCHEDULE
WITH
AMERICAN MUNICIPAL POWER, INC. AND TAKING OF OTHER ACTIONS IN
CONNECTION THEREWITH REGARDING WIND GENERATED ENERGY
PURCHASES**

WHEREAS, the City of Piqua, Ohio, (“Municipality”) owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, in order to satisfy the electric capacity and energy requirements of its electric utility system, Municipality has heretofore purchased, or desires to purchase in the future, economical, reliable and environmentally sound capacity and energy and related services from, or arranged by, American Municipal Power, Inc. (“AMP”), of which Municipality is a member; and

WHEREAS, AMP is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric capacity and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members (“Members”), such Members, including Municipality, being political subdivisions that operate municipal electric utility systems in Ohio, Kentucky, Michigan, Pennsylvania, Virginia and West Virginia; and

WHEREAS, Municipality, acting individually and through AMP with other political subdivisions of this and other states that own and operate electric utility systems, jointly, endeavors to arrange for reliable, environmentally sound and reasonably priced supplies of electric capacity and energy and related services for ultimate delivery to its customers; and

WHEREAS, it is efficient and economical to act jointly in such regard; and

WHEREAS, Municipality has previously entered into a Master Services Agreement with AMP, AMP Contract No. C-7-2004-4036, which contemplates that Municipality shall enter into various schedules for the provision of capacity and associated energy and related services from AMP to Municipality; and

WHEREAS, certain Members, including the Municipality have determined that they can utilize additional sources of reliable and economical wind generated electric capacity and energy on a long term basis at reasonable costs, and have requested that AMP arrange for the same by developing or otherwise acquiring interests in certain wind energy facilities (“Wind Facilities”); and

WHEREAS, in furtherance of this purpose, AMP and Blue Creek Wind Farms, LLC (“Blue Creek”), have entered into an agreement (the “Blue Creek Wind Energy Agreement”) under the terms of which AMP is to purchase and Blue Creek is to supply and sell up to 54 MW of capacity and associated energy from Wind Facilities in Van Wert, Ohio for a period of ten (10) years; and

WHEREAS, it is desirable for Municipality to enter into the Blue Creek Wind Energy Schedule to Municipality’s Master Services Agreement with AMP to provide for an additional source of capacity and energy; and

WHEREAS, Members now have the right, but not the obligation by the enactment of this Resolution to authorize and request AMP to acquire capacity and energy from Wind Facilities by approval and execution of the Blue Creek Wind Energy Schedule authorized below; and

WHEREAS, prior to the adoption of this Resolution AMP has (i) informed the Municipality of the terms of the Blue Creek Wind Energy Agreement; (ii) provided the Municipality the opportunity to review the Blue Creek Wind Energy Agreement; and (iii) offered representatives of the Municipality the opportunity to ask such questions, review data and reports, conduct inspections and otherwise perform such investigations with respect to, as applicable, the acquisition of capacity and energy and the terms and conditions of the Blue Creek Wind Energy Schedule authorized below as Municipality deems necessary or appropriate in connection herewith; and

WHEREAS, after due consideration, the Municipality has determined it is reasonable and in its best interests to proceed as authorized herein below and requests and authorizes AMP to acquire capacity and energy from Blue Creek upon those terms and conditions set forth in the Blue Creek Wind Energy Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF PIQUA, MIAMI COUNTY, OHIO, THE MAJORITY OF ALL MEMBERS ELECTED THERETO CONCURRING THAT:

SECTION 1. That the Blue Creek Wind Energy Schedule between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including Exhibits thereto, are approved, and the City Manager of this Municipality is hereby authorized to execute and deliver the Blue Creek Wind Energy Schedule with such changes as the City Manager may approve as neither inconsistent with this Resolution nor materially detrimental to the Municipality, his or her execution of the Blue Creek Wind Energy Schedule to be conclusive evidence of such approval.

SECTION 2. That the City Manager is hereby authorized to (i) acquire under the Blue Creek Wind Energy Schedule, authorized above, a Contract Amount as defined in that Schedule of up to 5000 kW without bid, and (ii) make any determinations and approvals required thereunder, if any, as the City Manager shall deem necessary and advisable.

SECTION 3. If any section, subsection, paragraph, clause or provision or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 4. That this Resolution shall take effect at the earliest date allowed by law.

SECTION 5. That it is found and determined that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this City Commission and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	May 1, 2012		
REPORT TITLE <small>(Should match resolution/ordinance title)</small>	A Resolution to approve the form and authorize the execution of Blue Creek Wind Energy Schedule with American Municipal Power, Inc. and taking of other actions in connection therewith regarding wind generated purchases		
SUBMITTED BY	Name & Title: Ed Krieger, Power System Director		
	Department: Power System		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
ORDINANCE/RESOLUTION	<input type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> 3 rd Reading
	Ordinance #:		Resolution #R-82-12
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input checked="" type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input checked="" type="checkbox"/> Other: Energy Board
BACKGROUND <small>(Includes description, background, and justification)</small>	<p>Since the 1996 closure of Piqua's coal-fired generating plant, Piqua has utilized market purchases for the majority of the City's power supply needs. During that time period, the market has experienced extreme volatility which resulted in electric price spikes to Piqua customers. As a result, Piqua Energy Board has recommended and Piqua City Commission has adopted a less volatile, long-term power supply plan based on diversity of supply and joint ownership of power supply resources through the City's membership in American Municipal Power (AMP), Inc. Piqua is a partial owner of the Prairie State mine-mouth coal-fired generating station, Fremont Energy Center natural gas combined-cycle generating plant, as well as renewable projects, which include the Cannelton, Smithland, Willow Island, Meldahl and Green-up run-of-the-Ohio River hydro generating facilities.</p> <p>Piqua has the opportunity to participate in the recently completed Iberdrola Blue Creek Wind Energy Project located in Paulding and Van Wert Counties in Northwest Ohio. AMP has negotiated a very favorable ten-year power purchase agreement for up to 54 megawatts (MW) of the 304 MW project. Sawvel has recommended that Piqua participate at a level up to 5,000 kilowatts, which translates to 5% of the City's energy needs. When added to the hydro projects, renewable, carbon-free resources will provide 20% of the City's energy needs by 2015. This level is comparable to the State of Ohio's Renewable Energy Standard. Piqua Energy Board recommended that Piqua City Commission adopt Sawvel's recommendation at their April 24, 2012 meeting.</p>		

BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	2012 Power Supply Budget - \$18,727,000
	Expenditure \$:	2012 Projected Wind Purchase - \$285,300
	Source of Funds:	401-203-555-7482
	Narrative:	Included in the 2012 Power System budget is \$18,727,000 for Power Supply Costs. Terms of the ten-year Blue Creek Wind Energy Power Purchase Agreement are comparable to current historically-low market rates. Participation in this power purchase agreement will provide a hedge against volatile market prices and further stabilize Piqua's overall Power Supply costs. In addition, the sale of associated Renewable Energy Credits (RECs), will serve to further lower the cost of this renewable resource.
OPTIONS (Include Deny /Approval Option)	1.	Approve Resolution No. R-82-12 allowing Piqua to purchase up to 5,000 kilowatts of the Blue Creek Wind Energy Power Purchase Agreement.
	2.	Defeat Resolution No. R-82-12 and forego the opportunity to participate in the Blue Creek Wind Energy Power Purchase Agreement.
PROJECT TIMELINE	Piqua would begin taking up to 5,000 kilowatts of the Blue Creek Wind Energy Power Purchase Agreement beginning July 1, 2012 and terminating June 30, 2022.	
STAFF RECOMMENDATION	Approve Resolution No. R-82-12 thereby enabling Piqua to purchase up to 5,000 kilowatts in the Blue Creek Wind Energy Power Purchase Agreement.	
ATTACHMENTS	Sawvel Review of Blue Creek Wind Project.	



