

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, AUGUST 21, 2012
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PIQUA HEALTH BOARD MEETING

MOVE TO EXECUTIVE SESSION

- a. To consider pending or imminent litigation

ADJOURNMENT

PUBLIC HEARING – AUGUST 21, 2012

Renewal of an application for placement of farmland in an agricultural district filed by Louise I. Cromes for Parcels # N44-076845, N44-077116, N44-077120, N44-099300 in the City of Piqua

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

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

NEW BUSINESS

2. ORD. NO. 12-12 (2nd Reading)
An Ordinance amending Sections 53.01 and 53.07 of the Piqua Code, relating to Water Rates and New Service
3. ORD. NO. 13-12 (2nd Reading)
An Ordinance to vacate a portion of public right of way known as Fountain Boulevard and Lake Street
4. ORD. NO. 14-12 (1st Reading)
An Ordinance to levy Special Assessments to pay for the cost of nuisance abatement assessments and declaring an emergency
5. ORD. NO. 15-12 (1st Reading)
An Emergency Ordinance to make appropriations for the City of Piqua, Ohio for the year 2012
6. ORD. NO. 16-12 (1st Reading)
An Ordinance to vacate a portion of public alley right of way adjacent to Inlots 3084-3088
7. RES. NO. R-117-12
A Resolution requesting authorization to enter into an agreement with the Kansas Highway Patrol Fleet Fund for the purchase of two Ford CVPI police patrol vehicles

OTHER

Monthly Reports – June 2012

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

Rt. 36 Beautification Update – Mr. Chris Schmiesing

COMMISSIONERS COMMENT

ADJOURN TO EXECUTIVE SESSION

a. To consider pending or imminent litigation

ADJOURN EXECUTIVE SESSION

ADJOURN REGULAR CITY COMMISSION MEETING

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: CROMES LOUISE I
965 W STATLER RD
PIQUA OH 45356 USA

Application No: 111
Original Year: 12/2007
Renewal Year: 2012

Description of Land as shown on Property Tax Statement: _____

Location of Property: W. Statler Rd. ~ 965 W. Statler Rd. ~ First St. ~ Piqua
45356

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 #286
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	N44-076845 <i>pt. In lot 7823</i>	89.43
N44	N44-077116 <i>In lot 7936</i>	28.52
N44	N44-077120 <i>In lot 7937</i>	37.70
N44	N44-099300 <i>Out lot: 280</i>	1.75
TOTAL ACRES		157.39

FINAL NOTICE

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.

Louise I. Cromes June 20/2012 (335-3296)
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 6-21-12

Date Filed (if required) with Clerk of Municipal Corporation 6-22-12

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 _____ Date of Public Hearing _____

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

**MINUTES
PIQUA CITY COMMISSION
Tuesday August 7, 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 Martin, Vogt, Terry, and Wilson. Absent: None.

Community Partnership Awards:

Rich Donnelly
Paul & Edna Stiefel
Joe Drapp
Cliff & Joyce Alexander
Jean Franz
Ruth Koon
Hartzell Propeller - Craig Barhorst
American Legion Piqua Post 184
Southview Neighborhood Association
Northparks Neighborhood Association
POWW - Jeff Lange

City Manager Gary Huff stated these are the first ever Community Partnership Awards. As City Manager Huff read the list of names the award winners came forward to accept their award from Economic Development Director/Assistant City Manager Bill Murphy. City Manager Huff gave a brief overview of each of the winner's contribution to the community, as they have all given selflessly of their time, energy, and money for the benefit of the community. This is just the beginning in terms of recognizing those who voluntarily assist in the improvement of the community, said City Manager Huff.

Russ Fashner, President of the Northparks Neighborhood Association stated, "As I have stated before, people need to get involved."

We appreciate everything the citizens are doing for the community. Certainly the number of contributed hours and dollars is not something one can easily add up; these contributions are priceless, said Mayor Fess.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of the minutes from the July 17, 2012 Regular Piqua City Commission Meeting.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to approve the Minutes from the July 3, 2012 City Commission Meeting. Voice vote, Aye: Wilson, Vogt, Martin, Terry, and Fess. Nay: None. Motion carried unanimously.

New Business

ORD. NO. 10-12 (3rd READING)

An Ordinance authorizing the Modification of the First Ward, Second Ward, Third Ward, Fourth Ward, and Fifth Ward Boundaries

City Planner Chris Schmiesing presented a power point presentation with an illustration of the new map with the changes in the ward boundaries. This is a representation of the wards in the community based upon an equitable distribution of the population per the 2010 census figures. The modifications are minor in most areas just shifting the boundary line in a few of the blocks, stated Mr. Schmiesing. Per request by the City Commission an interactive map has been posted on the web site where citizens can enter their address, zero in on their property, click on the map and it will show the ward they are located in.

Law Director Stacy Wall stated the Board of Elections will have to approve the changes in the boundaries first, and the goal is have it approved by January 1, 2013 if possible. Everything will stay the same for the November 2012 election, stated Ms. Wall.

The Charter Review Committee initiated the changes and recommendation was made to the City Commission to put it on the ballot as a Charter Amendment to be voted on by the electorate. It will be reviewed every ten years and will not have to come back to the City Commission, as the Charter was amended to include the revisions every ten years.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 10-12 be adopted. Roll call: Aye, Vogt, Wilson, Terry, Fess, and Martin. Nay, None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 10-12 adopted.

Ordinance No. 12-12

An Ordinance amending Sections 53.01 and 53.07 of the Piqua Code, relating to Water Rates and New Service

Finance Director Cindy Holtzapple gave a brief overview of the proposed amendments to increase water rates over the next four plus years. The proposed increases are in two different categories – water usage fees and tap in fees. The proposed increases for water rates over the next five years are as follows: September 2012-20%, January 2013 – 20%, January 2014 – 6%, January 2015 – 6%, and January 2016 – 6%. The anticipated revenue ranges from \$267,076 to \$741,878, and Ms. Holtzapple explained the financing options that are available to the City.

Commissioner Wilson remarked that this is very confusing; stating the Piqua Daily Call had listed some very incorrect rates hikes in an article that really scared residents. The figures provided are the correct rate increases that citizens will be paying. These figures are much better stated Commissioner Wilson.

Mayor Fess stated no matter which option the City chose, there would still be the need for a rate increase.

Public Comment

No one came forward to speak for or against Ordinance No, 12-12.

Ordinance No. 12-12 was given a first reading.

Ordinance No. 13-12

An Ordinance to vacate a portion of public right of way known as Fountain Boulevard and Lake Street

City Planner Chris Schmiesing stated the petitioner Dan Rank of 1202 Fountain Boulevard would like to vacate a portion of the public right of way known as Fountain Boulevard and Lake Street that is effectively an extension of the front lawn of his property and the neighboring property located at 1105 Lake Street. The City Commission considered the request to vacate and declared their intent to consider the item. It was then forwarded to the Planning Commission for their approval, and is back before the City Commission for approval.

Public Comment

No one came forward to speak for or against Ordinance No, 13-12.

Ordinance No. 13-12 was given a first reading.

RES. NO. R-109-12

A Resolution awarding a contract to Woodhull LLC for the lease of copiers for the City of Piqua

Finance Director Cindy Holtzapple explained this is a request for a five-year lease for copiers from Woodhull LLC. Formal bids were sent out and several bids were received. The City currently has 17 copiers under lease with Woodhull LLC and US Bank that expires on August 22, 2012. All the new copiers will have the capability to be a network printer, scan and print in color, sort & staple, with other options that will be utilized by various departments such as USB thumb drives, facing, additional paper trays, memory upgrades, hole punch, etc. With the new copiers some of the desktop printers would be eliminated. Ms. Holtzapple explained the Woodhull bid package and the other services they are offering, further stating the city has worked with Woodhull for the past 6 years and have been happy with them.

Public Comment

No one came forward to speak for or against Resolution No. R-109-12.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to approve the Resolution No. R-109-12. Roll call, Aye: Terry, Wilson, Vogt, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-109-12 adopted.

RES. NO. R-110-12

A Resolution awarding a contract to North American Salt Co. for the purchase of road salt for the Street Department

Finance Director Cindy Holtzapple gave a brief overview of the salt purchase stating the City belongs to the Southwest Ohio Purchasers for Government (SWOP4G) that bids out salt purchases on behalf of approximately 95 entities. The city has participated in this joint bid successfully for many years and found great value in the quantity discounts the vendor's offer to the area communities that participate in the bids. The estimated usage is around 2,500 tons for the bid, but the city is not required to purchase that amount if there is another mild winter. The cost per ton is decreasing by \$1.62 from \$64.67 to \$63.05, stated Ms. Holtzapple.

Public Comment

No one came forward to speak for or against Resolution No. R-110-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-110-12 be adopted. Roll call, Aye: Vogt, Wilson, Martin, Fess, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-110-12 adopted.

RES. NO. R-111-12

A Resolution awarding a contract to Thomas and Betts Steel Structures for the emergency purchase of steel transmission poles for the Power System

Power Systems Director Ed Krieger explained due to the emergency situation on June 29, 2012 there was an extended outage of about three hours. Mr. Krieger explained the various aspects of the damage and the areas that were damaged. Twelve steel poles will be purchased to rebuild the damaged kV transmission line segment that catastrophically failed during the storm. The Power

System staff and PSE evaluated the benefits of both wood and steel poles and it was determined that steel poles would be preferred for the decreased maintenance costs and life expectancy. Thomas and Betts have the desired steel poles in stock, which reduces the delivery time to 2-4 weeks, stated Mr. Krieger.

There was discussion on the use of the steel poles versus the wood poles and the cost savings to the city. The city hopes to be reimbursed by FEMA for a good portion of the cost, and a good portion of the damage will be paid by the insurance.

Public Comment

No one came forward to speak for or against Resolution No. R-111-12.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-111-12 be adopted. Roll call, Aye: Wilson, Martin, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-111-12 adopted.

RES. NO. R-112-12

A resolution acquiring the services of Efaces/ACS and Precision Contracting Services (PCS) to provide fiber optic system design engineering services for the City

Power Systems Director Ed Krieger stated this is the initial engineering design study. The current fiber network was constructed in the early 1980's and over the course of time the bandwidth and the reliability of the existing fiber has been reduced to the bare minimum. Efacec/ACS/PCS will provide network and system design engineering services for installation of a single-mode fiber optic network loop connecting critical infrastructure within the Power System control, with a transverse single-mode fiber optic segment to connect City Hall, Police and Fire services, and IT Department as part of a Phase I design plan. Phase II implementation design plan will include routing to all remaining City of Piqua locations and other key locations. Phase III budgetary design will also be provided to include fiber optic connectivity to City of Piqua Key Accounts as part of the current Economic Development Plan.

City Manager Gary Huff stated the fiber optic lines will be a great Economic Development tool in the future for attracting new businesses to the community. It was noted that this would not affect residential customers at this time, but would be offered to local businesses and future businesses. There are a limited number of municipalities that offer this, and the City of Piqua will be one of those, stated City Manager Huff.

Public Comment

No one came forward to speak for or against Resolution No. R-112-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-112-12 be adopted. Roll call, Aye: Martin, Terry, Fess, Vogt, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-112-12 adopted.

RES. NO. R-113-12

A Resolution awarding a contract to Innovative Office Solutions, Inc. for the purchase and installation of furniture and storage systems for the Power System Service Center

Power Systems Director Ed Krieger stated Piqua City Commission approved 15 separate contracts for the construction of the Power System Service Center at the March 6, 2012 Commission meeting. The last remaining contract to complete the building construction is for building furniture and storage systems. A Request for Qualifications (RFQ) was issued to provide interior design service, and Innovative Office Solutions, Inc. was selected to provide these services

Public Comment

No one came forward to speak for or against Resolution No. R-113-12.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-113-12 be adopted. Roll call, Aye: Terry, Fess, Vogt, Wilson, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-113-12 adopted.

RES. NO. R-114-12

A Resolution awarding a contract to Buckeye Power Sales for the purchase of an emergency generator for the Power System Service Center

Power Systems Director Ed Krieger explained the recent June 29, 2012 windstorm highlighted the need to install a full-size emergency generator at the site of the new Power System Service Center. For the first time in history the city lost all four 69,000 volt interconnects with Dayton Power and Light Company for an extended period, resulting in a three hour outage to all City of Piqua residents. The City is moving forward with their plan to locate the primary emergency Operations Center (EOC) at the new Power System Service Center. Buckeye Power Sales will supply a 300 kV emergency natural gas generator and associated equipment.

