

REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, FEBRUARY 18, 2014
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. **APPROVAL OF MINUTES**

Approval of the minutes from the February 4, 2014 Regular City Commission Meeting

NEW BUSINESS

2. **RES. NO. R-16-14**

A Resolution amending the agreement with the Ohio Department of Transportation for the US 36 Beautification project

3. **RES. NO. R-17-14**

A Resolution requesting authorization to enter into an agreement with O.R. Colan Associates for the right-of-way acquisition services for the new Water Treatment Plant Offsite Pipeline project

4. **RES. NO. R-18-14**

A Resolution authorizing the City Manager to enter into the Interstate Maintenance Agreement with the Ohio Department of Transportation (ODOT) for the maintenance of Interstate 75 (IR 75)

OTHER BUSINESS

Monthly Reports – December 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

RESOLUTION NO. R-16-14

**A RESOLUTION AMENDING THE AGREEMENT WITH
THE OHIO DEPARTMENT OF TRANSPORTATION FOR
THE US 36 BEAUTIFICATION PROJECT**

WHEREAS, by Resolution No. R-114-13 passed on August 20, 2013, this Commission enacted legislation proposing cooperation with the Director of Transportation for the US 36 Beautification Project; and

WHEREAS, at this time, the construction has been completed for the US 36 Beautification Project and the final quantities have been submitted to ODOT by the Contractor; and

WHEREAS, based upon the final numbers estimated by ODOT at this time, an increase in the Purchase Order to ODOT is necessary to be able to pay the estimated construction costs for this project.

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: Resolution No. R-114-13, a Resolution authorizing a purchase order to the State of Ohio, be increased by \$96,500 to a final amount of \$615,000 is hereby approved.

SEC. 2: The Finance Director certifies funds are available is hereby authorized to draw her warrant on the appropriate account of the City treasury in payment according to this Resolution.

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	February 18, 2014		
REPORT TITLE (Should match resolution/ordinance title)	Resolution amending the agreement with the Ohio Department of Transportation for the US 36 Beautification Project		
SUBMITTED BY	Name & Title: Amy Havenar, P.E., City Engineer		
	Department: Engineering		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>On August 20, 2013, City Commission passed Resolution 114-13 amending an agreement with the Ohio Department of Transportation (ODOT) for the U.S. 36 Beautification Project. The agreement was for an amount not to exceed \$518,500. Since that time, the project has essentially been completed and while ODOT has not provided the City with final quantities, we have received an estimate of what they anticipate the final quantities to be. There were a few areas that the contractor was over on quantity. The main one being the concrete pavement removal. Once the contractor began removing the asphalt for the median areas, concrete pavement was discovered under the entire area. The contractor also incurred additional expense with traffic control with having to rework the maintenance of traffic in the beginning to ensure the safety of the traveling public.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	\$540,000 (103 Fund), Remainder from Stormwater & Electric	
	Expenditure \$:	\$615,000	
	Source of Funds:	Local (103 Fund, Stormwater & Electric) and Federal Highway	
	Narrative	While we have not received final numbers from ODOT and will most likely not receive them for a few more months, we feel that increasing the purchase order to \$615,000 will adequately cover any costs associated with the successful completion of this project.	
OPTIONS (Include Deny /Approval Option)	1.	Approve the resolution to increase the purchase order to ODOT.	
	2.	Deny the resolution, refund the grant money and pay the contractor directly for the project.	

