

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, SEPTEMBER 17, 2013
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION: CRIME STOPPERS MONTH IN THE CITY OF PIQUA

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. **APPROVAL OF MINUTES**
Approval of the minutes from the September 3, 2013 Regular City Commission Meeting
2. **RES. NO. R-119-13**
A Resolution appointing a member to the Stormwater Utility Board
3. **RES. NO. R-120-13**
A Resolution appointing a member to the Stormwater Utility Board

NEW BUSINESS

4. **ORD. NO. 14-13**
An Ordinance amending Sections 151.35, 151.70, 151.71, and 151.73 of Chapter 151 of the City of Piqua Code of Ordinance to establish construction performance requirements for subdivision improvements
5. **RES. NO. R-121-13**
A Resolution requesting authorization to enter into an agreement with LJB Inc. for the Right-of-Way Acquisition Services for the Garnsey Street/Commercial Street Corridor Neighborhood Connector project
6. **RES. NO. R-122-13**
A Resolution approving the tax rates for the City as determined by the Miami County Budget Commission
7. **RES. NO. R-123-13**
A Resolution approving the fiber connectivity to various Power System sites and other Municipal sites
8. **RES. NO. R-124-13**
A Resolution of Intent to vacate Public Right-Of-Way

9. RES. NO. R-125-13

A Resolution authorizing the City Manager to apply for, accept, and enter into an Ohio Water Development Authority (OWDA) Fresh Water Loan Program Loan Agreement on behalf of the City of Piqua for planning, design and/or construction of water facilities; and designating a dedicated repayment source for the loan

10. RES. NO. R-126-13

A Resolution authorizing a purchase order to Germain Ford for the purchase of two Ford Police Interceptor Utility Vehicles

OTHER

Monthly Reports – July 2013

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

Police Department Update – Chief Bruce Jamison

COMMISSIONERS COMMENT

ADJOURNMENT TO EXECUTIVE SESSION

a. To consider the purchase or sale of property for public purposes

ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
Tuesday September 3, 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. Mayor Fess called the meeting to order. Also present were Commissioners Terry, Wilson, Vogt, and Martin.

REGULAR CITY COMMISSION MEETING

PROCLAMATION: OHIO VOLUNTEER CHALLENGE: FEED OHIO 2013

Mayor Fess read the proclamation.

PROCLAMATION: NATIONAL PREPAREDNESS MONTH IN THE CITY OF PIQUA-

Mayor Fess read the proclamation and presented it to Police Chief Bruce Jamison. Law Director Stacy Wall stated that the Ohio Governor's office has also signed a State Preparedness Proclamation and further information is available on the State website.

Consent Agenda

Approval of the minutes from the August 8th, 2013 Piqua City Commission Work Session and the August 20, 2013 Regular Piqua City Commission Meeting.

RES. NO. R-115-13

A Resolution of appreciation for the Public Service of Kevin Grogean as a City Employee

Mayor Fess read the resolution of Appreciation and presented it to Mr. Grogean, thanking him for his 26 years of service to the City of Piqua. Mr. Grogean thanked the City of Piqua for providing him with the opportunity to work in various positions within the city. Mr. Grogean further stated while he was working he noticed litter being left around the city. Mr. Grogean asked the citizens to take pride in the city and pick up litter and dispose of it properly to keep the City of Piqua beautiful.

RES. NO. R-116-13

A Resolution of appreciation for the Public Service of Wil Benson as a City Employee

Mayor Fess read the Resolution of Appreciation and presented it to Mr. Benson, thanking him for his 19 years of service as a Police Officer with the City of Piqua. Mr. Benson thanked the city for the years of support to the Police Officers.

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

Old Business

ORD. NO. 10-13 (3rd Reading)

An Ordinance to levy Special Assessments to pay for the cost of nuisance abatement assessments

Amy Welker, Health & Sanitation Director stated this is the third reading of the Ordinance to levy Special Assessments to pay for the cost of nuisance abatement assessments. These charges will go to the Auditor on September 9, 2013. The city takes care of high grass, property maintenance and demolition of properties as needed and bills the property owner, stated Ms. Welker.

A question was raised concerning the fees that are assessed to a property owner when the owner is deceased, and how the fees are collected. Ms. Welker explained.

Public Comment

No one came forward to speak for or against Ordinance No. 10-13.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Ordinance No. R-10-13 be adopted. Roll call, Aye: Fess, Wilson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 10-13 adopted.

ORD. NO. 11-13 (3rd Reading)

An Ordinance to levy Special Assessments to pay the cost of Demolition Assessments per terms of the Moving Ohio Forward Grant Agreement

City Manager Gary Huff stated this is the third reading on this Ordinance to levy Special Assessments to pay the costs of Demolition Assessments per the terms of the Moving Ohio Forward Grant Agreement with the Miami County Board of Commissioners for the demolition of residential structures in the City of Piqua. The terms of this agreement were that the City would demolish up to ten houses and assess one-half of the demolition costs to the property owners.

A question was raised if the property owner had a choice to turn over the property to the city, Ms. Welker explained.

Mayor Fess inquired about the status of the demolition of the property located at 650 Wood Street. City Manager Huff stated the Demolition Permit has been issued and the demolition will take place in the near future.

PUBLIC COMMENT

No one came forward to speak for or against Ordinance No. 11-13.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Ordinance No. 11-13 be adopted. Roll call, Aye: Wilson, Vogt, Terry, Martin, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 11-13 adopted.

New Business

RES. NO. R- 117-13

A Resolution requesting authorization to enter into an agreement with the ARCADIS U.S., Inc. for professional engineering services as related to the Miami River Interceptor Siphon Line improvements.

Todd Brandenburg, Underground Utilities Superintendent, stated as a critical element of the Sanitary Sewer System Master Plan of April 2013 performed by CDM Smith, it is recommended by the Underground Utilities Department, that the Great Miami River Siphon Line be augmented by an additional 16" siphon line as stated in Section 8.1 Capital Improvement Plan-Phase 1. This is a necessary improvement as it is vital to the City's efforts in eliminating the current Sanitary Sewer Overflow (SSO) located on the west side of the Great Miami River. This improvement will allow for greater flow rates to be conveyed to the Wastewater Treatment Plant for equalization and treatment, thus reducing the risk of creating an SSO event, stated Mr. Brandenburg.

After careful review by City Staff of the eight responses received from the Request For Qualifications sent out in January 2013, ARCADIS U.S. was chosen based upon the firm's experience with similar successful projects along with their environmental compliance and permitting qualifications stated Mr. Brandenburg.

Allen Aspacher and Matt Boone representatives from ARCADIS came forward and provided a brief overview of the project. Mr. Aspacher stated they are very pleased to be working with the City of Piqua, and with Mr. Brandenburg and Mr. Burtner.

Several questions were asked regarding the SSO, and if the new line would prevent any overflow, and the reason for the use of the 16' line at this time.

Mr. Brandenburg explained the safety issues regarding the SSO, and the reason for the use of the 16' line at this time.

Public Comment

No one came forward to speak for or against Resolution No. R-117-13.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-117-13 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-117-13 adopted.

RES. NO. R-118-13

A Resolution requesting authorization to enter into an agreement with Finrock Construction Co, Inc. for construction of the Ellerman, Fisher, Grant, and Downing Water Distribution Improvements

Todd Brandenburg, Underground Utilities Superintendent, stated that multiple areas within the City of Piqua Water Distribution System currently served through 2" galvanized piping be improved with a water main replacement of 8" ductile iron pipe. This is a necessary improvement that is vital to the City's efforts in providing high quality drinking water to our customers along with assistance in eliminating disinfection by-products that form in the City's water distribution network. The following areas of known pipe deficiencies are: Fisher Drive, Grant & Ellerman, Grant and Downing Streets.

Bid requests were sent out on August 7, and again on August 12, 2013. On August 26 the three bids were opened and analyzed by City staff, and Finrock Construction Co, Inc. was the lowest and best bid for this project. Construction of this project will begin as soon as possible with completion scheduled for 180 calendar days from the notice to precede, stated Mr. Brandenburg.

Several questions were raised on why they were not using PVC pipe, and what type of problems would arise if they used the PVC pipe. Mr. Brandenburg explained.

Public Comment

No one came forward to speak for or against Resolution No. R-118-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No R-118-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, Wilson, and Fess. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-118-13 adopted.

PUBLIC COMMENT

Jeff Lange, N. St. Rt. 66, came forward and thanked the City of Piqua for the proclamation he received at the last City Commission Meeting in regards to the leadership he provides to the Great Miami River Cleanup. Mr. Lange read a list of the sponsors and thanked them along with all of the Many volunteers who make the river sweep a success each year. Mayor Fess thanked Mr. Lange and all the volunteers who work so hard to keep our waterways clean.

City Manager's Report – ReDO Piqua Update – Chris Schmiesing-City Planner

City Planner, Chris Schmiesing provided a brief update on the various projects and they include:

- Former Piqua Memorial Medical Center Site on Park Avenue
- North County Road 25A Corridor Project
- South Main Street Corridor Project
- East Ash Street Corridor Project
- Downtown Riverfront District Project

Police Chief Bruce Jamison provided information regarding telephone and computer scams that have been occurring frequently in the City of Piqua. Chief Jamison stated all types of scams should be reported to either the Police Department or the Attorney General's Office.

City Manager Huff stated he received a telephone scam here at the City Manager's Office recently. This goes to show you they are not picky on who they contact. City Manager Huff stated he told the caller he would put them in contact with the Chief of Police who handles the information they were asking for needless to say they hung up very quickly. Mayor Fess stated she too has received a telephone scam call regarding a relative in trouble and needing money sent to help them. Chief Jamison stated he wanted to make citizens aware of these types of scams, and not to ever provide personal information or send money to anyone over the phone.

City Manager Huff announced the new Little Clinic in the Kroger Store on Covington Avenue will hold their Grand Opening on Friday, September 6, 2013 at 10:00 A.M. Mayor Fess stated a Nurse Practitioner will be on staff daily, and they will honor most insurance plans. This will be a great help to the overcrowding in the emergency rooms, stated Mayor Fess.

City Manager Huff announced Mulligan's Pub has closed on a short term basis, and will reopen in the near future.

Commissioners Comments

Commissioner Vogt stated the Heritage Festival had a good turnout this year, and thanked the many volunteers for making it a success, and all who supported it.

Commissioner Martin congratulated Mr. Grogean and Mr. Benson on their years of service to the City of Piqua. Commissioner Martin stated he also attended the Heritage Festival and thanked all who volunteered and supported it.

Commissioner Terry congratulated Mr. Grogean and Mr. Benson on their years of service to the City of Piqua. Commissioner Terry also thanked all who volunteered, attended, and supported the Heritage Festival. Commissioner Terry stated litter affects all of the citizens of Piqua, and asked when someone sees litter to please take the time to pick it up and properly dispose of it.