April 19, 2012

Mr. Ed Krieger
Piqua Municipal Power System
123 Bridge Street
Piqua, OH 45356-2235

**RE: Review of AMP Iberdrola Wind Project Power Purchase Agreement
Work Order No. 9302.004**

Dear Ed,

The City of Piqua (City) requested that Sawvel and Associates, Inc. (Sawvel) review the Iberdrola Blue Creek Wind Farm (Wind Project) Power Purchase Agreement (PPA) offered by American Municipal Power (AMP). This letter provides information on the Wind Project and PPA, reviews the City power supply plan and resource needs, and recommends a Wind Project PPA subscription amount.

| SUMMARY

Sawvel recommends the City subscribe for up to 5,000 kW of the Blue Creek Wind Farm. The sample ordinance and Wind Project PPA received from AMP includes up to 2,000 kW and thus will need to be modified if the City wishes to subscribe for up to 5,000 kW.

| BACKGROUND

On March 8, 2012, AMP distributed a Subscription Package that included information on the Wind Project PPA and a sample ordinance. The AMP ordinance included a Wind Project PPA subscription amount of up to 2,000 kW (2.0 MW) for the City. Sawvel reviewed these documents and the City power supply plan to evaluate the Wind Project PPA.

| DESCRIPTION OF WIND PROJECT

The Blue Creek Wind Farm was developed by Iberdrola Renewables of Portland, Oregon. Iberdrola Renewables is a subsidiary of Iberdrola S.A. Iberdrola S.A. was founded in 1901 and is one of Spain's largest electric utilities. Iberdrola Renewables operates more than 4,700 MW of

wind generation in the United States and more than 12,700 MW of renewable energy resources worldwide.

The Blue Creek Wind Farm is located in Tully, Union and Hoaglin townships of Van Wert County and Benton, Blue Creek and Latty townships of Paulding County in northwest Ohio. The project consists of 152 Gamesa G90 wind turbines rated at 2.0 MW each, for a total project capacity of 304 MW. Construction of the project began in September 2010. On March 5, 2012, Iberdrola Renewables announced that construction of the Blue Creek Wind Farm was complete.

The Blue Creek Wind Farm is interconnected with American Electric Power (AEP) and is in the Pennsylvania-New Jersey-Maryland (PJM) Interconnection Regional Transmission Organization (RTO). Additional information on Iberdrola Renewables and the Blue Creek Wind Farm is attached for your information.

WIND TURBINE CHARACTERISTICS

Wind energy is not dispatchable in the same manner as fossil fuel-fired generating resources such as coal, natural gas and diesel. Fossil fuel-fired generating resources can be set to generate at a specific output level for a specific period of time. The output of a wind turbine varies with wind speed. Since wind turbine energy production is proportional to wind speed cubed (raised to the power of three) small variations in wind speed result in greater changes in wind turbine output. For example, if wind speed doubles, generator output increases eight times (800%).

Wind turbines generate within a range of wind speeds. A Gamesa G90 wind turbine begins generating at a minimum wind speed of 6.7 miles per hour. Generator output increases with wind speed, reaching full output (2.0 MW) at approximately 33.5 miles per hour wind speed. At wind speeds exceeding 47 miles per hour, the unit shuts down to prevent damage to the wind turbine. When wind speeds return to safe operating levels, the wind turbine automatically resets itself and begins generating again.

Because northwest Ohio average wind speed decreases during summer months, Blue Creek Wind Farm projected output is lowest from June through September and highest from December through April when average wind speed increases. The projected Wind Project output is generally less from approximately 8:00 a.m. to 5:00 p.m. than during other hours of the day.

Because of fluctuating wind speed, wind turbines typically generate less energy per kilowatt of installed capacity than a baseload power supply resource like the Prairie State Energy Campus,

or baseload/intermediate resources such as the Greenup/Meldahl Hydroelectric Project. The Blue Creek Wind Farm projected annual capacity factor is 34.7%. In other words, the Wind Project will generate an estimated 34.7% of the energy it would produce at full output during a year, primarily because of varying wind speed. In comparison, the Prairie State Energy Campus has a projected annual capacity factor of 87% to 92%, and the Greenup/Meldahl Hydroelectric Project has an estimated annual capacity factor of 52%. Table 1 illustrates the amount of energy produced during a one-year period by 1,000 kW of installed generating capacity under varying annual capacity factors.

**Table 1
Annual Energy
Generated by
1,000 kW Capacity**

Capacity Factor (%)	Energy Generated (kWh)
34.7	3,039,720
52	4,555,200
87	7,621,200

AMP BLUE CREEK WIND FARM PPA

On February 27, 2012, AMP entered into a PPA with Blue Creek Wind Farm LLC (Iberdrola Renewables) for up to 54 MW of Blue Creek Wind Farm output. The PPA is contingent upon AMP obtaining subscriptions for at least 30 MW of project output from its members. The Wind Project PPA distributed in the Subscription Package has a 10-year term that begins on the later of the project Commercial Operation Date or July 1, 2012. The projected Commercial Operation Date is April 2012. AMP has the option to terminate the PPA if the Blue Creek Wind Farm fails to achieve commercial operation by March 1, 2013.

Energy from the Blue Creek Wind Farm will be scheduled into PJM on a day-ahead basis and reconciled with actual daily energy delivered. Under the Blue Creek Wind Farm PPA, AMP is to receive all energy generated by its subscribed capacity and accompanying installed capacity credit. Because of the variability of wind turbine output, the project has an estimated installed capacity credit of approximately 15% of subscribed project capacity or approximately 8.1 MW of installed capacity credit for an AMP subscription of 54 MW.

For each MWh the Blue Creek Wind Farm generates, an associated Renewable Energy Certificate (REC or "green tag") is created. AMP will receive 50% of associated RECs from 2013 through 2017, and 100% of associated RECs all other years during the 10-year PPA term. These RECs will be credited to each AMP member that executes a Wind Project PPA based on its PPA energy deliveries. Each subscribing member decides whether to sell or retain RECs received under the Wind Project PPA.

PPA PROJECT OUTPUT COST

The AMP-Iberdrola Renewables Blue Creek Wind Farm PPA includes pricing for project output over the 10-year PPA term as shown in Table 2. Project capacity and energy is priced at \$35.00/MWh from commencement of energy deliveries through December 31, 2013. From 2013 through 2021 the cost per MWh increases annually to \$56.00, an average of 6.67% per year. In 2022 the cost per MWh increases 9.7% from \$56.00/MWh to \$61.43/MWh.