PROJECT TIMELINE	The project was substantially completed in December, with the possibility of minor seeding still needing to occur in the spring.
STAFF RECOMMENDATION	Approval of the resolution to increase the purchase order to ODOT.
ATTACHMENTS	Legislation (R-114-13)

RESOLUTION NO. R-114-13

A RESOLUTION AMENDING THE AGREEMENT WITH
THE OHIO DEPARTMENT OF TRANSPORTATION FOR
THE US 36 BEAUTIFICATION PROJECT

WHEREAS, by Resolution No. R-108-13 passed on July 16, 2013, this Commission enacted legislation proposing cooperation with the Director of Transportation for the US 36 Beautification Project, requiring the City to pay for 100% of the project costs past the MVRPC funding of \$288,945; and

WHEREAS, at this time, the bids have been received for the US 36 Beautification Project and the apparent low bidder is Double Jay Construction Inc., and

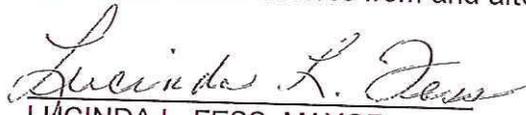
WHEREAS, based upon the bid received, an increase in the Purchase Order to ODOT is necessary for ODOT to be able to award the construction project.

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: Resolution No. R-108-13, a Resolution authorizing a purchase order to the State of Ohio for the US 36 Beautification Project in the amount of \$352,500, be increased by \$166,000 for a final amount of \$518,500 is hereby approved.

SEC. 2: The Finance Director certifies that the funds are available and is hereby authorized to draw her warrant on the appropriate account of the City treasury in payment according to this Resolution.

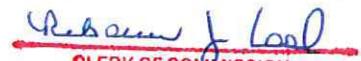
SEC.3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.


LUCINDA L. FESS, MAYOR

PASSED: August 20, 2013

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

I, the undersigned Clerk of the City Commission of the City of Piqua, Ohio do hereby certify that the above Resolution R-114-13 is a true, accurate and correct copy of Resolution R-114-13 passed by the Commission of the City of Piqua, Ohio, on the 20 day of August, 2013


CLERK OF COMMISSION

RESOLUTION NO. R-17-14

**A RESOLUTION REQUESTING AUTHORIZATION
TO ENTER INTO AN AGREEMENT WITH O.R.
COLAN ASSOCIATES FOR THE RIGHT-OF-WAY
ACQUISITION SERVICES FOR THE NEW WATER
TREATMENT PLANT OFFSITE PIPELINE
PROJECT**

WHEREAS, on January 7, 2014, this Commission passed Resolution No. R-3-14 authorizing the City Purchasing Analyst to advertise for bids, according to law, for Right-of-Way Acquisition Services for the New Water Treatment Plant Project; and

WHEREAS, after solicitation of Request for Qualifications, O.R. Colan Associates has been determined to be the most qualified provider of these services; and

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

SEC. 1: A purchase order is hereby authorized to O.R. Colan Associates for the necessary Right-of-Way acquisition services for the New Water Treatment Plant Offsite Pipeline Project;

SEC. 2: The Finance Director certifies funds are available and is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$99,908;

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	February 18, 2014		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution requesting authorization to enter into an Agreement with O.R. Colan Associates for the Right-of-Way Acquisition Services for the New Water Treatment Plant Offsite Pipeline Project.		
SUBMITTED BY	Name & Title: Don Freisthler, Water System Superintendent		
	Department: Water		
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>Part of the new Water Treatment Plant Project will be to construct new water mains and a sludge line to and from the new Water Treatment Plant. Due to the number of pipelines that will need to be constructed, and adhering to design guidelines as far as separation to other utilities, we will need to acquire easements to install some of the new pipelines.</p> <p>The areas in which easements will be needed are from Hardin Road to the existing Water Treatment Plant, on both sides of the spillway just north of Zeigler Road, and from the north edge of the lime quarry property to the Great Miami River which will be adjacent to the current utility easement already in place.</p> <p>We are to the point in the design of the project that we need to proceed with the right-of-way acquisition. The Right-of-way acquisition will consist of the following components:</p> <ul style="list-style-type: none"> • Title Searches & Reports • Appraisals • Acquisitions • Title Updates & Closings <p>O.R. Colan Associates was selected to complete the right-of-way work based upon the recent Request for Qualifications that were solicited from consultants by the Engineering Department for right-of-way work on the CR 25A Phase III Reconstruction Project. O.R. Colan was the most qualified consultant to perform the above-listed services in part due to their current involvement with the CR 25A Phase III Project, and also their recent involvement with the CR 25A Phase II Project and with the E. Ash Street Reconstruction Project.</p>		
BUDGETING AND	Budgeted \$:	\$90,825	