Commissioner Wilson congratulated Mr. Grogean and Mr. Benson on their retirement, and also thanked all of the volunteers who worked, and the citizens who supported the Heritage Festival.

Mayor Fess congratulated Mr. Grogean and Mr. Benson on their years of service to the citizens and the City of Piqua. Mayor Fess thanked all of the volunteers and the supporters of the Heritage Festival.

Mayor Fess stated she spoke to Troy Mayor Mike Bemish about the Mumford and Son's Concert held recently. Mayor Bemish indicated it was a huge success and very well attended. The large crowds were very respectful of the venue, and the City of Piqua also received some of the revenue through the hotels, restaurants and retail stores. Mayor Fess congratulated the City of Troy on their successful event.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua City Commission Meeting at 8:35 P.M. Voice vote, Aye: Terry, Martin, Fess, Wilson, and Vogt. Nay: None. Motion carried unanimously.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-119-13

**A RESOLUTION APPOINTING A MEMBER TO THE
STORMWATER UTILITY BOARD**

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: Jesse Dotson is hereby appointed as a member of the Stormwater Utility Board Committee for a 3-year term to expire on August 1, 2016 or until his successor is confirmed and qualified;

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

LUCINDA L. FESS MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-120-13

**A RESOLUTION APPOINTING A MEMBER TO THE
STORMWATER UTILITY BOARD**

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: Stacy Stang is hereby appointed as a member of the Stormwater Utility Board Committee for a 1-year term to expire on August 1, 2014 or until her successor is confirmed and qualified;

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

LUCINDA L. FESS MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 14-13

AN ORDINANCE AMENDING SECTIONS 151.35, 151.70, 151.71, AND 151.73 OF CHAPTER 151 OF THE CITY OF PIQUA CODE OF ORDINANCES TO ESTABLISH CONSTRUCTION PERFORMANCE REQUIREMENTS FOR SUBDIVISION IMPROVEMENTS

WHEREAS, the Planning Commission has studied a proposed amendments to sections 151.35, 151.70, 151.71, and 151.73 of the Subdivision Regulations, Chapter 151 of the City of Piqua Code of Ordinances, as shown in Exhibit 'A' included herewith, to establish construction performance requirements for subdivision improvements; and

WHEREAS, the Planning Commission has conducted a public hearing, made a report of the findings, and submitted a recommendation to the City Commission; and

WHEREAS, the proposed amendments to sections 151.35, 151.70, 151.71, and 151.73 of the Subdivision Regulations are included herewith as Exhibit 'A';

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

SEC. 1. That the City of Piqua hereby amends sections 151.35, 151.70, 151.71, and 151.73 of the Subdivision Regulations, Chapter 151 of the City of Piqua Code of Ordinances, as shown in Exhibit 'A' included herewith, to establish construction performance requirements for subdivision improvements.

SEC. 2. All other sections of Chapter 151 of the City of Piqua Code of Ordinances not amended herein shall remain in effect as is.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CITY COMMISSION CLERK



Commission Agenda Staff Report

Item# 4

MEETING DATE	September 11, 2013			
REPORT TITLE	AN ORDINANCE AMENDING SECTIONS 151.35, 151.70, 151.71, AND 151.73 OF CHAPTER 151 OF THE CITY OF PIQUA CODE OF ORDINANCES TO ESTABLISH CONSTRUCTION PERFORMANCE REQUIREMENTS FOR SUBDIVISION IMPROVEMENTS			
SUBMITTED BY	Chris Schmiesing, City Planner			
	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 checked="" type="checkbox"/> City Planner		<input checked="" type="checkbox"/> Planning Commission	
BACKGROUND (Description, background, justification)	This legislation will amend the subdivision regulations to include construction performance requirements for subdivision improvements. The proposed amendments will provide a means for ensuring that the approved subdivision improvements will be constructed within a reasonable timeframe and that all of the work items incidental to the approved improvements will be completed prior to any individual lot improvements being permitted.			
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted \$:	0		
	Expenditure \$:	0		
	Source of Funds:	N/A		
	Narrative:			
OPTIONS (Include deny /approval option)	1.	Adopt the ordinance to accept the recommended amendments.		
	2.	Deny the ordinance to reject the recommended amendments.		
PROJECT TIMELINE	Sept 10, 2013 – PC hearing Sept 17, Oct 1, Oct 15, 2013 – CC hearings			
STAFF RECOMMENDATION	Approve the ordinance.			
ATTACHMENTS	PC Resolution 12-13			

RESOLUTION No. PC 12-13

WHEREAS, the Planning Commission has submitted a request to amend the zoning code to amend Chapter 151: Subdivision Regulations; and,

WHEREAS, sections 151.141 of the City of Piqua Code of Ordinances provides the procedure for considering an amendment to the zoning code; and,

WHEREAS, the Planning Commission has studied the request, included herein as exhibit 'A', and conducted a public hearing concerning this matter;

NOW THEREFORE BE IT RESOLVED, board member Mr. Oda hereby moves to recommend (approving) (denying) the request made, as described by this resolution, the testimony provided, and the documents attached hereto as Exhibit 'A', and the motion is seconded by board member Mr. Koenig, and the voting record on this motion is hereby recorded as follows.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Gary Koenig	<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. Cindy Pearson	<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"/>

CHAPTER 151: SUBDIVISION REGULATIONS

GENERAL PROVISIONS

§ 151.01 PURPOSE.

These rules and regulations are adopted to secure and provide for the following.

- (A) The proper arrangement of streets or highways in relation to existing or planned streets or highways, or to the official thoroughfare plan.
- (B) Adequate and convenient open spaces for vehicular and pedestrian traffic, utilities, access of fire-fighting apparatus, recreation, light and air.
- (C) The avoidance of congestion of population.
- (D) The establishment of standards for the construction of any and all improvements as herein required.
- (E) Conformance with the existing zoning ordinance.
- (F) To facilitate the orderly and efficient layout and the appropriate use of the land.
- (G) To provide for the accurate surveying of land, preparing and recording of plats and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and subdividers.
- (H) Protection against floodplain encroachment and possible future flood damage.

('97 Code, § 152.11) (Ord. 42-96, passed 9-17-96)

§ 151.02 JURISDICTION.

The subdivision regulations contained herein shall apply within the corporate limits of the city, and shall apply to all unincorporated areas within three miles of the corporate limits of the city, as to streets, road location, right-of-way, and specifications for construction. Street and road location shall be governed by the master plan for thoroughfares, as adopted by the city. The city may regulate the disposal of putrid or offensive substances, injurious to health, into its water supply for a distance of 20 miles beyond the municipal corporation limits.

('97 Code, § 152.12) (Ord. 42-96, passed 9-17-96)

§ 151.03 INTERPRETATION.

The provisions of these regulations shall be held as the minimum requirements adopted for the promotion of health, safety, and welfare of the people of the city. The regulations are not intended to repeal, abrogate, or in any manner interfere with any existing laws, covenants, or rules provided, however, where these regulations impose a greater restriction than is required by the existing laws, covenants, or rules, the provisions of these regulations shall govern.

('97 Code, § 152.13) (Ord. 42-96, passed 9-17-96)

§ 151.04 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ARTERIAL. A street of considerable continuity which serves, or is to serve as a major thoroughfare for communication. Arterial street right-of-way width shall be 80 feet, roadway pavement width shall be 59 feet back to back of curb.

COLLECTOR. A street which serves, or is proposed to service as a traffic way for a neighborhood, and as a feeder to a thoroughfare. Collector street right-of-way width shall be 60 feet, roadway pavement width shall be 37 feet back to back of curb.

CUL-DE-SAC or DEAD-END STREET. A minor street with only one outlet and with a minimum radius of 50 feet to right-of-way line.

LOT SPLIT. The division of a parcel of land into two smaller parcels; or the replat of two adjacent parcels involving changing their common boundary.

LOT WIDTH. The width of the lot measured at right angles to its depth at the front building line.

MINOR. A street that is to provide access primarily to the properties abutting thereon. Minor street right-of-way width shall be 50 feet, roadway pavement width shall be 31 feet back to back of curb.

MINOR SUBDIVISIONS. The division of a lot, tract, or parcel of land into five or less lots, sites, or other division of land with no improved street or dedicated rights-of-way. Minor subdivisions may be reviewed and approved by the City Engineer.

PLAT A map of a tract or parcel of land.

SUBDIVISION.

(1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership; provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or

easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or

(2) The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

(R.C. § 711.001) ('97 Code, § 152.20) (Ord. 42-96, passed 9-17-96; Am. Ord. 18-99, passed 7-6-99)

PRELIMINARY PLAT

§ 151.15 PURPOSE.

The purpose of the preliminary plat is to show on a map all the facts which may enable the Planning Commission to determine whether the proposed layout of land is satisfactory from the standpoint of public interest. The plat shall be prepared by a registered surveyor in the state.

('97 Code, § 152.31) (Ord. 42-96, passed 9-17-96)

§ 151.16 APPLICATION.

The subdivider shall prepare and file application for preliminary approval with the Secretary of the Planning Commission at least 14 days in advance of the meeting. The subdivider shall file copies of the proposed subdivision as determined by the Public Works Director with the application.

('97 Code, § 152.32) (Ord. 42-96, passed 9-17-96)

§ 151.17 PRELIMINARY PLAT FORM.

The preliminary plat shall be clearly and legibly drawn. The size of the map shall not be less than 18 inches by 24 inches. The map of a subdivision containing six acres or less shall be drawn to a scale of one inch equals 50 feet. All other subdivisions shall be drawn to a scale of one inch equals 100 feet.

('97 Code, § 152.33) (Ord. 42-96, passed 9-17-96)

§ 151.18 CONTENTS.

The preliminary plat shall clearly show the following features and information.

- (A) The proposed name of the subdivision. The name shall not duplicate or closely approximate the name of any other subdivision, be the same in spelling, or alike in pronunciation with any other recorded subdivision in Miami County.
 - (B) The tract designation, according to the real estate records of the Auditor and Recorder of Miami County, plat shall also show section, town, range, township, county and state if the subdivision is within the three-mile limits of the city.
 - (C) The names and addresses of the subdivider, owner, and surveyor.
 - (D) The scale of the plat, north point, and date.
 - (E) The boundaries of the subdivision, indicated by a heavy line, and the approximate acreage.
 - (F) The location and names of adjacent subdivisions, and the names and owners of adjacent acreages.
 - (G) The location, width, and names of all existing or platted streets and railroad rights-of-way, easements, parks, permanent buildings, section and corporation lines, watercourses, and exceptional topography.
 - (H) Existing sewers, water mains, culverts, and other underground structures, within the tract and immediately adjacent thereto.
 - (I) Zoning districts.
 - (J) Existing contours with intervals of not more than five feet where the slope is greater than 10%, and not more than two feet where the slope is less than 10%. Elevations are to be based on sea level datum.
 - (K) The vicinity sketch shown on the preliminary plan.
 - (L) The proposed layout of streets including names, widths, sidewalks, and easements.
 - (M) The number of lots and approximate (average) dimensions.
 - (N) The proposed centerline profile for each street, if requested.
 - (O) The proposed drainage plan for tract.
- ('97 Code, § 152.34) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.19 PUBLIC HEARING.