**Table 2
Wind Project
PPA Price**

Start Date⁽¹⁾	Price (\$/MWh)
2012-13	35.00
2014	37.00
2015	39.00
2016	41.00
2017	43.00
2018	46.00
2019	49.00
2020	52.00
2021	56.00
2022	61.43

⁽¹⁾ If Delivery Start Date is later than January 1, 2013, these dates shall be extended accordingly.

APPROACH

The approach to evaluating the Wind Project PPA was to review the AMP Wind Project PPA Subscription Package dated March 8, 2012, the AMP-Iberdrola Blue Creek Wind Farm PPA, and the City power supply plan and load forecast.

WIND PROJECT PPA TERMS AND CONDITIONS

The City must execute a Blue Creek Wind Energy Schedule (Wind Project PPA) under its AMP Master Service Agreement to purchase a portion of the Wind Project output. The Wind Project PPA specifies an "up to" or maximum wind capacity amount each member is obligated to purchase during the term of the PPA. The Wind Project PPA is coterminous with the start of energy deliveries from the Wind Project (Delivery Start Date, expected to be July 1, 2012) of the AMP-Iberdrola Blue Creek Wind Farm PPA. The Agreement term is 10 years from the Delivery Start Date.

The Wind Schedule is a take and pay arrangement. The City pays only for energy generated and delivered to the PJM Wind Project Delivery Point except during periods of negative PJM Locational Marginal Pricing (LMP). During periods when the PJM East Lima Substation LMP is negative (less than zero), the Blue Creek Wind Farm will be removed from service. No power will be generated or delivered from the Wind Farm during such outages. According to AMP, negative LMPs occurred at the East Lima Substation LMP for 36 hours in 2010 and 25 hours in 2011. For purposes of this analysis, 100 hours of energy curtailments were included.

Under the terms of the Blue Creek Wind Farm PPA, AMP agrees to compensate Iberdrola Renewables for estimated curtailed energy deliveries (MWh) during periods of negative LMPs, multiplied by the then current year contract price per MWh. If the City needs its subscribed project output during such periods of interruption, market energy purchases will replace curtailed wind energy deliveries. LMP transmission congestion and marginal losses costs between the East Lima Substation Delivery Point and the City must be added to the Contract Price, as shown in Table 3. In the case of the City, estimated congestion charges of \$1.00/MWh were included in this analysis. Other estimated costs include a \$0.55/MWh PJM Operating Reserve Charge, capacity credit of \$0.29/MWh and \$0.23/MWh for energy curtailments for a total estimated 2012 cost of \$36.49/MWh.

Table 3
AMP-Iberdrola Blue Creek Wind Farm
Projected Total Annual Cost

Year	(\$/MWh)					Total
	Contract Price	PJM Oper. Reserves	Con-gestion	Capacity Credit ⁽¹⁾	Economic Curtail. Adj. ⁽²⁾	
2012	35.00	0.55	1.00	(0.29)	0.23	36.49
2013	35.00	0.55	1.00	(0.40)	0.23	36.38
2014	37.00	0.55	1.00	(1.49)	0.23	37.29
2015	39.00	0.55	1.00	(2.35)	0.23	38.43
2016	41.00	0.55	1.00	(2.48)	0.23	40.30
2017	43.00	0.55	1.00	(2.55)	0.23	42.22
2018	46.00	0.55	1.00	(2.63)	0.23	45.15
2019	49.00	0.55	1.00	(2.71)	0.23	48.07
2020	52.00	0.55	1.00	(2.79)	0.23	50.99
2021	56.00	0.55	1.00	(2.87)	0.23	54.90
2022	61.43	0.55	1.00	(2.96)	0.23	60.25

⁽¹⁾ Assuming 15% capacity accreditation using Base Residual Auction results through May 31, 2015. June 2015 through May 2016 estimated at \$4.25/kW-month. June 2016 through May 2017 estimated at \$4.36/kW-month and escalated 3% annually thereafter.

⁽²⁾ Assumes 100 Hours of negative LMP prices with a \$20/MWh replacement power cost in addition to paying Iberdrola at the Contract Price for estimated generation during negative LMP hours.

PJM Installed Capacity Credit

Wind projects are often considered “energy only” power supply resources (no installed capacity credit) because of wind turbine varying, non-dispatchable output. The Blue Creek Wind Project has an initial estimated installed capacity value of approximately 15%. For example, a 1,000 kW PPA subscription includes approximately 150 kW of installed capacity credit that would have to be purchased or installed to accompany a market energy purchase. This installed capacity percentage may change in the future to reflect actual project operations.

AEP recently announced the retirement of approximately 4,000 MW of coal-fired capacity in PJM by June 1, 2015. FirstEnergy recently announced the retirement of 2,689 MW of coal-fired capacity in PJM by September 1, 2012. This loss of generating capacity may increase the cost of PJM capacity beginning in June 2015. The value of Blue Creek Wind Farm installed capacity

credit was estimated using actual values through 2014 and projected values from 2015 through 2022 as shown in Table 3.

Renewable Energy Certificates

Ohio Senate Bill 221 (SB 221) became effective in July 2008. SB 221 includes an Alternative Energy Portfolio Standard (AEPS). The AEPS requires that by 2025, 25% of the energy (kWh) sold by investor-owned utilities must be generated using alternative energy resources. SB 221 classifies alternative energy resources as advanced and renewable. Qualifying renewable energy resources include solar, wind, hydroelectric, geothermal, solid waste and biomass. Qualifying advanced energy resources include those that incorporate:

- Clean coal technology
- Distributed generation that utilizes co-generation of electricity and thermal output simultaneously
- Nuclear enhancements
- Fuel cells
- Advanced solid waste
- Demand-side management

At least 12.5% (half) of the 25% AEPS requirement must be supplied by renewable energy resources. At least 6.25% (half) of the 12.5% AEPS renewable requirement must be supplied by renewable energy resources located in Ohio. Included in the 12.5% renewable standard is a requirement that at least 0.5% of retail energy sales must be supplied by solar generating resources by 2025. SB 221 established AEPS benchmark percentages that began in 2009 and increase annually through 2025. SB 221 AEPS applies only to investor owned utilities, not to municipal utilities. However, it seems reasonable for the City to use the AEPS as a guideline when making decisions about adding renewable energy resources to its power supply portfolio. An estimated 15% of the City power supply will be supplied by renewable resources in 2015.

The Blue Creek Wind Farm PPA includes RECs associated with project output. Each MWh of energy production has an accompanying REC. The RECs have value to Ohio investor-owned utilities required to comply with the SB 221 AEPS, to "green energy" programs such as AMP EcoSmart Choice, and to others that wish to demonstrate a commitment to environmentally friendly power supply resources.

