

**REGULAR PIQUA CITY COMMISSION MEETING  
TUESDAY, FEBRUARY 19, 2013  
7:30 P.M. – COMMISSION CHAMBER – 2<sup>nd</sup> FLOOR  
201 WEST WATER STREET  
PIQUA, OHIO 45356**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**REGULAR CITY COMMISSION MEETING**

**CONSENT AGENDA**

1. **APPROVAL OF MINUTES**  
Approval of the minutes from the January 10, 2013 Commission Worksession and the February 5, 2013 Regular City Commission Meeting
2. **RES. NO. R-23-13**  
A Resolution appointing a member to the Planning Commission

**OLD BUSINESS**

3. **ORD. NO. 1-3 (3<sup>rd</sup> Reading)**  
An Ordinance amending Chapter 55.31 – Storm Water Fees established of the Piqua Municipal Storm Water Management
4. **ORD. NO. 2-3 (2<sup>nd</sup> Reading)**  
An Ordinance amending Chapter 32, Sections 32.016 and 32.061, of the Piqua Municipal Code to reflect meeting requirements

**NEW BUSINESS**

5. **RES. NO. R-24-13**  
A Resolution to accept the recommended zoning designation concerning the petition for annexation of 0.941+/- acres from Springcreek Township
6. **RES. NO. R-25-13**  
A Resolution to accept a petition for annexation of 0.941+/- acres from Springcreek Township
7. **RES. NO. R-26-13**  
A Resolution authorizing an application to the League of American Bicyclists Bike Friendly Community program
8. **RES. NO. R-27-13**  
A Resolution requesting authorization to enter into an agreement with LBJ Inc. for the Engineering Design services for the CR 25-A Phase III Reconstruction Project
9. **RES. NO. R 28-13**  
A Resolution requesting authorization to apply for Safe Route to school funding for certain infrastructure improvements

**OTHER**

Monthly Reports- December 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**

**COMMISSIONERS COMMENT**

**ADJOURNMENT**

**MINUTES  
PIQUA CITY COMMISSION WORK SESSION  
THURSDAY JANUARY 10, 2013  
7:30 P.M.**

Piqua City Commission met in a City Commission Work Session 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. Present were Commissioners Vogt, Terry, Martin, and Wilson. Absent: None. Also present were: Law Director Stacy Wall, Assistant Finance Director/Assistant City Manager Cynthia Holtzapple, City Planner Chris Schmiesing, Community Development Director Bill Lutz, Chris & Angie Smith, John Cruse, Brad Boehringer, Tom Jenkins, Steve Stiefel, Kevin Pryfogle, Perry Sprowl, Linda Stoudt, Cindy Pearson, Ron Cool, and Beth Royer.

**UPPER MIAMI VALLEY BMX FACILITY**

City Planner Chris Schmiesing stated he wanted to provide the Commissioners with information regarding a request received from Chris and Angie Smith regarding plans for a BMX Park behind Smitty's Bike Shop. This has been reviewed and approved by the Planning Commission.

Chris Smith, 1032 Covington Avenue, gave a brief overview of their plans for the BMX Park. This has become a very fast growing sport with many young children through college age students participating, and is now an Olympic sport. We feel this will be a great asset to the community, stated Mr. Smith.

There was discussion on the days and times for the races and practices, along with the number of people expected to be in attendance. Questions were also raised regarding the size of the track, if the 3 acres the Smiths have would be large enough to accommodate the track, if these are motorized bikes, and if there are any other tracks like this in the area.

Mr. Smith replied races will be held on Saturday evenings, with an average of 500-600 people in attendance, riders will be able to come six days a week to practice, there will not be any motorized bicycles just regular race bicycles, there are several other tracks in Kettering, Brookville, Hamilton, Akron and Columbus, but not any very close, stated Mr. Smith. Mrs. Smith came forward and explained how the races were set up and the type of races.

City Planner Chris Schmiesing stated the issue of parking was raised at the Planning Commission Meeting. Mr. Schmiesing showed a map of the area outlining the area owned by the Smiths. Questions were raised concerning the zoning of the property and if it was zoned to have a BMX Park on that location. Mr. Schmiesing stated the Planning Commission has authorized the BMX Park Special Use of the property. The possibility of bike rentals was also asked, and Mr. Smith stated they hope to provide that in the future. Mayor Fess asked if the neighbors had voiced any complaints. Mr. Smith stated he has not had any complaints, but has had several people tell him they were excited about the BMX Park in Piqua.

City Manager Huff commented this will be good for the City of Piqua. Mayor Fess stated the Smiths are looking for donations from the Community to help get the track up and running as they are working on getting a 501CS designation so donations can be accepted. The approximate cost to build the track is approximately \$70,000 and they have about \$40,000 so far.

Commissioner Wilson inquired as to the parking situation, and the number of spaces they would have available. Mr. Smith mentioned the possibility of parking in the parking lot at the Apostolic Church located at 820 Covington Ave. and having patrons walk up the Bike Path to the BMX Park.

Mayor Fess thinks the BMX Park is a great idea and should move forward with it if possible.

Commissioner Vogt stated he is all for it, and would like to see them get as much parking on their property as possible. The main thing is the parking situation; they are going to have to control that as much as possible, stated Commissioner Vogt.

Commissioner Wilson asked if Mr. Smith has spoken with all of the close neighbors. Mr. Smith replied yes, he has spoken with them and they are in favor of the BMX Park. Commissioner Wilson asked if he has spoken with the neighbor on the east side of them. Mr. Smith stated yes, she came over and he explained what they were planning on doing.

Commissioner Martin stated he is all for the BMX Park.

Commissioner Terry stated she enjoys riding her bike and maybe she will come up and ride on the track. Mrs. Smith stated there are certain rules and regulation that must be met to ride on the track. Their main goal is to provide a membership which will allow qualified participants to ride on the track, and further explained the reasons for this.

Mr. Schmiesing noted that the Planning Commission has approved the BMX Park use and that the next step for the BMX Park approval is for the applicant to apply for a Zoning Permit.

### **Public Comment**

Jim Cruse, Co. Rd. 25A stated he believes it is an excellent project for the City of Piqua at this time.

There was a question regarding the building being built on the site. It was noted that it is just a storage building for the Bike Shop for bicycle storage.

Commissioner Wilson stated regarding the parking issue, if in the future if any land would become available close by would they be interested in purchasing it? Mr. Smith stated yes.

Mayor Fess asked how citizens could help with the fundraising. Mr. Smith passed out a copy of the fundraising sheet they have available.

Mayor Fess stated they have the backing of the City Commission and wished them much success.

A question was raised concerning an open ditch in the rear of the property. Mr. Schmiesing explained.

Mayor Fess stated Smitty's Bike Shop has been in the City of Piqua for over 66 years, and have been in their new location at 1032 Covington Avenue now for over a year.

### **WOOD STREET CBDG PROJECT**

Bill Lutz, Development Program Manager provided a brief update on the on the demolition of 650 Wood Street at the point at Covington Avenue and Wood Street. The plan is to vacate a portion of Wood Street, and provided a brief overview of the plan.

There was discussion of how the traffic would be handled in the area. City Planner Chris Schmiesing explained how they plan to reroute the traffic pattern in the area.

City Manager Huff stated this is just an opportunity to provide information and have discussion on the proposed plans for the area; nothing is set in stone no decision has been made at this meeting. The reason for the change is to improve the flow of traffic through the city, stated City Manager Huff. Mr. Schmiesing stated this is just a conceptual plan at this time, nothing has been decided. Questions were raised about what would happen to the building in the future. City Manager Huff explained how the City received the money, and how the city must follow Federal Guideline in spending the money. Commissioner Wilson asked if they have to decide where the money is to be used at this time. Mr. Lutz explained what they need to do to guarantee the funds.

Cindy Pearson, 701 Wood Street, voiced her concern over the traffic situation at the corner of Wood/Gordon, and Covington streets. Ms. Pearson stated she would like to see Wood Street vacated at this time. Ms. Pearson further stated she is very passionate about her neighborhood and that there are only three houses that would be included in the vacated area on Wood Street.

Mayor Fess thanked Ms. Pearson for her comments and concerns., further stating they all want to see improvements made in that area.

Steve Stiefel, 206 Brentwood, came forward stating he would like to see Wood Street made a cul-del-sac or be used as green space in the future.

Mr. Schmiesing stated the illustration is very general and nothing is set in stone. This project would be similar to what was done on Riverside Drive/Rundle Street area.

Brad Boehringer, 128 Mound Street, voiced his opinion about the vacation at this time and traffic.

City Manager Huff again reminded everyone this is just an informational meeting nothing will be decided at this time.

There was discussion on when this would go to the City Commission for approval and what the next steps will be. City Manager Huff stated he would like to see another work session on this before making any decision. Also discussed were the plans for the building located on the property, and what would happen to the property after the building was removed. Mr. Schmiesing explained what some of the possibilities are. There was also discussion on the zoning of the property, and what the plans were for the property. Questions were raised if there is a need for traffic to go from Gordon Street through to Covington Avenue. Mr. Schmiesing explained.

City Manager Huff stated this is the type of information and input the Commission is looking for.

Mr. Schmiesing invited citizens to attend the Planning Commission meetings in the future for further information.

Tom Jenkins, 1821 Britton Drive voiced his concern about a school bus stop on the corner close to his home. When there is snow the snow is piled up on the corner and the children have no place to stand to wait on the bus. City Manager Huff stated he would look into it.

Jim Cruse, Co Rd. 25A voiced his concern about the sidewalks along Rt. 36 and plowing of the snow up on the sidewalks.

