

**REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, OCTOBER 15, 2013
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES-(TABLED) OCTOBER 1, 2013
Approval of the minutes from the September 17, 2013 Regular City Commission Meeting
2. APPROVAL OF MINUTES
Approval of the minutes from the October 1, 2013 Regular City Commission Meeting

OLD BUSINESS

3. ORD. NO. 14-13 (3rd Reading)
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

NEW BUSINESS

4. ORD. NO. 15-13 (1st Reading)
An Ordinance to vacate a portion of Public Right-of-Way
5. RES. NO. R-129-13
A Resolution of authorization to submit an application for Ohio Public Works Commission State Capital Improvement and Local Transportation Improvement Program(s) and to execute contracts as required for the County Road 25-A Phase III Reconstruction project
6. RES. NO. R-130-13
A Resolution of Authorization to submit an application for Federal Map-21 Funds through the Miami Valley Regional Planning Commission

OTHER

Monthly Reports – August 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

COMMISSIONERS COMMENT

ADJOURNMENT

REVISED 10-02-2013

**MINUTES
PIQUA CITY COMMISSION
Tuesday September 17, 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: CRIME STOPPERS MONTH IN THE CITY OF PIQUA

Mayor Fess read the proclamation and presented it to Police Chief Bruce Jamison and Piqua Area Chamber of Commerce Director Kathy Sherman.

Consent Agenda

Approval of the minutes from the September 3, 2013 Regular Piqua City Commission Meeting.

RES. NO. R-119-13

A Resolution appointing a member to the Stormwater Utility Board

City Manager Huff stated Resolution No. R-119-13 appoints Jesse Dotson to the Stormwater Utility Board for a 3 year term to expire on August 1, 2016.

RES. NO. R-120-13

A Resolution appointing a member to the Stormwater Utility Board

City Manager Huff stated Resolution No. R-120-13 appoints Stacy Stang to the Stormwater Utility Board for a 1 year term to expire on August 1, 2014

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

New Business

ORD. NO. 14-13 (1st Reading)

An Ordinance amending Section 151.135, 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

Chris Schmiesing, City Planner gave a brief overview of reason for the changes at this time. This 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 improvement will be complete prior to any individual lot improvements being permitted.

Mr. Schmiesing stated the Piqua Planning Commission held a Public Hearing on September 10, and hearing no objections unanimously recommended the amendments be made to Code Section 151.35, 151.70, 151.71 and 151.73 at this time.

Several questions were raised concerning the changes including the timeframe and fees. Commissioner Martin inquired if field tiles are cut who is responsible for repairing them? Mr. Schmiesing explained, further stating that if the field tiles are cut that it is covered under the drainage calculations that are submitted by the contractor.

City Manager Huff stated this is extremely important as the performance bond enables the City to complete the project if the contractor fails to do so.

Public Comment

No one came forward to speak for or against Ordinance No. 14-13.

After a brief discussion Ordinance No. 14-13 was given a first reading.

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

Amy Havenar, City Engineer, explained in June of 2009 the 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, and was selected.

We are at the point now to proceed with the right-of-way acquisitions. LJB, Inc. is currently working on the engineering design of the project with one of the major focuses being the right-of-way contract, identifying/defining the right-of-way in the vicinity of Garnsey/ Commercial/College/Roosevelt intersection, as well as showing ownership of the portion of Commercial Street that was once owned by the railroad (between Wood Street & Grant Street).

This project will be funded with 100% local funds. The City received \$421,462 in grant funding from the MVRPC for the construction of the project, with the total cost of the construction estimated at \$527,000, stated Ms. Havenar.

Several questions were raised concerning how much of the properties would be needed, and how the property owners would be compensated. It was noted there are three different railroads companies involved in this along with some city property that would need to be addressed.

Public Comment

No one came forward to speak for or against Resolution No. R-121-13.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-121-13 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-121-13 adopted.

RES. NO. R-122-13

A Resolution approving the Tax Rates for the City as determined by the Miami County Budget Commission

City Manager Huff explained that every year about this time, the Finance Department requests 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 the City Commission and certification to Miami County before October 1, 2013.

Commissioner Wilson stated there are no changes, this is just a continuation of the current tax.

Public Comment

No one came forward to speak for or against Resolution No. R-122-13.

Moved by Commissioner Wilson, seconded by Commissioner Martin, that Resolution No R-122-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, Wilson, and Fess. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-122-13 adopted.

RES. NO. R-123-13

A Resolution approving the fiber connectivity to various power system sites and other municipal sites

City Manager Huff stated on February 5, 2013 Resolution No, R-157-12 was approved by the City Commission to retain the services of Efaces/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.

IT Director Dean Burch provided a brief overview of the project stating Efaces/ACS is currently installing a fiber optic network for Supervisory Control and Data Acquisition (SCADA) Connectivity. The approved Phase 2 connection being proposed in 2013 are:

Golf Club House; Fire Department; Hetzler Road Water Pump Station; Police Department; Street/Sanitation; Wastewater Plant; Ziegler Road Water Pump Station; and Redundant Ring Connectivity. Additional Power System connections are being proposed in 2013 with equipment to eliminate leased lines for the four DP&L SCADA/metering locations saving money.

There were several questions raised by the Commissioners regarding the fiber optics and reason for the use of fiber optics versus the use of wireless. 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, stated IT Director Dean Burch. Commissioner Martin raised several questions and expressed his concern over the use of fiber optics versus wireless in several of the City departments, including the Golf Course.

Public Comment

Mark Kiner, Boone Street, came forward stating he just moved to the City of Piqua, and he is happy to see the fiber optics network coming to the City of Piqua at this time.