The AMP Wind Project PPA includes 100% of the RECs associated with project subscriptions with the exception of 2013 through 2016, when subscribing members receive 50% of available RECs. The City decides whether to retain or dispose of its RECs. Ohio municipal electric

systems are not currently subject to the Ohio AEPS and are free to dispose of their RECs as they see fit. AMP has handled the sale of RECs from a number of power supply projects including the Belleville Hydroelectric Project, the Bowling Green Wind Farm and the EDI Landfill Gas-to-Energy Project. AMP has offered to sell RECs on behalf of interested PPA subscribers in 2012 and 2013 unless the City wishes to retain its RECs or to sell them independently.

The future value of RECs is difficult to accurately project because the REC market is relatively new, and prices may be impacted by the addition of large renewable energy projects such as the Blue Creek Wind Farm and future renewable energy portfolio standards. REC value was not considered for purposes of this analysis. However, if the RECs are sold, the Wind Project PPA price can be reduced accordingly.

COMPARISON OF WIND PROJECT PPA TO MARKET ENERGY PURCHASES

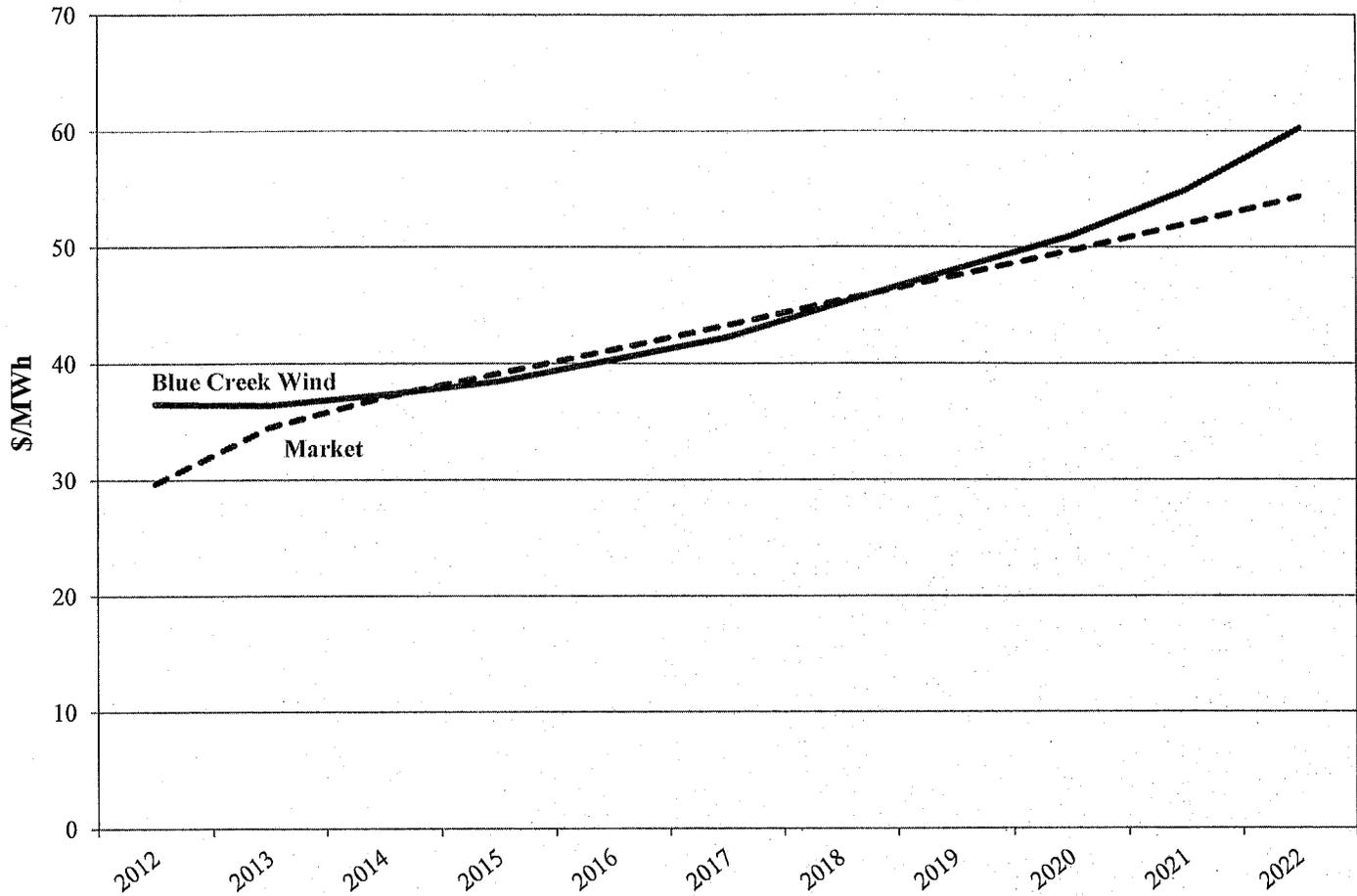
Table 4 and Figure 1 compare the estimated total Wind Project PPA price to the estimated market price of energy for 2012 through 2022. The Wind Project PPA price is greater than estimated market prices in some years and less in others. However, market energy prices are currently near historic lows, so the risk of increased market prices is greater than the risk of further decreases. The Wind Project PPA provides known prices that are comparable to current low market prices during the 10-year PPA term.

**Table 4
Wind Project Cost
Compared to
Projected Market
Energy Price
(\$/MWh)**

Year	Wind⁽¹⁾	Market
2012	36.49	29.70
2013	36.38	34.51
2014	37.29	37.09
2015	38.43	39.13
2016	40.30	41.14
2017	42.22	43.27
2018	45.15	45.38
2019	48.07	47.52
2020	50.99	49.71
2021	54.90	51.98
2022	60.25	54.32
Avg.	44.59	43.07

⁽¹⁾From Table 3.

Figure 1
Blue Creek Wind vs. Market Energy Price



POWER SUPPLY RESOURCES AND LOAD FORECAST REVIEW

We reviewed the City power supply plan and load forecast for the period 2012 through 2022 to determine the need for energy resources. The City has an estimated annual energy requirement of 326,921 MWh in 2015 and is projected to purchase approximately 58,923 MWh of market energy annually. The Wind Project PPA can reduce market energy purchases during this period.

Three factors were considered when estimating an appropriate Wind Project PPA subscription amount. The first factor considered was market energy purchases. A 10% market energy purchase target was established to allow flexibility to take advantage of future power supply resources and provide some measure of protection against possible loss of electric load. The second factor considered was wind subscription energy as a percent of total energy requirements. This was limited to 5 percent of the total energy requirement. The last factor considered was

wind capacity compared to projected baseload capacity needs. This was limited to no more than the projected baseload capacity need.

The 2015 projected energy need of 58,923 MWh is approximately 18 percent of total energy requirements. The City could subscribe for up to 5% of its energy requirements and meet the criteria of the first two factors. The projected 2015 baseload need is approximately 10.5 MW. Five percent of the 2015 energy requirement is approximately 15,199 MWh or 5 MW of the Blue Creek Wind Farm at an annual capacity factor of 34.7 percent. This satisfies the third factor because 5.0 MW is less than the baseload capacity need of 10.5 MW.