Commissioner Martin inquired as to why the peaking units were not utilized? Mr. Krieger explained the reason for not using the peaking units. City Manager Huff stated it is critical that the Power System Service Center have reliable power in order for the Power System to work to get customers back on line if needed, and also to insure there is power to the Emergency Operations Center that is to be located in the Power System Service Center.

Mayor Fess stated the City of Piqua was able to restore power to customers in a very short period of time while other neighboring communities were out for much longer periods of time. We are very fortunate to have a great Power System and employees here in Piqua.

Public Comment

No one came forward to speak for or against Resolution No. R-114-12.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-114-12 be adopted. Roll call, Aye: Fess, Vogt, Wilson, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-114-12 adopted.

RES. NO. R-115-12

A Resolution authorizing the City Manager to execute a labor contract with Local Union 984, Ohio Council 8, American Federation of State County and Municipal Employees, Blue Collar Unit

Law Director Stacy Wall explained Resolution R-115-12 and Resolution R-116-12 finalize the options and terms with the AFSC Blue Collar and Clerical-Technical Units. A few weeks ago there were a group of picketers outside the Municipal Government Complex stating the reason being the City and the Union had not yet agreed on the third year of the contract regarding wages and health insurance, but since then this has been resolved for both units. The wages and health insurance for the third year of the contract will remain 0%. The health insurance period will be extended three months from October 1, 2012 through December 31, 2013. Ms. Wall stated the health insurance will remain the same and explained the various plans available. Wages will increase 3 ¼% effective October 1, 2012 thru December 31, 2013. Both parties are in full agreement and the unions have met and approved all of the issues.

Public Comment

No one came forward to speak for or against Resolution No. R-115-12.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-115-12 be adopted. Roll call, Aye: Vogt, Wilson, Martin, Terry, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-115-12 adopted.

RES. NO. R-116-12

A Resolution authorizing the City Manager to execute a labor contract with Local Union 984, Ohio Council 8, American Federation of State County and Municipal Employees, Clerical-Technical Unit

Ms. Wall stated these are the exact same changes as stated previously.

Public Comment

No one came forward to speak for or against Resolution No. R-116-12.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-116-12 be adopted. Roll call, Aye: Wilson, Martin, Wilson, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-116-12 adopted.

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

Planning & Zoning Department Update – Chris Schmiesing

Mr. Schmiesing gave a brief power point update on the Plan It Piqua Comprehensive Plan Progress Report - Five-Year Review.

A kickoff meeting was held in November 2006, with public meetings held at various locations throughout the community from January through November of 2007. The Final Draft was completed in October 2007, and was presented to and adopted by the City Commission in January 2008. Mr. Schmiesing highlighted the detailed items in the Comprehensive Plan.

Land Use: Strengthen the sense of place/community identity to engender pride among residents, encourage citizen involvement in City efforts, encourage redevelopment of underutilized land resources, enhance opportunities for appropriate housing development, and stabilize and improve neighborhoods, preserve natural areas, create and modify land use patterns to support improved transportation choice and efficiency, support appropriate commercial, office and suitable industrial development.

Redevelopment: Redevelop targeted industrial and commercial sites and target older neighborhoods, work with local and regional groups to redevelop vacant and underutilized properties, rehab or remove deteriorated structure.

Housing: Support home ownership and provide a variety of housing choices, maintain and improve older housing stock, initiate marketing strategies to attract and retain homeowners, promote enhancement and redevelopment of existing neighborhoods.

Transportation: Improve the local transportation network, improve the physical appearance of roads and streets, improve traffic safety for pedestrians and bicyclists, maintain and pursue funds for transportation improvements.

Economic Development: Support local business and economic marketing strategies, create and market competitive industrial real estate and support intra-regional public relations.

Natural Environment: Celebrate Piqua's natural amenities along with enhancing the public access to the river; create new areas of open space and work to beautify the City.

Community Facilities: Understand service needs and enhance public safety services, reduce crime and improve perceptions of public safety, sustain and improve high quality parks throughout the community.

Utilities: Provide and maintain high quality services, maintain and enhance the water system, wastewater system, and the storm water system.

Implementation: Involve wide variety of stakeholders in implementation, monitor and evaluate implementation, provide resources for implementing the Plan, develop appropriate regulatory tools to implement the Plan, require concurrence with the Comprehensive Plan.

Mr. Schmiesing emphasized how each one of the chapters represents a goal, objective, and strategies that describe what the city hopes to accomplish. From defining and building upon already existing resources within the community to the creation of new programs, with the final resolution of making Piqua an attractive place to live, work, and play. We are doing very well, but some strides still need to be made that are limited to available resources. We will continue to monitor our progress and make sure we are staying on track, said Mr. Schmiesing.

City Manager Huff announced the August Piqua City Commission Work Session has been cancelled.

City Manager Huff stated he was very proud to announce the City of Piqua has been named the 2012 Healthiest Employer in the Dayton Region. This program was created to recognize those employers that proactively shape the health of their employees, and is sponsored by the Dayton Business Journal. Piqua was one of only 12 municipalities to receive this award. The City of Piqua has been nominated as the 2013 Top Work Place, a program that is being sponsored by the Dayton Daily News. The City of Piqua is also submitting for Certification for Playful City USA. This is an application-based national recognition program honoring cities and towns that make play a priority and use innovative programs to get children active, playing and healthy. Nathan Burkholder, a City of Piqua summer intern came forward to explain the Piqua Play Day that is scheduled to be held at Fountain Park on Saturday, August 18, 2012 from 10:00 A.M. to 1:15 P.M. Nathan asked for volunteers to help with the various activities and help with the children. City Manager Huff stated he appreciates all of Nathan's hard work on the project.

City Manager Huff also announced the implementation of a new program, the Volunteer Park Ranger Program. We need citizens in our Parks and along the Bike Trail to watch and report vandalism and maintenance issues. Applications are available on the City of Piqua web site. Training will be provided, and a recognizable shirt will be provided to each volunteer.

City Engineer Amy Havenar presented a brief power point update on the East Ash Street Project and several other ongoing projects.

The East Ash Street project began with construction in March 2012 with anticipated completion in November 2012. The total project cost is about \$2.04 million with an approximately \$1.46 million received in Grants. Several photos were shown of various stages and locations of the project.

Wayne Street Streetscape project includes streetscaping on the east side of Wayne Street between Water Street and Ash Street. Construction is to begin late summer 2012 with an anticipated project cost of \$290,000 with approximately \$57,000 received in Grants.

Commercial Street Corridor Bike Route Connector Project is the combination of a new bike path and on-street dedicated bike lanes, with construction to begin in 2014. The anticipated project cost is \$575,000 with approximately \$422,000 to be received in Grants.

US 36 Beautification Project consist of landscape enhancements along the use Rt 36 Corridor between Looney Road and the Railroad Bridge with construction to begin in 2013. Anticipated project costs are \$480,000, and will be receiving approximately \$290,000 in Grants.

College Street Corridor Traffic Signal Project intersection improvements will be made to College/Water and College/Covington, and will include new mast arm traffic signals, emergency preemption, and modified traffic signal operations. Construction is scheduled to begin in 2013 with an anticipated project cost of \$400,000 and will be receiving approximately \$300,000 in Grants.

The 2012 Street Resurfacing Program includes portions of Looney Road and various streets in the Candlewood Subdivision. This project will also include the installation of ADA compliant handicap ramps with an estimated cost of \$520,000.

Some of the other projects include the Design/Construction of a new Fishing Dock, City Tree Care/Maintenance in Collaboration with the Upper Valley Career Center, Bridge Care, Project inspections for the New Skate Park, the Canal Place Improvements, providing oversight/coordination for the Vectren BS/CI Replacement Project, the Bridge Replacements by (ODOT) at Garbry Road & Patrizio Place, Bridge Beam Painting of the US 36 (E. Ash Street).

Power Systems Director Ed Krieger provided a brief overview and several photos of the new 40,000 square foot, \$5 million dollar Power System Service Center.

Commissioner Comments

Commissioner Vogt stated the entrances to the City are looking very nice with all of the work that is being done. Commissioner Vogt noted the grass is starting to grow now and is growing up in the curbs and gutters, and asked citizens to help keep the weeds cut down.

Commissioner Vogt thanked both of the Unions for settling their labor contracts, and thanked the city employees for giving up their raises for the past several years. This city has great employees who are willing to help the city when needed, and he appreciates their sacrifices.

Commissioner Martin congratulated the Community Partnership Award winners for helping to make the city a better place to live, and encouraged citizens to continue to volunteer in the community.

Commissioner Wilson congratulated the Community Partnership Award winners for volunteering their time to the community as they saw a need and decided to get involved. If someone would like to get involved but don't know what they can do to help, they can contact the City and they will find a program they can work with, stated Commissioner Wilson.

Commissioner Terry congratulated all of the Community Partnership Award winners stating she appreciates all of the volunteers and those who help within the community. This community is not run by elected officials, department heads, and employees only, but by all of the citizens who care about the community and its well being, stated Commissioner Terry.

Commissioner Terry reminded citizens that Music Warehouse in the Park will take place on Friday and Saturday, August 10 and 11 in the Hance Pavilion.

Mayor Fess congratulated all of the Community Partnership Award winners stating this community would not be near what it is today without the help of all of these wonderful citizens giving of their time.

Mayor Fess also stated she received several emails concerning tall weeds and grass that need to be taken care of in the community. If citizens have areas in their neighborhoods that need to be addressed they should contact the City and give them the address.

Mayor Fess reminded citizens to work together to make our community a wonderful place to live and work. There are a lot of wonderful projects going on now, and she appreciates all of the city employees.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 9:20 P.M. Voice vote, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE 12-12

AN ORDINANCE AMENDING SECTIONS 53.01 AND 53.07 OF THE PIQUA CODE, RELATING TO WATER RATES AND NEW SERVICE

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: Section 53.01 of the Piqua Code is hereby amended to read as follows (with additions underlined and deletions lined out):

§ 53.01 RATES WITHIN CITY.

(A) *Water rates.* The following rates are available to residential, commercial, and industrial water consumers in the city, for brackets one through six, and apply to single establishments or dwellings. For these rates the available meter sizes are ~~1/2~~-inch, ~~3/4~~-inch, 1-inch, 1½- inch, 2-inch, 3-inch, 4-inch, 6-inch, 8-inch, 10-inch, and 12-inch.

(1) *Bracket One.* The first 1,000 gallons, or any part thereof, consumed per month.

Size of Meter	Monthly Meter Charge	2012 Sept-Dec	Effective 1/1/2013	Effective 1/1/2014	Effective 1/1/2015	Effective 1/1/2016
5/8-inch	41.24	<u>13.49</u>	<u>16.19</u>	<u>17.16</u>	<u>18.19</u>	<u>19.28</u>
¾-inch	45.25	<u>18.30</u>	<u>21.96</u>	<u>23.28</u>	<u>24.67</u>	<u>26.15</u>
1-inch	20.04	<u>24.01</u>	<u>28.81</u>	<u>30.54</u>	<u>32.38</u>	<u>34.32</u>
1½-inch	28.29	<u>33.95</u>	<u>40.74</u>	<u>43.18</u>	<u>45.77</u>	<u>48.52</u>
2-inch	70.72	<u>84.86</u>	<u>101.84</u>	<u>107.95</u>	<u>114.42</u>	<u>121.29</u>
3-inch	403.38	<u>124.06</u>	<u>148.87</u>	<u>157.80</u>	<u>167.27</u>	<u>177.30</u>
4-inch	472.32	<u>206.78</u>	<u>248.14</u>	<u>263.03</u>	<u>278.81</u>	<u>295.54</u>
6-inch	334.65	<u>401.58</u>	<u>481.90</u>	<u>510.81</u>	<u>541.46</u>	<u>573.95</u>
8-inch	586.22	<u>703.46</u>	<u>844.16</u>	<u>894.81</u>	<u>948.49</u>	<u>1005.40</u>
10-inch	837.95	<u>1005.54</u>	<u>1206.65</u>	<u>1279.05</u>	<u>1355.79</u>	<u>1437.14</u>
12-inch	4089.60	<u>1307.52</u>	<u>1569.02</u>	<u>1663.17</u>	<u>1762.96</u>	<u>1868.73</u>

(2) *Bracket Two.* Monthly charge for water in excess of 1,000 gallons, but not exceeding 25,000 gallons shall be \$4.14 \$4.97 per 1,000 gallons.