Steve Yenney, Echo Lake Dr. came forward and voiced his opinion on the use of fiber optics versus wireless within the City departments and especially at the Golf Course. Mr. Yenney ~~does not believe it is necessary to have that type of connection at the Golf Course, and be spending the amount of money they are for the connection~~ wanted to know how the City justifies spending \$8059.00 per year for the connection to the Golf Course. City Manager Huff explained the reason for the connection to the Golf Course. Mr. Yenney stated he read the narrative on the report and has a lot of questions regarding the use of the fiber optics versus the wireless connection. Assistant Power System Director Nick Berger provided further information regarding the fiber optics system and the use with the SCADA System. Mr. Yenney continued to voice his opinions regarding the use of fiber optics. City Manager Huff, IT Director Dean Burch, and Assistant Power Systems Director Nick Berger provided the necessary information that was being requested.

Craig Grissom, Piqua resident and owner of Skynet, came forward and loudly voiced his opinion and asking questions concerning the Golf Course use of fiber optics and other issues with the fiber optics system and its use. Mr. Grissom continued by asking the commissioners what speed their internet connection is. Mr. Grissom was politely asked to ~~set~~ sit-down.

After a lengthy discussion Commissioners moved by Commissioner Wilson, seconded by Commissioner Terry, to adopt Resolution No. R-123-13. Roll call, Aye: Vogt, Terry, Wilson, and Fess. Nay, Martin. Motion carried on a 4-1 vote.

RES. NO. R-124-13

A resolution of intent to vacate public Right-of-Way

City Planner, Chris Schmiesing explained Resolution No. R-124-13 is a resolution requesting the vacation of a portion of platted public right-of-way know as Hardin Road Alternate (Old State Route 66). The subject right of way is located within the boundaries of the new Water Treatment Plant construction site. The time frame for this project includes the City Commission declaring the intent to vacate the property, the Planning Commission will review this at their next meeting, and will come back to the City Commission in the form of an ordinance for final approval, stated Mr. Schmiesing.

Several questions were raised concerning the two home owners still living on the road, and if they would still have access to St. Rt. 66. Mr. Schmiesing explained.

Law Director Stacy Wall further stated she would be filing the annexation paperwork on this property on Wednesday, September 18, 2013 with the Miami County Recorder's office.

Public Comment

John Owsiany, Shawnee Trail came forward and asked for clarification on the property being vacated. Mr. Schmiesing clarified the properties that are being vacated at this time and where they are located. Mr. Owsiany thanked Mr. Schmiesing for the clarification.

Moved by Commissioner Martin, seconded by Commissioner Wilson, that Resolution No R-124-13 be adopted. Roll call, Aye: Martin, Wilson, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously.

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 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

City Manager Huff explained based on the age of the current Water Treatment Plant, and its inability to maintain compliance with the current and future Ohio EPA regulations, the 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 apply for is 4.24% and may change from now until the loan is actually awarded in December of 2013, stated City Manager Huff.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-125-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No R-125-13 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously.

RES. NO. R-126-13

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

Police Chief Bruce Jamison explained it has been over five years since the long term capital improvement fleet replacement program was abandoned. The City purchased five used vehicles last year to help save money in the budget. The plan is to purchase two police utility vehicles to replace two 2005 Ford Expeditions that have over 140,000 miles on them those are used by supervisors. The new plan would increase the total life expectancy of vehicles to five years. Other departments the same size as Piqua are currently using the utility vehicles and are very pleased with them. No other responses were received to the bid requests to see if we could do any better than the state contract, stated Chief Jamison.

Commissioners asked several questions regarding the old vehicles, and what the plans were for the vehicles.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-126-13.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No R-126-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, Wilson, and Fess. Nay: None. Motion carried unanimously.

PUBLIC COMMENT

No one came forward to speak at this time.

City Manager's Report – Police Department Update- Chief Bruce Jamison

Police Chief Bruce Jamison presented a brief presentation on Crime Stopper tips to help citizens better understand how they can help the Police Department. Chief Jamison provided information on how the Crime Stopper tips are used in solving crime, and how important the tips provided by citizens are to the Police Department. Information and forms are available on the City webpage under the Police Department, and all information and tips provided are kept confidential, stated Chief Jamison.

City Manager Huff stated there are a lot of construction projects going on in the City of Piqua. They include: Improvements to the Rt 36 Interchange; County Road 25A Reconstruction Project; College Street Signalization Project; Fountain Park Bridge Replacement; and the Phase 1 Project at the Power Plant. City Manager Huff further stated they have received numerous comments about all of the projects going on at the same time making travel around the city difficult. City Manager Huff explained when the City is using Federal and State grant money they dictate when the project has to be done and completed by in order to utilize the funding.

City Manager Huff announced the City received a \$148,000 grant for the Riverfront Project, and a \$20,000 grant for a Handicapped Accessible Playground, which must be used for that project only. It was also noted that the Arrowhead Subdivision street has been paved.

Commissioners Comments

Commissioner Wilson stated he received an email regarding the fire pit presentation recently, and asked that he remind citizens to make sure they put the campfire out completely before going in. Commissioner Wilson stated the Piqua Area Chamber of Commerce Steak Fry will take place on Thursday, September 19th. Also on Saturday, September 21 Dancing in the Moonlight will take place Downtown Piqua with a Car Show beginning at 5:00 P.M. downtown, the Moonlight Stride and Ride along the river on the Path will begin at 7:45, and a Chili Cook-Off is planned. Mark your calendars to attend the downtown Piqua festivities on Saturday for a fun filled evening.