(A) The Planning Commission, on its own initiative, or upon petition by any citizen or neighboring property owner, may, prior to acting on a preliminary map of a subdivision, hold a hearing thereon at such time, and upon such notice as the Planning Commission may designate.

('97 Code, § 152.35)

(B) The Planning Commission shall act upon the preliminary plat after first hearing the report of the City Engineer. The Planning Commission shall act on the plat by one of the following three methods. The subdivider will be notified of whether the action of the Planning Commission is approval, approval with modifications or disapproval.

('97 Code, § 152.36) (Ord. 42-96, passed 9-17-96)

FINAL PLAT

§ 151.30 FINAL PLAT REQUIRED.

The subdivider, having received approval of the preliminary plat of the proposed subdivision, shall submit a final plat of the subdivision and drawings and specifications of the improvements required therein. The final plat shall have incorporated all changes in the preliminary plat required by the Planning Commission. Otherwise it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time. The final plat and the supplementary information shall be prepared by a qualified registered engineer/surveyor, and shall conform to the minimum standards for boundary surveys in the State of Ohio.

('97 Code, § 152.41) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.31 APPLICATION.

(A) After receiving notice of action of the Planning Commission, the subdivider may proceed to file the following.

- (1) Copies of the final map as may be required.
- (2) A written application for final approval.
- (3) Cross-sections and profiles of streets, profiles of sanitary sewers, and all other construction drawings related to the improvements to be constructed in the subdivision.

(B) The subdivider shall submit prints of the final subdivision and complete sets of construction prints as determined by the Public Works Director to the City Engineer at least 14 days in advance of the Planning Commission meeting. The City Engineer shall recommend changes or suggestions and return to the subdivider a complete marked set with the changes noted thereon; also, a letter listing contingencies, so that the subdivider may correct the final tracing and submit it for final approval.

(C) The final tracing shall be submitted at least 14 days prior to the meeting at which the plat is to be considered by the Planning Commission.

('97 Code, § 152.42) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.32 FINAL PLAT FORM.

The final plat shall be clearly and legibly drawn in waterproof ink on tracing cloth or other material of equal permanence. The size of the map shall be 18 inches by 24 inches. The map of a subdivision containing six acres or less shall be drawn to a scale of one inch equals 50 feet. All other subdivisions shall be drawn to a scale of one inch equals 100 feet.

('97 Code, § 152.43) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

151.33 CONTENTS.

The final plat shall contain the following information.

(A) The name of the subdivision, scale, date, north point location as to outlot(s), if within the corporate limits. If within the three-mile limit, the final plat shall also contain the section, town, range, township, county, and state.

(B) All plat boundaries with length of courses to 1/100 feet, and bearings to half minute, with a relative error of closure consistent with minimum standards for boundary surveys in the state, as set forth by the State Board of Registration for professional engineers and surveyors.

(C) The names of all streets.

(D) The length of all areas, chords, chord bearings, radii internal angles, points of curvature, and tangent bearings.

(E) All easements for rights-of-way provided for public services, or utilities, and any limitations of easements and adjacent easements.

(F) All lot numbers and lines, with accurate dimensions in feet and hundredths, and with bearings or angles to street and alley, or crosswalk way lines.

(G) Accurate location of all monuments.

(H) Accurate description of any areas to be dedicated or reserved for public use, with the purpose indicated thereon.

(I) Building setback lines with dimensions.

(J) Protective covenants shall be shown on the plat.

(K) Certification by a registered surveyor in the state to the effect that the plat represents a survey made by him or her and that all monuments shown thereon actually exist, and that their location is correctly shown.

(L) An acknowledgment by the owner or owners of his or her, or their, adoption of the plat, and dedication of streets and other public areas.

(‘97 Code, § 152.44) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.34 APPROVAL.

The Planning Commission shall take action on the final plat in the form of a tracing, within 30 days after it has been officially filed; otherwise, the plat shall be deemed to have been approved. The certificate of the Planning Commission as to the date of the submission of the plat for approval, and the failure to take action within that time, shall be sufficient in lieu of the written endorsement, or evidence of approval, herein required. If disapproved, the ground for disapproval of the final plat shall be stated on the record of the Planning Commission, including the reference to the regulations violated by the plat and written response given to subdivider. If approved by the Planning Commission, it shall be referred to the City Commission for final acceptance.

(‘97 Code, § 152.45) (Ord. 42-96, passed 9-17-96)

§ 151.35 RECORDING OF PLAT.

The subdivider shall be notified of the final action of the City Commission, and he or she shall record the final plat in the office of the County Recorder within 60 days after the date of approval; otherwise, the plat shall be considered void. ~~The subdivider shall furnish the city with photolith prints of the recorded plat, and all approved construction drawings.~~

(‘97 Code, § 152.46) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

SUBDIVISION DESIGN STANDARDS

§ 151.45 CONFORMITY.

The arrangement, character, extent, width, and location of major, secondary, and minor streets or highways for the city and the surrounding three-mile unincorporated area shall conform to the recommendation of the Planning Commission, based on existing and planned streets, topography, public safety and convenience, and proposed use of land.

(‘97 Code, § 152.51) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.46 ARRANGEMENT.

(A) Residential streets shall be designed to discourage through traffic, which may otherwise use secondary thoroughfare or major highways, and whose origin and destination are not within the subdivision.

(B) As far as practical, all proposed streets shall be continuous and in alignment with existing, planned, or platted streets with which they are connected. Proposed streets shall extend to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning Commission, the extension is not necessary or desirable for the coordination of the layout of the subdivision, or the most advantageous future development of adjacent tracts.

('97 Code, § 152.52) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.47 ALIGNMENT.

(A) *Vertical.* For arterials, profile grades shall be connected by vertical curves of a minimum length equivalent to 15 times the algebraic difference in the rate of grade expressed in feet per 100; for collector and minor streets, 7½ times. Minimum length of vertical shall be 50 feet.

(B) *Minimum horizontal.* The radii of curvature on the centerline shall be as follows.

(1) Arterial: 300 feet

(2) Collector: 225 feet

(3) Minor: 150 feet

(C) *Visibility requirements.* The minimum horizontal visibility shall be as follows.

(1) Arterial: 300 feet

(2) Collector and minor: 200 feet

(D) *Street grades.* Grades shall not exceed the following maximum percentages.

(1) Arterial: 7%

(2) Collector and Minor: 10%

(E) *Minimum grade.* Minimum grade shall be 0.5%.

('97 Code, § 152.53) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.48 INTERSECTIONS.

Streets shall intersect one another at an angle as near to a right angle as possible. Street curb intersections shall be rounded, with a radius of a minimum of 20 feet when the intersection occurs at right angles. The Planning Commission can require a larger radius if the volume and type of traffic justifies.

('97 Code, § 152.54) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.49 LOCATION.

When a proposed subdivision lies within the three-mile limit, under territorial rights, and is adjacent to, or contains a state highway, the subdivider shall show evidence that the Ohio Department of Highways, Division Seven, Sidney, Ohio, has checked the highway as to alignment and width.

('97 Code, § 152.55) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.50 CUL-DE-SACS.

(A) A cul-de-sac shall not exceed 600 feet in length, and shall be provided with a turnaround, having a minimum radius of 50 feet to the right-of-way line. The pavement within a turning circle shall have a minimum outside radius of 35 feet, measured to face of curb.

(B) The Planning Commission may approve a "T" or "Y" in lieu of the circle, if, in their opinion, it will be more advantageous to the public in general. The Planning Commission may also approve a temporary "T," circle, or "Y" at the end of a proposed street, if, in their opinion, the street shall be extended beyond the limits of the proposed subdivision, but is not in the plan stage for development.

('97 Code, § 152.56) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.51 RIGHT-OF-WAY, PAVEMENT, SIDEWALK AND TREE LAWN WIDTH.

Right-of-way, pavement, sidewalk and tree lawn widths shall be as follows.

Type	Right-of-Way	Pavement Back-Back Curb	Sidewalk (each side)	Tree Lawn (each side)
Arterial	80 feet	59 feet	4 feet	6 feet
Collector	60 feet	37 feet	4 feet	6 feet
Minor	50 feet	31 feet	4 feet	5 feet

('97 Code, § 152.57) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.52 STREET NAMES.

Name of streets shall not duplicate existing or platted streets. New streets which are the extension of, or in alignment with existing streets, shall bear the name of the existing street. Street name signs shall be furnished and installed by the city.

('97 Code, § 152.58) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.53 DEDICATION.

Approval of a plat shall not be an acceptance by the public of dedication of any street or other ground as shown on the plat.

('97 Code, § 152.59) (Ord. 42-96, passed 9-17-96)

151.54 HALF STREETS; ALLEYS.

(A) Should there be along the adjoining boundary line of another plat, a half-width street or alley, duly transferred, or dedicated and recorded, the other half-width of the street or alley must be dedicated on the proposed plat to make the same complete.

(B) Half streets shall be discouraged at all times.

(C) Alleys shall not be permitted.

('97 Code, § 152.510) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.55 EASEMENTS.

(A) Whenever a subdivision is planned within the corporate limits of the city or within the three-mile limit of the city, the subdivider shall provide easements along the front lot lines, rear lot lines and side lot lines where necessary, to permit the city to expand its utilities in a systematic order. These easements shall be determined by the utilities upon review of the planned subdivision. The subdivider shall be responsible for clearing all easements for construction.

(B) All easements shall have a minimum width as follows.

(1) *Electrical.*

(a) *Overhead system.* Main lines planned and located by the Municipal Power Plant, or any other electrical utility, 20 feet in width total; side yard easements shall be 12 feet total, six feet on each side of property line. Main lines planned and located along a boundary line, of which the area adjacent to the proposed subdivision is not in any planning stage of development, or the area adjacent will be unable to be expanded, the minimum width of the proposed easement shall be 20 feet total, ten feet on each side of the property.

(b) *Underground system.* Whenever a subdivider proposes any underground electrical system and the system has been checked by the electrical utility, the utility shall control the width of easements necessary to maintain such a system.

(2) *Sanitary, storm, gas, and water easement.* Whenever additional easements are required within a proposed subdivision for any or all of the above mentioned items, an easement shall be set aside along the rear of side lot lines with a minimum width of 20 feet total, ten feet on each side of the new property line.

(‘97 Code, § 152.511) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.56 LOTS.

(A) The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivisions and for the type of development contemplated.

(B) All lots shall abut by their full frontage on a public street.

(C) The size of all lots shall be as specified in the zoning code.