2012	2013	2014	2015	2016
4.14				
<u>4.97</u>	<u>5.96</u>	<u>6.32</u>	<u>6.70</u>	<u>7.10</u>

- (3) *Bracket Three.* Monthly charge for water in excess of 25,000 gallons, but not exceeding 250,000 gallons shall be ~~\$2.92~~ **\$3.50** per 1,000 gallons.

2012	2013	2014	2015	2015
2.92				
<u>3.50</u>	<u>4.20</u>	<u>4.46</u>	<u>4.72</u>	<u>5.01</u>

- (4) *Bracket Four.* Monthly charge for water in excess of 250,000 gallons, but not exceeding 1,000,000 gallons shall be ~~\$2.59~~ **\$3.11** per 1,000 gallons.

2012	2013	2014	2015	2015
2.59				
<u>3.11</u>	<u>3.73</u>	<u>3.95</u>	<u>4.19</u>	<u>4.44</u>

- (5) *Bracket Five.* Monthly charge for water in excess of 1,000,000 gallons, but not exceeding 3,000,000 gallons shall be ~~\$2.29~~ **\$2.75** per 1,000 gallons.

2012	2013	2014	2015	2015
2.29				
<u>2.75</u>	<u>3.30</u>	<u>3.50</u>	<u>3.71</u>	<u>3.93</u>

- (6) *Bracket Six.* Monthly charge for all water in excess of 3,000,000 gallons shall be ~~\$2.06~~ **\$2.47** per 1,000 gallons.

2012	2013	2014	2015	2015
2.06				
<u>2.47</u>	<u>2.97</u>	<u>3.14</u>	<u>3.33</u>	<u>3.53</u>

- (B) *Temporary water service charge.* A charge of ~~\$40~~ **\$48** will be made for installation and removal of metering equipment for temporary service.

- (C) *Private fire service maintenance fees.*

Size of Tap	Monthly Fee	2012	2013	2014	2015	2016
4-inch or less	42.41	<u>14.89</u>	<u>17.87</u>	<u>18.94</u>	<u>20.08</u>	<u>21.28</u>
6-inch	27.91	<u>33.49</u>	<u>40.19</u>	<u>42.60</u>	<u>45.16</u>	<u>47.87</u>
8-inch	39.01	<u>46.81</u>	<u>56.17</u>	<u>59.54</u>	<u>63.12</u>	<u>66.90</u>
10-inch	50.83	<u>61.00</u>	<u>73.20</u>	<u>77.59</u>	<u>82.24</u>	<u>87.18</u>
12-inch	61.92	<u>74.30</u>	<u>89.16</u>	<u>94.51</u>	<u>100.19</u>	<u>106.20</u>

- (D) *Municipal golf course.* The rate charged to the Echo Hills Municipal Golf Course shall be 75% of the otherwise applicable rate.

('97 Code, § 54.01) (Ord. 48-68, passed 12-2-68; Am. Ord. 8-92, passed 3-16-92; Am. Ord. 8-93, passed 3-15-93; Am. Ord. 7-95, passed 3-20-95; Am. Ord. 24-05, passed 12-19-05; Am. Ord. 17-07 passed 9-17-07).

SEC. 2: Section 53.07 of the Piqua Code is hereby amended to read as follows (with additions underlined and deletions lined out):

§ 53.07 NEW SERVICE.

The following charges are established for the installation of new water services.

- (A) The tap-in charge for new ¾-inch water services with ½-inch x ¾-inch meters shall be according to the following schedule.

2012	1/1/2013	1/1/2014	1/1/2015	1/1/2016
\$350				
<u>\$420</u>	<u>\$504</u>	<u>\$534</u>	<u>\$566</u>	<u>\$600</u>

- (B) The tap-in charges for new services larger than ¾-inch shall be according to the following schedule plus labor and material.

		2012 Sept-Dec	Effective 1/1/2013	Effective 1/1/2014	Effective 1/1/2015	Effective 1/1/2016
1-inch tap	\$400	<u>\$480</u>	<u>576</u>	<u>611</u>	<u>648</u>	<u>686</u>
2-inch tap	\$1000 plus labor & material	<u>\$1200</u>	<u>1440</u>	<u>1526</u>	<u>1618</u>	<u>1715</u>
4-inch tap	\$3000 plus labor & material	<u>\$3600</u>	<u>4320</u>	<u>4579</u>	<u>4854</u>	<u>5145</u>
6-inch tap	\$4000 plus labor & material	<u>\$4800</u>	<u>5760</u>	<u>6106</u>	<u>6472</u>	<u>6860</u>
8-inch tap	\$5000 plus labor & material	<u>\$6000</u>	<u>7200</u>	<u>7632</u>	<u>8090</u>	<u>8575</u>
10-inch tap	\$6000 plus labor & material	<u>\$7200</u>	<u>6840</u>	<u>9158</u>	<u>9708</u>	<u>10290</u>

- (C) New water service charges shall be billed by and payable at the utilities collection office.

- (D) The tap-in charge for fire service only shall be as follows.

4-inch tap or less	labor & material
6-inch tap	labor & material
8-inch tap	labor & material
10-inch tap	labor & material

(E) If a service is used for both domestic and fire and is metered with an FMCT meter, the tap-in charge shall be based upon the smaller service meter according to the following schedule plus labor and material.

		2012 Sept-Dec	Effective 1/1/2013	Effective 1/1/2014	Effective 1/1/2015	Effective 1/1/2016
2-inch meter	\$1000-plus labor & material	<u>\$1200</u>	<u>1440</u>	<u>1526</u>	<u>1618</u>	<u>1715</u>
3-inch meter	\$2000-plus labor & material	<u>\$2400</u>	<u>2880</u>	<u>3053</u>	<u>3236</u>	<u>3430</u>
4-inch meter	\$3000-plus labor & material	<u>\$3600</u>	<u>4320</u>	<u>4579</u>	<u>4854</u>	<u>5145</u>
6-inch meter	\$4000-plus labor & material	<u>\$4800</u>	<u>5760</u>	<u>6106</u>	<u>6472</u>	<u>6860</u>
8-inch meter	\$5000-plus labor & material	<u>\$6000</u>	<u>7200</u>	<u>7632</u>	<u>8090</u>	<u>8575</u>

SEC. 3: Sections ('97 Code, § 54.10) (Ord. 14-58, passed 4-7-58; Am. Ord. 8-92, passed 3-16-92; Am. Ord. 8-93, passed 3-15-93; Am. Ord. 7-95, passed 3-20-95; Am. Ord. 17-07 passed 9-17-07) of the Piqua Code as previously enacted and amended, are hereby repealed;

SEC. 4: This Ordinance shall take effect and be in force from and after the earliest period allowed by law, such that all bills issued on or after September 1, 2012 shall reflect these amendments.

1st Reading 8-7-12

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL

CLERK OF COMMISSION



Item #

Commission Agenda Staff Report

MEETING DATE	August 7, 2012			
REPORT TITLE (Should match resolution/ordinance title)	AN ORDINANCE AMENDING SECTIONS 53.01 AND 53.07 OF THE PIQUA CODE, RELATING TO WATER RATES AND NEW SERVICE			
SUBMITTED BY	Name & Title: Cynthia A. Holtzapple, Asst. City Manager & Finance Director			
	Department: Finance			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Regular
ORDINANCE/RESOLUTION	<input checked="" type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> 3 rd Reading	
	Ordinance #: 12-12		Resolution #:	
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Asst. City Manager/Finance	
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director	
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:	
BACKGROUND (Includes description, background, and justification)	<p>We request amendments of the above referenced sections of the city ordinance to increase water rates over the next four plus years. The proposed increases are in two different categories – water usage fees and tap in fees. The proposed increases for water rates over the next five years are as follows: Sept. 2012 – 20%, Jan. 2013 – 20%, Jan. 2014 – 6%, Jan. 2015 – 6%, Jan. 2016 – 6%.</p> <p>In considering other possible alternatives, the city entered into a feasibility study with the City of Troy to determine if a joint water operation system would make sense from both an operation and financial standpoint. RA Consulting was selected by both cities to complete the feasibility study and both cities should be commended for considering this regional approach.</p> <p>While the feasibility study was underway, the City of Piqua conducted a parallel study to determine the cost of building a new water treatment plant just north of the existing plant. This study was completed in November 2011. In addition, a Water Distribution System Master Plan was completed in May 2012. Both of these studies were conducted by CDM-Smith and proved invaluable in the overall analysis of the water system options.</p> <p>Since the RA Consulting Joint Water Feasibility Study did not include looking at the entire Piqua water distribution system, the City of Piqua included this analysis in the Water Distribution System Master Plan. This information was needed in order to determine if any changes were required in the current water distribution system to receive water from a south direction from the Troy Water</p>			

	<p>Treatment Plant instead of from the north from the Piqua Water Treatment Plant. As suspected, additional capital improvements would be required in the Piqua water distribution system in order to provide an adequate water supply and pressure throughout the entire city. This data was also needed in order to make a fair cost comparison between building a new treatment plant or entering into a joint water operation with the City of Troy.</p> <p>As a result of this due diligence by the City of Piqua, cost information was provided to the City Commission and Piqua citizens that to build a new water treatment plant would cost approximately \$36 million. Comparatively, when the costs of making changes to the Piqua water distribution were added to the projected costs of the RA Consulting study, the cost of the Joint Operation totaled approximately \$33 million. Because of different calculations used by each consulting firm for contingencies, the cost between the two alternatives is actually even closer. This is an extremely important factor and finding because the resulting water rate increases for Piqua customers would basically be the same for either option.</p> <p>Based on this factual cost comparison, the Piqua City Commission decided that building a new state of the art water treatment plant would be more beneficial than investing the same amount of money into a 40-year old Troy Water Treatment Plant and subsequent joint water operation. It should be noted that the Troy Water Treatment Plant is well maintained and has sufficient capacity; however, it is 40 years old.</p> <p>Piqua staff project that the water rate increases over the next four plus years will total 58% (20-20-6-6-6). After that period, city staff will be in a much better position to then project for future increases based on actual project costs and other variables to reduce costs and increase revenues. It should be pointed out that the overall goal of the city is to keep water rates as low as possible.</p>	
<p>BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</p>	Budgeted \$:	\$
	Expenditure \$:	\$
	Source of Funds:	Utility Bill Payments
	Narrative:	Please see attached spreadsheet showing the rates and the increases broken down by the size of the meters.
<p>OPTIONS (Include Deny /Approval Option)</p>	1.	Approve Ordinance 12-12 as proposed.
	2.	Approve Ordinance 12-12 with changes in the amounts proposed.
	3.	Do not approve Ordinance 12-12 and provide direction on how you would like staff to proceed.
<p>PROJECT TIMELINE</p>	<p>The current water treatment plant is 87 years old and can not meet the new EPA requirements that go into effect in October 2013. As a result, the City of Piqua was forced to move forward with a new water treatment system before being in violation of the October 2013 mandates and faced with significant fines.</p>	
<p>STAFF RECOMMENDATION</p>	<p>We recommend approval of this Ordinance 12-12 as proposed.</p>	
<p>ATTACHMENTS</p>	<p>Exhibit "A" shows the water rates and the increases broken down by the size of the meters.</p>	

Proposed Rate Increase

Year	Rate Increase	Revenue
2012 ½ Year	20%	\$310,143
2013	20%	741,878
2014	6%	267,076
2015	6%	283,101
2016	6%	300,087

Rate Increase Effects

Monthly	Now	20% Last 6 Months 2012	20% 2013	6% 2014	6% 2015	6% 2016
Residential - 2 People	\$19.52	\$23.42	\$28.10	\$29.79	\$31.58	\$33.47
Residential - 4 People	40.22	48.26	57.91	61.38	65.06	68.96
Small Commercial	77.97	93.56	112.27	119.00	126.14	133.71
Large Commercial	359.18	431.02	517.22	548.25	581.15	616.02
Industrial	928.68	1,114.42	1,337.30	1,417.54	1,502.59	1,592.75

ORDINANCE NO. 13-12

AN ORDINANCE TO VACATE A PORTION OF PUBLIC RIGHT OF WAY KNOWN AS FOUNTAIN BOULEVARD AND LAKE STREET

WHEREAS, pursuant to Piqua Charter Section 98, the City Commission adopted Resolution No. R-93-12 declaring its intent to vacate a portion of public right of way known as Fountain Boulevard and Lake Street; and

WHEREAS, a notice of the declaration of intent to vacate the subject right of way was served to the abutting property owners and published in the local newspaper; and

WHEREAS, the notice of the declaration of intent stated the time and place at which objections could be presented before the Planning Commission; and

WHEREAS, the Planning Commission met at in open sessions and took public comment regarding the proposed public right of way vacation; and

WHEREAS, the Planning Commission after hearing the item and considering the public comments and information provided, recommended approving the vacation of a portion public right of way known as Fountain Boulevard and Lake Street, as shown on the exhibit and the vacation plat drawing attached hereto; and

WHEREAS, pursuant to Piqua Charter Section 98, vacation of public right of way must be adopted by Ordinance by this Commission.