OTHER CONSIDERATIONS

The Wind Project PPA pricing is comparable to estimated 2012-2022 market energy prices and the City has a need for energy that the Wind Project PPA can help meet. Other Wind Project PPA considerations include:

1. The known price of the Wind Project PPA over its 10-year term can help reduce price volatility associated with market energy purchases.
2. Execution of the Wind Project PPA increases the amount of renewable energy in the City power supply portfolio and further diversifies the mix of resources by adding wind.
3. There is no construction, operation and maintenance risk associated with the Wind Project PPA for the City.
4. With the exception of periods of negative LMPs, the PPA is a take and pay arrangement. The City is obligated to pay for only its share of delivered energy. If no energy is delivered, no Wind Project PPA costs are incurred.
5. No fuel cost.
6. Wind turbines produce no air emissions. This can help the City reduce the risk of financial impacts resulting from possible future greenhouse gas legislation.

CONCLUSIONS

Based on review of the AMP Wind Project PPA Subscription Package, the City power supply plan and load forecast, and the above considerations, we have reached the following conclusions:

1. The Iberdrola Renewables Blue Creek Wind Farm is a reasonable power supply resource and Iberdrola Renewables is an experienced wind project owner and operator.

Mr. Ed Krieger
April 19, 2012
Page 11

2. The average estimated Wind Project PPA price is comparable to estimated market energy prices during the 10-year PPA term. Because the Wind Project PPA energy deliveries will replace market energy purchases, there is no projected impact on power supply costs.
3. The sale of Wind Project PPA RECs was not included in this analysis. If the RECs are sold, the effective PPA price can be reduced.
4. The City has a need for annual market energy purchases during the 2012 through 2022 Wind Project PPA term. The Wind Project PPA can help reduce the need for market energy purchases.
5. Sawvel recommends a Wind Project PPA subscription amount of up to 5,000 kW. The sample ordinance and Wind Project PPA received by the City includes a 2,000 kW subscription amount. The sample ordinance and Wind Project PPA should be revised if the City wishes to subscribe for more or less than 2,000 kW.
6. An estimated 15% of the City power supply will be generated by renewable resources in 2015. A Wind Project PPA subscription amount of up to 5,000 kW is projected to increase this percentage to approximately 20% in 2015. This exceeds the 12.5% requirement investor-owned utilities must meet by 2025 under SB 221.

If you have any questions concerning this letter, please call me.

Sincerely,



Donald E. Gruenemeyer, P.E.
DEG:dmd

RESOLUTION NO. R-83-12

**A RESOLUTION REQUESTING AUTHORIZATION
TO ENTER INTO AN AGREEMENT WITH EDSALL
& ASSOCIATES LLC FOR THE
ENGINEERING/LANDSCAPE DESIGN SERVICES
FOR THE US ROUTE 36 CORRIDOR
BEAUTIFICATION PROJECT**

WHEREAS, on January 3, 2012 this Commission passed Resolution No. R-2-12 authorizing the City Purchasing Analyst to advertise for bids, according to law, for Engineering/Landscape Services for the US Route 36 Corridor Beautification Project; and

WHEREAS, after solicitation of Request for Qualifications, Edsall & Associates LLC has been determined to be the most qualified provider of these services; and

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

SEC. 1: A purchase order is hereby authorized to Edsall & Associates LLC for the necessary engineering/landscape services for the US Route 36 Corridor Beautification Project;

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 contract terms, not exceeding a total of \$52,250;

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



Commission Agenda Staff Report

MEETING DATE	May 1, 2012			
REPORT TITLE (Should match resolution/ordinance title)	A Resolution requesting authorization to enter into an Agreement with Edsall & Associates LLC for the Engineering/Landscape Design Services for the US Route 36 Corridor Beatification Project.			
SUBMITTED BY	Name & Title: Amy Havenar, City Engineer			
	Department: Engineering			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Regular
ORDINANCE/RESOLUTION	<input type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> 3 rd Reading	
	Ordinance #:		Resolution #: R-83-12	
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance	
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director	
	<input type="checkbox"/> Department Director		<input type="checkbox"/> Other:	
BACKGROUND (Includes description, background, and justification)	<p>In June of 2009, City Commission approved the submission of the US Route 36 Corridor Beautification Project to the Miami Valley Regional Planning Commission for funding under the Transportation Enhancement (TE) Program. This project was one of the projects selected for funding and this resolution would allow us to begin the design process.</p> <p>As with all projects utilizing federal money, the selected consultants must be on ODOT's prequalified consultants list. Utilizing that list, Request for Proposals were sent out to six consultants. From the proposals submitted, Edsall & Associates LLC was selected as the most qualified consultant to perform the design services as identified in the RFP Scope of Services.</p>			
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	\$50,000		
	Expenditure \$:	\$52,250 (includes 10% contingency)		
	Source of Funds:	Local		
	Narrative:	The work limits for this project extend along the US Route 36 corridor from the overhead railroad bridge to the west and Looney Road on the east. The project scope includes removing and or replacing portions of the utilitarian right of way fence and light post with a decorative fence and light post types; installing curbing around the existing grass median area to the west of the interstate bridge and excavating the painted median east of the bridge and adding curb and topsoil to this area to create a planting area, and		

		<p>planting the medians and shoulder embankment areas with native tree and bush species appropriate to the spaces available. The improvements will be designed to complement the US Route 36/I-75 Beautification Project completed last year.</p> <p>The City received \$288,945 in grant funding from MVRPC for the construction of this project. The total cost is estimated to be \$525,000. As with all federally funded projects, the engineering costs associated with the project are funded with 100% local funds. The project is scheduled to begin construction in the summer of 2013.</p> <p>There is capacity in the 103 Fund (Account 8836) to pay for the additional \$2,000 over the estimated budget amount (if needed).</p>
<p>OPTIONS (Include Deny /Approval Option)</p>	<p>1. 2. 3. 4.</p>	<p>Approve the Resolution to enter into an agreement with Edsall & Associates LLC for the engineering/landscape design services for the US Route 36 Corridor Beatification Project.</p> <p>Do not approve the Resolution and do not complete the US Route 36 Corridor Beatification Project and return the funding.</p>
<p>PROJECT TIMELINE</p>	<p>The engineering design would begin immediately with project construction scheduled for the summer of 2013.</p>	
<p>STAFF RECOMMENDATION</p>	<p>Approval of the Resolution to allow for engineering/landscape design to begin on the US Route 36 Corridor Beatification Project.</p>	
<p>ATTACHMENTS</p>	<p>Technical Proposal for the engineering/landscape design.</p>	

April 16, 2012

City of Piqua Engineering Department
201 West Water Street
Piqua, Ohio 45356

Attn: Amy Havenar, P.E. - City Engineer

Re: Technical Proposal
MIA-36-11.55, PID 88222
Engineering/Landscape Design Services
US Route 36 Corridor Beautification Project

Dear Ms. Havenar:

Edsall & Associates LLC in association with ms consultants, inc. welcomes the opportunity to submit the following Technical Proposal relative to the project referenced above. As used herein, all references to Client shall mean the City of Piqua, Ohio, all references to Landscape Architect shall mean Edsall & Associates LLC and all references to Engineer shall mean ms consultants, inc., jointly referenced as the Consultant Team. The ensuing sections of this letter relate our understanding of the nature of the work that would be done on the project by the Consultant Team.