There was discussion on the grant received by the Fire Department, and if there is a possibility of Police Department receiving a similar grant. City Manager Huff explained.

Mayor Fess stated there are so many grants available. The City staff is always on top of applying for any of them we are eligible for, and have received over \$1.5 million in grant funds.

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

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LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday February 5, 2013  
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. Vice Mayor Vogt called the meeting to order. Also present were Commissioners Martin, Terry, and Wilson. Absent: Mayor Fess.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to excuse Mayor Fess from the February 5, 2013 Piqua City Commission Meeting. Voice vote, Aye: Martin, Wilson, Vogt, and Terry. Nay: None. Motion carried unanimously.

**REGULAR CITY COMMISSION MEETING**

**Consent Agenda**

Approval of the minutes from the January 15, 2013 Regular Piqua City Commission Meeting

**RES. NO. R-11-13**

A Resolution accepting the resignation of Denise Uhlenbrock as a member of the Park Board

**RES. NO. R-12-13**

A Resolution reappointing a member to the Miami Valley Regional Planning Commission

**RES. NO. R-14-13**

A Resolution reappointing an alternate member to the Miami Valley Regional Planning Commission

**RES. NO. R-15-13**

A Resolution reappointing an alternate member to the Miami Valley Regional Planning Commission

Moved by Commissioner Martin, seconded by Commissioner Terry, to approve the Consent Agenda. Voice vote, Aye: Wilson, Vogt, Terry, and Martin. Nay: None. Motion carried Unanimously.

**OLD BUSINESS**

**ORD. NO. 30-12 (3<sup>rd</sup> Reading)**

An Ordinance to vacate a portion of public right-of-way

Assistant City Manager/Economic Development Director Bill Murphy explained this property is a platted portion of Downing Street right of way located south of Meteor Street, and is not essential to public transportation. The Planning Commission reviewed this and unanimously approved the vacation of this portion of public right-of-way.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Ordinance No. 30-12 be adopted. Roll call, Aye: Martin, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously.

**ORD. NO. 1-13 (2<sup>nd</sup> Reading)**

An Ordinance amending Chapter 55.31 – Storm Water Fees, established of the Piqua Municipal Storm Water Management

Devon Alexander, Storm Water Coordinator provided a brief overview of the 2013 Storm Water Utility rate, stating they would be raised from \$4.70 to \$5.20 (\$0.50) per ERU and the 2014 Storm Water Utility rate would be raised from \$5.20 to \$5.45 (\$0.25) per ERU. The rate increases will help cut the projected deficits in the Storm Water Budget. Just from the increase that goes into effect in March 2013, the additional revenue would be about \$71,000, stated Mr. Alexander.

**Public Comment**

No one came forward to speak for or against Ordinance No. 1-13.

Ordinance No. 1-13 was given a second reading.

Moved by Commissioner Terry, seconded by Commissioner Wilson, to bring Resolution No. R-157-12 back to the table. Voice vote, Aye: Terry, Wilson, Martin, and Vogt. Nay: None. Motion carried unanimously.

**RES. NO. R-157-12 (Tabled 12-18-2012)**

A Resolution approving a contract with EFACEC/ACS Inc. to design, install and maintain a fiber optic network for supervisory control and data acquisition (SCADA) connectivity to electric substations and other municipal sites

Power System Director Ed Krieger provided several slides and information regarding the new SCADA system and the advantages it will provide to the city, local businesses, and to the future growth within the community.

There was discussion regarding the many advantages to having such a system in Piqua. A single-mode redundant looping will connect the City Hall, Police and Fire Departments, and the IT Department as part of the Phase I design plan. This has been in the planning stages now for several years stated Mr. Krieger, and we are looking forward to having it up and running as soon as possible. The Energy Board unanimously approved this at their January 22, 2013 meeting. It was noted that in the future the city will be able to offer Fiber Optic services to local businesses, and would be used as an Economic Development tool.

**Public Comment**

Joe Drapp, Park Avenue a member of the Energy Board came forward and thanked the City Commission for presenting this to the Energy Board as it was very informative. Mr. Drapp also voiced his approval of the project stating it will be a great asset to the City of Piqua.

John Alexander, Sunset Drive, came forward stating he is a member of the Energy Board and appreciates the Commissions comments, and the great relationship the Power System has with the vendor.

Law Director Stacy Wall asked if the Commission understood what they were voting on and explained the changes that were made.

Commissioner Wilson stated the money is not coming from the General Fund as the money has been saved for this.

Moved by Commissioner Martin, seconded by Commissioner Terry, to amend Resolution R-1857-12 as noted. Voice vote, Aye: Wilson, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-157-12 be adopted. Roll call, Aye: Wilson, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously.

**NEW BUSINESS**

**ORD. NO. 2-13 (1<sup>st</sup> Reading)**

An Ordinance amending Chapter 32, Section 32.016 and 32.061, of the Piqua Municipal Code to reflect meeting requirements

Law Director Stacy Wall explained the current code requirement the Energy and Park Boards to meet even if there is no agenda. This amendment allows for a meeting to be called upon there being business but also sets a minimum standard of meeting once a quarter.

Ordinance No. 2-13 was given a first reading.

**RES. NO. R-15-13**

A Resolution awarding a contract for the purchase of transformers for the Power System

Assistant Power System Director explained that each year the Power System solicits bids to replenish transformer inventory. Bids were received from five vendors and the lowest and best bids were received from Power Line Supply and Emco. Emco was the successful bidder for thirty-six transformers totaling \$121,639. In addition a purchase order will also be issued to Power Line Supply for two Howard transformers in the amount of \$8,450.

**Public Comment**

No one came forward to speak for or against Resolution No. R-15-13

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-15-13 be adopted. Roll call, Aye: Vogt, Terry, Wilson, and Martin, Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-15-13 adopted.

**RES. NO. R-16-13**

A Resolution authorizing a contract with CDM-Smith to perform professional engineering services for a High Rate Treatment System Pilot study at the Wastewater Treatment Plant

Wastewater Treatment Plant Superintendent Dave Davis gave a brief overview of the program stating CDM-Smith will perform Professional Engineering Services along with data collection of information for the BioActiflo pilot testing program at the Wastewater Treatment Plant. Bob Yoxthimer, of CDM-Smith further explained the pilot testing program that is aimed at identifying specific design parameter for approval by the Ohio EPA to allow the City to take advantage of newer technology to treat higher flow rates during wet weather events. The Wastewater Treatment Plant Facility Plan has been recently been verbally approved by the Ohio EPA to perform under high flow conditions, and will also establish acceptable design criteria to meet NPDES permit limits for the Wastewater Plant, stated Mr. Davis.

There was discussion of the various types of rain events that would affect the system and the process they would follow. How they will be able to eliminate the SSO in the future, and the use of river water if needed.

**Public Comment**

No one came forward to speak for or against Resolution No. R-16-13

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-16-13 be adopted. Roll call, Aye: Terry, Wilson, Martin, and Vogt. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-16-13 adopted.

**RES. NO. R-17-13**

A Resolution authorizing a contract with Kruger Inc. to provide a High Rate Treatment Pilot Unit and Operator

Wastewater Treatment Plant Superintendent Dave Davis explained the Ohio EPA has verbally approved the Wastewater System Master Plan to remove the SSO from the Great Miami River. The Ohio EOA requires a Pilot Test to show the abilities of this new technology on our plant flows. The key to this testing is the time of year to acquire enough data to analyze the abilities of the treatment process. The information gathered from the study will also aid the engineers in the design phase of the improvements. This item was included in the 2013 Wastewater Budget and is also covered under the DEFA Planning Loan acquired from OEPA, stated Mr. Davis.

There was discussion of where the unit would be located, and who will operate it. It was noted that the rental cost of the unit includes one operator to man the system. This was also done in Akron, Ohio recently and there are several other cities waiting in line to use the system in the future, stated Mr. Davis.

**Public Comment**

No one came forward to speak for or against Resolution No. R-17-13

Moved by Commissioner Terry, seconded by Commissioner Martin, that Resolution No. R-17-13 be adopted. Roll call, Aye: Wilson, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-17-13 adopted.

**RES. NO. R-18-13**

A Resolution authorizing an Application to the Ohio Department of Natural Resources for Funds from the Recreational Trails Program for the restoration of portions of the Great Miami River Recreational Trail

Assistant City Manager/Economic Development Director Bill Murphy explained the grant will provide \$150,000 for restoration activity on the Great Miami River Recreational Trail on a 2,000 foot section located between Ash and North Main Street. The grant requires a 25% match, meaning the city must commit \$50,000 in funds to the project.

There was discussion of a different way of repairing the trail as it seems to wash out really easily, or the possibility of moving the trail up to higher ground to prevent this in the future. In-kind services were mentioned to help defray some of the repairs costs, and it was noted that in-kind services are being used on the maintenance of the trail.

**Public Comment**

No one came forward to speak for or against Resolution No. R-18-13

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-18-13 be adopted. Roll call, Aye: Martin, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-18-13 adopted.

**RES. NO. R-19-13**

A Resolution authorizing preliminary legislation with the Ohio Department of Transportation (ODOT) for the programming of the Safe Routes to School (SRTS) infrastructure

City Engineer Amy Havenar stated in May of 2012 the City was notified of the award of A Safe Routes to School (SRTS) Grant for construction of infrastructure projects. The projects will consist of infrastructure improvements around the Piqua Junior High School site, Washington Intermediate School site, and the Wilder Intermediate School site. Some of the improvements will consist of new pavement installation markings and signage, installation of ADA compliant curb ramps, replacement of damaged sidewalk and curbs, and construction of a multi-use path to the Junior High School from Looney Road, in addition to various other miscellaneous projects, said Ms. Havenar. As with all project receiving federal funds we are required to program the project with ODOT in order to begin moving forward with the design. The grant application was approved to cover 100% of the estimated costs associated with implementing the proposed improvements. It is anticipated that a consultant will be on board by April of 2013 to begin the design, with construction scheduled for the spring of 2015 stated Ms. Havenar.