NOW, THEREFORE, 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: This Commission hereby takes the action necessary to authorize and approve the vacation of a portion public right of way known as Fountain Boulevard and Lake Street, as shown on the exhibit and the vacation plat drawing attached hereto.

SEC. 2: The City Manager shall cause the affected portion of right of way to be vacated and all appropriate and necessary legal instruments supporting such action to be properly recorded.

SEC. 3: This Ordinance shall take precedent over all prior Ordinances or Resolutions pertaining to the affected portion of the subject public right of way.

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

1st Reading 8-7-12

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION



City Commission Agenda Staff Report

Item #4

MEETING DATE	8/7/2012			
REPORT TITLE (Should match resolution/ordinance title)	An Ordinance to vacate a portion of public right of way known as Fountain Boulevard and Lake Street			
SUBMITTED BY	Name & Title: Chris Schmiesing, City Planner			
	Department: Development Department			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Regular
ORDINANCE/RESOLUTION	<input checked="" type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> 3 rd Reading	<input type="checkbox"/> Public Hearing
	Ordinance #: 13-12		Resolution #	
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Law Director	
	<input checked="" type="checkbox"/> City Engineer		<input checked="" type="checkbox"/> City Planner	
	<input type="checkbox"/>		<input checked="" type="checkbox"/> Planning Commission	
BACKGROUND (Includes description, background, and justification)	The petitioner desires to vacate that portion of Fountain Boulevard and Lake Street that is effectively an extension of the front lawn at his property and the neighboring property.			
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	0		
	Expenditure \$:	0		
	Narrative:	The area to be vacated is unimproved and does not appear to be necessary to the intended use of the affected public right of way. The Planning Commission has considered this matter in a public hearing and recommends approval of the request to vacate the affected right of way.		
OPTIONS (Include Deny /Approval Option)	1.	Approve the ordinance		
	2.	Reject the ordinance		
	3.			
	4.			
PROJECT TIMELINE	June 5, 2012 – City Commission: declare intent to vacate July 24, 2012 - Planning Commission: public hearing August 7, 2012 – City Commission: Act on Planning Commission recommendation			
STAFF RECOMMENDATION	Approve the ordinance to vacate the affected right of way.			

RESOLUTION No. PC 14-12

WHEREAS, Dan Rank, owner of the adjacent parcels located in the City of Piqua, being in a district zoned R-1 (One-Family Residential District), has submitted a request to vacate portions of Fountain Boulevard and Lake Street public right of way; and,

WHEREAS, the City of Piqua City Commission has declared their intent to consider the vacation of the subject right of way and referred the item to the Planning Commission for study and a recommendation; and,

WHEREAS, section 98 of the Piqua Charter provides the procedure for considering a right of way vacation request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the portion of public right of way proposed for vacation:

- Is unimproved and does not provide essential access to surrounding properties
- Is unoccupied by public utilities or other uses commonly located within public right of way
- Is not identified on any transportation plan indicating the right of is or will be necessary
- Is not essential to any existing or future development or use of the surrounding properties

NOW THEREFORE BE IT RESOLVED, board member Mr. Bubp hereby moves to approve the request, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member Mr. Taylor, and the voting record on this motion is herby recorded as follows.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CITY OF PIQUA, OHIO

APPLICATION FOR VACATION OF PUBLIC RIGHT-OF-WAY

- 1. Applicant's Name Dan Rank Phone # 707-0999
- Applicant's Address 1202 Fountain Bl Piqua
- 2. Owner's Name Daniel D. Rank Phone # 707-0999
- 3. Type of legal interest held by applicant Fee Simple
- 4. Location of Public Right-Of-Way Vacation request Fountain Bl @ Lake St.

5. Describe the reason for the requested Vacation of Public Right-Of-Way

Extend natural property line to street.

6. Property owners adjacent to Right-Of-Way to be vacated.

NAME	ADDRESS	SIGNATURE
<u>Joe Anthony</u>	<u>1105 Lake St.</u>	<u>W Joe Anthony</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature of Applicant [Signature] Date 5/9/12

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

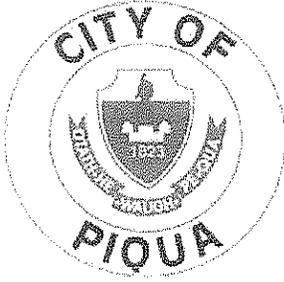
\$100.00 Fee Paid 100.00 Date Fee Paid 5-17-12

Receipt No. 201187 Res. No. PC 14-12

RECEIVED

MAY 17 2012

CITY OF PIQUA DEVELOPMENT OFFICE



PLANNING AND ZONING

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

June 22, 2012

LEGAL NOTICE

Pursuant to Section 98 of the City of Piqua Charter, notice of the City of Piqua City Commissions' declaration of intent to vacate a portion of platted public right of way known as Fountain Boulevard and Lake Street, and notice of the City of Piqua Planning Commission meeting date, time, and location, at which a public hearing will be conducted concerning this matter, said meeting to be held on Tuesday, July 24, 2012 at 6:00 P.M. in the Commission Chambers located on the 2nd floor of the Municipal Government Complex, 201 West Water Street, Piqua, Ohio, is hereby provided.

Contact: Chris Schmiesing
City Planner
(937) 778-2049

PUBLISH: Saturday July 7, 2012

RESOLUTION NO. R-93-12

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

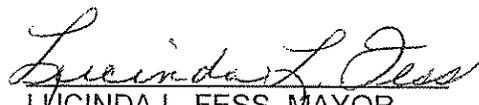
WHEREAS, pursuant to Piqua Charter Section 98, this Commission must adopt a resolution expressing its intention to vacate platted right-of-way located prior to such action being considered; and,

WHEREAS, a petition requesting the vacation of portions of platted public right of way known as Fountain Boulevard and Lake Street, as shown 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 Fountain Boulevard and Lake Street, as shown on 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: June 5, 2012

ATTEST: Rebecca J. Cool
REBECCA J. COOL
CLERK OF COMMISSION

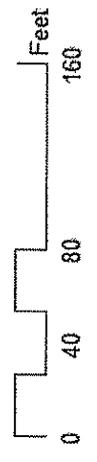
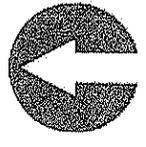


City Commission Agenda Staff Report

Item #5

MEETING DATE	5/23/2012		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution of Intent to Vacate Right-of-Way		
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 checked="" 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-93-12
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Law Director	
	<input checked="" type="checkbox"/> City Engineer	<input checked="" type="checkbox"/> City Planner	
BACKGROUND (Includes description, background, and justification)	The petitioner desires to vacate that portion of Fountain Boulevard and Lake Street that is effectively an extension of the front lawn at his property and the neighboring property.		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	0	
	Expenditure \$:	0	
	Narrative:	The area to be vacated is unimproved and does not appear to be necessary to the intended use of the affected public right-of-way.	
OPTIONS (Include Deny /Approval Option)	1.	Approve the resolution	
	2.	Reject the resolution	
	3.		
	4.		
PROJECT TIMELINE	June 5, 2012 – City Commission: declare intent to vacate July 24, 2012 - Planning Commission: public hearing August 7, 2012 – City Commission: Act on Planning Commission recommendation		
STAFF RECOMMENDATION	Approve the resolution to allow the request to be studied by the Planning Commission		

Exhibit 'A'



FOUNTAIN BOULEVARD AND LAKE STREET

PROPOSED RIGHT OF WAY VACATION

ORDINANCE NO. 14-12

**AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS
TO PAY FOR THE COST OF NUISANCE ABATEMENT
ASSESSMENT AND DECLARING AN EMERGENCY**

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: The assessment of the cost and expense of improving a certain lot, as herein set out, by nuisance abatement on said property, as reported to this Commission in Exhibit "A" attached hereto, are hereby adopted and confirmed, and that there be and is hereby levied and assessed upon the lot improved by the aforementioned nuisance abatement, the amount reported as aforesaid which assessment, together with the description of said lot is now on file in the offices of the Clerk of this Commission, the Director of Health, and the Director of Finance and is not in excess of the special benefits to said property, and is not in excess of a statutory limitation.

SEC. 2: The total assessment against said lot shall be payable in cash or at the option of the owner, in two equal semiannual installments. All cash payments of assessments and installments shall be made to the Director of Health. All assessments and installments thereof remaining unpaid shall be certified by the Clerk of this Commission to the County Auditor, as provided by law, to be by him placed on the tax duplicate and collected as other taxes are collected. Said assessment shall include the cost of publishing and serving of any and all notices, ordinances and resolutions required.

SEC. 3: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health or safety of City, and for the further reason that this ordinance is required to be effective immediately in order to submit assessment to the County Auditor's office by September 10, 2012; wherefore; this ordinance shall be in full force and effect immediately upon it's passage.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

2012 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

Owner		Invoice #	Location	Parcel ID	Type	Total Amount	Due Dec 2012	Due June 2013
ASH NCM LLC		251	629 W Ash St	N44014790	Grass	\$ 135.00	\$ 67.50	\$ 67.50
ASH NCM LLC		438	629 W Ash St	N44014790	Grass	\$ 532.26	\$ 266.13	\$ 266.13
Atkins	Mary C	129-11	358 Ellerman Street	N44031320	Grass	\$ 535.00	\$ 267.50	\$ 267.50
B First Properties Limited		184	718 Broadway	N44005730	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Barhorst	Michael A	156-11	523 Brice Avenue	N44029600	Grass	\$ 170.00	\$ 85.00	\$ 85.00
Barhorst	Michael A	175-11	523 Brice Avenue	N44029600	Trash	\$ 135.00	\$ 67.50	\$ 67.50
Barhorst	Michael A	200	523 Brice Ave	N44029600	Grass	\$ 587.50	\$ 293.75	\$ 293.75
Barhorst	Michael A	591	523 Brice Ave	N44029600	Grass	\$ 763.00	\$ 381.50	\$ 381.50
Barhorst	Michael A	408	523 Brice Ave	N44029600	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Barhorst	Michael A	565	523 Brice Ave	N44029600	Grass	\$ 526.26	\$ 263.13	\$ 263.13
Barton	Robert & Lou Ann	116-11	620 Linden Avenue	N44038170	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Basye	Robert L	318	823 Broadway	N44005420	Grass	\$ 58.10	\$ 29.05	\$ 29.05
Basye	Robert L	557	823 Broadway	N44005420	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Bell	Shirley A	139-11	305 McKinley Avenue	N44059000	Grass	\$ 175.00	\$ 87.50	\$ 87.50
Bennett	Cindy	153-11	434 E. Greene Street	N44051150	Grass	\$ 78.76	\$ 39.38	\$ 39.38
Bennett	Patrick D	247	410 Cleveland St	N44043220	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Blue	Ralph E	471	228 Manning	N44035740	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Boggs	Michael L	168-11	208 Renche Street	N44072978	Grass	\$ 156.26	\$ 78.13	\$ 78.13
Boggs	Michael L	111	208 Renche St	N44072978	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Boggs	Michael L	310	208 Renche St	N44072978	Grass	\$ 570.00	\$ 285.00	\$ 285.00
Boggs	Michael L	563	208 Renche St	N44072978	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Bolin	Robert	139	906 W Ash St	N44024330	Grass	\$ 122.50	\$ 61.25	\$ 61.25
Bolin	Robert	397	906 W Ash St	N44024330	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Brewer	Raymond	148-11	415 Glenwood Avenue	N44061560	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Brewer	Raymond N	134	415 Glenwood	N44061560	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Brewer	Raymond N	284	415 Glenwood	N44061560	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Buckeye Properties		164-11	205 E. North Street	N44002790	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Carnes	Mark	202	739 South St	N44058700	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Carnes	Mark	354	739 South St	N44058700	Grass	\$ 52.50	\$ 26.25	\$ 26.25
Carnes Investments LLC		161-11	1005 Park Avenue	N44024710	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Carnes Investments LLC		174-11	1003-1005 Park Avenue	N44024710	Trash	\$ 280.00	\$ 140.00	\$ 140.00
Caylor	Susan E	259	620 W High St	N44014660	Grass	\$ 78.76	\$ 39.38	\$ 39.38
Chase Home Finance		221	1808 Park Ave	N44073348	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Clayton	Joshua	137-11	705 Boone Street	N44012190	Grass	\$ 105.00	\$ 52.50	\$ 52.50