AREA OF CONSIDERATION

The project site includes areas on both sides of US Route 36 within the existing right-of-way from the railroad overpass at the west end to Looney Road at the east end. Areas within the interchange at I-75 and US Route 36 are limited to the US Route 36 right-of-way and the bridge over I-75. This does not include on or off ramps or the infield areas related to those ramps. No additional right-of-way or easement acquisitions are anticipated.

- Key program elements of the project include the following items or components.
 - Remove/replace existing utility type right-of-way fence and light posts with new ornamental fencing and decorative lighting posts and fixtures.
 - Install curbing around existing grass medians west of the interstate bridge.
 - Remove/excavate the painted median east of the bridge, install new curbs and backfill with topsoil to create a planting area.
 - Install curbing at the edge of pavement adjacent to the north and south sides of the bridge to provide better pedestrian and motor vehicle separation. There is an existing walk on the north side of the bridge.
 - Plant median and shoulder embankment areas with native tree and shrub species that are appropriate for the available spaces. Observe all ODOT tree planting standards and sight line requirements. Specify plant materials that are salt tolerant and require minimal watering and maintenance.
 - Design improvements to complement and harmonize with the surrounding private development and/or developable lots. Create a design character and quality that promotes and provides incentives for new investment and redevelopment in this area.
 - Prepare plans that reflect the foregoing program elements within the estimated \$437,795.00 project construction budget.

INFORMATION PROVIDED BY THE CLIENT

The Client shall provide at no cost to the Landscape Architect/Engineer all available right-of-way and planimetric sheets with topography, aerial photographs, utility plans and related information for use by the Consultant Team. All such information shall be provided in a CADD format compatible with AutoCad 2008. Information to be provided includes but is not limited to:

- The LJB AutoCad Survey drawing along US Route 36 from Looney Road extending west to a point just west of Scott Drive.
- Plans for the I-75/SR (US) 36 Interchange Landscape Enhancement Project, MIA-36-11.76 dated July, 2009.
- Roadway, bridge and utility plans related to the I-75 interchange and US Route 36 from ODOT District 7 and/or City of Piqua records and files.

SCOPE OF SERVICES

A. Project Scope

- Primary goals of the US Route 36 Corridor Beautification Project include:
 - Significantly enhance the scenic beauty of the landscape in the vicinity of the US Route 36 and I-75 interchange which is a primary entrance into the Piqua community.
 - Create an image and level of environmental quality that will serve as a catalyst for new development and redevelopment activity in the area around the interchange that will capitalize on the existing infrastructure.
- The planning and design process is intended to encourage and perpetuate the significant interest from the community that has already been expressed in the final design intentions of this project. To encourage input and involvement it is anticipated that:
 - A Design Committee will be formulated involving city staff and community members to provide direction for the Consultant on the project. A schedule of meetings with this group would be established at the commencement of the project.
 - Presentations of design alternatives to the Planning Commission and the general public to convey recommendations from the Design Committee and Consultant.

B. Stages I and II

- As noted in the transmittal letter, under the guidelines of the FHWA Every Day Counts (EDC) Initiative, we recommend that work traditionally done in two (2) stages related to Stage I and Stage II be combined into a single Stage I/II. Work that would be done in the combined Stage I/II is outlined below.

- Utilizing existing drawing files, roadway plans, utility plans and terrain information, the Consultant Team will analyze the existing development character of the corridor including existing pavements, landscaping, fencing, lighting, signage, grades and slopes and effective plant massing. Review meetings will be conducted with City staff, the Design Committee and other designated representatives to present findings pertaining to existing conditions.
 - Review conditions relative to existing painted and grass median areas.
 - Address elements described in the Area of Consideration section above.
 - Evaluate existing vegetation/features/business signage/entrance drives/etc. impacted by the proposed corridor beautification.
 - Conduct a visual and photographic reconnaissance of the corridor and prepare a base sheet utilizing existing information and additional survey data as may be required, that can be used in concept design and construction drawings.
 - Preparation of a Concept Corridor Development Plan depicting plant character/type and massing, signage and other gateway elements including area lighting.
 - Preparation of a preliminary cost estimate for recommended landscape development improvements including suggested alternatives/options.
- This stage of work shall also entail refinement of the Concept Corridor Development Plan, preparation of outline specifications, refining the preliminary cost estimate and conducting review meetings including the following:
 - Refinement of Corridor Concepts depicting further details relative to curbing, plantings, fencing, lighting, hardscape and softscape material components. Initiate work on construction details for these components of the corridor beautification. The quantity of ornamental fencing may be limited since most ODOT right-of-way may be removed with only monumentation being installed to document the limits of the right-of-way. Lighting is intended to emulate the character of fixtures included in the East Ash Street improvements but with a change in the scale of the pole and fixture as well as lamping.
 - Development of guidelines for the corridor that are specific to the development of the I-75/US Route 36 corridor beautification that may also be modified/adapted to other gateways to the Piqua community.
 - Address the potential to create a complete street. Consider the integration of vehicular and pedestrian systems that may enhance existing development and promote new corridor economic and development activity. Include concepts to foster traffic calming. Encourage support for maintenance and further enhancements through an Adopt-A-Corridor program.
 - Preliminary consideration of lighting levels, BMP's and stormwater management as well as MOT plans for the corridor.
 - Preparation of a rendering depicting the proposed landscape character of the corridor for use in presentations to the Stakeholders, Design Committee, City of Piqua Planning Commission and the public. The rendering will be similar to the illustrations in our SOQ relative to the Centerville, Ohio Gateway Enhancement and the Lincoln Highway Tribute Project in Wooster, Ohio. A rendered plan and selected rendered details will also be provided like those included in project illustrations in our SOQ submission.

- Participate in up to three (3) meetings at this stage of plan preparation including:
 - Preliminary coordination meeting with the City/Client and ODOT District 7 staff to review the scope of the project and review existing documentation which may be utilized in planning and design of the project.
 - City Engineer, City Planner and Design Committee.
 - Planning Commission, stakeholders along the US Route 36 corridor and the general public.