There was discussion on the reason for making the infrastructure improvements in the Wilder School area when the school is one of the scheduled ones to be taken down with the building of the new school on Park Avenue in the future. Ms. Havenar explained.

#### **Public Comment**

No one came forward to speak for or against Resolution No. R-19-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-19-13 be adopted. Roll call, Aye: Vogt, Terry, Wilson, and Martin. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution R-19-13 adopted.

#### **RES. NO. R-20-13**

A Resolution awarding a contract to Demmy Sand & Gravel, LLC for the construction of the US Route 36 Water Main Extension Project

City Engineer Amy Havenar stated on January 23, 2013 eleven bids were received and Demmy Sand & Gravel, LLC was the lowest. The project will consist of the installation of approximately 2500 LF of 10-in ductile iron water main piping, including all if the associated valves and fire hydrants, along US Route 36 to the Springcreek School site. The Piqua City Schools will reimburse the City of Piqua for 100% of the project costs. The City will be providing inspection services as an in-kind contribution to the project, stated Ms. Havenar.

There was discussion on the company awarded the contract as to the experience they have on this type project, and if the Commission could have a little more information regarding the bids on this type of project in the future.

#### **Public Comment**

No one came forward to speak for or against Resolution No. R-20-13.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R- 20-13 be adopted. Roll call, Aye: Terry, Wilson, Martin, and Vogt. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-20-13 adopted.

#### **RES. NO. R-21-13**

A Resolution authorizing a purchase order to Piqua Materials, Inc. as a supplier of stone and code patch for the 2013 Street and Alley Maintenance program

City Manager Huff provided a brief overview stating. In January of 2013 the Purchasing Analyst went out for asphalt bids, and on January 22 bids were received with Piqua Materials being awarded the bid.

The City decided to accept the renewal prices offered last year from Piqua Materials on the Stone that is needed annually, but rebid the cold patch and the price was increased slightly. Unfortunately, the Barrett Paving plant is located in Moraine and Valley Asphalt's is located on Dryden Road. It was recommended purchasing all stone and cold patch from Piqua Materials, Inc. due to the close proximity of their plant to the work areas to increase efficiency, stated City Manager Huff.

**Public Comment**

No one came forward to speak for or against Resolution No. R-21-13

Moved by Commissioner Martin, seconded by Commissioner Terry, to approve Resolution No. R-21-13. Roll call, Aye: Wilson, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-21-13 adopted.

**RES. NO. R-22-13**

A Resolution authorizing a purchase order to Barrett Paving Materials, Inc. as the primary supplier and Valley Asphalt Corporation as the secondary supplier of hot mix for the 2013 Street and Alley Maintenance Program

City Manager Huff explained bids were also sent out in January 2013 for asphalt specification and the bids were received on January 22, 2013. The city has had issues over the past few years obtaining the type and amount of asphalt that is needed for a project from the Barrett plant. This happened several time because they produce what the larger contractor need and we have had to delay our project. Also if their plant breaks down, we are at their mercy as to when we can work again. In the past we have purchased asphalt from both Valley Asphalt and Barrett Paving depending on who had the mix available when we needed it. We would like to issue a Purchase Order to both Barrett Paving and Valley Asphalt for the purchase of 402 & 404 asphalt to ensure that the asphalt will be available to the City when it is needed.

There was discussion on providing the necessary paving of the alleys, as the paving program for the alleys has not been done in the last few years. City Manager Huff explained.

**Public Comment**

No one came forward to speak for or against Resolution No. R-22-13.

Moved by Commissioner Wilson, seconded by Commissioner Martin, to approve Resolution No. R-22-13. Roll call, Aye: Martin, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously. Vice Mayor Vogt then declared Resolution No. R-22-13 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**

City Manager Huff stated they are moving forward with the Moving Ohio Forward Program and have identified ten structures that will be demolished with the State Funding. They include: 1000 S. Roosevelt, 1210 S. Roosevelt, 1214 S. Roosevelt, 114 Cassel Street, 1411 Edge Street, 622 First Street, 507 Gray Street, 529 W. Water Street, 707 McKinley Avenue, and 514 Spring Street.

City Manager Huff announced the Ribbon Cutting for the Piqua Skate Park has been rescheduled for March 9<sup>th</sup> 2013 at 11:00 A.M. They are hoping to have good weather for the ribbon cutting, and to show appreciation to Rich Donnelly for making this valuable contribution to the community, stated City Manager Huff.

City Manager Huff stated he is very proud to announce the City of Piqua was awarded one of the 2013 Top Work Places in the Dayton area by the Dayton Business Journal. This award is very significant as it is a result of how the city employees rated the City on things such as leadership; ethics; communication; and training benefits which reflects the great attitude that the city employees have. This is particularly meaningful since we received the award simply because our employees rated us so highly, and we are very proud of this, stated City Manager Huff.

#### **Economic Development Update**

Assistant City Manager/Economic Development Director Bill Murphy provided a brief year-end report on Economic Development activities for 2012. Mr. Murphy also provided information on the 2013 Grow Piqua Now Work Plan.

#### **Commissioners Comment**

Commissioner Wilson stated the Chamber of Commerce distributed the new Quality of Life brochure recently commenting on the information provided. The brochure showed all of the great things about living in the Piqua area, as we do not always appreciate the things we have, stated Commissioner Wilson.

Commissioner Wilson commented he stopped in at Mulligan's Pub on Saturday evening and was very pleased with everything, and further stating he has only heard great things about the new facility. One of the things to look at when you are in Mulligan's is the ceiling as it is very ornate and original, so when you are in there look up, stated Commissioner Wilson.

Commissioner Terry stated she was at Mulligan's Saturday evening and also had a good experience. Commissioner Terry encouraged citizens to patronize Mulligan's Pub and the new Buffalo Wings & Rings coming soon.

Commissioner Terry congratulated Dan Ramer on receiving the Order of George Award recently.

Commissioner Vogt stated he stopped in at Mulligan's Pub before it opened and spoke with the Chef who is very pleased with the restaurant, and has a lot of good ideas for the future. Commissioner Vogt encouraged citizens to stop in and patronize Mulligan's.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adjourn from the Regular Piqua City Commission Meeting at 8:45 P.M. Voice vote, Aye: Martin, Terry, Wilson, and Vogt. Nay: None. Motion carried unanimously.

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WILLIAM D. VOGT, VICE MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-23-13**

**A RESOLUTION APPOINTING A MEMBER  
TO THE PLANNING COMMISSION**

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

SEC. 1: Gary Koenig is hereby appointed to fill the unexpired term of L. Jean Franz as a member of the Planning Commission for a term to expire on March 5, 2014 or until his successor is confirmed and qualified;

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

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LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

ORDINANCE NO. 1-13

AN ORDINANCE AMENDING CHAPTER 55.31 – STORM WATER FEES ESTABLISHED OF THE PIQUA MUNICIPAL STORM WATER MANAGEMENT.

WHEREAS, the raising the storm water utility ERU monthly fee will allow for additional revenue to help cover deficits forecasted in the annual budget.

WHEREAS, the storm water department will be able to start preventative maintenance to the storm water infrastructure within the city.

WHEREAS, the additional funding will relieve the need to secure funding sources from other areas for storm water capital projects.

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:

SECTION 1: That the City of Piqua hereby amends Chapter 55.31 of the Piqua Municipal Storm Water Code as set forth below: (deleted language is indicated by strikethrough and proposed language is underlined)

**§55.31 FEES ESTABLISHED.**

(A) Subject to the provisions of this chapter, each and every owner and/or operator of residentially developed property and non-residential developed property shall have imposed upon them a storm water user fee. The storm water user fee shall be a monthly service charge and shall be determined by the provisions of this chapter and the applicable equivalent residential unit (ERU) and ERU rate established hereunder, which provisions may be amended from time to time in accordance with the provisions of this chapter or by resolution of the Commission. The established rate shall be contained within the Storm water Management User Fee Policy. Effective with the initiation of the Storm water Utility, one (1) ERU is equivalent to ~~\$4.70~~ Effective March 1, 2013 the Storm Water Utility rate of (1) ERU is equivalent to \$5.20 or up to 5,400 square feet for the remaining period of 2013. Effective January, 1 2014, the effective Storm water Utility rate will be, one (1) ERU is equivalent to ~~\$5.20~~ \$5.45 or up to 5,400 square feet for the year 2014, and will remain at those rate till further review.