2012 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

Owner		Invoice #	Location	Parcel ID	Type	Total Amount	Due Dec 2012	Due June 2013
Cox	Anthony	64	1013 Hancock St	N44038330	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Cox	Anthony	362	1013 Hancock St	N44038330	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Crowell	Delmar L	157-11	707 McKinley Avenue	N44038450	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Crowell	Delmar L	414	707 Mckinley	N44038450	Grass	\$ 197.00	\$ 98.50	\$ 98.50
Curtner	Alan K	400	510 Riverside Dr	N44018480	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Davis	Barry M & Crystal M	132-11	1343 Stratford Drive	N44067380	Grass	\$ 140.00	\$ 70.00	\$ 70.00
Davis	Benjamin & Sarah	131	519 Wilson Ave	N44033140	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Davis	Benjamin & Sarah	309	519 Wilson Ave	N44033140	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Deutsche Bank National		147-11	324 E. Main Street	N44099180	Grass	\$ 262.50	\$ 131.25	\$ 131.25
Ditmer	Gary	122-11	507 Gray Street	N44035460	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Ditmer	Gary	160-11	507 Gray Street	N44035460	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Ditmer	Gary	63	507 Gray St	N44035460	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Ditmer	Gary	271	507 Gray St	N44035460	Grass	\$ 526.26	\$ 263.13	\$ 263.13
Ditmer	Gary	472	507 Gray St	N44035460	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Dodd	Charles E & Jenny	130-11	318 Cleveland Street	N44043180	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Dodd	Charles E & Jenny	129	318 Cleveland St	N44043180	Grass	\$ 187.50	\$ 93.75	\$ 93.75
Dodd	Charles E & Jenny	337	318 Cleveland St	N44043180	Grass	\$ 152.50	\$ 76.25	\$ 76.25
Emerson	Lois	128	701 S Downing St	N44013060	Grass	\$ 170.00	\$ 85.00	\$ 85.00
Emerson	Lois	263	701 S Downing St	N44013060	Grass	\$ 122.50	\$ 61.25	\$ 61.25
Fannie	Mae	283	1409 Broadway	N44095480	Grass	\$ 175.00	\$ 87.50	\$ 87.50
Flagstar Bank FSB		407	523 Weber St	N44021700	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Flaughner	Sharon E	175	529 S Downing St	N44007490	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Flaughner	Sharon E	419	529 S Downing St	N44007490	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Gober	Nathan R	119-11	529 W. Water Street	N44008735	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Gober	Nathan R	85	529 W Water St	N44008735	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Gober	Nathan R	257	529 W Water St	N44008735	Grass	\$ 517.50	\$ 258.75	\$ 258.75
Gober	Nathan R	573	529 W Water St	N44008735	Grass	\$ 517.50	\$ 258.75	\$ 258.75
Good	Timothy Joseph	90	204 4Th	N44043760	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Griffith	Sheryl A	224	1000 S Roosevelt	N44041420	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Griffith	Sheryl A	451	1000 S Roosevelt	N44041420	Grass	\$ 152.50	\$ 76.25	\$ 76.25
Griffith	Sheryl A	460	242 E Main St	N44042590	Grass	\$ 140.00	\$ 70.00	\$ 70.00
Hall	Frederick L	128-11	1312 South Street	N44033500	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Hall	Frederick L	75	1312 South St	N44033500	Grass	\$ 301.26	\$ 150.63	\$ 150.63
Hall	Frederick L	429	1312 South St	N44033500	Grass	\$ 552.50	\$ 276.25	\$ 276.25

2012 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

Owner		Invoice #	Location	Parcel ID	Type	Total Amount	Due Dec 2012	Due June 2013
Hall	Frederick L	596	1312 South St	N44033500	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Hampton	John C	155-11	422 E. Ash Street	N44009660	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Haney	Lesley J	94	1111 Marwood	N44073315	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Haney	Lesley J	248	1111 Marwood	N44073315	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Haney	Lesley J	621	1111 Marwood	N44073315	Grass	\$ 152.50	\$ 76.25	\$ 76.25
Helmandollar	Jodi L	539	1001 Nicklin Ave	N44053330	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Helton	Hattie M	252	428 S Main St	N44004740	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Helton	Hattie M	449	428 S Main St	N44004740	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Henderson	George C	112-11	1112 Covington Avenue	N44053760	Tree	\$ 1,450.00	\$ 725.00	\$ 725.00
Hicks	Jackoline	160	625 Miami	N44031090	Grass	\$ 78.76	\$ 39.38	\$ 39.38
Hicks	Jackoline	420	625 Miami	N44031090	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Hope Chapel		74	624 Broadway	N44250450	Grass	\$ 715.00	\$ 357.50	\$ 357.50
Hope Chapel		145-11	624 Broadway	N44250450	Grass	\$ 570.00	\$ 285.00	\$ 285.00
Huber	Kenneth E	215	500 Mckinley	N44035320	Grass	\$ 143.75	\$ 71.88	\$ 71.88
Huber	Kenneth E	435	500 Mckinley	N44035320	Grass	\$ 126.25	\$ 63.13	\$ 63.13
Huelskamp	Jarrold M & Andrea B	135-11	718 Fisk Street	N44032280	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Jacomet	Patrick & Marilyn	144-11	514 Spring Street	N44002910	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Jacomet	Patrick	176-11	209 E. North St	N44002800	Grass	\$ 90.00	\$ 45.00	\$ 45.00
Jacomet	Patrick	430	209 E North St	N44002800	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Jacomet	Patrick & Marilyn	556	514 Spring St	N44002910	Grass	\$ 70.00	\$ 35.00	\$ 35.00
James Rentschler Property		152-11	8620 N. County Rd 25-A	N44073740	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Jenkins	Richard C	194	424 Mckinley Ave	N44035110	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Jenkins	Richard C	447	424 Mckinley Ave	N44035110	Grass	\$ 280.00	\$ 140.00	\$ 140.00
Jones	Larry A	162-11	623 First Street	N44047430	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Kaylor	Cari	437	1518 Madison Ave	N44057500	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Kern	Sheryl A	166-11	242 E. Main St	N44042590	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Kern	Sheryl A	177-11	242 E. Main St	N44042590	Trash	\$ 50.00	\$ 25.00	\$ 25.00
Kindell	Mary	117-11	427 McKinley Avenue	N44033620	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Kindell	Mary	172-11	427 McKinley Ave	N44033620	Grass	\$ 587.50	\$ 293.75	\$ 293.75
Kindell	Mary	146	610 Boone St	N44011110	Grass	\$ 52.50	\$ 26.25	\$ 26.25
Kindell	Mary	195	427 Mckinley St	N44033620	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Kindell	Mary	385	427 Mckinley St	N44033620	Grass	\$ 523.10	\$ 261.55	\$ 261.55
Kindell	Mary	564	427 Mckinley St	N44033620	Grass	\$ 535.00	\$ 267.50	\$ 267.50

2012 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

Owner		Invoice #	Location	Parcel ID	Type	Total Amount	Due Dec 2012	Due June 2013
Kiser	Jean E	269	901 Garbry Rd	N44077690	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Lavy	Paul D	124-11	203 S. Downing Street	N44055040	Grass	\$ 140.00	\$ 70.00	\$ 70.00
LeVan	Jr Edward D	253	404 S Downing St	N44007670	Grass	\$ 87.50	\$ 43.75	\$ 43.75
LeVan	Jr Edward D	468	404 S Downing St	N44007670	Grass	\$ 78.76	\$ 39.38	\$ 39.38
Liette	Realty	147	1521 Washington Ave	N44027810	Trash	\$ 60.00	\$ 30.00	\$ 30.00
Little	Tommy G	143-11	1210 S. Roosevelt Ave	N44071160	Grass	\$ 152.50	\$ 76.25	\$ 76.25
Little	Tommy G	170-11	1210 S. Roosevelt Ave	N44071160	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Little	Tommy G	163	1210 S Roosevelt St	N44071160	Grass	\$ 605.00	\$ 302.50	\$ 302.50
Little	Tommy G	503	1210 S Roosevelt St	N44071160	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Locker	Cindy J	352	434 E Greene St	N44051150	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Loop	Kimberly R	452	803 W Ash St	N44019410	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Marshall	Frances L	666	710 Brice Ave	N44029720	Trash	\$ 125.00	\$ 62.50	\$ 62.50
Marshall	Frances L	125	710 Brice Ave	N44029720	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Martin	Forest M	141-11	706 Leonard Street	N44032030	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Martin	Forest M	167-11	706 Leonard Street	N44032030	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Martin	Forest M	152	706 Leonard Street	N44032030	Grass	\$ 570.00	\$ 285.00	\$ 285.00
Martin	Forest M	366	706 Leonard Street	N44032030	Grass	\$ 523.10	\$ 261.55	\$ 261.55
McClay	Gregory	319	613 Adams St	N44090720	Grass	\$ 152.50	\$ 76.25	\$ 76.25
McCrossin	Edward & Ramona Montgomery	121-11	419 Y Street	N44098560	Grass	\$ 205.00	\$ 102.50	\$ 102.50
McCrossin	Edward & Ramona Montgomery	149-11	419 Y Street	N44098560	Grass	\$ 135.00	\$ 67.50	\$ 67.50
McKinney	Seth	628	1706 Nicklin Ave	N44054340	Grass	\$ 70.00	\$ 35.00	\$ 35.00
McLain	David	83	1518 Fairfax Ave	N44072657	Grass	\$ 70.00	\$ 35.00	\$ 35.00
McLain	David	338	1518 Fairfax Ave	N44072657	Grass	\$ 87.50	\$ 43.75	\$ 43.75
McLain	David	516	1518 Fairfax Ave	N44072657	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Mitchell	Sean	125-11	629 W. Ash Street	N44014790	Grass	\$ 240.00	\$ 120.00	\$ 120.00
Montgomery	Ramona J	171	419 Y St	N44098560	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Montgomery	Ramona J	357	419 Y St	N44098560	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Owen	Paul L & Lori J Dorman	181-11	1814 Carol Drive	N44073358	Maint.	\$ 70.00	\$ 35.00	\$ 35.00
Patty	Caroline G	220	435 Riverside Dr	N44018230	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Polselli	Sandra Gerling	190	Echo Lake Dr	N44055880	Grass	\$ 210.00	\$ 105.00	\$ 105.00