Commissioner Martin inquired where the Corporation limits are located going west on High Street. City Planner, Chris Schmiesing explained where the Corporation limits are located.

Commissioner Vogt stated he attended the Energy Board Meeting and they approved the fiber optics system. The Energy Board stated they wanted all the work to be completed by the same company. By having the same company complete the project, it insures that all of the various components will be compatible, and the project will be completed in a timely manner.

Adjournment to Executive Session to consider the purchase or sale of property for public purposes.

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

Convened into Executive Session at 8:52 P.M. Roll call, Aye, Terry, Martin, Fess, Wilson, and Vogt. Nay: None.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Executive Session at 9:35 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Fess. Nay, None.

Moved by Commissioner Vogt, seconded by Commissioner Wilson, to adjourn from the Regular Commission Meeting at 9:38 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Fess. Nay, None.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

**MINUTES
PIQUA CITY COMMISSION
Tuesday October 1, 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.

Also present: Gary Koenig, Cindy Pearson, Steve Reindel, Kathy Sherman, Ruth Koon

REGULAR CITY COMMISSION MEETING

PROCLAMATION: COMMUNITY PLANNING MONTH IN THE CITY OF PIQUA

Mayor Fess read the proclamation and presented it to: City Planner Chris Schmiesing, Planning Commission Board Member Gary Koenig, Planning Commission Board Member Cindy Pearson, and Board of Zoning Appeals Chairman Steve Reindel.

PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH IN THE CITY OF PIQUA

Mayor read the proclamation and presented it to Law Director Stacy Wall.

RESIDENCE PRIDE AWARDS

Jerry & Terre Bailey	1816 Wilshire Drive
Clarice Carpenter	1400 Severs Drive
Fred & Pauline Plunkett	1607 Haverhill Drive
Lynn and Nancy Sever	107 Blackwell
Bob & Ruth Tilton	1304 Brook Street

Mayor Fess read the names of the Residence Pride Award winners as slides of the homes were shown. Mayor Fess congratulated all of the winners stating she hopes they inspire their neighbors to maintain their properties in the same manner.

City Manager Huff provided information on how citizens can nominate a home for a Residence Pride Award.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of the minutes from the September 17, 2013 Regular Piqua City Commission Meeting.

Moved by Commissioner Martin, seconded by Commissioner Terry, to table the Minutes of the September 17, 2013 City Commission Meeting. Voice vote, Aye: Martin, Fess, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously.

New Business

ORD. NO. 14-13 (2nd Reading)

An Ordinance amending Section 151.135, 151.70, 151.71, and 151.73 of Chapter 151 or the City of Piqua Code of Ordinance to establish construction performance requirements for subdivision improvements

Chris Schmiesing, City Planner stated this is the second reading on the changes in chapter 151 of the Piqua Code. This 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 improvement will be complete prior to any individual lot improvements being permitted.

Public Comment

Jim Cruse, Co. Rd. 25-A, came forward and voiced his concern over storm drainage tiles in the fields being damaged, as the runoff affects properties not only close by but down the road in many cases. Mr. Cruse stated he would like to see language changes added to prevent this happening in the agriculture districts. Mr. Schmiesing stated he would follow up on this.

After a brief discussion Ordinance No. 14-13 was given a second reading.

RES. NO. R- 127-13

A Resolution requesting authorization to purchase the real property located at 102 S. Main Street, Parcel ID No. N44-001240

Chris Schmiesing, City Planner stated the property located at 102 S. Main Street is situated within the Riverfront District Planning Area, and the current owner of the property desires to donate the property to the City. By approving the resolution it will authorize proceeding with taking possession of ownership of the property. After taking possession of the property it will be demolished to make the site redevelopment ready, stated Mr. Schmiesing.

Mr. Schmiesing explained where the property is located. City Manager Huff stated there will be more in the future as the city plans to get ownership of other properties to encourage redevelopment in the downtown area.

Public Comment

No one came forward to speak for or against Resolution No. R-121-13.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-127-13 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-127-13 adopted.

RES. NO. R-128-13

A Resolution authorizing the City Manager to enter into the LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) for the Safe Routes to School (SRTS) Non-Infrastructure Program

City Planner Chris Schmiesing stated in May of 2012, the City was notified of the award of the Safe Routes to School (SRTS) grant for the implementation of non-infrastructure programs. The projects will consist of working with the Piqua City Schools, students, and parents to conduct programming that will teach and encourage student to walk or bike safely to and from school. The intent is to implement the programming during the 2013/2014 school year, stated Mr. Schmiesing.

There were several questions raised regarding the education of the students, parents and community on the Safe Routes to School Program. Mr. Schmiesing explained this is made up of various City departments, the schools, and the community to educate them on safety procedures while going to and from school.

Public Comment

No one came forward to speak for or against Resolution No. R-128-13.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No R-128-13 be adopted. Roll call, Aye: Vogt, Terry, Martin, Wilson, and Fess. Nay, None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-128-13 adopted.

PUBLIC COMMENT

Frank Barhorst, S. Wayne Street, came forward to inquire about the status of a property located at 203-205 S. Downing Street. Mr. Barhorst stated the property is in need of major repairs and provided each of the Commissioners with a photo of the property. Mr. Barhorst stated he has reported the property previously and so far nothing has been done. He sent a letter to the bank offering to purchase it and also sent a copy of the letter to Law Director Wall concerning the sale of the property. Mr. Barhorst stated he is concerned since the property was condemned previously, and does not understand how it can be sold without repairs being made to it before allowing someone to move in again. City Manager Huff stated he would look into it. Law Director Stacy Wall stated she is not always notified of changes, and does not get a lot of cooperation from the banks, especially the out of town banks on the foreclosed or condemned properties. Mr. Barhorst further stated he is very concerned since the property is in such close proximity to St. Boniface School, and the language that is heard coming from that property, young children should not be subjected to hearing.