FINANCIAL IMPACT (Includes project costs and funding sources)	Expenditure \$:	\$99,908 includes a 10% contingency
	Source of Funds:	Fund 403-302-601-7553- Services Contractual
	Narrative	<p>The spillway easements and acquisitions are needed to allow for the placement of the two 24” finished water lines from the New Water Plant that will tie into the existing system at the current Water Plant site. The easements by the Zeigler Road spillway are necessary to allow for the City to relocate the existing water lines that are currently located underneath the bridge on SR 66 and allow them to be buried away from the bridge.</p> <p>The quarry easements will allow for the current 12” source water line to be contained within a City controlled easement and will allow for us to install two conduits that will contain a new fiber signal line and a new power line for the quarry pump station.</p> <p>The money is budgeted in the 403 Fund to complete the Right-of-Way Acquisition.</p>
OPTIONS (Include Deny /Approval Option)	1.	Approve the Resolution to enter into an agreement with O.R. Colan Associates for the right-of-way acquisition services for the New Water Treatment Plant Offsite Pipeline Project.
	2.	Do not approve the Resolution and do not complete the right-of-way acquisition for the New Water Treatment Plant Offsite Pipeline Project and provide staff with further direction.
PROJECT TIMELINE	The right-of-way acquisition would begin immediately with project construction scheduled for summer of 2014.	
STAFF RECOMMENDATION	Approval of the Resolution to allow for the right-of-way acquisition to begin on the New Water Treatment Plant Offsite Pipeline Project.	
ATTACHMENTS	Cost Proposal, Off-site Pipeline Easements	

R/W SERVICES COST PROPOSAL

Project: City of Piqua- Offsite Pipeline B (Spillway) Updated 1-16-14
 ODOT PID No.: N/A

Phase A				
Pay Item	Type of Unit	Number of Units	Fee Per Unit	Total Amount
1. Title ¹				
a. 42 year - Based on Auditor's Permanent Parcel Number	Parcel	7	\$475	\$3,325
2. Meeting with owners for Donation Request and initial contact for Right of Entries				
a. Meeting	Each	7	\$1,500	\$10,500
3. Project Administration ²				
a. Phase A only	Parcel	7	\$600	\$4,200
TOTAL for Phase A				\$18,025
Phase B				
4. Appraisal ²				
a. Value Analysis	Parcel	4	\$650	\$2,600
b. Value Finding	Parcel	1	\$1,200	\$1,200
c. Residential (Before and After)	Parcel	2	\$4,500	\$9,000
5. Acquisition²				
a. Negotiation	Parcel	7	\$1,850	\$12,950
b. RE 95	Parcel	3	\$325	\$975
6. Closing & Title Updates³				
a. Formal Closing	Parcel	2	\$675	\$1,350
b. Informal Closing	Parcel	5	\$575	\$2,875
c. Title Update	Parcel	7	\$125	\$875
7. Relocation Assistance²				
a. Residential	Parcel	1	\$6,500	\$6,500
b. Personal Property Move	Parcel	1	\$2,500	\$2,500
8. Project Administration ²				
a. Phase B only	Parcel	7	\$750	\$5,250
TOTAL Phase B				\$46,075
TOTAL Phase A & B				\$64,100

¹ Copy Fees will be invoiced as actual cost to the project as set by the Miami County Recorder's Office (County receipts provided)

² Billing Terms for Acquisition, Relocation & Project Administration Tasks

This project will be billed as lump sum. Phase A will be invoiced on the first invoice within 30 days of NTP. Upon Phase B being Authorized it will be invoiced as a lump sum equally over the remaining life of the project (5 months). This project is anticipated to have a 6 month schedule.