1<sup>st</sup> Reading 1-15-2013  
2<sup>nd</sup> Reading 2-05-2013

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



# Commission Agenda Staff Report

<b>MEETING DATE</b>	February 19, 2013		
<b>REPORT TITLE</b> (Should match resolution/ordinance title)	A Ordinance to raise the Storm Water utility rate for 2013 and 2014		
<b>SUBMITTED BY</b>	Name & Title: Devon Alexander, Storm Water Coordinator		
	Department: Storm Water		
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
<b>APPROVALS/REVIEWS</b>	<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:
<b>BACKGROUND</b> (Includes description, background, and justification)	Per the request of the City of Piqua Commission, we would like to raise the 2013 Storm Water utility rate from \$4.70 to \$5.20 (\$0.50) per ERU, and to raise the 2014 Storm Water utility rate from \$5.20 to \$5.45 (\$0.25) per ERU. The rate increase will help cut projected deficits in the Storm Water Budget. From March 2013 the additional revenue would be about \$71,000.		
<b>BUDGETING AND FINANCIAL IMPACT</b> (Includes project costs and funding sources)	Budgeted \$:		
	Expenditure \$:		
	Source of Funds:		
	<b>Narrative:</b>		
<b>OPTIONS</b> (Include Deny /Approval Option)	1.	Approve the Ordinance for the rate increase	
	2.	Recommend other sources to raise storm water revenue	
	3.	Reject the Ordinance for the rate increase	
	4.		
<b>PROJECT TIMELINE</b>	New rates would go into effect the first billing cycle of March 2013.		
<b>STAFF RECOMMENDATION</b>	Storm Water Coordinator Devon Alexander recommends that the Ordinance to increase the Storm Water rates be approved.		
<b>ATTACHMENTS</b>	Projected Revenue Charts for 2013 and 2014		

Currently our revenue is right around \$800,000. In 2013 we are facing roughly a \$400,000 deficit in the storm water budget. The reason for the deficit is due to our Capital improvement schedule for street rebuilds.

If the raise in the rate would pass it would allow for a little less tension in the budget, and would allow us to start to focus on preventative maintenance to the storm water infrastructure. We will also continue to strive to obtain any state or federal grant funding annually, even though there is no guarantee on the amount or if we would qualify.

Purposed Rate Increase

2 Year Revenue Chart	New Annual Revenues
2013 (\$0.50)	\$885,000.00
2014 (\$0.25)	\$927,500.00

**ORDINANCE NO. 2-3**

**AN ORDINANCE AMENDING CHAPTER 32, SECTIONS 32.016 AND 32.061, OF THE PIQUA MUNICIPAL CODE TO REFLECT MEETING REQUIREMENTS**

WHEREAS, the City of Piqua Municipal Code Chapter 32 regulates the rules and procedures of Boards and Commissions; and

WHEREAS, the City of Piqua Municipal Code requires the Energy Board to meet at least once a month;

WHEREAS, the City of Piqua Municipal Code requires the Public Park Board to meet at least 12 times per year; and

WHEREAS, it should be the discretion of the Board to call a meeting upon there being business to conduct.

NOW, THEREFORE, BE IT ORDAINED by the Piqua City Commission, a majority of its members concurring, that:

SECTION 1. The City of Piqua hereby amends Chapter 32 of the Piqua Municipal Code as set forth below (proposed language is underlined and language to be deleted is struck):

**§ 32.001 ESTABLISHMENT; MEMBERSHIP.**

(A)(1) There is established a City Planning Commission.

(2) The Commission shall have seven members, consisting of the City Manager (ex-officio), City Engineer (ex-officio), and five citizens of the city to be appointed by this Commission in accordance with Section 94 of the Charter.

(B) The citizen members of the Planning Commission shall be appointed by this Commission, by motion, for the terms provided by the Charter of the city. Vacancies in the Planning Commission, caused by removal from the city or a refusal or inability to serve, shall be filled by appointment for the unexpired term in the office in which the vacancy occurred.

(C) The members of the Planning Commission shall have the qualifications and be vested with the powers as provided in Section 94 of the Charter.

**§ 32.002 PROCEDURES.**

A majority of the voting members appointed to the Planning Commission shall constitute a quorum to do business. The affirmative vote of a majority of the voting members appointed to the Planning Commission shall be necessary to adopt any resolution. However, in the absence of a quorum, a vote to adjourn may be adopted by a majority of the members present, and, by a

majority of members present, the Commission may vote to hold the roll open for a period not to exceed ten days, to allow absent members to cast a written ballot.

## **ENERGY BOARD**

### **§ 32.015 ESTABLISHMENT; MEMBERSHIP.**

(A) There is created the City Energy Board, composed of up to 12 members, two of which shall be City Commission members, and up to ten who shall be and remain residents of the city, and shall be appointed, or removed, at the pleasure of the City Commission. The members of the Board shall serve without compensation, except Board members may be reimbursed for expenses incurred while carrying out their duties as Board members, and they shall serve for five years, except that two of the original appointments shall be for one year, one shall be for two years, two shall be for three years, one shall be for four years, and two shall be for five years respectively. The term of appointment for the two City Commission members shall be for two years, to terminate and begin when the City Commission reorganizes as specified by the Charter. Vacancies, whether by resignation, removal, or otherwise, shall be filled in the usual manner by the City Commission for the remainder of the term. No citizen shall be eligible for appointment herein who is an employee of the city. No member of the Energy Board shall have financial interest or hold any position with any private organization active as, or serving citizens of the state, as a public or quasi-public energy-related utility during his or her term. The person shall profess belief in the desirability of municipal utility ownership and operation.

(B) The citizens proposed for appointment shall be considered on their ability and educational level in the fields of engineering, accounting, administration, and management; or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities thereof.

### **§ 32.016 MEETINGS.**

The Energy Board shall ~~establish rules of procedure to conduct meetings held at least once each month~~ meet upon there being business to discuss, but no less than once a quarter. All meetings of the Board shall be announced in advance and open to the public. The members shall elect a Chairperson and a Vice-Chairperson annually. An election of officers of the Board shall be held at the first regular meeting at which all members are present following the appointment of a new Board member for a full term, but not later than the second meeting following the appointment. No Board member shall serve as Chairperson for more than three consecutive years. The Power System Director shall cause the records of the Board to be prepared and preserved, and shall be required to attend all meetings of the Board. Every meeting of the Board shall have at least five members in attendance to constitute a quorum, and all official actions of the Board shall require a majority vote of the members of the full Board.

## **§ 32.017 DUTIES.**

(A) The Board shall consult with and advise the City Commission on the operation, management, and control of the municipal power or energy systems, including the operations, maintenance, and distribution divisions thereof, and other related energy matters. Recommendations made by the Board may relate to the following.

- (1) Expenditures, revenues, and charges to the power or energy systems.
- (2) Annual budget and appropriation ordinances in relation to the power or energy systems.
- (3) Relevant power or energy systems bond ordinances.
- (4) Capital improvements and expansion plans for the power or energy systems.
- (5) Utility rates of the power or energy systems.
- (6) Efficient management and use of the power of energy systems and the rules and regulations thereof, including accounting and collection.
- (7) Any energy-related issue the Board may deem pertinent to the energy concerns and operations within the jurisdiction of the city.

(B) All actions, functions, and responsibilities of the Energy Board are to be directed generally to those actions, functions, and responsibilities described above, and shall not be inconsistent with the legal requirements of the Charter, state laws, or other regulatory agencies having jurisdiction. The adopted recommendations of the Energy Board shall not be binding, but shall be given priority consideration by the City Commission. All policies or administrative policy pertaining to divisions (1) through (7) above shall first be referred to the Energy Board for their recommendations before being considered by the City Commission. The Board shall submit an annual report on their observations and conclusions in relation to the operation, management, and control of the municipal power or energy systems. The Board shall tour the physical facilities of the municipal power or energy systems not less than once each year and include findings of same in their annual report.

(C) The City Manager, the Law Director, and the Finance Director shall, upon the Board's request, supply assistance and information and assist the Board in administrative, legal, and financial aspects of the Board's recommendations and areas of responsibility.

# **BOARD OF HEALTH**

## **§ 32.030 ESTABLISHMENT; MEMBERSHIP.**

(A) There is established and created a Board of Health for the municipal health district constituted by the city, as the boundaries of the city now exist or as hereafter may be extended.

(B) The Board of Health shall be composed of five members, who shall be the members of the City Commission, and shall hold office as City Commissioners, and who shall serve without compensation, and a majority of whom shall constitute a quorum at any meeting. The Mayor shall be the President of the Board of Health by virtue of his or her office. The terms of office of the members of the Board of Health shall be determined by their term of office as City Commissioner.

## **§ 32.031 POWERS.**

The Board of Health shall have such powers as are granted by of *Ohio Revised Code* and shall also make any other orders, rules and regulations as deemed necessary for the prevention of diseases, for the benefit of public health and the prevention, abatement or suppression of nuisances. Orders, rules and regulations made by the Board of Health shall have the same force and effect as ordinances of the city, as provided by R.C. § 3709.20, and any person who violates or fails to comply with any such orders, rules or regulations shall be subject to the penalties provided by R.C. §§ 3707.48 to 3707.53, inclusive, and R.C. § 3707.99. The Board of Health shall also have the power to assess the cost and expenses for the prevention, abatement and suppression of nuisances, and to certify the cost and expenses to the County Auditor to become a lien against the property so assessed, and to compel proprietors and owners, agents, assignees, occupants or tenants, of the lot or property, house or building, upon or in which the nuisances may be, to abate and remove the same.

## **§ 32.032 HEALTH COMMISSIONER.**

There is hereby created the office of Health Commissioner who, by virtue of his or her office, shall be the City Manager, and shall be responsible to the City Commission, and shall have the powers and duties created by law and by the *Ohio Revised Code*, the city Charter and the ordinances and resolutions of the city and the Board of Health, and shall be charged with the administration and execution of all matters pertaining to public health and the abatement, suppression and removal of nuisances.

## **§ 32.033 PUBLIC HEALTH OFFICERS.**

(A) There is created the office of Clerk to the Health Commissioner, who shall be appointed by the City Manager and shall perform any duties as ordered by the Health Commissioner, and shall have such powers as may be delegated to the holder of this office by the Health Commissioner.

(B) There is created the office of Public Health Nurse, who shall be appointed by the City Manager and shall perform any duties as ordered by the Health Commissioner, and shall have powers as may be delegated to the holder of this office by the Health Commissioner.