Mayor Fess stated she has also received telephone calls from other neighbors regarding this particular property.

City Manager Huff stated since July 2013 the city has had close to one-hundred property maintenance inspections requested, and they are continuously working on all of them. Mr. Huff stated he will continue to look at the it.

Kathy Sherman, Director Piqua Area Chamber of Commerce, came forward and announced the Regional Business Showcase will take place on Thursday, October 17, 2013 at the Piqua High School from 5:00 to 7:00 P.M. and is open to the public. Ms. Sherman encouraged citizens to come see what the business community has to offer. This is free and open to the public.

Ruth Koon, Park Avenue, came forward to announce the 5th Year Fort Piqua Plaza Gala to be held at the Fort Piqua Plaza on October 16, 2013 beginning at 7:00 P.M. with the Dayton Philharmonic Orchestra performing. The funds being raised are for the maintenance of the property. Ms. Koon thanked City Manager Huff for his recent editorial explaining the ownership of the Fort Piqua Plaza.

Tickets are still available at Mainstreet Piqua, or by contacting Ruth Koon at 778-1288. Ms. Koon stated the gala is open to all citizens of Piqua and encouraged everyone to attend.

Jean Franz, Parkridge Place, voiced her concern about the City's Master Plan not being followed concerning the South end entrances, and the businesses on Main Street. Ms. Franz stated several businesses on S. Main Street are in desperate need of major repairs, and should be demolished, and that the money seems to always be spent elsewhere instead of in the South end of town.

Mayor Fess stated the City is looking at the buildings Ms. Franz is talking about, but when the money is given in the form of grants it has be used for what it is applied for, we cannot change locations.

Ms. Franz also asked if it would be possible to offer the Renew Piqua Paint Program again. Ms. Franz stated there is still money left in the fund that she would like to offer home owners if they would like to paint their own homes, or help a neighbor paint theirs.

Ms. Franz also asked if it would be possible to look into the large number of abandoned cars and campers in backyards and alleys. Ms. Franz asked if the City would considered using the old Bennett Jr. High for additional City office space, stating the Municipal Government Complex is full.

Jim Cruse, Co. Rd. 25A, stated he noticed a lot of the houses and sidewalks along South Main Street are in need of a lot of work. Mr. Cruse also believes the street needs to be rebuilt.

Mr. Cruse also voiced his concern about the City not using a local wireless business provider in Piqua instead of going out of town when looking at the fiber optics contracts recently. Mr. Cruse explained the reason he feels that wireless would be more efficient than the fiber optics. Mr. Cruse further stated he would like the city to look at the use of wireless as an economic development advantage for new businesses, and feels it would be more cost effective than running fiber optics.

Cindy Pearson, Wood Street, came forward thanked the City for listening to the neighbors asking the city to take down the old building at the Covington Avenue Point, and making Wood Street a one way street from Gordon Street to College Street. The traffic flow is great now with the one way street traffic, stated Ms. Pearson.

Mayor Fess stated she is glad to see it all worked out, and that the neighbors are happy about the one way traffic on Wood Street.

City Manager's Report

City Manager Huff stated there are a lot of positive things happening in Piqua in the next few weeks in Piqua, they include:

- October 10 Chamber Business After Hours at Ft. Piqua Plaza
- October 16 Storm Water Phase 1 Master Plan Meeting
- October 16 Ft. Piqua Plaza Gala
- October 17 Miami County Regional Economic Development Forum
- October 17 Regional Business Showcase
- October 19 Groovy Gourd Bike Tour
- October 23 State of the County Luncheon

City Manager Huff stated there is a lot of construction going on in the City of Piqua including:

- Ash Street Reconstruction Project
- Phase 2 of the County Road 25-A Project
- RT 36 Beautification Project
- Fountain Park Pedestrian Bridge Rehabilitation
- College Street Signalization Project
- Paving of the Plaza Parking Lot
- Street/Park Fencing

Piqua will be featured nationwide on the Alliance for Innovations GovNews for the new Handicap Accessible Playground planned for Pitsenbarger Park in the near future. There is a lot of positive things happening in Piqua, and this is just one of them, stated City Manager Huff.

Mayor Fess stated she read the article and it stated this will be the first Handicap Accessible Playground built in the Dayton Region. This is being done by a Grant received from KaBoom for Piqua being recognized as a Playful City USA Community.

Commissioners Comments

Commissioner Terry congratulated the Residence Pride Award winners as each property has been well taken care of, and is an inspiration to the other neighbors.

Commissioner Wilson mentioned the paving of Main Street is scheduled for next year. Mr. Wilson stated he is looking forward to the Dayton Philharmonic Orchestra coming to Piqua, and thanked Mrs. Koon for all the hard work she has provided in putting together the Gala.

Commissioner Wilson stated he wanted to talk about the Public Comment portion of the Commission Meeting. This is a really important part of the Commission Meeting, and is a great way to communicate and express opinions. But, is not the place to have a public debate, you need be civil, as everyone will not always agree on things. There is a way to present your

comments as not to embarrass yourself or the Commissioners. "Tonight was a great night for public comment" said Commissioner Wilson.