(D) All corner lots shall have frontage on both streets at least one and one-half times the minimum frontage for the zoning district.

(E) Lots fronting on two streets, other than corner lots, shall be discouraged.

(F) Side lot lines shall be approximately at right angles to the street, or radial to curved streets. Lot lines shall be kept straight except when indicated by topography.

(G) All lot split and minor subdivision drawings shall be approved by the City Engineer and assigned new lot numbers.

(‘97 Code, § 152.512) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.57 BLOCKS.

(A) Blocks shall be of sufficient width to provide for two tiers of lots of appropriate depth.

(B) Blocks shall not exceed 1,600 feet in length.

(C) The number of intersecting streets along a thoroughfare shall be held to a minimum; wherever practical, blocks along such trafficways should be not less than 1,200 feet in length.

(‘97 Code, § 152.513) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.58 DRAINAGE.

All drainage design shall be in accordance with the city's stormwater regulations.

(Am. Ord. 13-05, passed 8-1-05)

REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

§ 151.70 GENERAL.

The minimum requirements for which a subdivider will be required to make in a subdivision prior to the acceptance of any streets, sewer, water line, electric, street lighting, or dedicated public use, shall conform to the city standard drawings and specifications. The city standard drawings and specifications shall consist of those drawings and specifications which have been ~~recommended by the Public Works Director, Power System Director, adopted by reference, as described in Chapter 153, City Planning Commission, Fire Chief, and approved by ordinance of the City Commission.~~ All of these improvements shall be carried out in full compliance with the drawings and specifications for each of the various units of work as separately required by Chapters 151 and 153 the City Engineer or Power Plant Director.

('97 Code, § 152.61) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.71 PLANS.

(A) All plans shall carry the signature of a registered professional engineer in the state, the approval of the City Engineer, and the approval of the Planning Commission before construction may begin.

(B) All grades for curb, gutter, and sidewalk shall be approved by the City Engineer.

(C) Sidewalks shall be required on both sides of every street.

(D) All streets shall have curb and gutter.

~~(E) The developer shall furnish the city with reproducible "as built" drawings of all construction work that will be under the jurisdiction of the city within 60 days of completion of the project and before the city will accept the work.~~

('97 Code, § 152.62) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.72 SURVEY MONUMENTS.

(A) A complete survey shall be made by a registered surveyor in the state. All work shall meet the minimum standards for boundary surveys in the state as set forth by the State Board of Registration for Professional Engineers and Surveyors.

(B) Iron pin monuments shall be -inch in diameter (solid) and 30 inches long and marked. All pin monuments shall be set and marked before final acceptance of the subdivision by the city.

(‘97 Code, § 152.63) (Ord. 42-96, passed 9-17-96) Penalty, see § 10.99

§ 151.73 AGREEMENTS AND GUARANTEES.

(A) Intent. The intent of this section is to establish construction performance requirements for subdivision improvements to ensure the completion of the authorized improvements in a judicious and proper manner.

(B) General Provisions. The provisions contained in this section shall apply to all subdivision improvements subject to conformance with Chapter 151.

(1) Performance Guarantee. The appropriate performance guarantee covering the costs of the proposed improvements shall be submitted with the construction plans and final plat for a subdivision, or any portion or section thereof, being presented for consideration by the Planning Commission. Such guarantee shall assure either the performance of the proposed improvements or payment of the estimated costs to the City if such improvements have not been installed and completed or if construction has not commenced within one year after the date of the Planning Commission approval of the construction plans and final plat for the proposed improvements or the agreed upon start and completion date(s) approved by the Planning Commission, whichever comes first.

(a) Guarantee Form. The performance guarantee shall be in the form of a property bond, surety bond, a cash bond, or negotiable United States Treasury Certificates of the kind approved by law for securing deposits of public money. The guarantee shall be executed by the subdivider as principal, and if a surety bond, shall be executed by a corporation authorized to act as a surety under the laws of the State of Ohio. The guarantee shall be an obligation for the faithful performance of any and all work and the construction and installation of all improvements required to be done by the subdivider. The guarantee shall contain the further condition that should the subdivider fail to complete all work and improvements required to be done by him within 24 consecutive calendar months of the date of approval of the final plat, or within a mutually agreed-on extension, not to exceed 12 consecutive calendar months, the city may, at its option, cause all required work to be done and improvements constructed at the expense of the executor of the Guarantee. The parties executing the guarantee shall be firmly bound for the payment of all necessary costs therefore.

(b) Guarantee Amount. The performance guarantee amount shall equal the construction estimate for the total costs of the proposed improvements. The construction estimate shall be prepared by a registered professional engineer licensed by the State of Ohio and include all anticipated costs incidental and necessary to the completion of the proposed improvements, including:

- 1) Labor and Materials. The labor and materials costs shall be calculated based upon the most current unit cost information available from the Ohio Department of Transportation Division of Planning Office of Estimating. The labor and material costs shall include all labor and material costs and equipment, overhead

and profit incidental and necessary to the completion of the proposed improvements.

- 2) Contingency. An amount equal to ten-percent (10%) of the total labor and material cost shall be added to the total labor and material costs to cover unanticipated items of work that may become necessary to the completion of the proposed improvements.
- 3) Construction Engineering. An amount equal to ten-percent (10%) of the total labor and material cost plus the contingency amount shall be added to the sum of the total labor and material costs and the contingency amount to cover inspection and testing services necessary to the completion of the proposed improvements.

(c) Guarantee Termination. Upon the submittal and acceptance of a maintenance guarantee in accordance with §151.73(B)(3) the subdivider may terminate performance guarantee.

(2) Construction Agreement. The work to be performed shall be in accordance with the construction plans and final plat for the subdivision, or any portion or section thereof, as approved by the Planning Commission. The construction estimate prepared in accordance with § 151.73(B)(1)(b) shall provide further indication of the work necessary and essential to complete the proposed improvements. The cost to install and or oversize water main and or sewer main necessary and incidental to the proposed improvements shall be in accordance with the provisions of § 51.47 and § 53.49. Any cost to be incurred by the city to oversize the water main and or sewer main necessary and incidental to the proposed improvements shall be shown as a separate line item on the construction estimate and included in the total labor and material costs used to determine the contingency, construction engineering, and total guarantee amounts.

(3) Maintenance Guarantee. The appropriate maintenance guarantee covering the costs of repairing defects that may appear in the work shall be submitted to the city upon the City Engineer finding the work to be substantially complete. Such guarantee shall assure either the performance of the necessary repair or replacement of defective conditions or payment of the estimated costs to the City if such defective conditions have not been repaired or replaced within one year after the date of the acceptance of the improvements.

(a) Guarantee Form. The maintenance guarantee shall be in the form of a property bond, surety bond, a cash bond, or negotiable United States Treasury Certificates of the kind approved by law for securing deposits of public money. The guarantee shall be executed by the subdivider as principal, and if a surety bond, shall be executed by a corporation authorized to act as a surety under the laws of the State of Ohio. The guarantee shall be an obligation for the faithful performance of the repair or replacement of defective conditions that may appear following the completion the work by the subdivider and acceptance of the same by the city. The guarantee shall contain the further condition that should the subdivider fail to repair or replacement all defective work within 30 consecutive calendar days after being notified of the condition, or within a mutually agreed-on extension, not to exceed 90 consecutive calendar days, the city may, at its option, cause all required repair and replacement work to be done. The parties executing the guarantee shall be firmly bound for the payment of all necessary costs therefore.

(b) Guarantee Amount. The maintenance guarantee amount shall equal ten percent (10%) of the performance guarantee amount.

(c) Guarantee Termination. Twelve months after the acceptance of the improvements as complete and upon the successful completion of any and all repair or replacement of defective conditions in accordance with of § 151.73(B)(3) the subdivider may terminate maintenance guarantee.

(4) Completion of Work and Acceptance. For the purposes of this section, the guidelines for substantially complete, and acceptance shall be as follows:

(a) Substantially Complete. Work on improvements will be considered substantially complete upon each of the following conditions being satisfied;

1) City utilities (water, sewer, storm sewer) have been installed and inspected and approved by the Utilities Director, and all other non-city underground utilities (gas, telephone, and cable television, etc.) have been installed by the responsible party.

(2) Curb and gutter and sidewalk has been constructed in accordance with construction plans and inspected and approved by the City Engineer.

(3) Street base and final surface materials have been installed and inspected and approved by the City Engineer.

(b) Acceptance. Work on improvements will be considered accepted upon each of the following conditions being satisfied:

1) All required maintenance guarantee work has been satisfactorily completed.

2) Subdivider has provided city with electronic record drawings stamped by a registered professional engineer or surveyor verifying the accuracy of the drawings and showing the completed state of all improvements.

3) Subdivider has provided city with affidavit stating all parties with payment due as a result of the performance or work or providing of materials or services necessary and incidental to the construction of the improvements have been paid in full.

(5) Commencement of Lot Development. The issuance of zoning or building permits necessary and incidental to improvements to be located on building lots established by the approval of the final plat of a subdivision, or any portion of section thereof, shall not be issued until the subdivider has submitted and the city has accepted the maintenance guarantee for that portion or section of the subdivision in which the lot is located.

APPENDIX: TABLES

TABLE A: FEE SCHEDULE

All subdivision regulation fees shall be collected by the Planning and Zoning Office at the rates established as follows:

Item	Fee
Annexation Plat	\$0

EXHIBIT 'A'

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Lot Split/Replat	\$100
Major Subdivision	
Preliminary Plat	\$150
Final Plat	\$150
Construction Plans	\$150
Minor Subdivision	
Preliminary Plat	\$100
Final Plat	\$100
Construction Plans	\$100

(Ord. 1-07, passed 2-5-07)

RESOLUTION NO. R-121-13

**A RESOLUTION REQUESTING AUTHORIZATION TO
ENTER INTO AN AGREEMENT WITH LJB, INC. FOR THE
RIGHT-OF-WAY ACQUISITION SERVICES FOR THE
GARNSEY STREET/COMMERCIAL STREET CORRIDOR
NEIGHBORHOOD CONNECTOR PROJECT**

WHEREAS, on January 15, 2013, this Commission passed Resolution No. R-6-13 authorizing the City Purchasing Analyst to advertise for bids, according to law, for Right-of-Way Acquisition Services for the Garnsey Street/Commercial Street Corridor Neighborhood Connector Project; and

WHEREAS, after solicitation of Request for Qualifications, LJB, Inc. has been determined to be the most qualified provider of these services; and

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

SEC. 1: A purchase order is hereby authorized to LJB, Inc. for the necessary Right-of-Way acquisition services for the Garnsey Street/Commercial Street Corridor Neighborhood Connector Project.