C. Final Construction Documents: Stage III

- This stage of work shall entail the preparation of the final corridor beautification plan, construction drawings, specifications and final construction cost estimate. All quantities shall be included on the drawings along with all notes, plant list and construction details
- Final Beautification Plan depicting the location and type of all materials proposed for the project. This plan shall be the basis for the preparation of construction drawings including the plan components listed below. These components represent a definition of tasks to be performed with each being critical to the successful completion of the development of this project.
 - Layout/Dimension Plans - Determination of the dimensional layout of all elements that are a part of the project.
 - Grading and Drainage Plans - Preparation of plans showing the proposed surface form and contour of the site including all necessary spot elevations, sedimentation and erosion control plans.
 - Utilities Plan - Preparation of utility plans for the development of storm drainage systems for the corridor development.
 - Landscape Planting Plans - Preparation of a site landscape planting plan showing the location of shade, ornamental and evergreen trees; planting areas for shrubs, ornamental grasses and/or ground covers; native prairie and wildflower planting areas; and lawn areas. A plant list including quantities, size and varieties of all materials shall be included on the plans.
 - MOT Plans - Preparation of plans that will facilitate the maintenance of traffic in both directions and access to all properties within the project improvement area at all times during construction.
 - Site Lighting Plan - Photometric evaluations based on the use of new poles and fixtures/luminaires in current fixture locations. Inclusion of new poles and luminaires will depend on the ultimate capacity of the project budget.
 - Construction Details - Preparation of construction details including plans, sections and/or elevations, as may be necessary, of elements that are a part of the project. Construction details shall include all details required along with notes for fencing/planting/signage/lighting/walks/curbs and other development components.
 - Specifications - Preparation of all technical specifications related to documents prepared by the Landscape Architect/Consultant Team. The specifications, plans and bid tabulation shall include the illustration/definition of all bid alternates as may be requested to meet project budgets.

- Construction Cost Estimate - The Landscape Architect/Consultant Team shall prepare an estimate of probable construction costs related to the final construction documents. The estimate shall include consideration of potential phasing and/or alternates as may be required.
- Construction Permits - The Landscape Architect/Consultant Team shall be responsible for filing any required forms for construction permits with assistance from the Client. This process shall include document reviews with potential regulatory agencies that may relate to this project and incorporation of any review comments/modifications into the construction documents. All permit fees shall be paid by the Client.
- Final Bid Documents - The Landscape Architect/Consultant Team shall provide the Client with one (1) set of reproducible drawings, one (1) set of specifications and a CD of all drawings and specifications.
- Construction Documents shall be concluded to reflect the City's comments once they review the Final Corridor Beautification Plan prior to the sale of the project.
- Review meetings with the Engineer and/or City/ODOT representatives. A total of up to two (2) meetings are anticipated by the Landscape Architect/Engineer at this stage.
- Participate in one (1) public hearing to review the final plans before bidding.
- Attendance at one (1) Design Committee/City Planning Commission/City Council presentation.

D. Construction Administration

- The Landscape Architect and Engineer shall assist the City Engineer in the tasks outlined below.
 - The Landscape Architect shall attend one (1) pre-construction meeting and answer questions that may be raised regarding the execution/implementation of the project.
 - At the written request of the City Engineer and for an additional fee, the Landscape Architect shall observe the construction/installation of site related elements that are a part of the Corridor Beautification Plan construction documents. The Engineer shall receive one (1) observation report for each observation performed.

E. Services Not Included in the Project

- The Client shall provide at no cost to the Landscape Architect/Consulting Team the following information and/or services. These services are not included in this proposal.
 - Permit and plan review fees.
 - Services related to hazardous materials.
 - Developing off-site mitigation plans and design.
 - Meeting locations for charettes, work sessions and review meetings.
 - Copies of all applicable Owner standard drawings and specifications that pertain to this project including general and special conditions.
 - Payment of permit fees and application fees related to plan submittals, reviews and approvals by respective City, County, State and/or Federal agencies.

- Off-site extensions/relocations/design for electric, storm and water services. It is assumed that adequate utilities are all available on or at the perimeter of the site.
- Services and/or costs related to any significant changes in the scope of work or significant changes after design approval. Increases in the budget or scope of current or proposed project components that affect the amount of design work required shall be the basis for additional compensation by the Client. This shall include requests for additional meetings and/or site visits beyond the quantities defined herein.

F. Proposed Schedule

- The following time line represents a tentative schedule based on milestone dates noted in the request for proposal. A detailed schedule will be developed based on the mutual input of all parties at the commencement of the project.
 - 05/07/12 - Authorization to Proceed
 - 06/04/12 - Presentation and review of findings pertaining to existing conditions.
 - 07/02/12 - Presentation and review of the Concept Corridor Plan and preliminary cost estimate for proposed development improvements including options and alternatives.
 - 08/06/12 - Presentation and review of the refined Corridor Plan, including preliminary details for development components. Review of a refined cost estimate for the project.
 - 08/15/12 - State I/II plans, details and costs submitted to City and ODOT District 7.
 - 09/17/12 - Review comments from City and ODOT District 7. Commence work on construction documents.
 - 11/05/12 - Interim review of construction documents including preliminary specifications and a refined cost estimate. Review with City, ODOT District 7, Design Committee, Stakeholders, Planning Commission and City Council.
 - 12/17/12 - Final presentations and reviews of construction documents, specifications and cost estimates with entities noted above.
 - 01/07/13 - Final construction documents package submitted to City and ODOT District 7. All comments and revisions will follow the review period and be completed prior to the sale date.
 - 04/20/13 - Project Sale Date.

PRICE PROPOSAL COST SUMMARY

A. Fee Structure/Standard Hourly Rates

- The following hourly rates related to the various members of the Consultant Team are outlined below. These rates are the basis of the fees noted in relation to each stage of the total project scope.

- **Edsall & Associates LLC**
 - Landscape Architect Managing Directors \$ 105.00
 - Landscape Architect Associate \$ 73.50
 - Administrative Assistant \$ 32.00

- **ms consultants, inc.**
 - Senior Engineer \$ 150.00
 - Engineer \$ 99.00
 - Technician \$ 72.00
 - Registered Surveyor \$ 107.00
 - Survey Crew \$ 97.00

B. Cost of Services

- The not to exceed cost of services for the work outlined above in relation to the Scope of Services is as follows.
 - Stage I/II
 - Evaluation of Existing Conditions and Base Sheet Preparation \$ 2,200.00
 - Site Survey - Selected Areas \$ 4,800.00
 - Preliminary Concept Corridor Development Plan \$ 4,300.00
 - Refinement of Corridor Concept Development Plans \$ 2,400.00
 - Outline Specifications and Preliminary Cost Estimate \$ 2,100.00
 - Meetings \$ 2,400.00
 - Direct Expenses \$ 600.00
 - Subtotal Stage I/II \$ 18,800.00

 - Stage III
 - Construction Drawings \$ 18,600.00
 - Construction Specifications \$ 1,500.00
 - Construction Cost Estimate \$ 1,500.00
 - Permits \$ 800.00
 - Meetings \$ 3,200.00
 - Renderings and Direct Expenses \$ 2,300.00
 - Subtotal Stage III \$ 27,900.00

 - Construction Administration
 - Preconstruction Meeting \$ 800.00
 - Subtotal Construction Administration \$ 800.00

 - Construction Observation, If Authorized,
Per Site Visit Including Report \$ 900.00

- Participation in additional meetings beyond the number stipulated shall represent an additional cost of \$800.00 each.

- Payment for professional services and direct expenses shall be made upon receipt of monthly billings.