Mayor Fess also addressed the issue of the Public Comment portion of the Commission Meeting, stating she would like to make a recommendation. It is very hard when citizens come to the floor and ask specific questions. Mayor Fess asked citizens to contact the Commissioners or the City Manager in advance so they will be able to provide the answers to the specific questions. When specific questions are asked at the Commission Meeting the Commissioners may not have the answers at hand or have the personal at the meeting to answer the question. By contacting the Commissioners or City Manager before the meeting this will allow them to provide the information that is being requested stated Mayor Fess.

Mayor Fess announced she attended the unveiling of the new boulevard entrance sign to the Candlewood Subdivision on Saturday. The sign was provided by the Southwest Neighborhood Association at their own cost. Mayor Fess stated the City appreciates all the good work the Neighborhood Associations do in the City of Piqua.

Mayor Fess announced that Governor John Kasich was in Piqua on Monday September 30, at Hartzell Air Movement to speak about a new training program that was put in effect last year. Hartzell Air Movement was given a voucher for payment for the training of 26 employees, thanks to the program.

Bill Murphy, Economic Development Director/Asst. City Manager, provided a brief overview of the Incumbent Work Training Voucher Program, and how it benefits Hartzell Air Movement employees.

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

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.

1st Reading 9-17-13

2nd Reading 10-01-13

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CITY COMMISSION CLERK



Commission Agenda Staff Report

Item# 3

MEETING DATE	October 15, 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'

← Formatted: Centered

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)

ORDINANCE NO. 15-13

AN ORDINANCE TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY

WHEREAS, pursuant to Piqua Charter Section 98, the City Commission adopted Resolution No. R-124-13 declaring its intent to vacate a portion of public right of way known as Hardin Road Alternate; and

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

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

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

WHEREAS, the Planning Commission after hearing the item and considering the public comments and information provided, recommended approving the vacation of a portion public right of way known as Hardin Road Alternate, as shown on the vacation plat, included herewith as exhibit A, and described by the legal description, included herewith as Exhibit B; and

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

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

SEC. 1: This Commission hereby takes the action necessary to authorize and approve the vacation of a portion public right of way known as Hardin Road Alternate, as shown on the vacation plat, included herewith as exhibit A, and described by the legal description, included herewith as Exhibit B.

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

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

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

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

Item #4

MEETING DATE	October 15, 2013		
REPORT TITLE (Match resolution/ordinance title)	AN ORDINANCE TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY		
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 type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> City Planner		<input checked="" type="checkbox"/> Planning Commission
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:	The Planning Commission held a public hearing to study the request and receive public comments. No one from the public spoke concerning the item and upon review of the request Planning recommended approval of this item.	
OPTIONS (Include deny /approval option)	1.	Adopt the ordinance to vacate the subject right of way.	
	2.	Defeat the ordinance and deny the vacation of the subject right of way.	
PROJECT TIMELINE	<ul style="list-style-type: none"> ✓ September 2013 – City Commission – Declare Intent to Vacate ✓ October 8, 2013 – Planning Commission – Public Hearing □ October 15, November 5 and 19, 2013 - City Commission – Reading of Ordinance 		
STAFF RECOMMENDATION	Approve the proposed ordinance.		
ATTACHMENTS	Vacation plat; Legal description		

DESCRIPTION:
BEING THE VACATION OF THAT PART OF HARDIN ROAD ALTERNATE (OLD S.R. 66) LOCATED ADJACENT TO INLOTS 8997, 8998 AND 8999 IN THE CITY OF PIQUA, MIAMI COUNTY, OHIO AND OWNED BY THE CITY OF PIQUA AS SHOWN HEREON.

CHAIRPERSON _____
PIQUA CITY COMMISSION
 THIS PLAT WAS INSPECTED AND ACCEPTED BY US THIS _____ DAY OF _____, 201__ ORD. # _____

CLERK _____ MAYOR _____
 PLAT BOOK _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS
 RECEIVED FOR RECORD THIS _____ DAY OF _____, 201__ AT _____ M.
 FILE NO. _____ FEE. _____
 JESSICA A. LOPEZ, MIAMI COUNTY RECORDER
 DEPUTY _____