(C) There is created the office of Sanitarian, who shall be appointed by the City Manager and shall perform any duties as ordered by the Health Commissioner, and shall have powers as may be delegated to the holder of this office by the Health Commission.

### **§ 32.034 ENVIRONMENTAL HEALTH AND SAFETY DIRECTOR.**

There is created the office of Environmental Health and Safety Director, appointed by the City Manager, and he or she shall perform duties as ordered by the Health Commissioner, and shall have powers as may be delegated to the holder of this office by the Health Commission.

## **RECORDS COMMISSION**

### **§ 32.050 CITY RECORDS COMMISSION.**

(A) There is created a Records Commission composed of the City Manager or his or her appointed representative, as Chairperson, the Finance Director, the Law Director, and a citizen appointed by the City Manager. The Commission shall appoint a Secretary, who may or may not be a member of the Commission, and who shall serve at the pleasure of the Commission. The Commission may employ an Archivist to serve under its direction. The Commission shall meet at least once every six months, and upon call of the Chairperson.

(B) The functions of the Commission shall be to provide rules for retention and disposal of records of the municipal corporation and to review applications for one-time records disposal and schedules of record retention and disposition submitted by municipal offices. Records may be disposed of by the Commission pursuant to the procedure outlined in this section. The Commission may at any time review any schedule it has previously approved, and for good cause shown, may revise that schedule.

(C) When municipal records have been approved for disposal, a list of the records shall be sent to the Auditor of State. If he or she disapproves of the action by the Records Commission, in whole or in part, he or she shall so inform the Commission within a period of 60 days, and these records shall not be destroyed. Before public records are disposed of, the Ohio Historical Society shall be informed and given the opportunity for a period of 60 days to select for its custody any public records it considers to be of continuing historical value.

## **PUBLIC PARK BOARD**

### **§ 32.060 ESTABLISHMENT; MEMBERSHIP.**

(A) There is created a Public Park Board.

(B) The Park Board shall consist of nine members, which members shall be legal residents of the city, and shall be appointed by the Mayor, which appointments shall be confirmed and ratified by the City Commission, and who shall serve without compensation for a period of five years, and shall be appointed in the first instance to serve one, two, three, four, and five years, respectively, and thereafter their successors shall be appointed to each serve for a term of five years.

(C) Vacancies caused by death, resignation, or otherwise shall be filled in the regular manner for the remainder of the term.

(D) If any member to the Board shall cease, during a term for which he or she is appointed, to be a legal resident and citizen of the city, then his or her appointment to this Board shall be terminated as of the date of his or her change of residence, and the Commission shall proceed forthwith to appoint a new member to that Board.

### **§ 32.061 MEETINGS.**

The Board shall ~~hold meetings at least 12 times a year~~ meet upon there being business to discuss, but no less than once a quarter, and shall adopt rules and regulations for the conduct of its meetings. It shall keep a complete record of its proceedings, and yeas and nays shall be collected on the passage of its resolutions or orders. Five members of the Board shall constitute a quorum for the transaction of business, but no resolution or order shall be adopted unless five members vote in its favor. The Board shall select one of its members as Chairperson and one as Clerk, who shall receive no compensation for services.

### **§ 32.062 DUTIES.**

(A) The duties of the Board shall consist generally of inspecting city public parks and playgrounds, and making recommendations and suggestions to the City Manager for the equipping, managing, controlling, or maintaining thereof. The Board may also recommend rules and regulations for the public use of parks, which rules and regulations must be adopted by the City Commission to take effect. They shall make effective the provisions of this subchapter.

(B) On the first Monday in each year, the Board shall make a written report to the City Commission on its proceedings, and shall at the same time submit to the Commission its suggestions for the proper operation, maintenance, and use of the public parks and playgrounds.

## **TREE COMMITTEE**

### **§ 32.075 ESTABLISHMENT; MEMBERSHIP.**

(A) There is created and established in the city a Tree Committee, which shall consist of not less than five nor more than seven members, including the City Manager, who shall be a non-voting member, one member of the City Commission, and not less than three nor more than five members who shall be citizens and residents of the city.

(B) The Mayor shall appoint the voting members of the Tree Committee with the advice and consent of the City Commission.

(C) Members of the Tree Committee shall serve without compensation.

**§ 32.076 TERM.**

The term of office of the citizen members of the Tree Committee shall be four years, except that citizen members may be appointed by resolution to a lesser term in order to prevent more than two terms from expiring in the same year. The City Commission members shall be appointed for a period not to exceed four years, and shall terminate automatically should the member cease to be a member of the City Commission during his or her term on the Tree Committee.

**§ 32.077 POWERS AND DUTIES**

The Tree Committee shall have the power to study, investigate, plan, advise, report, and recommend to the City Manager and the various departments of the city any action, program, plan, or legislation which the Committee shall determine to be necessary or advisable for the care, preservation, trimming, planting, replanting, removal, or disposition of trees or shrubs in the public ways, streets, alleys, and upon properties owned, leased, or in any manner controlled by the city.

SECTION 2. All other Sections of Chapter 32 of the Piqua Municipal Code not amended herein shall remain in effect as is.

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

**1<sup>st</sup> Reading 2-05-2013**

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LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CITY COMMISSION CLERK



# Commission Agenda Staff Report

<b>MEETING DATE</b>	February 19, 2013		
<b>REPORT TITLE</b> (Should match resolution/ordinance title)	<b>AN ORDINANCE AMENDING CHAPTER 32, SECTIONS 32.016 AND 32.061, OF THE PIQUA MUNICIPAL CODE TO REFLECT MEETING REQUIREMENTS</b>		
<b>SUBMITTED BY</b>	Name & Title: Stacy Wall		
	Department: Law		
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
<b>APPROVALS/REVIEWS</b>	<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 checked="" type="checkbox"/> Department Director;		<input type="checkbox"/> Other:
<b>BACKGROUND</b> (Includes description, background, and justification)	The current code requirements require the Energy and Park Boards to meet even if there is no agenda. This amendment allows for a meeting to be called upon there being business but also sets a minimum standard of meeting once a quarter.		
<b>BUDGETING AND FINANCIAL IMPACT</b> (Includes project costs and funding sources)	Budgeted \$:	N/A	
	Expenditure \$:	N/A	
	Source of Funds:		
	<b>Narrative:</b>		
<b>OPTIONS</b> (Include Deny /Approval Option)	1.	Approve the Ordinance	
	2.	Not approve the ordinance	
	3.	Suggest an amendment	
	4.		
<b>PROJECT TIMELINE</b>	Three readings – no emergency		
<b>STAFF RECOMMENDATION</b>	Staff recommends the adoption of the ordinance to allow for board discretion to set its meeting dates.		
<b>ATTACHMENTS</b>	None		

**RESOLUTION NO. R- 24 -13**

**A RESOLUTION TO ACCEPT THE RECOMMENDED ZONING DESIGNATION CONCERNING THE PETITION FOR ANNEXATION OF 0.941+/- ACRES FROM SPRINGCREEK TOWNSHIP**

WHEREAS, the Clerk of Commission accepted for filing the certified transcript, accompanying plat and petition now before this Commission; and

WHEREAS, the legal description of the real property sought to be annexed to the City is set forth in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission, in accordance with section 154.141 of the City of Piqua Code of Ordinances has conducted a public hearing to study the above described territory and recommended a B General Business District zoning designation for the subject property upon annexation of the territory into the City of Piqua;

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

SEC. 1: The B-General Business District zoning designation for the above-described real property, upon annexation of the property into the City of Piqua, Ohio, is hereby established;

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

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



# Commission Agenda Staff Report

Item# 5

<b>MEETING DATE</b>	February 19, 2013		
<b>REPORT TITLE</b>	A RESOLUTION TO ACCEPT THE RECOMMENDED ZONING DESIGNATION CONCERNING THE PETITION FOR ANNEXATION OF 0.941+/- ACRES FROM SPRINGCREEK TOWNSHIP		
<b>SUBMITTED BY</b>	Chris Schmiesing, City Planner		
	Development Department		
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
<b>APPROVALS/REVIEWS</b>	<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 checked="" type="checkbox"/> City Planner		<input checked="" type="checkbox"/> Planning Commission
<b>BACKGROUND</b> (Description, background, justification)	<p>In response to the petition for annexation of the property located at 8090 Looney Road the Planning Commission has held a public hearing to study the territory and recommend an appropriate zoning designation of the property upon annexation. With reference to the zoning designation and characteristics of the surrounding properties, the historical use of the subject location, the current Miami County industrial zoning of the property, and the land use plan included in the Plan It Piqua 2007 Comprehensive Plan Update, the Planning Commission recommended a zoning of B General Business District be designated for the subject property upon annexation of the territory into the City of Piqua. It is now necessary for the City Commission to accept or reject the recommendation.</p>		
<b>BUDGET/FINANCIAL IMPACT</b> (Project costs and funding sources)	Budgeted \$:	0	
	Expenditure \$:	0	
	Source of Funds:	N/A	
	Narrative:	The continued commercial use of the property will generate moderate tax revenues receivable by the City of Piqua.	
<b>OPTIONS</b> (Include deny /approval option)	1.	Adopt the resolution to accept the recommended zoning designation.	
	2.	Deny the resolution to reject the recommended zoning designation.	
<b>PROJECT TIMELINE</b>	Nov 2012 – The owner files an Expedited Type I Annexation Petition with		

	<p>the Miami County Board of Commissioners.</p> <p>Dec 2012 – Miami County Board of Commission accepts annexation.</p> <p>Dec 2012 – City of Piqua Clerk of Commission receives annexation petition (60 days required to expire prior to the municipality acting on a resolution to accept or reject the annexation).</p> <p>Feb 12, 2013 – Planning Commission recommend appropriate zoning (staff has recommended B General Business zoning designation).</p> <p>Feb 19, 2013 – Annexation petition and recommended zoning to be presented to City Commission.</p>
<b>STAFF RECOMMENDATION</b>	Approve the resolution.
<b>ATTACHMENTS</b>	Copy of the City of Piqua and Miami County zoning maps.