SEC. 2: The Finance Director certified funds are available and is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$72,100;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	September 17, 2013		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution requesting authorization to enter into an Agreement with LJB Inc. for the Right-of-Way Acquisition Services for the Garnsey Street/Commercial Street Corridor Neighborhood Connector Project.		
SUBMITTED BY	Name & Title: Amy Havenar, P.E., City Engineer		
	Department: Engineering		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" 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)	<p>In June of 2009, City Commission approved the submission of the Garnsey Street/Commercial Street Corridor Neighborhood Connector Project to the Miami Valley Regional Planning Commission for funding under the Congestion Mitigation/Air Quality (CMAQ) program. This project was one of the projects selected for funding.</p> <p>We are to the point in the design of the project that we need to proceed with the right-of-way acquisition. The right-of-way acquisition will consist of the following components:</p> <ul style="list-style-type: none"> • Preparation of right-of-way plan sheets • Title searches & reports • Appraisals • Acquisitions • Title updates & closings <p>LJB, Inc. is currently working on the engineering design of the project; therefore, they already have a head start as far as anticipating the right-of-way needs for this project. One of the major focuses of the right-of-way contract will be to identify/define the right-of-way in the vicinity of the Garnsey/Commercial/College/Roosevelt intersection as well as to show ownership of the portion of Commercial Street that was once owned by the railroad (between Wood Street & Grant Street).</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	\$60,000	
	Expenditure \$:	\$72,100 (includes \$2,600 for if-authorized items)	
	Source of Funds:	Fund 103 – Street Income Tax	

	Narrative	<p>As with the majority of our federally funded projects, the right-of-way costs are funded with 100% local funds.</p> <p>The City received \$421,462 in grant funding from MVRPC for the construction of this project. The total cost of construction is estimated to be \$527,000.</p>
<p>OPTIONS (Include Deny /Approval Option)</p>	1.	Approve the resolution to enter into an agreement with LJB Inc. for the right-of-way services.
	2.	Do not approve the resolution and do not proceed with the right-of-way acquisition services for the project.
<p>PROJECT TIMELINE</p>	<p>The right-of-way services will begin shortly with project construction scheduled for the fall of 2014.</p>	
<p>STAFF RECOMMENDATION</p>	<p>Approval of the Resolution to allow for the right-of-way acquisition to begin on the Garnsey Street/Commercial Street Corridor Neighborhood Connector Project.</p>	
<p>ATTACHMENTS</p>	<p>Technical Proposal for the right-of-way services.</p>	



August 30, 2013

Ms. Amy Havenar, P.E.
City of Piqua Engineer
201 West Water Street
Piqua, Ohio 45356

Re: **TECHNICAL PROPOSAL**
MIA-Bikepath Connections, PID No. 88228 – **Right-of-Way Services**
Commercial Street Corridor Bike Route Neighborhood Connection Project

Dear Ms. Havenar:

Thank you for the opportunity to submit our technical proposal on this important project. We are confident that we have prepared a response to your request that demonstrates our understanding, interest and ability to help the city complete the acquisition process for this project.

Our project manager, Dan Hoying, specializes in roadway and right-of-way design. He brings more than 10 years of experience working in collaboration with public and private agencies to create solutions to local and regional transportation challenges, with specific emphasis on complete street design and implementation. With his passion for walkable and livable communities, Dan has helped clients create visions for streets that move people, not just motor vehicles.

The LJB team is uniquely qualified for this project based on our development of the design of the project, intimate knowledge of the project goals and parameters, experience with federally funded bikeway and street projects, and capacity to begin work immediately. Dan has already led the development of the design of this project and has a personal interest in the success of this project, as he and his family frequently use the city trail network.

We look forward to the opportunity to work with you on this project. If you have any questions or require additional information, please contact our project manager, Dan Hoying, at (937) 259-5795 or dhoying@LJBinc.com or contact me directly at (937) 259-5067 or sknebel@LJBinc.com.

Sincerely,

LJB Inc.

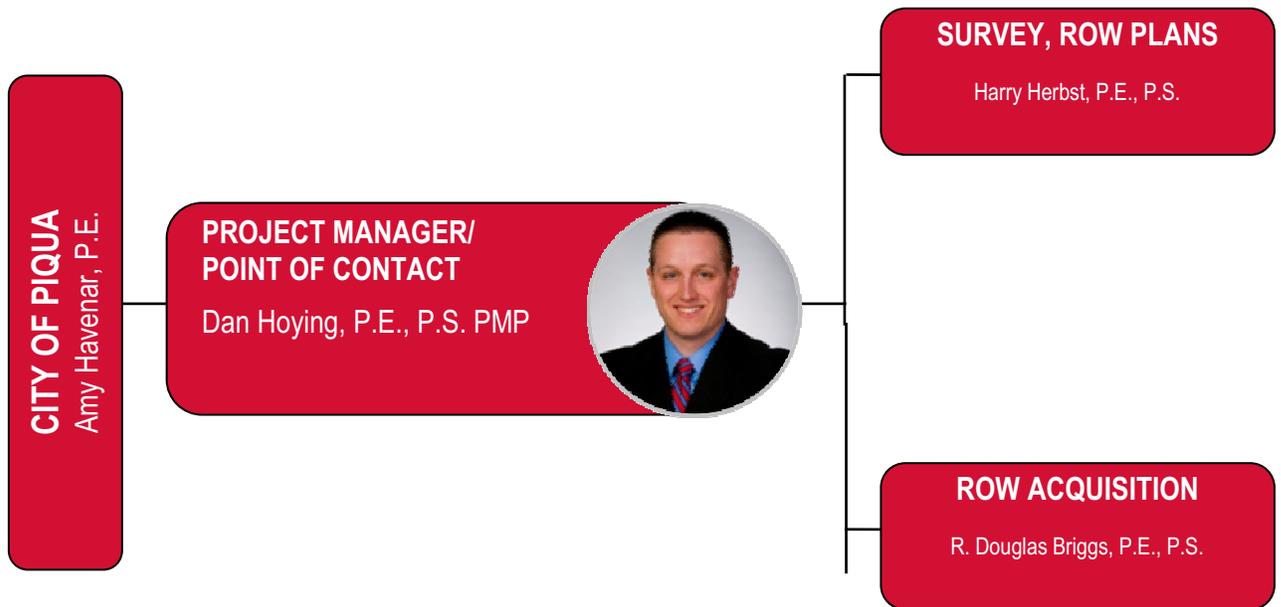
Scott A. Knebel, P.E.
Managing Principal

Daniel J. Hoying, P.E., P.S., PMP
Project Manager

PROJECT ORGANIZATION

Our staff's knowledge and commitment to allocating the appropriate resources at the outset of the project reduces the learning curve and improves project quality while saving time and money. You can rest assured that the LJB team will expertly complete this project for the City of Piqua.

KEY PERSONNEL & ORGANIZATIONAL CHART



LJB's experience on similar projects has shown that effectively managing the efficiency of the design delivery process is as important in securing a quality project as its design. For this reason, LJB views project management as a discipline.

Our project manager, Dan Hoying, is a veteran project manager for LJB's infrastructure division, and has led similar multi-modal complete street projects. This section contains a brief overview of the expertise he brings to the team.

DANIEL J. HOYING, P.E., P.S., PMP – project manager



Dan Hoying specializes in roadway and right-of-way design. He brings more than 10 years of experience working in collaboration with public and private agencies to create solutions to local and regional transportation challenges, with specific emphasis on complete street design and implementation. With his passion for walkable and livable communities, Dan has helped clients create visions for streets that move people, not just motor vehicles.

His areas of expertise include roadway widening, reconstruction, right-of-way plan development and drainage. Dan has a bachelor's degree in civil engineering and currently serves on the board of the Dayton Chapter of the American Society of Civil Engineers and the Transportation Sustainability subcommittee of the American Public Works Association.

Dan approaches project management as a discipline that is critical to the success of the project, adding real leadership value to his client's projects, and is certified through the Project Management Institute as a project management professional. This expertise ensures projects include effective communication, prescribed quality, managed risks and are delivered on time and on budget. He will develop and maintain a project management plan including project initiation, planning, execution, monitoring and controlling, and closing of the project.

With an expert knowledge of complete streets policies, he has applied these concepts to the projects he has worked on and has led clients to maximize a project's enhanced mobility and interconnectivity, while minimizing the overall project costs.

Similar Project Experience

- > MIA-Commercial Street Corridor Bike Route Neighborhood Connection – Piqua, Ohio
- > Downtown Business District Transportation Study – Lima, Ohio
- > U.S. Route 40 West Broad Street Streetscape – Franklin County, Ohio
- > MVRPC Implementing Complete Streets Policy Workshop – Dayton, Ohio
- > MIA-North Great Miami Recreational Trail & Bikeway – Tipp City, Ohio



HARRY G. HERBST, III, P.E., P.S. – survey, right-of-way plan development



Harry is a senior surveyor and civil engineer with LJB who has more than 35 years of experience and specializes in roadway, right-of-way plan development, land surveying and drainage. His areas of expertise include roadway design, right-of-way design, control surveys, topographic surveys, ALTA surveys, hydraulic studies, FEMA flood plain analysis and detention and retention pond design. He also has extensive experience in plan preparation, site planning and construction inspection. Harry is licensed to practice surveying in Ohio, Kentucky, and Indiana and is recognized as a leader in

Ohio in the use of ODOT VRS. He has completed the ODOT training course for right-of-way plan development and has prepared thousands of legal descriptions in his career. Harry is a past president of the Miami Valley chapter of Professional Land Surveyors of Ohio (PSLO) and executive committee member for PLSO.

Relevant project experience includes:

- > Downtown Business District Transportation Study – Lima, Ohio
- > MOT-Great Miami River Recreational Trail & Bikeway – Dayton, Ohio
- > MOT-Mad River Recreational Trail – Riverside, Ohio
- > MIA-North Great Miami Recreational Trail & Bikeway – Tipp City, Ohio

R. DOUGLAS BRIGGS, P.E., P.S. –right-of-way acquisition (Briggs Creative Services)



Mr. Briggs is a professional engineer and professional land surveyor with LJB who has more than 20 years of experience. Formerly a regional project manager with ODOT’s Office of Real Estate, Southwest Region, he has performed and managed right-of-way design for numerous roadway and bridge projects of various sizes. Mr. Briggs has a bachelor’s of science degree in civil engineering and has completed several relevant training courses including ODOT eminent domain law changes and ODOT right-of-way development training.

While serving as the regional projects manager for ODOT’s southwest region and providing acquisition services for Districts 7, 8 and 9, he cleared 1,000 parcels having a value of \$37 million. As part of managing those projects, he provided consultant administration on 500 of the 1,000 parcels. Mr. Briggs and LJB have either independently or through strategic teaming delivered high quality right-of-way plans for the largest and most complex projects constructed in the Miami Valley over the last decade.



CAPACITY AND STAFF RESPONSIVENESS

We have proven that we expedite schedules exceeding the delivery expectations of our clients, and remain engaged through construction to support them through the final phase of a project.