2012 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

Owner		Invoice #	Location	Parcel ID	Type	Total Amount	Due Dec 2012	Due June 2013
Schaeffer	Jennifer C	213	509 Orr St	N44021490	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Schaeffer	Jennifer C	533	509 Orr St	N44021490	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Secretary of Housing & Urban Development		402	209 3Rd St	N44043240	Grass	\$ 140.00	\$ 70.00	\$ 70.00
Secretary of Housing & Urban Development		506	525 W Greene St	N44011410	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Simmons	Iva c/o Rita Brun	123-11	207 Upway Drive	N44060090	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Smith	Ashton	242	535 S Main St	N44016450	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Smith	Ashton	551	535 S Main St	N44016450	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Staley	Donald L	198	912 New Haven Rd	N44070880	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Stambaugh	Kenneth F	142	1606 Broadway	N44049020	Grass	\$ 105.00	\$ 52.50	\$ 52.50
Swarts	Tara	146-11	1616 Broadway	N44048970	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Swarts	Tara	154	1616 Broadway	N44048970	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Thomas	Cynthia S	120-11	1214 S. Roosevelt	N44071180	Maint.	\$ 850.00	\$ 425.00	\$ 425.00
Thomas	Cynthia S	127-11	1214 S. Roosevelt	N44071180	Grass	\$ 135.00	\$ 67.50	\$ 67.50
Thomas	Cynthia	165-11	1214 S. Roosevelt	N44071180	Grass	\$ 170.00	\$ 85.00	\$ 85.00
Thomas	Cynthia S	164	1214 S Roosevelt	N44071180	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Thomas	Cynthia S	395	1214 S Roosevelt	N44071180	Grass	\$ 552.50	\$ 276.25	\$ 276.25
Thomas	Cynthia S	702	1214 S Roosevelt	N44071180	Trash	\$ 525.00	\$ 262.50	\$ 262.50
Tidwell	Joshua F	183	1008 Boone St	N44024750	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Tidwell	Joshua F	665	1008 Boone St	N44024750	Trash	\$ 175.00	\$ 87.50	\$ 87.50
Tidwell	Joshua F	454	1008 Boone St	N44024750	Grass	\$ 152.50	\$ 76.25	\$ 76.25
Ufheil	Rebecca	249	424 Cleveland St	N44043810	Grass	\$ 192.50	\$ 96.25	\$ 96.25
Usserman	Thomas	181	409 Blaine Ave	N44032880	Grass	\$ 157.50	\$ 78.75	\$ 78.75
Wackler	Jason D	131-11	429 Young Street	N44045680	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Wackler	Jason D	158-11	429 Young Street	N44045680	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Wackler	Jason D	159-11	429 Young Street	N44045680	Maint.	\$ 149.00	\$ 74.50	\$ 74.50
Wackler	Jason D	178-11	429 Young Street	N44045680	Trash	\$ 70.00	\$ 35.00	\$ 35.00
Wackler	Jason D	287	429 Young Street	N44045680	Grass	\$ 126.26	\$ 63.13	\$ 63.13
Wackler	Jason D	482	429 Young Street	N44045680	Grass	\$ 117.50	\$ 58.75	\$ 58.75
Wall	Richard E	478	1St St	N44054710	Grass	\$ 84.76	\$ 42.38	\$ 42.38
Wead	Ann	150-11	114 Cassell Street	N44022330	Grass	\$ 535.00	\$ 267.50	\$ 267.50
Wead	Ann	300	114 Cassell Street	N44022330	Grass	\$ 152.50	\$ 76.25	\$ 76.25
Weidner	Tracy	136-11	109 Drexel Avenue	N44048950	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Whitlow	Dean E	173-11	1101 New Haven Road	N44073190	Grass	\$ 122.50	\$ 61.25	\$ 61.25

2012 NUISANCE ABATEMENT ASSESSMENTS
EXHIBIT "A"

Owner		Invoice #	Location	Parcel ID	Type	Total Amount	Due Dec 2012	Due June 2013
Williams	Fred	138-11	1411 Edge Street	N44035480	Grass	\$ 175.00	\$ 87.50	\$ 87.50
Williams	Fred	169-11	1411 Edge Street	N44035480	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Williams	Fred	180-11	1411 Edge Street	N44035480	Trash	\$ 70.00	\$ 35.00	\$ 35.00
Williams	Cynthia	418	422 Roosevelt	N44051870	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Winsler	Robert J	168	819 Broadway	N44005440	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Wintrow	Alan C	154-11	704 Cottage Avenue	N44029080	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Yahne	Vivian L	290	1202 W High St	N44058350	Grass	\$ 70.00	\$ 35.00	\$ 35.00
Young	Angela K	113	342 South St	N44020000	Grass	\$ 87.50	\$ 43.75	\$ 43.75
Young	Angela K	289	342 South St	N44020000	Grass	\$ 87.50	\$ 43.75	\$ 43.75

TOTAL **\$ 39,966.66** \$ 19,983.33 \$ 19,983.33



Commission Agenda Staff Report

MEETING DATE	August 21, 2012		
REPORT TITLE (Should match resolution/ordinance title)	An Ordinance to Levy Special Assessments to Pay for the Cost of Nuisance Abatement Assessment and Declaring an Emergency		
SUBMITTED BY	Name & Title: Amy Welker, Director of Health & Sanitation		
	Department: Health		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
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)	The city abates nuisance conditions on properties including mowing high grass, removing trash, trimming trees, and demolishing structures according to city code. The cost of the abatement is charged back to the property owner. If the property owner fails to pay the abatement cost then the costs are certified to the county auditor to be placed on the property taxes. The auditor accepts these assessments once per year. This year the assessments are due to the auditor by September 10, 2012; therefore, the ordinance will need to be acted upon at the September 4, 2012 commission meeting.		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:		
	Expenditure \$:		
	Source of Funds:	Reimbursement of \$39,966.66	
	Narrative:	This ordinance will allow for the collection of \$39,966.66 which includes the cost to the city to hire contractors to complete the abatements and also administrative costs.	
OPTIONS (Include Deny /Approval Option)	1.	Pass the ordinance to assess the abatement costs.	
	2.	Do not pass the ordinance.	
	3.	Provide further direction to staff.	
	4.		
PROJECT TIMELINE	First reading at the 8-21-12 meeting. Second reading at the 9-4-12 meeting, suspend the third reading. Assessments sent to county auditor 9-10-12 (if passed)		
STAFF RECOMMENDATION	Pass the ordinance to assess the abatement costs.		
ATTACHMENTS	Exhibit A		

ORDINANCE NO. 15-12
AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO FOR THE YEAR 2012

Whereas, Section 5705.38 empowers the municipal legislative authority to pass supplemental appropriations measures as it finds necessary; and 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:

SEC. 1: That there be appropriated from the GENERAL FUND (001)

<u>ACCOUNT</u>	<u>2012 APPROPRIATIONS</u>	<u>2012 SUPPLEMENTAL</u>	<u>2012 REVISED APPROPRIATIONS</u>
FUND 001 General Fund			
<u>City Building</u>			
Operation and Maintenance	\$100,912	\$4,900	\$105,812
Allocated Expenses	(\$11,547)		(\$11,547)
Total City Building	<u>\$89,365</u>	<u>\$4,900</u>	<u>\$94,265</u>
<u>Civil Service</u>			
Operation and Maintenance	\$18,600		\$18,600
Non Government/Transfers/Refunds	\$0	\$30	\$30
Total Civil Service	<u>\$18,600</u>	<u>\$30</u>	<u>\$18,630</u>
<u>Health</u>			
Personal Services/Administrative Support	\$249,678		\$249,678
Operation and Maintenance	\$94,800		\$94,800
Non Government/Transfers/Refunds	\$0	\$30	\$30
Total Health	<u>\$344,478</u>	<u>\$30</u>	<u>\$344,508</u>
<u>Human Resources</u>			
Personal Services/Administrative Support	\$166,632		\$166,632
Operation and Maintenance	\$14,581	\$1,079	\$15,660
Allocated Expenses	(\$155,596)	(\$1,079)	(\$156,675)
Total Human Resources	<u>\$25,617</u>	<u>\$0</u>	<u>\$25,617</u>
<u>Transfers</u>			
Transfer to Ft. Piqua Plaza 410	\$180,000	\$23,140	\$203,140
Transfer to Swimming Pool Fund 415	\$80,000	\$25,300	\$105,300
Total Transfers	<u>\$260,000</u>	<u>\$48,440</u>	<u>\$308,440</u>
Fund 101 Street Maintenance Fund			
Operation and Maintenance	<u>\$1,512,632</u>	<u>\$22,837</u>	<u>\$1,535,469</u>
Fund 104 Neighborhood Improvement Team Fund			
Operation and Maintenance	<u>\$14,110</u>	<u>\$150,000</u>	<u>\$164,110</u>
Fund 105 Park and Recreation Fund			
Personal Services/Administrative Support	\$267,179	\$16,100	\$283,279
Capital Outlay	\$0	\$250,000	\$250,000
TOTAL	<u>\$267,179</u>	<u>\$266,100</u>	<u>\$533,279</u>
Fund 106 Public Safety Fund			
<u>009 Fire Department</u>			
Operation and Maintenance	<u>\$398,148</u>	<u>\$7,325</u>	<u>\$405,473</u>
Fund 107 Piqua Tree Fund			
Operation & Maintenance	<u>\$3,000</u>	<u>\$491</u>	<u>\$3,491</u>
Fund 112 CHIP 2010 Fund			
Operation and Maintenance	<u>\$279,965</u>	<u>(\$16,283)</u>	<u>\$263,682</u>
Fund 117 CHIP 2012 Fund			
Operation and Maintenance	<u>\$400,000</u>	<u>(\$400,000)</u>	<u>\$0</u>
Fund 124 Worker's Comp Fund			
Personal Services/Administrative Support	<u>\$223,702</u>	<u>\$25,381</u>	<u>\$249,083</u>
Fund 125 Insurance Reserve Fund			
Operation & Maintenance	<u>\$311,214</u>	<u>\$10,721</u>	<u>\$321,935</u>
Fund 126 Demolition Defense Fund			
Non Government/Transfers/Refunds	<u>\$30,000</u>	<u>\$31,062</u>	<u>\$61,062</u>
Fund 137 Downtown Revitalization (General Business) Fund			
Operation and Maintenance	<u>\$50,000</u>	<u>(\$50,000)</u>	<u>\$0</u>
Fund 253 Information Technology Bonds Debt Service Fund			
Non Government/Transfers/Refunds	<u>\$0</u>	<u>\$21,284</u>	<u>\$21,284</u>
Fund 401 Power Systems Fund			
Operation and Maintenance	\$24,375,570	\$163,718	\$24,539,288
Capital Outlay (including labor)	\$6,672,864	\$722,500	\$7,395,364
TOTAL	<u>\$31,048,434</u>	<u>\$886,218</u>	<u>\$31,934,652</u>

	2012 APPROPRIATIONS	2012 SUPPLEMENTAL	2012 REVISED APPROPRIATIONS
Fund 403 Water Systems Fund			
Personal Services/Administrative Support	\$1,251,188	(\$8,000)	\$1,243,188
Operation and Maintenance	\$1,735,975	\$158,077	\$1,894,052
Overhead Transfers	\$0	(\$4,910)	(\$4,910)
TOTAL	\$2,987,163	\$145,167	\$3,132,330
Fund 404 Wastewater System Fund			
Operation and Maintenance	\$1,162,270	\$69,011	\$1,231,281
Capital Outlay (including labor)	\$263,971	\$40,904	\$304,875
TOTAL	\$1,426,241	\$109,915	\$1,536,156
Fund 405 Garbage and Refuse Fund			
Operation and Maintenance	\$1,160,961	\$1,021	\$1,161,982
TOTAL	\$1,160,961	\$1,021	\$1,161,982
Fund 408 Information Technology Fund			
Operation and Maintenance	\$165,882	\$23,760	\$189,642
Fund 409 Golf Course Fund			
Operation and Maintenance	\$297,847	\$19,819	\$317,666
Fund 410 Fort Piqua Plaza Fund			
Non Government/Transfers/Refunds	\$3,000	\$500	\$3,500
Fund 411 Stormwater Utility Fund			
Operation and Maintenance	\$419,526	\$5,602	\$425,128
Fund 415 Swimming Pool Fund			
Personal Services/Administrative Support	\$78,006	\$30,160	\$108,166
Operation and Maintenance	\$75,136	(\$5,000)	\$70,136
Non Government/Transfers/Refunds	\$8,628	\$100	\$8,728
TOTAL	\$161,770	\$25,260	\$187,030
Fund 754 Broadway Street Reconstruction Fund			
Capital Outlay (including labor)	\$98,250	(\$98,250)	\$0

SEC. 61: That the sum appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2012. Future commitments representing encumbrances of fund balance or future receipts will be appropriated in the future year when those services or goods are rendered to the city.