Exhibit 'A'

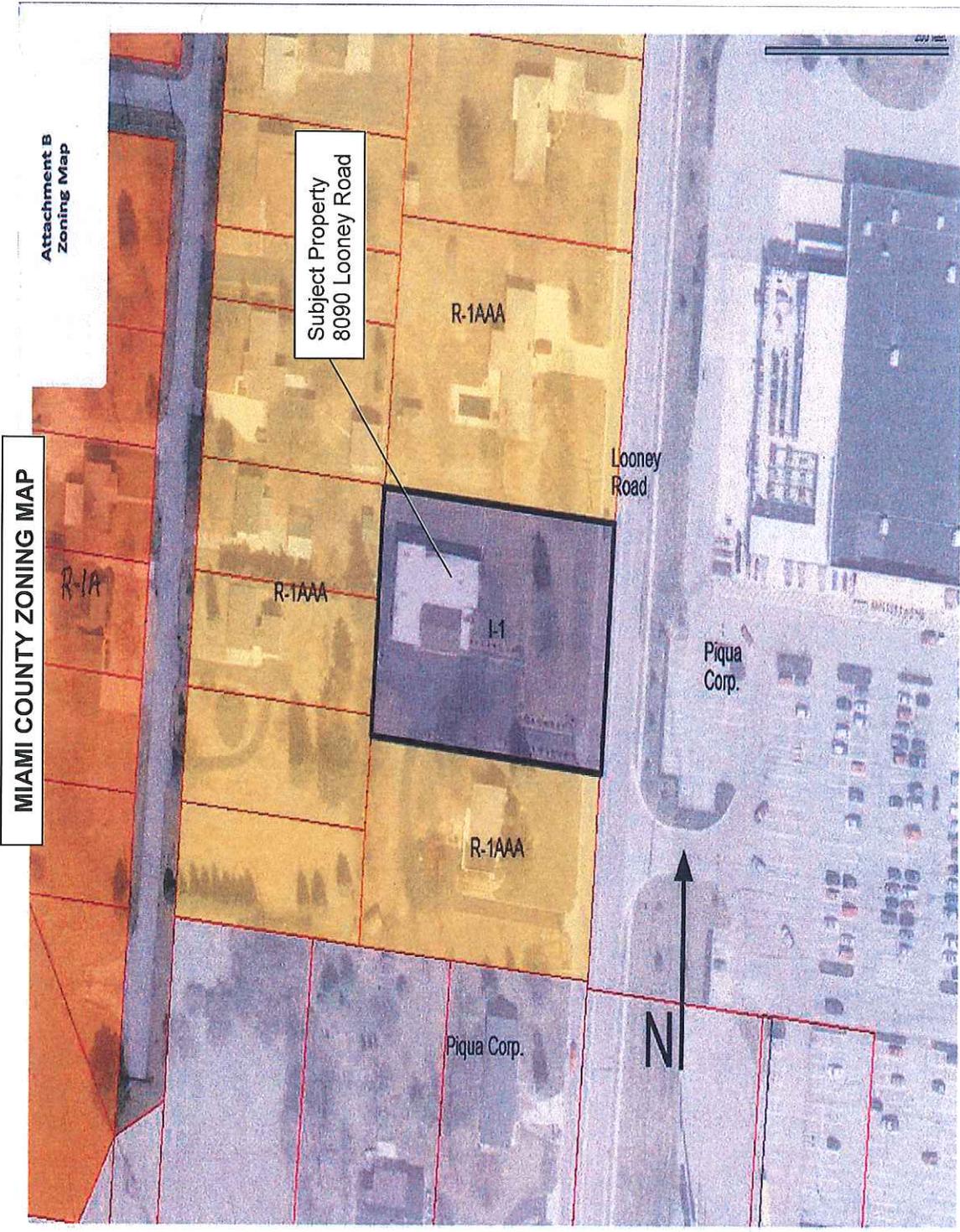


Exhibit 'A'



**RESOLUTION NO. R- 25-13**

**A RESOLUTION TO ACCEPT A PETITION FOR ANNEXATION OF 0.941+/-  
ACRES FROM SPRINGCREEK TOWNSHIP**

WHEREAS, more than sixty (60) days have expired since the Clerk of Commission accepted for filing the certified transcript, accompanying plat and petition now before this Commission; and

WHEREAS, these proceedings and submissions are all in full compliance with Chapter 709 of the Revised Code; and

WHEREAS, the legal description of the real property sought to be annexed to the City is set forth in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the above described territory is adjacent to and contiguous with the City of Piqua;

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

SEC. 1: The application for annexation of the above-described real property to the City of Piqua, Ohio, is hereby approved;

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

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



# Commission Agenda Staff Report

Item# 6

<b>MEETING DATE</b>	February 19, 2013		
<b>REPORT TITLE</b>	A RESOLUTION TO ACCEPT A PETITION FOR ANNEXATION OF 0.941+/- ACRES FROM SPRINGCREEK TOWNSHIP		
<b>SUBMITTED BY</b>	Chris Schmiesing, City Planner		
	Development Department		
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
<b>APPROVALS/REVIEWS</b>	<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 checked="" type="checkbox"/> City Planner	<input type="checkbox"/> Planning Commission	
<b>BACKGROUND</b> (Description, background, justification)	<p>In response to OEPA orders concerning septic system deficiencies at the subject property, the property owner executed an annexation agreement with the City of Piqua to secure permission to tie into the municipal water and sewer systems. The terms and conditions of the annexation agreement require the property owner to initiate annexation proceedings for the subject property within 180 days from the date the agreement was executed by the property owner and the city (included with Exhibit A). Springcreek Township Trustees have consented to the requested annexation by formally approving the annexation agreement. The owner has filed an Expedited Type I Annexation Petition with Miami County and the Board of Commissioners has accepted the annexation petition and forwarded the certified action on the matter to the City of Piqua Clerk of Commission. The City of Piqua Clerk of Commission has received the document and provided for the statutory 60 day wait period. It is now necessary for the City Commission to accept or reject the annexation petition.</p>		
<b>BUDGET/FINANCIAL IMPACT</b> (Project costs and funding sources)	Budgeted \$:	0	
	Expenditure \$:	0	
	Source of Funds:	N/A	
	Narrative:	The connection of this property to city utilities will generate moderate monthly revenue in the form of user fees.	
<b>OPTIONS</b> (Include deny /approval option)	1.	Adopt the resolution to accept the petition for annexation.	
	2.	Deny the resolution to reject the petition for annexation.	

<b>PROJECT TIMELINE</b>	<p>Oct 2012 – Owner executes annexation agreement with City of Piqua.</p> <p>Nov 2012 – Owner receives Springcreek Township Trustees formal support of the annexation agreement.</p> <p>Nov 2012 – The owner files an Expedited Type I Annexation Petition with the Miami County Board of Commissioners.</p> <p>Dec 2012 – Miami County Board of Commission accepts annexation.</p> <p>Dec 2012 – City of Piqua Clerk of Commission receives annexation petition (60 days required to expire prior to the municipality acting on a resolution to accept or reject the annexation).</p> <p>Feb 12, 2013 – Planning Commission recommend appropriate zoning (staff has recommended B General Business zoning designation).</p> <p>Feb 19, 2013 – Annexation petition to be presented to City Commission.</p>
<b>STAFF RECOMMENDATION</b>	Approve the resolution.
<b>ATTACHMENTS</b>	Certified petition for annexation proceedings.



OFFICE OF  
COMMISSIONERS OF MIAMI COUNTY

SAFETY BUILDING, 201 W. MAIN ST., Troy, Ohio 45373-2363

John F. Evans  
Commissioner

John W. O'Brien  
Commissioner

Richard L. Cultice  
Commissioner

Leigh M. Williams  
Clerk/Commissioners' Administrator

CERTIFICATION

ANNEXATION TO THE CITY OF PIQUA, OHIO  
OF 0.941 ACRES MORE OR LESS  
FROM SPRINGCREEK TOWNSHIP

The Board of Miami County Commissioners does hereby certify the attached petition with the accompanying plat map are true and correct copies filed in these proceedings.

PETITION

- Exhibit A – Annexation Plat/Map
- Exhibit B – Legal Description
- Exhibit C – Parcels Included in Annexation Petition
- Exhibit D – Parcels Adjacent to Land to be Annexed
- Annexation Agreement between the City of Piqua, Ohio and the Board of Trustees of Springcreek Township, Miami County, Ohio

ENGINEER'S LETTER

RESOLUTION ACCEPTING PETITION AND APPROVING ANNEXATION  
(Resolution No. 12-12-1647)

These copies are true and correct transcripts of action taken by the Board:

MIAMI COUNTY COMMISSIONERS:

DATED: December 4, 2012

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

Leigh M. Williams, Clerk

PETITION FOR ANNEXATION  
(Section 709.02 ORC)

PETITION BY OWNER OF REAL ESTATE CONSISTING OF 0.941 ACRES AND LOCATED IN SPRINGCREEK TOWNSHIP SECTION 25, TOWN 1, RANGE 12 EAST, COUNTY OF MIAMI, STATE OF OHIO FOR ANNEXATION TO THE CITY OF PIQUA, OHIO.