³ Recording Fees will be invoiced as actual cost to the project as set by the Miami County Recorder's Office (County receipts provided)

Mortgage Release fee will be invoiced as actual cost to the project as pre-approved by the City of Piqua. Assume an average of one (1) release per parcel. If additional releases are required, Consultant reserves the right to request additional compensation to secure these added releases.

R/W SERVICES COST PROPOSAL

Project: City of Piqua Offsite Pipeline (Quarry)
 ODOT PID No.: N/A

PHASE A				
Pay Item	Type of Unit	Number of Units	Fee Per Unit	Total Amount
1. Title ¹				
a. 42 year - Based on Auditor's Permanent Parcel Number	Parcel	4	\$600	\$2,400
2. Meeting with owners for Donation Request and initial Contact for Right of Entries				
a. Meeting	Parcel	4	\$450	\$1,800
3. Project Administration (Phase A only)				
a. Administration	Parcel	4	\$600	\$2,400
TOTAL PHASE A				\$6,600
PHASE B				
Pay Item	Type of Unit	Number of Units	Fee Per Unit	Total Amount
4. Appraisal				
a. Value Finding	Parcel	4	\$1,250	\$5,000
5. Acquisition				
a. Negotiation	Parcel	4	\$1,850	\$7,400
b. RE 95	Parcel	1	\$325	\$325
6. Closing & Title Update ³				
a. Informal (includes preparing forms and mail out)	Parcel	4	\$575	\$2,300
b. Title Update	Parcel	4	\$125	\$500
c. Mortgage Release	Parcel	4	\$400	\$1,600
7. Project Administration (Phase B only)				
a. Administration	Parcel	4	\$750	\$3,000
TOTAL PHASE B				\$20,125
TOTAL PHASE A & B				\$26,725

¹ Copy Fees will be invoiced as actual cost to the project as set by the Miami County Recorder's Office (County receipts provided)

² Billing Terms and Project Schedule

This project will be billed as a lump sum.

Phase A will be invoiced on the first invoice within 30 days of NTP.