Using an enterprise resource planning system to facilitate the planning of appropriate staff for each project, project managers and key production personnel are only assigned to a project following a thorough review of current workload and projected backlog. This technology allows project managers to allocate hours to people at the outset of a project and continually monitor planned versus actual project costs. Project managers can identify areas of concern at any time and make necessary adjustments to get the job done right. This information permits the adjustment of individual schedules to accommodate specific project requirements and schedule commitments.

STAFF AVAILABILITY

Our project team for the **MIA-Bikepath Connections Right-of-Way Services** project was specifically selected to provide team consistency from prior successful projects and the highest quality design while maintaining schedule availability.

Starting in August 2013, our team has the percentage availability listed below for the duration of the project, which will be more than sufficient to meet the needs of your project.

- > Dan Hoying – 55%
- > Harry Herbst – 45%
- > Doug Briggs (Briggs Creative Services) – 50%



DEFINITION OF TASKS

Appendix A of the attached Price Proposal includes a description of all tasks that are anticipated and are included in the fee proposal.

PROPOSED SCHEDULE

The table below lists our proposed project schedule of phases. This schedule is based on a start date of August 20, 2013 and right-of-way acquisition complete on December 19, 2014.

MILESTONE	START DATE	END DATE
Authorization to Proceed	8/20/2013	
Preliminary Right of Way Submittal	8/20/2013	9/19/2013
Title Reports	9/19/2013	12/18/2013
Final Right of Way Submittal	12/18/2013	2/18/2014
Right of Way Acquisition	2/18/2014	12/19/2014

PRICE PROPOSAL COST SUMMARY

The attached Price Proposal includes a breakdown of each project phase. The proposal includes a base fee of \$69,482 and if-authorized tasks totaling \$2,600. The requested upset limit for the fee for this project is **\$72,082**.

BASE FEE	
Preliminary ROW Plans	\$4,904
Final ROW Plans	\$19,677
Railroad Legal Descriptions	\$3,776
Right of Way Acquisition	\$41,125
Base Fee Total	\$69,482

IF-AUTHORIZED ALLOWANCE	
RE 95	\$1,000
Bill of Sale	\$800
Title Update for Appropriations	\$400
Sign Estimate	\$400
If-authorized Total	\$2,600
GRAND TOTAL	\$72,082



RESOLUTION NO. R-122-13

**A RESOLUTION APPROVING THE TAX RATES FOR
THE CITY AS DETERMINED BY THE MIAMI COUNTY
BUDGET COMMISSION**

WHEREAS, on August 27, 2013, the Miami County Budget Commission has, pursuant to general law, certified the following rates of tax to be levied in the City of Piqua for municipal purposes on the general tax duplicate of 2013, subject to any additional levies approved by the electorate; and

WHEREAS, said certified rates of tax require the approval of this 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: The rates of tax to be levied as follows in the City of Piqua for municipal purposes on the general tax duplicate of 2013 (subject to any additional levies approved by the electorate) are hereby approved and certified;

<u>FUND</u>	<u>MILLS</u>	<u>AMOUNT</u>
<u>Ten Mill Limitation</u>		
General	3.70	\$1,158,967
Police Pension	.30	93,970
Fire Pension	.30	93,970
<u>No Limitation</u>		
General Conservancy	.17	\$ 53,250

SEC. 2: The Clerk of this Commission is directed to file a certified copy of this Resolution with the Miami County Auditor forthwith;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	September 17, 2013		
REPORT TITLE (Should match resolution/ordinance title)	A resolution approving the tax rates for the city as determined by the Miami County Budget Commission		
SUBMITTED BY	Name & Title: Cynthia Holtzapple, Assistant City Manager, Finance Director Department: Finance		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" 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 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 an approval of the certified tax rates which will be used to levy property tax on all general duplicates for 2013 to be collected in 2014. These certified rates require the approval of our Commission and certifications to Miami County before October 1, 2013.		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:		
	Expenditure \$:		
	Source of Funds:		
	Narrative:	Passage of this will allow the City to continue to receive the collection of property tax revenue from the County. These revenues are vitally important to the General Fund and our day to day operations.	
OPTIONS (Include Deny /Approval Option)	1.	Approve Resolution No. R-122-13 for the approval of the tax rates for the City as determined by the Miami County Budget Commission.	
	2.	Do not approve Resolution No. R-122-13 and cause our revenues to drop substantially.	
PROJECT TIMELINE			
STAFF RECOMMENDATION	We are requesting approval of Resolution No. R-122-13 approving the tax rates for the City as determined by the Miami County Commission.		
ATTACHMENTS			

RESOLUTION NO. R-123-13

A RESOLUTION APPROVING THE FIBER CONNECTIVITY TO VARIOUS POWER SYSTEMS SITES AND OTHER MUNICIPAL SITES

WHEREAS, Resolution No. R-157-12 was approved by the City Commission on February 5, 2013 for the City to retain the services of Efacec/ACS as a professional firm to design, install and maintain a fiber optic network for Supervisory Control and Data Acquisition (SCADA) Connectivity to electric substations and other municipal sites for the Power System and the City; and

WHEREAS, Efacec/ACS Inc. is providing said professional services for the installation of the fiber optic network; and

WHEREAS, the City of Piqua desires to connect various Power Systems sites and other municipal sites to the fiber optic network in 2013.

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: Efacec/ACS Inc. is hereby approved to provide the fiber connectivity to various Power Systems and other municipal sites including DP&L SCADA/metering locations, redundant ring connectivity, Golf Clubhouse, Fire Department, Police Department, Streets/Sanitation departments, Wastewater Plant, Hetzler Road pump station, and Ziegler Road pump station (see Exhibit A).

SEC. 2: The Finance Director certifies funds are available and is hereby authorized to draw her warrant on the appropriate account of the city treasury according to contract terms, not to exceed \$190,000.00.

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	September 17, 2013		
REPORT TITLE (Should match resolution/ordinance title)	A RESOLUTION APPROVING THE FIBER CONNECTIVITY TO VARIOUS POWER SYSTEMS SITES AND OTHER MUNICIPAL SITES		
SUBMITTED BY	Name & Title: Ed Krieger, Power System Director Dean Burch, Information Technology Director		
	Department: Power System, Information Technology		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> 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 checked="" type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director;		
BACKGROUND (Includes description, background, and justification)	<p>On February 5, 2013, Resolution No. R-157-12 was approved by the City Commission to retain the services of Efacec/ACS as a professional firm to design, install and maintain a fiber optic network for Supervisory Control and Data Acquisition (SCADA) Connectivity to electric substations and other municipal sites for the Power System and the City.</p> <p>In order to provide continued reliability and utilize advanced technologies now and in the future, Efacec/ACS is currently installing a Fiber Optic Network for Supervisory Control and Data Acquisition (SCADA) Connectivity based upon the Fiber Optic Network and System Design approved in Resolution No. R-157-12 earlier this year.</p> <p>As the installation of the fiber optic network continues in 2013, it has become clear that the sooner the City can connect various municipal sites and Power Systems sites, the sooner we will be able to take advantage of the network capabilities and substantial ongoing cost savings.</p> <p>The approved Phase 2 connections being proposed in 2013 are: Golf Club House - \$12,626.12 Fire Department - \$11,208.11 Hetzler Road Water Pump Station - \$14,076.15 Police Department - \$11,353.67 Streets/Sanitation – \$15,183.80 Wastewater Plant - \$14,139.25 Ziegler Road Water Pump Station - \$17,371.56 Redundant Ring Connectivity - \$54,722.06</p>		

	<p>Additional Power System connections being proposed in 2013 are for equipment to eliminate leased lines for the four DP&L SCADA/metering locations - \$21,647.04</p> <p>The connecting of the two pump stations to the network will allow for elimination of separate connections with monthly charges, will allow for more reliable connectivity and will help lessen personnel costs that have occurred in the past due to unreliable connections.</p> <p>The connecting of the Golf Club House will allow for the elimination of an annual \$8,059.20 cost.</p> <p>The additional connection of the equipment to eliminate the leased lines for the four DP&L SCADA/metering locations will eliminate over \$27,000 in yearly charges.</p> <p>The other connections will allow for better connectivity and reliability of the network and will also eliminate monthly charges. The redundant ring connectivity is needed for both City use of the network and non-City use of the high speed fiber network.</p>								
<p>BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</p>	<table border="1"> <tr> <td data-bbox="490 770 738 808">Budgeted \$:</td> <td data-bbox="738 770 1542 808">190,000.00</td> </tr> <tr> <td data-bbox="490 808 738 846">Expenditure \$:</td> <td data-bbox="738 808 1542 846">190,000.00</td> </tr> <tr> <td data-bbox="490 846 738 884">Source of Funds:</td> <td data-bbox="738 846 1542 884">Various Funds</td> </tr> <tr> <td data-bbox="490 884 738 982">Narrative:</td> <td data-bbox="738 884 1542 982">This project is a continuation of laying the groundwork for the use of the network for City facilities and for non-City entities to use the high speed fiber network.</td> </tr> </table>	Budgeted \$:	190,000.00	Expenditure \$:	190,000.00	Source of Funds:	Various Funds	Narrative:	This project is a continuation of laying the groundwork for the use of the network for City facilities and for non-City entities to use the high speed fiber network.
Budgeted \$:	190,000.00								
Expenditure \$:	190,000.00								
Source of Funds:	Various Funds								
Narrative:	This project is a continuation of laying the groundwork for the use of the network for City facilities and for non-City entities to use the high speed fiber network.								
<p>OPTIONS (Include Deny /Approval Option)</p>	<table border="1"> <tr> <td data-bbox="490 991 548 1056">1.</td> <td data-bbox="548 991 1542 1056">Approve Resolution No. R-123-13 approving the fiber connectivity to various Power Systems sites and other municipal sites</td> </tr> <tr> <td data-bbox="490 1056 548 1094">2.</td> <td data-bbox="548 1056 1542 1094">Do not approve the resolution and provide staff with further direction.</td> </tr> <tr> <td data-bbox="490 1094 548 1131">3.</td> <td data-bbox="548 1094 1542 1131"></td> </tr> <tr> <td data-bbox="490 1131 548 1178">4.</td> <td data-bbox="548 1131 1542 1178"></td> </tr> </table>	1.	Approve Resolution No. R-123-13 approving the fiber connectivity to various Power Systems sites and other municipal sites	2.	Do not approve the resolution and provide staff with further direction.	3.		4.	
1.	Approve Resolution No. R-123-13 approving the fiber connectivity to various Power Systems sites and other municipal sites								
2.	Do not approve the resolution and provide staff with further direction.								
3.									
4.									
<p>PROJECT TIMELINE</p>	<p>Upon approval, Efacec/ACS will begin the process of scheduling resources and will include the specified connections in their work for 2013.</p>								
<p>STAFF RECOMMENDATION</p>	<p>On February 5, 2013, Resolution No. R-157-12 was approved by the City Commission to retain the services of Efacec/ACS as a professional firm to design, install and maintain a fiber optic network for Supervisory Control and Data Acquisition (SCADA) Connectivity to electric substations and other municipal sites for the Power System and the City.</p> <p>To continue the project and to begin to take advantage of the network, staff recommendation is to approve Resolution No. R-123-13 approving the fiber connectivity to various Power Systems sites and other municipal sites</p>								
<p>ATTACHMENTS</p>	<p>Resolution No. R-123-13 Exhibit "A"</p>								