RECEIVED  
12 NOV 30 PM 1:22  
MIAMI COUNTY  
COMMISSIONERS  
TROY, OHIO

To the Board of Commissioners,  
Miami County, State of Ohio

The undersigned, whose signatures appear on the attached pages, being all of the owners of real estate in the following described territory, situated in the Township of Springcreek, County of Miami, and adjacent to the City of Piqua, to-wit:

See EXHIBIT "B", attached to Petition, containing a full description of the territory

respectfully petition that the said described territory may be annexed to the City of Piqua. The number of owners in the territory sought to be annexed is two (2).

A list of those parcels included in the Petition for Annexation and containing the owners' names, addresses, and amount of acreage or lot designations are included in Exhibit "C" to this Petition.

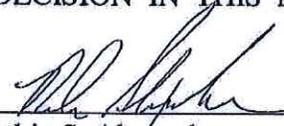
A list of those parcels adjacent to the territory included in the Petition for Annexation and containing the owners' names, addresses, and amount of acreage or lot designations are included in Exhibit "D" to this Petition.

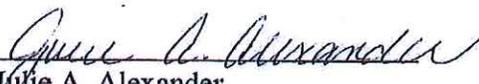
Dale G. Davis, McCulloch, Felger, Fite & Gutmann Co., LPA., 123 Market Street, Piqua, Ohio. 45356, 937-773-3212, is hereby authorized to act as agent of the Petitioner in securing such annexation as required by ORC 709.02, with full power and authority hereby granted to said agent to amend, attest, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion, or other things or action for the granting of this Petition shall be made in the Petition, description and/or plat by said agent without further expressed consent of the Petitioner.

A map describing the territory submitted for annexation to the City of Piqua is submitted herewith and made a part of this Petition as Exhibit "A".

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

~~RECEIVED  
12 NOV 13 PM 10:20  
MIAMI COUNTY  
COMMISSIONERS  
TROY, OHIO~~

  
Robin S. Alexander 11-9-2012

  
Julie A. Alexander 11/9/12

**ANNEXATION TO THE CITY OF PIQUA**  
**SPRINGCREEK TOWNSHIP, MIAMI COUNTY, OHIO**  
**SECTION 25, TOWN 1, RANGE 12**  
**RECKER HEIGHTS SUBDIVISION LOT NUMBER 8 AND 14' OFF OF**  
**THE NORTH SIDE OF LOT NUMBER 7**

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_  
 MIAMI COUNTY RECORDER'S RECORD OF PLATS  
 Received for Record this \_\_\_\_\_ Day of \_\_\_\_\_  
 At \_\_\_\_\_  
 File # \_\_\_\_\_ Feet \_\_\_\_\_

Annexation Proceedings recorded in Volume \_\_\_\_\_ Page \_\_\_\_\_  
 Miami County Recorders \_\_\_\_\_ Records

**Legal Description**  
 Situate in Spring Creek Township, Miami County, Ohio and being a part of the Southeast Quarter of Section Twenty-Five (25), Town One (1), Range Twelve (12), and being in Recker Heights Subdivision as shown by Record Plat Book 5 Page 43 in the Miami County Recorder's Office and being more particularly described as follows:  
 Being all of Lot Number Eight (8) and also 14.00 feet off of the north side of Lot Number Seven (7) in Recker Heights Subdivision;  
 The above described new inlot containing a total of 0.941 acres.  
 The above description was prepared by Greg S. Brookhart, Ohio Registered Surveyor No. 6348.

Miami County Engineer \_\_\_\_\_  
 This annexation plat reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_

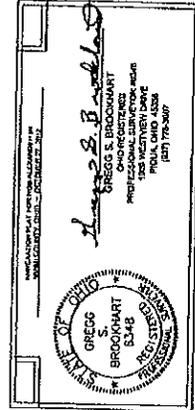
Miami County Auditor \_\_\_\_\_  
 Transferred and Lot Numbers Assigned this \_\_\_\_\_ day of \_\_\_\_\_

Miami County Auditor \_\_\_\_\_  
 by Deputy Auditor \_\_\_\_\_

Miami County Commissioners \_\_\_\_\_  
 At a meeting of the Miami County Commissioners the annexation of this area was approved this \_\_\_\_\_ day of \_\_\_\_\_  
 By Resolution No. \_\_\_\_\_

City of Piqua \_\_\_\_\_  
 This Annexation accepted and approved by the Piqua City Commission this \_\_\_\_\_ day of \_\_\_\_\_ by Ordinance # \_\_\_\_\_

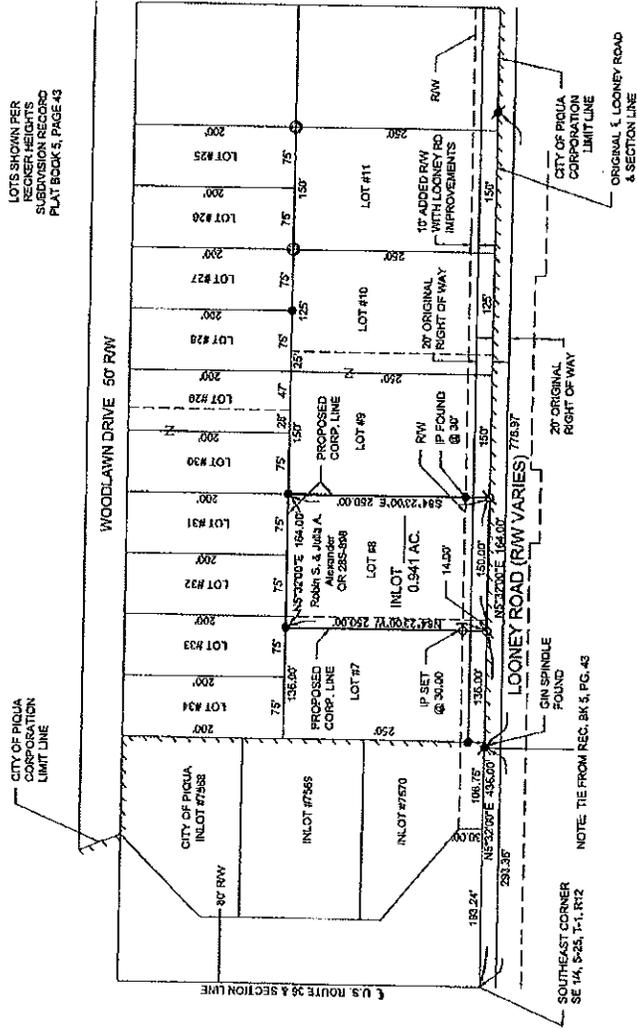
Mayor \_\_\_\_\_ Clerk \_\_\_\_\_



**Surveyor's Certification:**  
 I hereby certify that this annexation and right-of-way dedication plat is based on a field survey conducted by me and is accurately represented hereon.

Date 11/17/12

*Greg S. Brookhart*  
 Greg S. Brookhart  
 Ohio Registered Surveyor  
 No. 6348



- LEGEND**
- IRON PIN FOUND
  - IRON PIN SET
  - GUN SPINDLE FOUND
  - RR SPIKE FOUND
  - RAG NAIL SET
  - IRON PIPE FOUND

- REFERENCES**
- Miami County Engineer's Records of Land Surveys
    - Volume 6, Page 120
    - Volume 23, Page 122
    - Volume 33, Page 145
  - Miami County Recorder's Plat Records
    - Volume 5, Page 43
    - Volume 10, Page 53
    - Volume 14, Page 70
    - Volume 18, Page 32 (Looney Rd. R/W)
    - Volume 22, Page 31



NOTE: TIE FROM REC. BK 5, PG. 45

EXHIBIT B

0.941 Acres  
Springcreek Township  
Recker Heights Subdivision Lot Number 8 and 14' off of the North side of Lot Number 7

**Legal Description**

Situate in Spring Creek Township, Miami County, Ohio and being a part of the Southeast Quarter of Section Twenty-Five (25), Town One (1), Range Twelve (12), as shown by survey filed in Volume No. \_\_\_\_\_, Page No. \_\_\_\_\_ of the Miami County Engineer's Record of Land Surveys and being in Recker Heights Subdivision as shown by Record Plat Book 5 Page 43 in the Miami County Recorder's Office and being more particularly described as follows:

Being all of Lot Number Eight (8) and also 14.00 feet off of the north side of Lot Number Seven (7) in Recker Heights Subdivision and being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of Section Twenty-Five (25), said point being on the center line of U.S. Route 36 and on Looney Road; thence North 5 degrees 32 minutes 00 seconds East with the East line of Section Twenty-Five (25) and with Looney Road for a distance of 436.00 feet to a Mag Nail set at the point of beginning of the tract herein described, witness an Iron Pin set 30.00 feet on the line next described;

thence North 84 degrees 23 minutes 00 seconds West for a distance of 250.00 feet to an Iron Pin found on the west line of Lot Number 7 in Recker Heights Subdivision;

thence North 05 degrees 32 minutes 00 seconds East for a distance of 164.00 feet to an Iron Pin found at the Northwest corner of Lot Number 8 in Recker Heights Subdivision;

thence South 84 degrees 23 minutes 00 seconds East with the north line of Lot Number Eight (8) for a distance of 250.00 feet to a Mag Nail set on the east line of Section Twenty-Five (25) and on Looney Road, witness an Iron Pin found 30.00 feet on the line last described;

thence South 05 degrees 32 minutes 00 seconds West with the east line of Section Twenty-Five (25) and with Looney Road for a distance of 164.00 feet to the Mag Nail set at the point of beginning, containing 0.941 Acres and being subject to all highways, easements, and restrictions of record.

The above description was prepared by Gregg S. Brookhart, Ohio Registered Surveyor No. 6348.