RESOLUTION NO. R-84-12

**A RESOLUTION AUTHORIZING THE PURCHASE OF 212-214 W. ASH STREET,
PARCEL NO. N44-002220**

WHEREAS, 212-214 W. Ash Street is a residential structure in poor repair and is a blighting influence on the surrounding properties; and

WHEREAS, State and local law require the homeowner to either demolish or repair the structure, providing the City the authority to indicate when the condition of the property has been satisfactorily remedied; and

WHEREAS, 212-214 W. Ash Street is located within the Downtown Historic District, the Central Business District, and the Caldwell Historic District; and,

WHEREAS, the property owner desires to donate 212-214 W. Ash Street to the City of Piqua; and

WHEREAS, acceptance of the donation would be contingent upon the mortgagee releasing interest in the subject property and contingent upon securing a purchaser for the subject property agreeable to completing the demolition of the existing structure and the restoration of the site at no expense to the City of Piqua.

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:

SECTION 1. The City Manager is hereby authorized to purchase 212-214 W. Ash Street, Parcel No. N44-002220, in an amount not to exceed one dollar (\$1.00), contingent upon the mortgagee releasing interest in the subject property and contingent upon securing a purchaser for the subject property agreeable to completing the demolition of the existing structure and the restoration of the site at no expense to the City of Piqua.

SECTION 2. There is a public benefit of purchasing 212-214 W. Ash Street to effect the demolition of the existing structure to eliminate a blighting influence in the Downtown Historic District, the Central Business District, and the Caldwell Historic District.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CITY COMMISSION CLERK



City Commission Agenda Staff Report

Item # 5

MEETING DATE	5/1/2012			
REPORT TITLE (Should match resolution/ordinance title)	A Resolution Requesting Authorization to Purchase 212-214 W. Ash Street			
SUBMITTED BY	Name & Title: Chris Schmiesing, City Planner			
	Department: Development Department			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Regular
ORDINANCE/RESOLUTION	<input type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> 3 rd Reading	<input type="checkbox"/> Public Hearing
	Ordinance #:		Resolution #: R-84-12	
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Law Director	
	<input checked="" type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Other:	
BACKGROUND (Includes description, background, and justification)	The proposed resolution will authorize the City Manager to purchase the property known as 212-214 W. Ash Street. The subject property is a blighting influence on the neighborhood and has been a long standing nuisance to the neighboring property owners. The current owner lacks the resources necessary to respond to the raze or repair orders previously issued by the City of Piqua Health Department and is agreeable to donating the property to the City to facilitate the remediation of the current conditions found at this location. The City is also in contact with the mortgagee for this property who is agreeable to releasing all interest in the property to the City and is the process of completing this action.			
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	0		
	Expenditure \$:	0		
	Narrative:	The purchase of the subject property will be contingent upon securing a buyer for the property who agrees to demolish the existing structure and restore the site at no expense to the City. An adjacent property owner has expressed an interest in filling the role of buyer and the City is currently negotiating with this party to achieve the stated goal of demolition and restoration of this site.		
OPTIONS (Include Deny /Approval Option)	1.	Approve the resolution to facilitate the transfer of ownership to a third party agreeable to demolishing the existing structure and restoring the site.		
	2.	Reject the resolution and await remedial action by the current property owner and/or foreclosure action by the mortgagee.		
	3.			
	4.			
PROJECT TIMELINE	May 1, 2012 – City Commission – Adoption of Resolution June 2012 – Complete transaction transferring ownership of property.			
STAFF RECOMMENDATION	Approve the resolution to facilitate transfer of the property to a party agreeable to demolishing the existing structure and restoring the site.			

INTENT TO PURCHASE BETWEEN THE CITY OF PIQUA AND SHAWN G. GAMBIL

This Intent to Purchase Agreement ("Agreement") is made and entered into this 2nd day of April, 2012, by and between the CITY OF PIQUA, OHIO, a municipal corporation, ("City") and SHAWN G. GAMBIL, owner of 212-214 W. Ash St., Piqua, Ohio 45356 ("Seller").

RECITALS:

- A. The City desires to acquire from the Seller approximately 0.05 acres of real property located at 212-214 W. Ash Street in Piqua, Ohio, known as Parcel No. N44-002220, and as more fully shown on Exhibit 'A' attached hereto (hereinafter referred to as the "Property") for purposes of eliminating a nuisance.
- B. The City has been working with Wells Fargo Home Mortgage to release a lien on the property to be able to resolve the outstanding property maintenance issues on the 212-214 W. Ash St., Piqua, Ohio. Upon release of said lien by Wells Fargo Home Mortgage, Shawn G. Gambil agrees to sell the property to the City or an arranged purchaser for \$1.00.
- C. Upon the release of the lien by Wells Fargo Home Mortgage and prior to completion of the sale, Shawn G. Gambil shall provide proof of satisfaction of all other liens, mortgages or other attachments. All property taxes on Parcel No. N44-002220 shall also be current.
- D. In exchange for the sale of the property for \$1, the buyer agrees to resolve all outstanding property issues.

NOW, THEREFORE, in consideration of the terms and conditions of this Agreement, the parties hereto agree as follows:

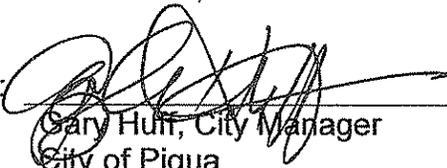
1. Purchase Price. The Buyer and City agree to a purchase price of one dollar (\$1.00) for the Property.
2. Condition and Maintenance. Buyer agrees to accept Property as is and assumes responsibility for the maintenance and up keep of the Property conditions and all outstanding property maintenance violations. Buyer will waive all inspections.
3. Authorization of Sale. Both parties acknowledge and understand that the final sale of the Property, and the purchase price and terms agreed hereto, and all of Buyer's

obligations hereunder, are contingent upon and subject to receiving the approval of the Piqua, Ohio City Commission after complying with all City ordinances and regulations. Upon the completion of the sale transaction it shall be the responsibility of the Buyer to record the deed and to complete any and all filing of documents necessary and required to formally consummate the transfer of the Property.

4. Complete Agreement. The parties hereto agree that the provisions of this Agreement and the Attachments constitute the entire agreement between the City and the Buyer in regard to the issues contained herein. With respect to any subject or matter not specifically referred to or covered in this Agreement, applicable law, including the laws, ordinances, and regulations of the City, as determined by the appropriate legislative authority, shall prevail.

IN WITNESS WHEREOF, the City and the Shawn G. Gambil have executed this Agreement as of the date and year first above written.

CITY OF PIQUA, OHIO

By: 

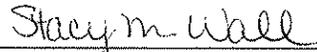
Gary Hill, City Manager
City of Piqua

SHAWN G. GAMBIL

By: 

Shawn G. Gambil

Approved as to form

By: 

Stacy Wall, Law Director
City of Piqua

EXHIBIT A

Real property and all appurtenances situated in the City of Piqua, County of Miami, and State of Ohio:

Being a part of Lot Number Eighty-four (84) in said City and described as follows: Commencing at the Southwest corner of said lot on the east side of the alley at the west end of said lot; thence East thirty-three (33) feet; thence North sixty (60) feet to a point; thence West a distance of thirty-three (33) feet to the east line of said alley; thence South to the place of beginning, fronting thirty-three (33) feet on the north side of Ash Street, City of Piqua.

Parcel No.: N44-002220

Property Address: 212-214 W. Ash Street, Piqua, Ohio 45356