SEC. 62: 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. 63: 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. 64: 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. 65: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

SEC. 66: That this ordinance is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua and shall take effect and be in force from and after passage.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

Ordinance 15-12 Revised Appropriation Comparison to Original Exhibit A

General Fund (001)

City Building			
Operation and Maintenance	\$	4,900	Parking Lot Repair
Civil Service			
Non Government/Transfers/Refunds	\$	30	Civil Service Exam Refunds
Health			
Non Government/Transfers/Refunds	\$	30	Vital Statistics Refunds
Human Resources			
Operation and Maintenance	\$	1,079	Increase in Awards, Meals, and Training amounts
Allocated Expenses	\$	(1,079)	
Transfer from General Fund to other funds			
Transfer to Ft Piqua Plaza Fund 410	\$	23,140	Decreased Revenue
Transfer to Swimming Pool Fund 415	\$	25,300	Increase in Wages
Net Increase to General Fund	<u>\$</u>	<u>53,400</u>	

Streets Fund (101)

Operation and Maintenance \$ 22,837 Pot Grinder Rental Storm Cleanup (FEMA) \$20,800, TWC Dark Fiber \$2,037

Neighborhood Improvement Team Fund (104)

Operation and Maintenance \$ 150,000 State Demo Grant

Park and Recreation Fund (105)

Personal Services/Administrative Support \$ 16,100 Wind Storm Labor & Benefits (FEMA)
Capital Outlay (including labor) \$ 250,000 Donated Skate Park

Total Parks and Recreation (105) \$ 266,100

Public Safety Fund (106)

Fire Department 009

Operation and Maintenance \$ 7,325 Adjust Vehicle Fuel

Piqua Tree Fund (107)

Operation and Maintenance \$ 491 Maximize available resources

CHIP 2010 Fund (112)

Operation and Maintenance \$ (16,283) Reduce for Total Grant Available

CHIP 2012 Fund (117)

Operation and Maintenance \$ (400,000) Grant not received

Worker's Comp Fund (124)

Personal Services/Administrative Support \$ 25,381 Increase in Worker's Comp rate

Insurance Reserve Fund (125)

Operation & Maintenance \$ 10,721 Increase in MVRMA Claims/Premium

Demolition Defense Fund (126)

Non Government/Transfers/Refunds \$ 31,062 Increase in number of fires

Downtown Revitalization (General Business) Fund (137)

Operation and Maintenance \$ (50,000) Grant not received

Information Technology Bonds Debt Service Fund (253)

Non Government/Transfers/Refunds \$ 21,284 Return funds that are not needed this year

Power Systems Fund (401)		
Operation and Maintenance	\$ 163,718	TWC Dark Fiber \$5,518, Wind Storm (FEMA) \$98,000, FIDI (New Fiber Project)\$60,200
Capital Outlay (including labor)	\$ 722,500	Generator \$200,000, 69KV rebuild \$522,500 (FEMA)
Total Power Systems Fund (401)	\$ 886,218	
Water System Fund (403)		
Personal Services/Administrative Support	\$ (8,000)	Labor for Weed Harvester
Operation and Maintenance	\$ 158,077	Weed Harvester Temp Service \$8,000, RA \$54,000 & CDM \$87,757, TWC Dark Fiber \$4,020, FIDI (New Fiber Project) \$4,300
Overhead Transfers	\$ (4,910)	Boat Dock Overhead
Total Water System Fund (403)	\$ 145,167	
Wastewater System Fund (404)		
Operation and Maintenance	\$ 69,011	TWC Dark Fiber \$2,596, CDM \$62,115, FIDI (New Fiber Project) \$4,300
Capital Outlay (including labor)	\$ 40,904	Eash Ash Street
Total Wastewater System Fund (404)	\$ 109,915	
Garbage and Refuse Fund (405)		
Operation and Maintenance	\$ 1,021	TWC Dark Fiber
Information Technology Fund (408)		
Operation and Maintenance	\$ 23,760	TWC Dark Fiber
Golf Course Fund (409)		
Operation and Maintenance	\$ 19,819	AC Compressor \$6,044, TWC Dark Fiber \$3,775, Fairway Seeding \$10,000
Fort Piqua Plaza Fund (410)		
Operation and Maintenance	\$ 500	Refunds
Stormwater Utility Fund (411)		
Operation and Maintenance	\$ 5,602	TWC Dark Fiber \$1,302, FIDI (New Fiber Project) \$4,300
Swimming Pool Fund (415)		
Personal Services/Administrative Support	\$ 30,160	Increased Wages
Operation and Maintenance	\$ (5,000)	Lowered Utilities for offset
Non Government/Transfers/Refunds	\$ 100	Refunds
Total Swimming Pool Fund (415)	\$ 25,260	
Broadway Street Fund (754)		
Capital Outlay (including labor)	\$ (98,250)	Project Completed Not Needed
Overall Total	\$ 1,241,330	

Summary

General Fund, MIT, Safety, & Parks Breakdown	
Personal Services/Administrative Support	\$ 16,100
Operation and Maintenance	\$ 163,304
Allocated Expenses	\$ (1,079)
Non Government/Transfers/Refunds	\$ 60
Transfers to other Funds	\$ 48,440
Capital Outlay (including labor)	\$ 250,000
Total General Fund	\$ 476,825
Streets 101 Breakdown	
Operation and Maintenance	\$ 22,837
Total Streets	\$ 22,837
Other Funds Breakdown (107, 112, 117, 124, 125, 126, 137, 253, 754)	
Personal Services/Administrative Support	\$ 25,381
Operation and Maintenance	\$ (455,071)
Non Government/Transfers/Refunds	\$ 52,346
Capital Outlay (including labor)	\$ (98,250)
Total Other Funds	\$ (475,594)
Enterprise Breakdown	
(Power, Water, Wastewater, Refuse, Stormwater, IT, Golf, Plaza, Pool)	
Personal Services/Administrative Support	\$ 22,160
Operation and Maintenance	\$ 436,508
Overhead Transfer	\$ (4,910)
Capital Outlay (including labor)	\$ 763,404
Non Government/Transfers/Refunds	\$ 100
Total Enterprise	\$ 1,217,262
Overall Total	\$ 1,241,330

Major Categories

Storm Damage	\$ 657,400
Skate Park Donation	\$ 250,000
New Grant	\$ 150,000
Expense and Project Modification	\$ 417,480
New Fiber Project	\$ 73,100
TWC Fiber	\$ 44,029
Transfers	\$ 48,440
Insurance (Worker's Comp, MVRMA)	\$ 36,102
Demolition from Fires	\$ 31,062
Grant Reductions	\$ (466,283)
	\$ 1,241,330



Commission Agenda Staff Report

MEETING DATE	August 21, 2012		
REPORT TITLE (Should match resolution/ordinance title)	An Emergency Ordinance to make appropriations for the City of Piqua, Ohio for the year 2012		
SUBMITTED BY	Name & Title: Cynthia Holtzapple, Assistant City Manager, Finance Director Department: Finance		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
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 type="checkbox"/> Department Director;		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	Every year about this time, we request a supplemental appropriation. This is due in part to the requirement that we present the 2012 annual budget to you in early November 2011 before all project timing and costs are known. Projects expecting to be done last year will sometimes carryover into this year. During the fiscal year, unexpected expenses do occur and this supplemental appropriation allows us to more accurately reflect these changes in our financial statements. Please see "Exhibit A" for detailed explanation of the changes.		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	See "Exhibit A"	
	Expenditure \$:	See "Exhibit A"	
	Source of Funds:	Various	
	Narrative:		
OPTIONS (Include Deny /Approval Option)	1.	Approve Ordinance No. 15-12 accepting the Emergency Ordinance to make Appropriations for the City of Piqua for the year 2012	
	2.	Approve Ordinance No. 15-12 accepting the Emergency Ordinance to make Appropriations for the City of Piqua for the year 2012 with changes being made to the amounts disclosed.	
PROJECT TIMELINE			
STAFF RECOMMENDATION	We are requesting approval of Ordinance No. 15-12 accepting the Emergency Ordinance to make Appropriations for the City of Piqua for the year 2012. Based on the need for the Departments to meet grant and other commitments, we are requesting that the three reading rule be waived and that this Ordinance be passed on an emergency basis.		
ATTACHMENTS	Exhibit A		

ORDINANCE NO. 16-12

**AN ORDINANCE TO VACATE A PORTION OF PUBLIC ALLEY RIGHT OF WAY
ADJACENT TO INLOTS 3084-3088**

WHEREAS, pursuant to Piqua Charter Section 98, the City Commission adopted Resolution No. R-103-12 declaring its intent to vacate a portion of public alley right of way adjacent to Inlots 3084-3088; and

WHEREAS, a notice of the declaration of intent to vacate the subject right of way was served to the abutting property owners and published in the local newspaper; and

WHEREAS, the notice of the declaration of intent stated the time and place at which objections could be presented before the Planning Commission; and

WHEREAS, the Planning Commission met at in open sessions and took public comment regarding the proposed public right of way vacation; and

WHEREAS, the Planning Commission after hearing the item and considering the public comments and information provided, recommended approving the vacation of a portion of public alley right of way adjacent to Inlots 3084-3088, as shown on the exhibit and the vacation plat drawing attached hereto; and

WHEREAS, pursuant to Piqua Charter Section 98, vacation of public alley right of way must be adopted by Ordinance by this Commission.

NOW, THEREFORE, 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: This Commission hereby takes the action necessary to authorize and approve the vacation of a portion public alley right of way adjacent to Inlots 3084-3088, as shown on the exhibit and the vacation plat drawing attached hereto.

SEC. 2: The City Manager shall cause the affected portion of right of way to be vacated and all appropriate and necessary legal instruments supporting such action to be properly recorded.

SEC. 3: This Ordinance shall take precedent over all prior Ordinances or Resolutions pertaining to the affected portion of the subject public right of way.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	8/21/2012		
REPORT TITLE (Should match resolution/ordinance title)	An Ordinance to Vacate a Portion of Public Alley Right-of-Way Adjacent to Inlots 3084-3088		
SUBMITTED BY	Name & Title: Chris Schmiesing, City Planner		
	Department: Development Department		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input checked="" type="checkbox"/> Asst. City Manager/Development		<input checked="" type="checkbox"/> Law Director
	<input type="checkbox"/> Department Director;		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	The petitioner desires to vacate that portion of an unimproved public alley right of way adjacent to Inlots 3084-3088.		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:		
	Expenditure \$:		
	Source of Funds:		
	Narrative:	The area to be vacated is unimproved and is not necessary to the intended use of the affected public right-of-way.	
OPTIONS (Include Deny /Approval Option)	1.	Approve the Ordinance	
	2.	Reject the Ordinance	
	3.		
	4.		
PROJECT TIMELINE	July 17, 2012 – City Commission: Declare intent to vacate August 14, 2012 – Planning Commission: Public Hearing August 21, 2012 – City Commission: Act on Planning Commission recommendation		
STAFF RECOMMENDATION	Approve the ordinance and vacate the affected right of way.		
ATTACHMENTS			

RESOLUTION No. PC 16-12

WHEREAS, Debra Kenworthy, owner of an adjacent parcel located in the City of Piqua, has submitted a request to vacate a portion of public alley right of way adjacent to Inlots 3084 - 3088, as shown on exhibit 'A' included herewith; and,

WHEREAS, the City of Piqua City Commission has declared their intent to consider the vacation of the subject right of way and referred the item to the Planning Commission for study and a recommendation; and,

WHEREAS, section 98 of the Piqua Charter provides the procedure for considering a right of way vacation request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the portion of public right of way proposed for vacation:

- Is unimproved and does not provide essential access to surrounding properties
- Is unoccupied by public utilities or other uses commonly located within public right of way
- Is not identified on any transportation plan indicating the right of is or will be necessary
- Is not essential to any existing or future development or use of the surrounding properties

NOW THEREFORE BE IT RESOLVED, board member Mr. Taylor hereby moves to approve the request, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member Mrs. Franz, and the voting record on this motion is herby recorded as follows.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPLICATION FOR VACATION OF PUBLIC RIGHT-OF-WAY

1. Applicant's Name Debra J. Kenworthy Phone # 937 773-0401 cell: 214-6227
 Applicant's Address 620 Brice Ave.
2. Owner's Name Debra J. Kenworthy Phone # 937-773-0401
3. Type of legal interest held by applicant Owner of in lot 3084-3085
4. Location of Public Right-Of-Way Vacation request Alley between Lots 3084 - 3088 REC BK 2 pg 103

5. Describe the reason for the requested Vacation of Public Right-Of-Way

Resolve Right-of-way issues: Usage, maintenance and safety concerns.

6. Property owners adjacent to Right-Of-Way to be vacated.

NAME	ADDRESS	SIGNATURE
<u>Viola Ault</u>	<u>1014 HANCOCK AVE.</u>	<u>[Signature]</u>
<u>Brett & Chandee</u>	<u>[Blank]</u>	<u>[Signature]</u>
<u>Victor</u>	<u>1010 HANCOCK AVE.</u>	<u>[Signature]</u>
<u>Gerald & Connie</u>	<u>624 BRICE AVE.</u>	<u>Gerald S. Wagner</u>
<u>Wagner</u>	<u>628 BRICE AVE.</u>	<u>Constance S. Wagner</u>
<u>Debra J. Kenworthy</u>	<u>620 BRICE AVE.</u>	<u>Debra J. Kenworthy</u>

Signature of Applicant Debra J. Kenworthy Date 5-21-12

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

\$100.00 Fee Paid _____

Date Fee Paid _____

Receipt No. _____

Res. No. _____

RESOLUTION NO. R-103-12

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 an alley adjacent to Inlots 3084, 3085, 3086, 3087, and 3088, as shown 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 an alley adjacent to Inlots 3084, 3085, 3086, 3087, and 3088, as shown on 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: July 17, 2012

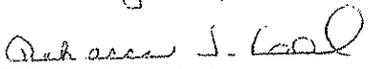
ATTEST: 
REBECCA J. COOL
CLERK OF COMMISSION

EXHIBIT 'A'

3084-3088
INLOTS

PIGUA
CITY

MIAMI
COUNTY

OHIO
STATE

**ALLEY VACATION
ALLEY BETWEEN INLOTS 3084, 3085
AND INLOTS 3086, 3087, & 3088**

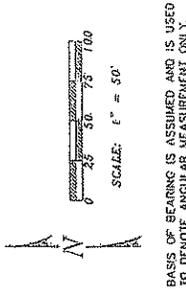
PIGUA CITY PLANNING COMMISSION
THE VACATION OF THE ALLEY SHOWN HEREON WAS REVIEWED AND
RECOMMENDED APPROVED TO THE PIGUA CITY COMMISSION.