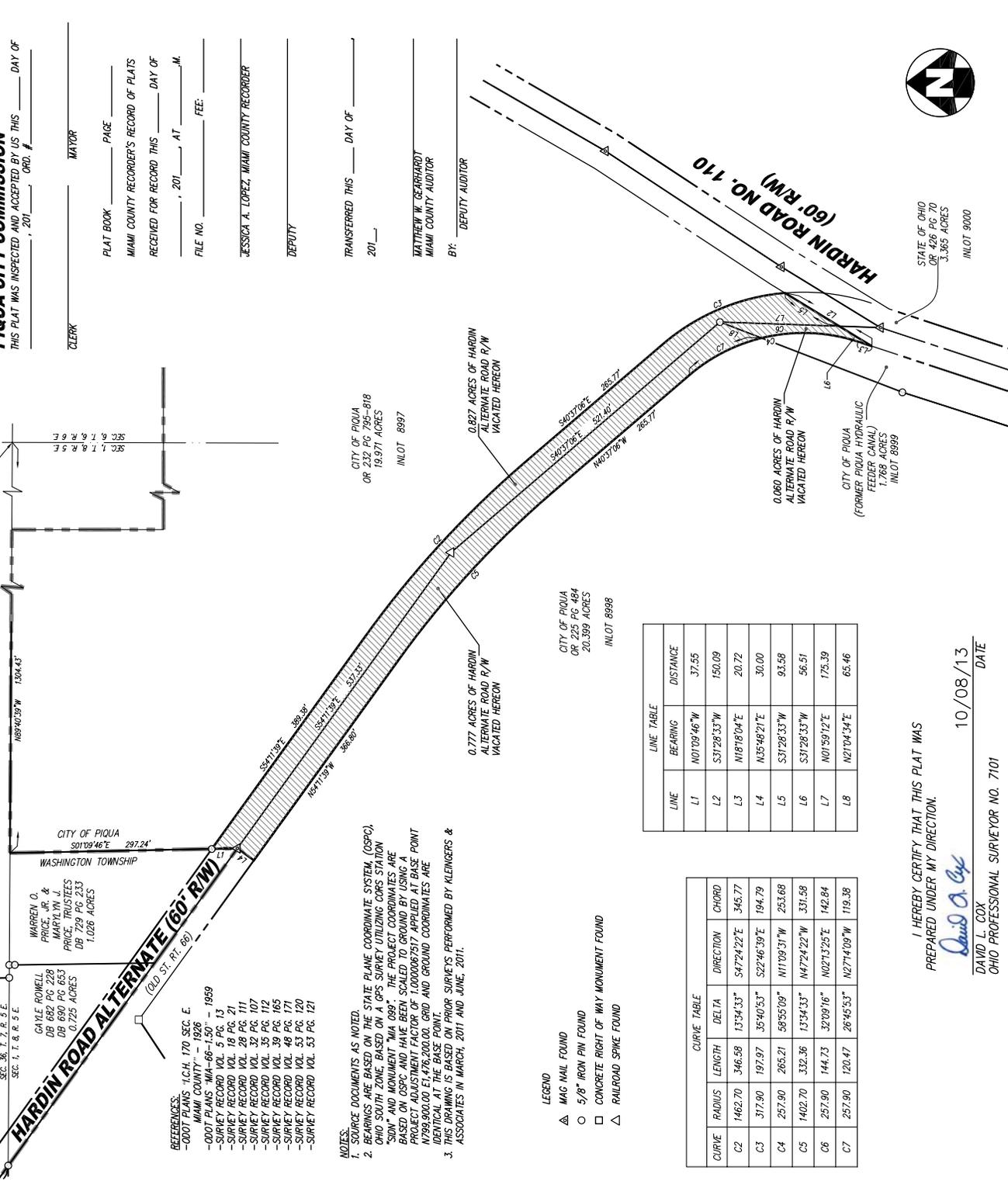
TRANSFERRED THIS _____ DAY OF _____, 201__
 MATTHEW W. GERRARDY
 MIAMI COUNTY AUDITOR
 BY: _____
 DEPUTY AUDITOR _____



NO. DATE DESCRIPTION
 1 10/8/13 ISSUED-DKY

HARDIN ROAD ALTERNATE VACATION PLAT
 (OLD S.R. 66)
 PART INLOTS 8997, 8998 & 8999
 SECTION 1, TOWN 6, RANGE 5 EAST
 CITY OF PIQUA
 MIAMI COUNTY, OHIO
 PROJECT NO.: 110048.005
 DATE: 9/23/13
 SCALE: 1" = 40'

VACATION PLAT
 SHEET NO. **1 OF 1**



LINE TABLE

LINE	BEARING	DISTANCE
L1	N01°09'46"W	37.55
L2	S31°28'33"W	150.09
L3	N18°18'04"E	20.72
L4	N35°48'21"E	30.00
L5	S31°28'33"W	93.58
L6	S31°28'33"W	56.51
L7	N01°59'12"E	175.39
L8	N21°04'34"E	68.46

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	DIRECTION	CHORD
C2	1462.70	346.58	133°4'33"	S47°24'22"E	346.77
C3	317.90	197.97	35°40'53"	S22°46'39"E	194.79
C4	257.90	265.21	58°55'09"	N11°09'31"W	253.68
C5	1402.70	332.36	133°4'33"	N47°24'22"W	331.58
C6	257.90	144.73	32°09'16"	N02°15'25"E	142.84
C7	257.90	120.47	26°45'53"	N27°14'09"W	119.38

LEGEND
 ▲ MAG. NAIL FOUND
 ○ 5/8" IRON PIN FOUND
 □ CONCRETE RIGHT OF WAY MONUMENT FOUND
 △ RAILROAD SPIKE FOUND

NOTES:
 1. SOURCE DOCUMENTS AS NOTED.
 2. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM (SPCS), OHIO SOUTH ZONE, BASED ON A GPS SURVEY UTILIZING CORS STATION "SDM" AND MONUMENT "MA 089". THE PROJECT COORDINATES ARE BASED ON SPCS AND HAVE BEEN SCALED TO GROUND BY USING A PROJECT ADJUSTMENT FACTOR OF 1.0000067617 APPLIED AT BASE POINT N799,920.00 E14,716,200.00. GRID AND GROUND COORDINATES ARE IDENTICAL AT THE BASE POINT.
 3. THIS DRAWING IS BASED ON PRIOR SURVEYS PERFORMED BY KLEINGERS & ASSOCIATES IN MARCH, 2011 AND JUNE, 2011.