Resolution No. R-123-13: EXHIBIT "A"

Golf Club House	\$12,626.12
Fire Department	\$11,208.11
Hetzler Road Water Pump Station	\$14,076.15
Police Department	\$11,353.67
Streets/Sanitation	\$15,183.80
Wastewater Plant	\$14,139.25
Ziegler Road Water Pump Station	\$17,371.56
Redundant Ring Connectivity	\$54,722.06
Additional Power System Connections	\$21,647.04
Contingency (10.25%)	\$17,672.24
Total	\$190,000.00

RESOLUTION NO. R-124-13

**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 a portion of platted public right of way known as Hardin Road Alternate (Old State Route 66), 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 Hardin Road Alternate (Old State Route 66), 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: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

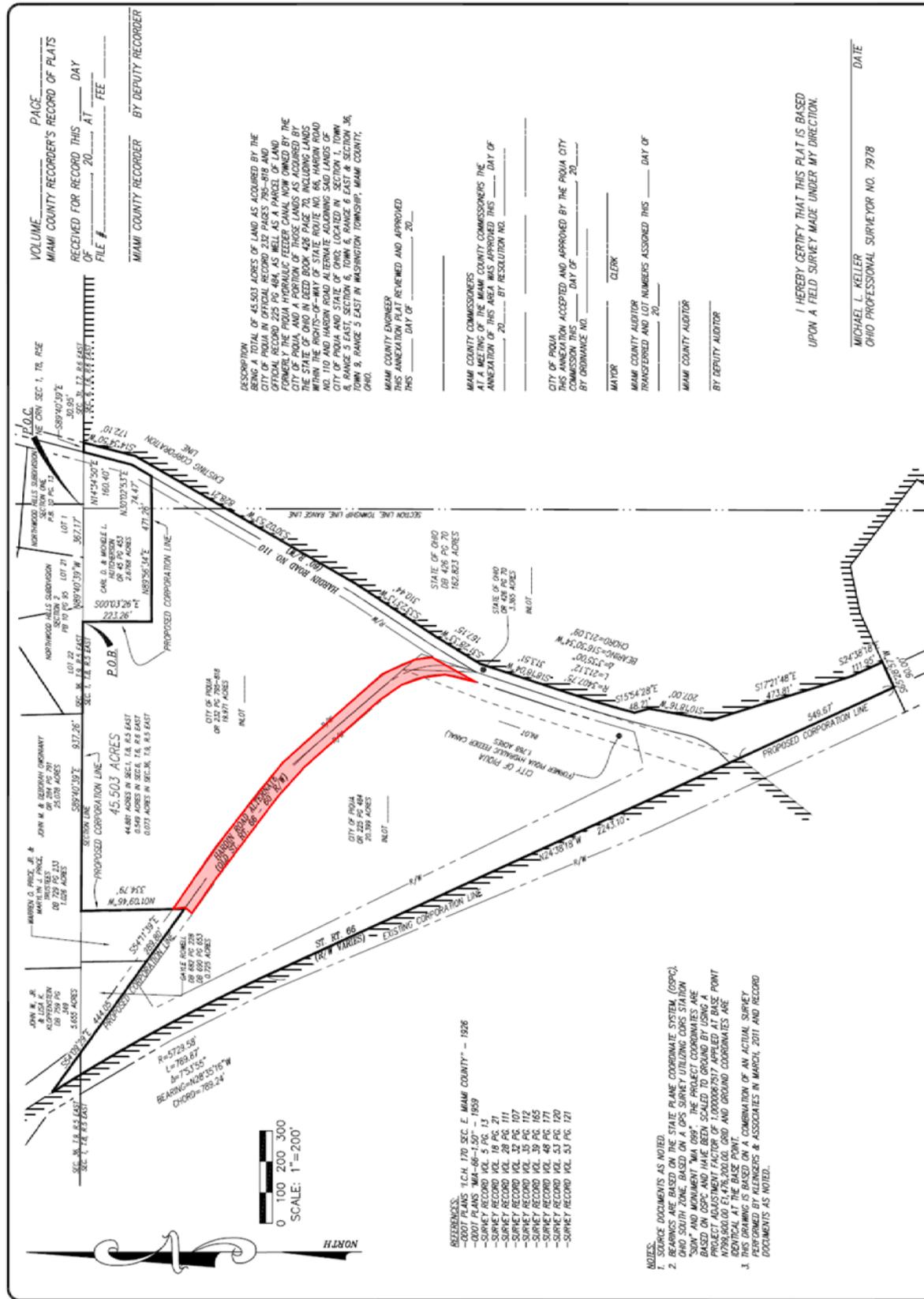


Commission Agenda Staff Report

Item #8

MEETING DATE	September 6, 2013		
REPORT TITLE (Match resolution/ordinance title)	A RESOLUTION OF INTENT TO VACATE PUBLIC RIGHT-OF-WAY		
SUBMITTED BY	Chris Schmiesing, City Planner		
	Development Department		
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 checked="" type="checkbox"/> City Planner		<input type="checkbox"/> Planning Commission
BACKGROUND (Description, background, justification)	The applicant desires to vacate a platted portion of Hardin Road Alternate (Old State Route 66) right of way between Hardin Road and State Route 66. The subject right of way is located within the boundaries of the new water treatment plant construction site.		
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted \$:	0	
	Expenditure \$:	0	
	Source of Funds:	N/A	
	Narrative:	Approving the resolution will forward the request to the Planning Commission for study and recommendation.	
OPTIONS (Include deny /approval option)	1.	Adopt the resolution to declare intent to vacate and forward the item to the Planning Commission for consideration.	
	2.	Defeat the resolution and deny the request to consider the petition to vacate the subject right of way.	
PROJECT TIMELINE	September 2013 – City Commission – Declare Intent to Vacate November 2013 – Planning Commission – Public Hearing November/December 2013 - City Commission – Reading of Ordinance		
STAFF RECOMMENDATION	Approve the proposed resolution.		
ATTACHMENTS	Petition to Vacate Public Right of Way		

Exhibit 'A'



VOLUME _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS
 RECEIVED FOR RECORD THIS _____ DAY _____
 OF _____ AT _____
 FILE # _____ 20 _____ AT _____ FEE _____
 MIAMI COUNTY RECORDER BY DEPUTY RECORDER

DESCRIPTION
 BEING A TOTAL OF 45.503 ACRES OF LAND AS ACQUIRED BY THE CITY OF PIQUA IN OFFICIAL RECORD 232 PAGES 795-818 AND FORMERLY THE PIQUA HYDRAULIC FEEDER CANAL NOW OWNED BY THE STATE OF OHIO IN DEED BOOK 428 PAGE 302 INCLUDING LANDS WITHIN THE RIGHTS-OF-WAY OF STATE ROUTE NO. 66, HARBOR ROAD NO. 110 AND HARBOR ROAD ALTERNATE ADJOINING SAID LANDS OF CITY OF PIQUA AND STATE OF OHIO, LOCATED IN SECTION 1, TOWN 8, RANGE 5 EAST, SECTION 6, TOWN 8, RANGE 6 EAST & SECTION 36, TOWN 8, RANGE 3 EAST IN WASHINGTON TOWNSHIP, MIAMI COUNTY, OHIO.

MIAMI COUNTY ENGINEER
 THIS ANNEXATION PLAT REVIEWED AND APPROVED
 THIS _____ DAY OF _____ 20____

MIAMI COUNTY COMMISSIONERS
 AT A MEETING OF THE MIAMI COUNTY COMMISSIONERS THE ANNEXATION OF THIS AREA WAS APPROVED THIS _____ DAY OF _____ 20____ BY RESOLUTION NO. _____

CITY OF PIQUA
 THIS ANNEXATION ACCEPTED AND APPROVED BY THE PIQUA CITY COMMISSION THIS _____ DAY OF _____ 20____ BY ORDINANCE NO. _____

MAYOR _____ CLERK _____
 MIAMI COUNTY AUDITOR _____
 MIAMI COUNTY AUDITOR _____
 BY DEPUTY AUDITOR _____

I HEREBY CERTIFY THAT THIS PLAT IS BASED UPON A FIELD SURVEY MADE UNDER MY DIRECTION.

MICHAEL L. KELLER
 OHIO PROFESSIONAL SURVEYOR NO. 7978
 DATE _____

KLEINGERS & ASSOCIATES
 6300 Centre Park Drive, West Chester, OH 45389
 (610) 778-7851 Fax: (610) 778-7852
 www.kleingers.com

SCALE: 1"=100'
 DATE: 09/10/12
 DRAWN: MLK
 DESIGNED:
 CHECKED: MLK
 JOB NO.: 110048.003

ANNEXATION TO THE CITY OF PIQUA
 45.503 ACRES
 SECTION 1, TOWN 8, RANGE 5 EAST,
 SECTION 6, TOWN 8, RANGE 6 EAST &
 SECTION 36 TOWN 9, RANGE 5 EAST
 WASHINGTON TOWNSHIP, MIAMI COUNTY, OHIO

STATE OF OHIO
 MICHAEL L. KELLER
 7978
 OHIO PROFESSIONAL SURVEYOR

REVISIONS

RESOLUTION NO. R-125-13

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO AN OHIO WATER DEVELOPMENT AUTHORITY (OWDA) FRESH WATER LOAN PROGRAM LOAN AGREEMENT ON BEHALF OF THE CITY OF PIQUA FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

WHEREAS, the City of Piqua seeks to upgrade existing water facilities; and

WHEREAS, the City of Piqua intends to apply for OWDA Fresh Water Loan Program for the planning, design and construction of the water facilities; and

WHEREAS, the OWDA Fresh Water Loan Program requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

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

SEC. 1: That the City Manager be and is hereby authorized to apply for an OWDA Fresh Water Program Loan, sign all documents for and enter into a Fresh Water Loan Program Loan with Ohio Water Development Authority (OWDA) for planning, design and/or construction of water facilities on behalf of the City of Piqua, Ohio;

SEC. 2: That the dedicated source of repayment will be Water Service Charges;

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	September 17, 2013		
REPORT TITLE	A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO AN OHIO WATER DEVELOPMENT AUTHORITY (OWDA) FRESH WATER LOAN PROGRAM LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF PIQUA FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN		
SUBMITTED BY	Name & Title: Cynthia A. Holtzapple, Assistant City Manager/Finance Director Department: Finance		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input checked="" type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director;		<input type="checkbox"/> Other:
BACKGROUND	Based on the age of the current Water Treatment Plant and its inability to maintain compliance with future Ohio EPA regulations, City Commission authorized staff to proceed with a new Water Treatment Plant. The first step includes a detailed design of a new Water Treatment Plant which is being completed by CDM Smith. Funding for the design is estimated to be \$2.2 million. Currently, the interest rate on the loan we are applying for is 4.24% and may change from now until the loan is awarded in December 2013.		
BUDGETING AND FINANCIAL IMPACT	Budgeted \$:	\$2,200,000 Loan funds would be available in 2013-2014	
	Expenditure \$:	\$2,200,000 for Plant Design	
	Source of Funds:	Water revenues will be used to repay the loan.	
OPTIONS	1.	Approve the Resolution R-125-13 so application for the loan can be made this year.	
	2.	Reject the Resolution R-125-13 and reapply at a later time or consider other funding sources.	
PROJECT TIMELINE	October-December 2013 - Application for loan December 2013 - Loan award 2013-2014 - Design period		
STAFF RECOMMENDATION	We recommend approval of the Resolution R-125-13 so that the loan application can be made as soon as possible.		