**EXHIBIT "C"**

**PARCELS INCLUDED IN ANNEXATION PETITION**

OWNER	ADDRESS	ACREAGE	PARCEL NO.
Robin S. Alexander and Julie A. Alexander	8380 N. Union-Shelby Rd. Piqua, Ohio 45356	0.941	J27-054407

**EXHIBIT "D"**

**PARCELS ADJACENT TO LAND TO BE ANNEXED**

OWNER	ADDRESS	ACREAGE/LOT	PARCEL NO.
Robert R. Bowman, Jr. and Sheila K. Bowman	8060 N. Looney Road Piqua, Ohio 45356		J27-054406
John L. Grunkemeyer & Dorothy D. Grunkemeyer	8120 N. Looney Road Piqua, Ohio 45356		J27-054408
Faye Ellen Seipel	8105 N. Woodlawn Dr. Piqua, Ohio 45356		J27-054429
James R. Hannahs (LC)	586 Hillgail Cir. SW Pataskala, Ohio 43062		J27-054428
Michael G. Thomas & Carol S. Thomas	8135 N. Woodlawn Dr. Piqua, Ohio 45356		J27-054427
Home Depot USA Inc., A Delaware Corporation	P.O. Box 105842 Atlanta, Georgia 30348-5842		N44-072725

## ANNEXATION AGREEMENT

This Agreement is entered into this 19<sup>th</sup> day of October, 2012, between the City of Piqua, hereinafter "City", and Robin S. & Julie A. Alexander, hereinafter "Owner":

**WHEREAS**, the City and the Owner desire to enter into an annexation agreement to be applied to the proposed annexation to the City of property belonging to the Owner, said property situated in Springcreek Township, and known as parcel J27-054407, located at 8090 N. Looney Road, hereinafter "Real Property"; and

**NOW, THEREFORE**, in consideration of the above recitals and in consideration of the mutual benefits and promises hereinafter contained, the parties agree as follows:

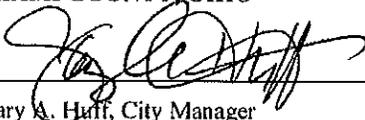
1. The City consents to allow electric, water, and sewer service connections to the Real Property at the same cost and under the same policies and conditions that said services are provided to the other properties served by municipal utilities, from the date this agreement is fully executed forward;
2. The Owner consents to the annexation of the said Real Property to the City, subject to compliance with Ohio R.C. Chapter 709;
3. The Owner shall institute proceedings to annex the said Real Property from the Township within one hundred eighty (180) days from the date this agreement is entered into, and further agrees that the Real Property shall not remain part of Springcreek Township, Miami County, Ohio;
4. The City shall provide municipal electric service to the Real Property from existing municipal electric infrastructure along the roadway improvements in the highway easement adjacent to the Real Property, and deliver the electric service line to the site improvements found on the Real Property;
5. The City shall provide municipal sanitary sewer service to the Real Property from existing municipal sanitary sewer infrastructure along the roadway improvements in the highway easement adjacent to the Real Property;
6. The City shall provide municipal water service to the Real Property from existing municipal water infrastructure along the roadway improvements in the highway easement adjacent to the Real Property;
7. The Owner shall be responsible for extending the water and sewer service lines from the highway easement to the private property and connecting the water and sewer service lines to the plumbing system improvements found on the Real Property;
8. The Owner consents to consolidating the existing drive approach located on the Real Property with a proposed shared drive approach that would be constructed at an unknown future date to provide a common access point serving the Real Property and any future redevelopment of the parcels situated at the northwest corner of N. Looney Road and E. Ash Street, said proposed shared drive approach to be located opposite the existing Home Depot drive approach and to be

designed to facilitate the needs of the Real Property and the redevelopment parcels and to enhance the safe passage of vehicles entering/exiting the private properties and the public right of way, and agrees to provide any temporary or permanent easements necessary to accommodate the completion of the necessary work and to provide ingress/egress to/from the Real Property and across the adjoining property, assuming the adjacent property owner consents to the same, and the Owner is not responsible for any of the expenses related to the construction of the proposed shared drive approach including any demolition and or construction of improvements on the Real Property necessary to facilitate the abandonment of the existing drive and the consolidation and connection of the existing drive into a new shared drive approach located on the adjacent property, with said improvements to be constructed in accordance with all applicable City of Piqua Zoning and Construction standards.

9. The City consents to the Owner commencing with connecting to the water and electric and sewer services upon this agreement being fully executed by the City and the Owner;
10. The City shall allow the Owner to retain and continue the use of the existing private water system as a non-potable water supply source serving the improvements on the Real Property and the Owner agrees the private water system shall not be utilized as a potable water supply source.

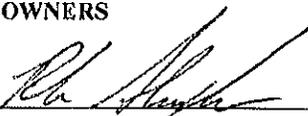
IN WITNESS WHEREOF, the City and Owner, pursuant to resolutions duly approved, enter into this Agreement this 19<sup>th</sup> day of October, 2012.

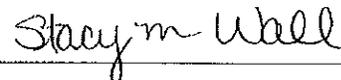
**CITY OF PIQUA  
MIAMI COUNTY, OHIO**

  
\_\_\_\_\_  
Gary A. Huff, City Manager  
City of Piqua

**APPROVED AS TO FORM ONLY:**

**OWNERS**

  
\_\_\_\_\_  
Robin S. Alexander

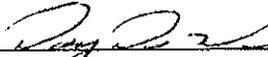
  
\_\_\_\_\_  
Stacy M. Wall  
City of Piqua Law Director

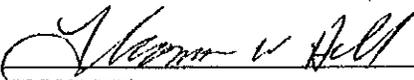
  
\_\_\_\_\_  
Julie A. Alexander

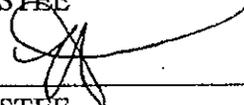
**APPROVAL**

The Board of Trustees of Springcreek Township, Miami County, Ohio, hereby approve the

attached Annexation Agreement entered into by and between the City of Piqua, Ohio, and Robin S. and Julie A. Alexander, and become an additional party thereto, and consent to the annexation described therein under the terms and conditions of said Agreement.

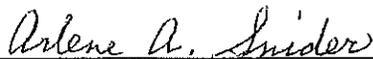
  
\_\_\_\_\_  
TRUSTEE

  
\_\_\_\_\_  
TRUSTEE

  
\_\_\_\_\_  
TRUSTEE

CERTIFICATION

Approved and authorized by action of the Board of Trustees of Springcreek Township, Miami County, Ohio, taken on the 26 day of November, 2012, as reflected upon the Journal of said Board.

  
\_\_\_\_\_  
FISCAL OFFICER

Miami County Engineer's Office  
& County Garage  
2100 North County Road 25A  
Troy, Ohio 45373

937-440-5656  
Fax: 937-440-5659  
mce@co.miami.oh.us



Miami County Tax Map Office  
201 West Main Street  
Troy, Ohio 45373

937-440-6025  
Fax: 937-440-6026  
mce@co.miami.oh.us

**Paul P. Huelskamp PE, PS • Miami County Engineer**

November 13, 2012

Honorable Board of Miami County Commissioners  
County Plaza  
Troy, OH 45373

Re: Proposed annexation of 0.941 acres, Section 25, Town 1, Range 12, Spring Creek Township, to the City of Piqua.

Dear Commissioners:

I have reviewed the map and the description of the territory proposed for annexation and both are acceptable.

Please note that the territory proposed for annexation shall not be removed from the township.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dennis Ventura, Jr.', written over a faint, illegible background.

Dennis Ventura, Jr.  
Deputy Miami County Engineer

RESOLUTION NO. 12-12-1647

PETITION ACCEPTED AND ANNEXATION APPROVED  
EXPEDITED TYPE I  
0.941 ACRES +/- FROM SPRINGCREEK TOWNSHIP  
TO THE CITY OF PIQUA, OHIO

Mr. Evans introduced the following resolution and moved it be adopted:

WHEREAS, on November 30, 2012, an annexation petition was filed on behalf of Robin and Julie Alexander, 8380 N. Union-Shelby Road, Piqua, Ohio 45356 (Dale G. Davis, Agent), for the annexation of 0.941 acres +/-, more or less, in Springcreek Township to the City of Piqua, Ohio; and

WHEREAS, the City of Piqua and the Board of Springcreek Township Trustees, Miami County, Ohio entered into an annexation agreement for said property; and

WHEREAS, the County Engineer's Office reviewed the map and legal description of the territory proposed for annexation, pursuant to ORC 709.022, and has submitted a letter stating that the map and description of the territory proposed for annexation meet their requirements, and that the territory proposed for annexation shall not be removed from the township.

Now, therefore be it

RESOLVED, by the Board of Miami County Commissioners, to accept the Expedited I annexation petition filed on behalf of Robin and Julie Alexander, for the annexation of 0.941 acres, more or less, in Springcreek Township to the City of Piqua, Ohio, pursuant to O.R.C. 709.022, and approve said annexation petition. Further sign the mylar this date.

Mr. Cultice seconded the motion and the Board voted as follows upon roll call:

Mr. O'Brien, Yea;

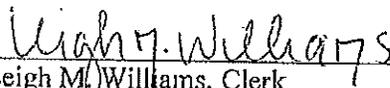
Mr. Cultice, Yea;

Mr. Evans, Yea;

DATED: December 4, 2012

CERTIFICATION

I, Leigh M. Williams, Clerk to the Board of Miami County Commissioners, do hereby certify that this is a true and correct transcript of action taken by the Board under the date of December 4, 2012.

  
\_\_\_\_\_  
Leigh M. Williams, Clerk