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION.
David L. Cox
 DAVID L. COX
 OHIO PROFESSIONAL SURVEYOR NO. 7101
 DATE 10/08/13





CINCINNATI
COLUMBUS
DAYTON

6305 Centre Park Drive
West Chester, OH 45069
phone ▶ 513.779.7851
fax ▶ 513.779.7852
www.kleingers.com

LEGAL DESCRIPTION VACATION OF A PORTION OF HARDIN ROAD ALTERNATE

Situated in Section 1, Town 8, Range 5 East, and being part of Inlots 8997, 8998, and 8999 of the City of Piqua, Miami County, Ohio as conveyed to the City of Piqua in O.R. Volume 232 Page 795 and O.R. Volume 225 Page 484 and being more particularly described as follows:

Commencing at the northeast corner of Section 1;

Thence along the north line of Section 1, N89°40'39"W a distance of 1304.43 feet to the northwest corner of Inlot 8997;

Thence along the west line of said Inlot 8997, S01°09'46"E a distance of 297.24 feet to the True Point of Beginning in the northerly right-of-way line of Hardin Road Alternate (60' R/W);

Thence along said northerly right-of-way line the following four courses:

- 1.) S54°11'39"E a distance of 389.38 feet to a point of curvature;
- 2.) Along a curve to the right, an arc distance of 346.58 feet to a point of tangency, said curve having a radius of 1462.70 feet, a central angle of 13°34'33", and a chord bearing S47°24'22"E for 345.77 feet;
- 3.) S40°37'06"E a distance of 265.77 feet to a point of curvature;
- 4.) Along a curve to the right, an arc distance of 197.97 feet to a point in the westerly right-of-way line of Hardin Road (60' R/W), said curve having a radius of 317.90 feet, a central angle of 35°40'53", and a chord bearing S22°46'39"E for 194.79 feet;

Thence along the westerly right-of-way line of said Hardin Road, S31°28'33"W a distance of 150.09 feet;

Thence leaving the westerly right-of-way line of Hardin Road and along the southerly right-of-way line of Hardin Road Alternate, N18°18'04"E a distance of 20.72 feet to a point of curvature;

Thence continuing along said southerly right-of-way line, the following four courses:



- 1.) Along a curve to the left, an arc distance of 265.21 feet to a point of tangency, said curve having a radius of 257.90 feet, a central angle of $58^{\circ}55'09''$, and a chord bearing $N11^{\circ}09'31''W$ for 253.68 feet;
- 2.) $N40^{\circ}37'06''W$ a distance of 265.77 feet to a point of curvature;
- 3.) Along a curve to the left, an arc distance of 332.36 feet to a point of tangency, said curve having a radius of 1402.70 feet, a central angle of $13^{\circ}34'33''$, and a chord bearing $N47^{\circ}24'22''W$ for 331.58 feet;
- 4.) $N54^{\circ}11'39''W$ a distance of 366.80 feet to a point;

Thence crossing Hardin Road Alternate, $N35^{\circ}48'21''E$ a distance of 30.00 feet to the southwest corner of Inlot 8997, said point being in the centerline of Hardin Road Alternate;

Thence along the west line of Inlot 8997, $N01^{\circ}09'46''E$ a distance of 37.55 feet to the Point of Beginning, containing 1.664 acres more or less and being subject to easements, restrictions, and rights-of-way of record.

Bearings are referenced to the Ohio State Plane Coordinate System – South Zone, based on a GPS survey utilizing CORS Station "SIDN" and monument "MIA 099".

This description was prepared on October 7, 2013 by The Kleingers Group, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101 and is based on prior surveys performed by The Kleingers Group in March and June, 2011.



David L. Cox

RESOLUTION NO. R-129-13

A RESOLUTION OF AUTHORIZATION TO SUBMIT AN APPLICATION FOR OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE COUNTY ROAD 25-A PHASE III RECONSTRUCTION PROJECT

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Piqua is planning to make capital improvements to County Road 25-A; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission programs,

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

SEC. 1: The City of Piqua approves filing an application with the Ohio Public Works Commission for funding in the amount of \$400,000 for the County Road 25-A Phase III Reconstruction Project; and;

SEC. 2: Gary A. Huff, City Manager, is hereby authorized and directed to apply to the Ohio Public Works Commission for funds as described above and to provide all information and documentation and to enter into any agreements required to become eligible for possible funding assistance;

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	October 15, 2013		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution of authorization to submit an application for Ohio Public Works Commission State Capital Improvement and Local Transportation Improvement Program(s) and to execute contracts as required for the County Road 25-A Phase III Reconstruction 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)	This Resolution would allow for the City Manager to file an application with the Ohio Public Works Commission (OPWC) for funding in the amount of \$400,000 for the CR 25-A Phase III Reconstruction Project. The project will consist of the reconstruction of CR 25-A from Looney Road to just east of Indian Ridge Drive and will include new granular base, asphalt pavement, concrete curb & gutter, new storm sewer, and the construction of a 10' wide multi-use path on the north side of the roadway. The project is currently under design and is scheduled to start construction in the summer of 2015.		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	\$0	
	Expenditure \$:	\$0	
	Source of Funds:		
	Narrative	<p>The City has also received funding from the Federal Highway Administration through the Miami Valley Regional Planning Commission for 80% of the project costs, up to a maximum amount of \$3,589,377 for this project.</p> <p>While there is no cost to submit this application to the OPWC, the City does have to commit that funds will be available to pay for the balance of the construction costs at the time of construction. At this time, it is estimated that our local share of the project will be between \$600,000 to \$700,000. The City has been anticipating this project and therefore will have the funds needed for the local portion of the project.</p>	

<p style="text-align: center;">OPTIONS (Include Deny /Approval Option)</p>	1.	Approve the resolution and submit an application to the OPWC for funding for the CR 25-A Phase III Reconstruction Project.
	2.	Do not approve the resolution and provide guidance as to additional funding sources.
<p style="text-align: center;">PROJECT TIMELINE</p>	The CR 25-A Phase III Reconstruction Project is scheduled to begin construction in the summer of 2015.	
<p style="text-align: center;">STAFF RECOMMENDATION</p>	Approve the resolution and submit an application to the OPWC for funding for the CR 25-A Phase III Reconstruction Project.	
<p style="text-align: center;">ATTACHMENTS</p>	None	