RESOLUTION NO. R-126-13

**A RESOLUTION AUTHORIZING A PURCHASE
ORDER TO GERMAIN FORD FOR THE PURCHASE
OF TWO FORD POLICE INTERCEPTOR UTILITY
VEHICLES**

WHEREAS, the City of Piqua Police Department requires the purchase of specialized police vehicles to fulfill their duties to the citizens of the City of Piqua; and

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

WHEREAS, the Piqua Police Department has bid this purchase and determined to use State Bid Contract #RS901213 for the purchase of two new Ford police interceptor utility vehicles;

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 Germain Ford, Columbus, Ohio, for Ford CVPI Police Patrol Vehicles not to exceed \$53,000.

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	September 17, 2013		
REPORT TITLE (Should match resolution/ordinance title)	A RESOLUTION AUTHORIZING A PURCHASE ORDER TO GERMAIN FORD FOR THE PURCHASE OF TWO FORD POLICE INTERCEPTOR UTILITY VEHICLES		
SUBMITTED BY	Name & Title: Bruce A. Jamison, CLEE, Chief of Police		
	Department: Police		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" 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 type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director;		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>It has been over five years since we abandoned our long term capital improvement fleet replacement program. We placed a band-aid on skyrocketing maintenance and repair expenses by purchasing some used vehicles over the past 12-18 months. We must get back on track to provide the emergency response vehicles the citizens need at our disposal for response to calls. To start back into a plan, we propose purchase of two police utility vehicles to replace our two 2005 Ford Expeditions used by supervisors. They each have over 140,000 miles and repairs totaling \$1600 so far this year.</p> <p>Our new plan would increase the total life expectancy of vehicles to five years. Since there is no longer a single standard for police vehicles, transferring some of the equipment from car-to-car is less likely to be possible in the future. Our plan is to outfit new vehicles with new light bars, siren controllers, and partitions that would have five year warranties. This would limit the amount of time vehicles and the related equipment are out of warranty, thereby decreasing maintenance costs.</p> <p>Departments serving similar populations that have already purchased the police utility vehicles are very pleased with them so far. They are likely to become our standard patrol vehicles in the future. Because these cars will be used by supervisors, we will maximize the storage space for equipment that is carried only in the supervisor vehicles. This will also give us some experience with this type of vehicle for consideration for future patrol use.</p> <p>There were no responses to a bid request to see if we could do any better than the state contract for the vehicle we need, #RS901213. The base bid price is \$24,809, with an additional \$870 for the specific options used in our vehicles.</p>		
	Budgeted \$:	54,160	

BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Expenditure \$:	53,000
	Source of Funds:	106-014-821-8805 Rolling Stock
	Narrative:	Purchase of new vehicles under warranty will decrease maintenance costs under Operating expenses. The after-market fit-up of the vehicles will be an additional expense and will total less than \$22,000. This will be paid from the current operating budget. This cost is higher than previous years due to the outdated nature of some of the equipment that has been moved from car-to-car in the past.
OPTIONS (Include Deny /Approval Option)	1.	Approve the resolution to replace to two old police vehicles with new.
	2.	Deny the resolution, further delaying implementation of a long-term fleet replacement program.
	3.	
	4.	
PROJECT TIMELINE	Vehicles would be ordered within days of the passage of the resolution. We are at the mercy of manufacturer and dealer time frames, which we have no control over, are expected to be 60 days or so. After delivery, another three to four weeks are necessary for after-market fit-up.	
STAFF RECOMMENDATION	Approve the expenditure by passing this resolution.	
ATTACHMENTS	Applicable pages from State of Ohio DAS contract for Law Enforcement Vehicles.	

SPECIFICATIONS (cont'd)

4DR SUV – AWD Item Number 6

Standard Specification Items	Minimum Requirements		Minimum Requirements
Mfg. Make	Ford	Flexible Fuel Vehicle (FFV)	Required
Mfg. Model	Interceptor SUV	Rear Window Defroster	wire in glass
Seating Capacity	5	Fresh Air Temperature Controlled Heater	w/ Windshield Defrosters
# of Doors	4	Intermittent Windshield Wipers	w/ dual speed
Wheelbase (.in)	112	Trunk / Cargo Light	Automatic
Base Curb Weight (lbs.)	4,700	Interior Lighting	Over head dome and map or dome driver light
Body Side Moldings (Installed)	Not Required	Air Conditioning	Required (Front and Rear)
Power Train	AWD	Seat Covering	Cloth FR, Vinyl RR
Engine Type (Cylinder/Liter)	V6 / 3.7L	Floor Covering	Heavy – duty rubber
Horsepower (HP)	300	Radio – Factory Installed	AM/FM
Cooling System	Heaviest Duty Available	Front Seat Type	Bucket adjustable –no center console
Automatic Transmission w/ Cruise Control	Auto, 6-sp	Rear Seat Type	Split 60/40 Bench
Alternator (amps)	220	Power Antilock Brakes (Front and Rear)	Required
Battery (CCA)	750	Air Bag Restraint System (Driver and Passenger)	Required
Fuel Capacity (gals.)	18	Supplemental Restraint System (Driver and Passenger)	Required
Exterior Mirrors – Right and Left mounted	Remote Controlled	Tires – Pursuit / Speed Rated, per Manufacture recommendation	All Season, Steel Belted, Black wall
Keyed Door Lock (Driver side min.)	Power w/ Remote Keyless Entry	Spare Tire / Wheel	Full size
Steering	Power	Radio Suppression System	Required
Electronic Door Locks / Electronic Windows	Required – Driver control lock out	12 Volt Power outlet, in front compartment	Required
Rust Proofing	Min factory warranty	Interior Rear View Mirror	Day/Night
Paint	Standard min.	Fuel at delivery	½ tank
Left Handed Spotlight, Pillar Mounted	Required	Mfg. Standard Warranty	3/36 Bumper to bumper
Glass	High Strength Factory Tinted	Speedometer / Std gage package	Required
Arm Rest on Front Doors	Required	Hood Latch Release	Inside passenger compartment only
Foam Front Seat Cushion	Required	Rear Window Wiper / Washer	If applicable
Dual Horns, Factory Installed	Required	Remote Control Rear Gate Release by Driver	Required, if available
Assist Steps	Required	Rear Door	Lift Gate

Note: Please refer to detail written specification on prior pages for more details to the above out line specification minimums.

SPECIFICATIONS (cont'd)

4DR SUV – AWD Item Number 6

Dimensions/Ratings	Min. Req.	
EPA Estimated Mileage (City/Combined/Highway)	New	
Head Room (Front/Rear) in.	41/40	
Leg Room (Front/Rear) in.	40/41	
Shoulder Room (Front/Rear) in.	61/60	
Trunk/Luggage Area (cu. ft.)	134	

Note: Please refer to detail written specification on prior pages for more details to the above out line specification minimums.

BID PRICE

ITEM -6- SPORT UTILITY VEHICLE, POLICE SPECIAL, 4 DOOR, AWD V6

DELIVERY: 135 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Chicago, Ill

CONTRACTOR: Germain Ford MFG: Ford MODEL: Utility Interceptor MODEL NUMBER: K8A

REAR END GEAR RATIO: 3.65

ITEM NO.: 19960 UNIT PRICE: \$24,809.00

List any exceptions to the specifications:

*** Item #6 has been extended through 9/31/13 for all orders. 2014 vehicles will be at the 2013 price.**

Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor: \$.60. The maximum delivery charge the state will pay is \$0.60 or less per mile. The round trip map mileage figure will be multiplied by an estimated figure of 300 miles and added to the base cost of the vehicle for bid evaluation purposes only. If there is no delivery charge per mile round trip map mileage rate supplied or the calculated value of the delivery charge is less than the minimum delivery charge; the minimum delivery charge (Not to exceed \$50.00) will be used for evaluation purposes.

Minimum Delivery Charge, Not to Exceed \$50.00: \$50.00.

ITEM NO.	MILEAGE	UNIT COST
19961	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor	\$.60 per mile
19962	Minimum Delivery Charge, Not to Exceed \$50.00	\$50.00

ITEM NO.	CONTRACTOR'S ORDER NO.	OPTIONS	UNIT COST
19963	K7A	Utility Interceptor FWD	-\$695.00
19965	64B	Wheel Cover	\$65.00
19966	68G	Inside Rear Door Locks Inoperable	\$35.00
19967	68L	Inside Rear Door Handles Inoperable	\$35.00
19968	18W	Inside Rear Window Switches Inoperable	\$35.00
23374	549	Heated Outside Mirrors	\$60.00
19969	16C	Carpet	\$125.00
19970	TEMP	30-Day Tag	\$18.50

19971 UNSPECIFIED OPTION PRICE: 3% above manufacturer invoice.

Any option not specified in the options table above will be made available to the ordering entities, following Contract award, at the Unspecified Option Price. If no Unspecified Option Price is provided by the Offeror, the State will assume that the price will be equal to the manufacture invoice. The Unspecified Option Price and Additional Option Packages specified by the Offeror will not be used in the vehicle evaluation.

List standard paint colors:

Oxford White (YZ), Ebony (UA), Smokestone Metallic (HG), Arizona Beige Metallic (AQ), Medium Brown Metallic (BU), Kodiak Brown Metallic (J1), Dark Toreador Red Metallic (JL), Light Blue Metallic (LN), Light Ice Blue Metallic (LS), Ultra Blue Metallic (MM), Royal Blue (LM), Norsesea Blue Metallic (KR), Deep Impact Blue (J4), Dark Blue (LK), Medium Titanium Metallic (YG), Light Gray (TM), Silver Gray Metallic (TN), Ingot Silver Metallic (UX), Sterling Gray Metallic (UJ).