CHAIRMAN: _____ DATE: _____ SECRETARY: _____ DATE: _____

PIGUA CITY COMMISSION
THE ALLEY SHOWN VACATED HEREON WAS VACATED BY ORDINANCE NO.
ENACTED BY THE CITY COMMISSION OF PIGUA, OHIO.

MANAGER: _____ DATE: _____ CLERK: _____ DATE: _____

PLAT BOOK _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD
OF PLATS- RECEIVED FOR RECORDING
THIS _____ DAY OF _____, 2012
FILE NO. _____ FEE _____
JOHN ALEXANDER
MIAMI COUNTY RECORDER
BY: _____ DEPUTY _____

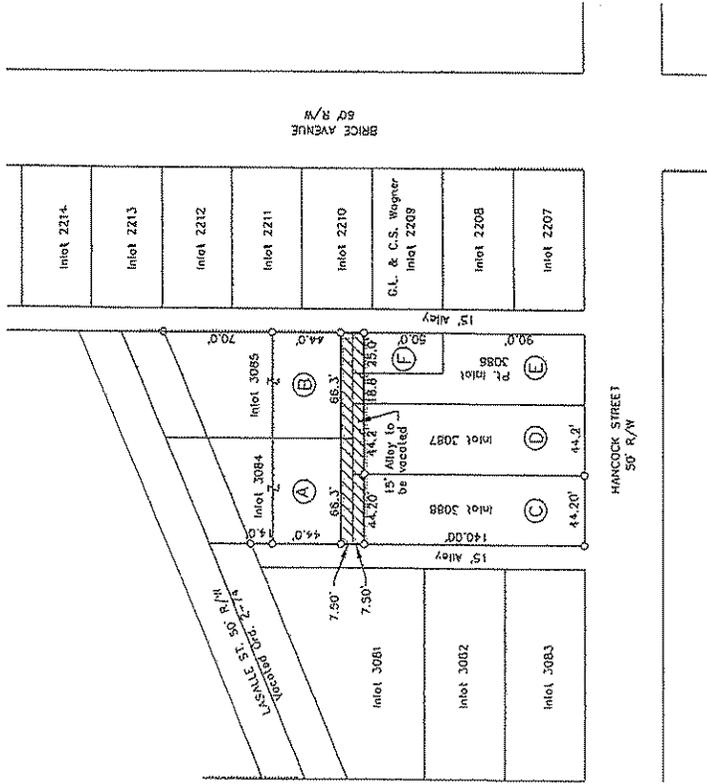


BASIS OF BEARING IS ASSUMED AND IS USED
TO DENOTE ANGULAR MEASUREMENT ONLY.

LEGEND

- STONE
- PK NAIL
- RAILROAD SPIRE
- REBAR OR PIN

Parcel	Owner	Area in Alley
(A)	Dubois J. Kenworthy et. al. D.S. 738 Pg 104	0.011 Ac.
(B)	Dubois J. Kenworthy et. al. D.E. 829 Pg 284	0.011 Ac.
(C)	Yoda L. Ault D.R.V. 108 Pg 823	0.008 Ac.
(D)	Brett A. & Chandra L. Victor D.S. 649 Pg 735	0.008 Ac.
(E)	Brett A. & Chandra L. Victor D.E. 649 Pg 735	0.003 Ac.
(F)	G.L. Wagner et. al.	0.004 Ac.



SURVEY REFERENCES
Miami County Engineer's Record of Lot Surveys
Survey Volume 8 Page 30
Survey Volume 11 Page 19
Survey Volume 12 Page 46
Miami County Engineer's Record of Land Surveys
Survey Volume 53 Page 3
Miami County Recorder's Record Plat Book
Plat Book 2 Page 49
Plat Book 2 Page 103
Plat Book 3 Page 102

This alley vacation plat was created from the above
surveys and deeds and is NOT intended to represent
a field survey.



Larry J. Bill
Professional Surveyor
9626 New Harrison-Broadford Road
Broadford, Ohio 45308
Phone (937) 448-6320
Fax (937) 448-6023

LARRY J. BILL, P.S. #7557
DATE _____



City Commission Agenda Staff Report

Item #4

MEETING DATE	7/3/2012		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution of Intent to Vacate Right-of-Way		
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 checked="" 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-103-12
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> City Engineer		<input checked="" type="checkbox"/> City Planner
BACKGROUND (Includes description, background, and justification)	The petitioner desires to vacate that portion of an unimproved public alley right of way adjacent to Inlots 3084 - 3088.		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	0	
	Expenditure \$:	0	
	Narrative:	The area to be vacated is unimproved and does not appear to be necessary to the intended use of the affected public right-of-way.	
OPTIONS (Include Deny/Approval Option)	1.	Approve the resolution	
	2.	Reject the resolution	
	3.		
	4.		
PROJECT TIMELINE	July 17, 2012 – City Commission: declare intent to vacate August 14, 2012 - Planning Commission: public hearing August 21, 2012 – City Commission: Act on Planning Commission recommendation		
STAFF RECOMMENDATION	Approve the resolution to allow the request to be studied by the Planning Commission		

CITY OF PIQUA, OHIO

APPLICATION FOR VACATION OF PUBLIC RIGHT-OF-WAY

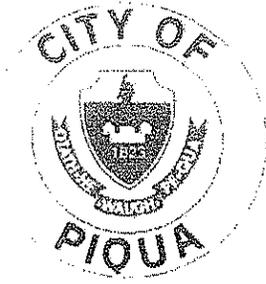
1. Applicant's Name Debra J. Kenworthy Phone # 937 773-0401 cell: 214-6227
 Applicant's Address 620 Brice Ave.
2. Owner's Name Debra J. Kenworthy Phone # 937-773-0401
3. Type of legal interest held by applicant Owner of in lot 3084-3085
4. Location of Public Right-Of-Way Vacation request Alley between Lots 3084 - 3088 REC Bk 2 pg 103
5. Describe the reason for the requested Vacation of Public Right-Of-Way
Resolve Right-of-way issues: Usage, maintenance and safety concerns.
6. Property owners adjacent to Right-Of-Way to be vacated.

NAME	ADDRESS	SIGNATURE
<u>Viola Ault</u>	<u>1014 HANCOCK AVE.</u>	<u>[Signature]</u>
<u>Brett & Chandee</u>	<u>[Blank]</u>	<u>[Signature]</u>
<u>Victor</u>	<u>1010 HANCOCK AVE.</u>	<u>[Signature]</u>
<u>Gerald & Connie Wagner</u>	<u>624 BRICE AVE.</u>	<u>Gerald S. Wagner</u>
<u>[Blank]</u>	<u>628 BRICE AVE.</u>	<u>Constance S. Wagner</u>
<u>Debra J. Kenworthy</u>	<u>620 BRICE AVE.</u>	<u>Debra J. Kenworthy</u>

Signature of Applicant Debra J. Kenworthy Date 5-21-12

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

\$100.00 Fee Paid _____ Date Fee Paid _____
 Receipt No. _____ Res. No. _____



PLANNING AND ZONING

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

July 31, 2012

LEGAL NOTICE

Pursuant to Section 98 of the City of Piqua Charter, notice of the City of Piqua City Commissions' declaration of intent to vacate a portion of platted public alley right of way adjacent to Inlots 3084 – 3088, and notice of the City of Piqua Planning Commission meeting date, time, and location, at which a public hearing will be conducted concerning this matter, said meeting to be held on Tuesday, August 14, 2012 at 6:00 P.M. in the Commission Chambers located on the 2nd floor of the Municipal Government Complex, 201 West Water Street, Piqua, Ohio, is hereby provided.

Contact: Chris Schmiesing
City Planner
(937) 778-2049

PUBLISH: Immediately

RESOLUTION NO. R-117-12

**A RESOLUTION REQUESTING AUTHORIZATION
TO ENTER INTO AN AGREEMENT WITH THE
KANSAS HIGHWAY PATROL FLEET FUND FOR
THE PURCHASE OF TWO FORD CVPI POLICE
PATROL VEHICLES**

WHEREAS, the City of Piqua has budgeted for replacement of police cruisers, and;

WHEREAS, the Piqua Police Department has located two police patrol vehicles previously used by another police department at a reasonable cost based on current market for the vehicle and installed equipment;

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 the Kansas Highway Patrol Fleet Fund, for Ford CVPI Police Patrol Vehicles not to exceed \$31,000.

SEC. 3: The Finance Director is authorized to draw her warrant on the appropriate account of the City treasury in payment for said equipment purchase.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	August 21, 2012			
REPORT TITLE (Should match resolution/ordinance title)	A Resolution Requesting Authorization To Enter Into An Agreement With Kansas Highway Patrol Fleet Fund For The Purchase Of Two Ford Police Cruisers			
SUBMITTED BY	Name & Title: Chief Bruce A. Jamison, CLEE			
	Department: Police			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input 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>During 2012 budget discussion, we presented an option that would allow for replacement of five (5) police cruisers with used police cruisers. This was approved contingent on sufficient general fund revenues by mid-2012. We have determined that expenditure of these budgeted funds would not create hardship, and have begun the planned purchases.</p> <p>Several sources exist for used police cruisers, and we have found that we must be vigilant and prepared to act quickly when desirable equipment appears in the market. We have already purchased one cruiser through the same online government auction website we use to sell equipment and property. We purchased two used police vehicles though a surplus government property email list. Recently, two Ford CVPI's became available from the Kansas State Highway Patrol. Their fleet replacement program retires cruisers at 49,500 miles.</p> <p>Several thousand miles of manufacturers' warranty remains in effect on these vehicles.</p> <p>The officers and staff have been extremely responsible in their use and care of the cruisers to be replaced. They were expected to have been replaced four years ago. In 2007 we abandoned our fleet replacement plan as a temporary measure to cover serious budget shortfalls. Before beginning our 2012 Used Cruiser Fleet Replacement program, 95% of our fleet remained in service beyond expected end-of-life. Only one other city participating in the national ICMA Center for Performance Management (CPM) has a higher percentage of police vehicles in service beyond their expected life.</p> <p>Our maintenance costs per mile on these old vehicles are twice the amount of</p>			

	<p>the goal we set based on CPM averages. Purchase of these used vehicles will result in lower maintenance costs in comparison to the cost of maintaining the cruisers to be taken out of service.</p> <p>The only vehicles replaced since 2008 have been a result of insurance settlements for totaled vehicles. The used cruiser we already purchased will have more mileage than only two other vehicles when it is placed into the fleet. By the time you consider this resolution, one of the used Tahoes you approved to be purchased should be in service. The other should have been received and in the conversion process.</p> <p>A number of our current vehicles are no longer safe for quick emergency responses and are certainly not appropriate for pursuit use. This presents a serious safety hazard to officers and citizens.</p>	
<p>BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</p>	Budgeted \$:	87,000 (purchase and change-over)
	Expenditure \$:	Up to \$31,000
	Source of Funds:	Public Safety Fund – Police - Capital
	Narrative:	This purchase also includes replacement lightbars.
<p>OPTIONS (Include Deny /Approval Option)</p>	1.	Approve the purchase of these two fully equipped Ford Police Patrol Vehicles.
	2.	Deny the purchase and commit staff to search for different police cruiser replacements.
	3.	
	4.	
<p>PROJECT TIMELINE</p>	Within weeks of approval.	
<p>STAFF RECOMMENDATION</p>	Adopt resolution for purchase of the used Ford CVPI's from the Kansas Highway Patrol.	
<p>ATTACHMENTS</p>	None	