RESOLUTION NO. R-130-13

A RESOLUTION OF AUTHORIZATION TO SUBMIT AN APPLICATION FOR FEDERAL MAP-21 FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration using MVRPC regionally controlled federal funds (STP, CMAQ and TA); and

WHEREAS, the City of Piqua has committed to a timely project development schedule; and

WHEREAS, the City of Piqua has committed the necessary resources to support the local cost portion of the project; and

WHEREAS, the following projects will be submitted to MVRPC as the City of Piqua's priority projects:

1. Garbry Road/Looney Road Intersection Improvements, Local match of \$354,004
2. E. Ash Street (U.S. Route 36) Separated Bike Lane and Pedestrian Facility, Local match of \$851,022

WHEREAS, the City of Piqua does not have a transit system in place with defined stops, therefore, the City of Piqua will be applying for an exception to the Complete Streets Policy for Transit Users based on Exception No. 2;

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

SEC. 1: The City Manager is hereby authorized and directed to execute and file applications through the Miami Valley Regional Planning Commission as mentioned above and to provide all information and documentation required to become eligible for possible funding assistance;

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

MEETING DATE	October 15, 2013			
REPORT TITLE (Should match resolution/ordinance title)	A Resolution of authorization to submit an application for Federal MAP-21 Funds through the Miami Valley Regional Planning Commission.			
SUBMITTED BY	Name & Title: Amy Havenar, P.E., City Engineer Chris Schmiesing, City Planner			
	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>The Miami Valley Regional Planning Commission is in the process of soliciting for new transportation projects using MVRPC regionally controlled federal funds (STP, TA, & CMAQ). The project identified for submission is the Garbry Road/Looney Road Intersection Improvements Project and the E. Ash Street (US Route 36) Separated Bike Lane/Pedestrian Facility.</p> <p>The Garbry Road/Looney Road project will consist of the conversion of the now-stop-controlled intersection to a roundabout and to make other ancillary improvements at the intersection to accommodate this project. Specifically, this project would remove the stop signs from the four corners of the intersection, reconfigure the geometrics of the intersection to allow for the construction of a roundabout, and install appropriate signage in proximity to the proposed roundabout to allow for sufficient driver notification of the upcoming roundabout. The project would also include constructing pedestrian and bicycle facilities in proximity to the newly-constructed roundabout, including stubs at the four legs of the intersection. CMAQ funds will be sought for this project.</p> <p>The E. Ash Street (US Route 36) Separated Bike Lane/Pedestrian Facility project will establish a 10 foot wide section of pavement dedicated to bike and pedestrian movements. Beginning at the west end the project will extend the existing 5 foot concrete sidewalk along E. Ash Street east to the river bridge, and extend the existing Great Miami River Recreational Trail 10 foot asphalt pavement up the access ramp alongside the levee to E. Ash Street. From there the improvements will extend over the Great Miami River east to Looney Road. This will include extending the single east bound motor vehicle lane from Armory Drive east to a point beyond the railroad overpass and reconfiguring the bridge deck over the Great Miami River to include a raised 10 foot wide concrete bike/ped facility on the south side of the bridge. Once east of the</p>			

	<p>railroad overpass the bike/ped facility will shift to the south and consist of a 10 foot wide asphalt pavement separated from the roadway by a new concrete curb and a small green space that will provide a buffer between the motor vehicle traffic and bicyclist and pedestrians. Upon reaching the intersection with Center Court users of the bike/ped facility will cross the intersection to the east and to the north using the protected crossing provided during a previous phase of the improvements. Once on the north side of E. Ash Street bicyclist and pedestrians will reconnect with a 10 foot wide asphalt path that will replace the existing 4 foot concrete walk extending from Scot Drive to Looney Road. Crossing at the interstate on and off ramp will be properly marked and pedestrian crossing signals will be provided with a separate project.</p> <p>A fairly new component to the funding application process is the compliance of projects with the Regional Complete Streets Policy which was adopted by the MVRPC Board of Directors on January 6, 2011. This policy is aimed at ensuring all current and projected users of the public right-of-way are able to safely and conveniently reach their destinations along and across a street or road, regardless of their chosen mode of transportation. The Resolution includes a statement requesting an exemption to the Complete Streets Policy for transit users based upon the fact that the City does not have a transit system in place with defined stops. The project will conform to the City of Piqua Complete Streets Policy.</p>	
<p>BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</p>	Budgeted \$:	\$0
	Expenditure \$:	\$0
	Source of Funds:	
	Narrative	<p>The CMAQ Funds can only be used for construction purposes; therefore, the City will be responsible for any engineering and right-of-way services necessary for the project. The project is being submitted with a construction estimate of \$1,416,000. The funding breakdown being applied for is 75% Federal (\$1,062,013), 25% Local (\$354,004).</p> <p>The TA dollars are capped at \$350,000 and also can only be used for construction. Again, the City will be responsible for any engineering and right-of-way services necessary for the project. The project is being submitted with a construction estimate of \$1,441,022. The funding breakdown being applied for is 29% Federal (\$350,000), 71% Local (\$851,022).</p> <p>If successful in obtaining the grants, the funds would be available in SFY 2019.</p>
<p>OPTIONS (Include Deny /Approval Option)</p>	1.	Approve the resolution and submit an application to the MVRPC for CMAQ and TA funds being requested.
	2.	Do not approve the resolution and provide guidance as to additional funding sources.
<p>PROJECT TIMELINE</p>	<p>The anticipated schedule is for construction to begin in May of 2019.</p>	

STAFF RECOMMENDATION	Approve the resolution and submit application to the MVRPC for funding.
ATTACHMENTS	None