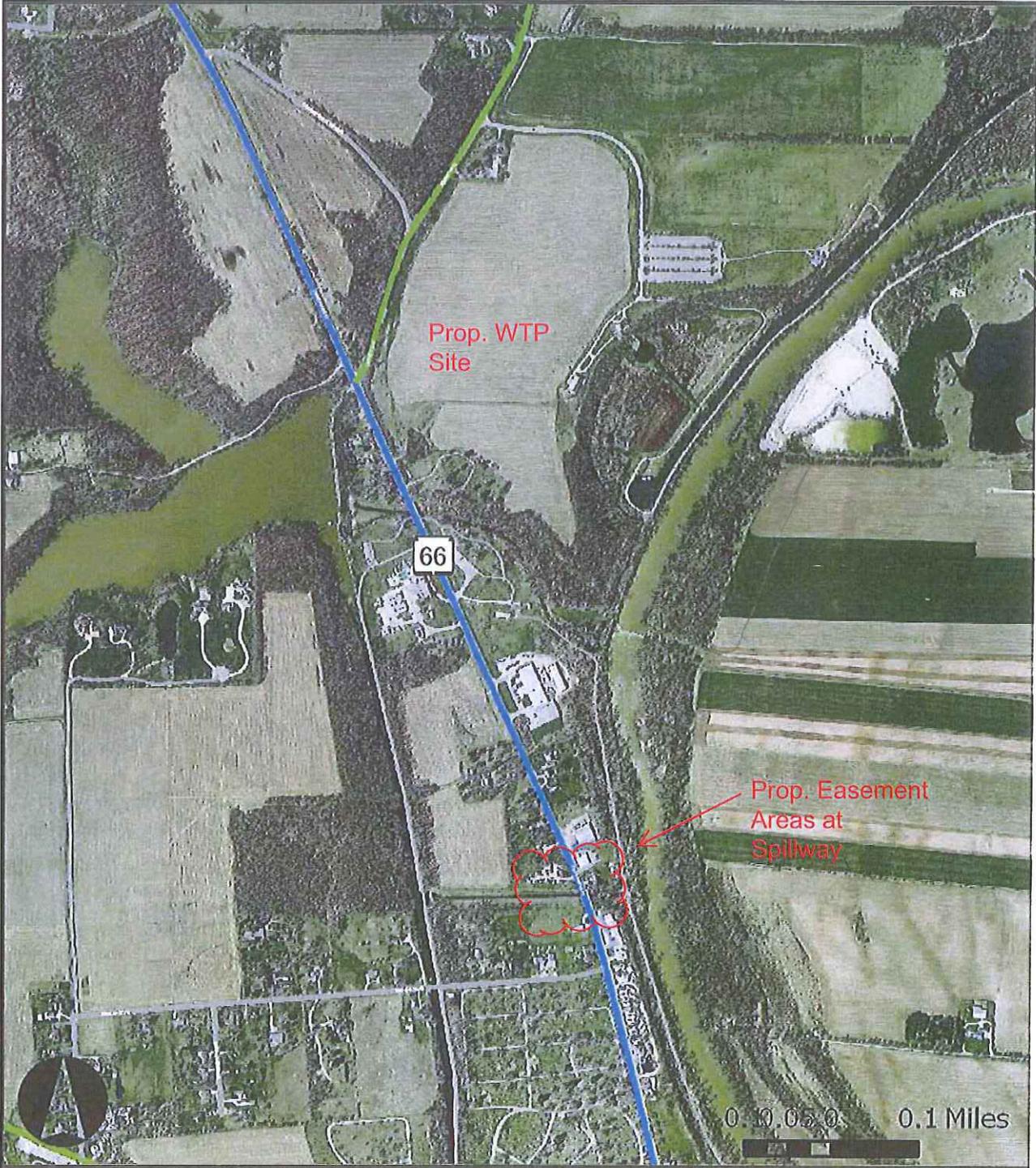
Upon Phase B being Authorized it will be invoiced as a lump sum equally over the remaining life of the project schedule (5 months)

This project is anticipated to have a 5 month schedule.

³ Recording Fees will be invoiced as actual cost to the project as set by the Miami County Recorder's Office (County receipts provided)

Mortgage Release fee will be invoiced as actual cost to the project as pre-approved by the City of Piqua. Assume an average of one (1) release per parcel. If additional releases are required, Consultant reserves the right to request additional compensation to secure these added releases.

Off-Site Pipeline Easements



RESOLUTION NO. R-18-14

**A RESOLUTION AUTHORIZING THE CITY
MANAGER TO ENTER INTO THE INTERSTATE
MAINTENANCE AGREEMENT WITH THE OHIO
DEPARTMENT OF TRANSPORTATION (ODOT)
FOR THE MAINTENANCE OF INTERSTATE 75
(IR 75)**

WHEREAS, the public interest requires that ODOT maintain and keep in repair Interstate Highways within the City of Piqua; and

WHEREAS, pursuant to Ohio Revised Code Section 5521.01, consent of the municipal corporation is required prior to completing maintenance work within the right-of-way; and

WHEREAS, the City of Piqua and ODOT desire to enter into a Maintenance Agreement regarding the maintenance, repair, and operation of Interstate Highway 75 in the City of Piqua; substantially in the form of Exhibit A attached hereto;

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 to execute the Interstate Maintenance Agreement substantially in the form attached hereto as Exhibit A and all documents, instruments and agreements contemplated thereby and to execute such amendments to the Interstate Maintenance Agreement from time to time as contemplated by such Agreement.

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	February 18, 2014		
REPORT TITLE (Should match resolution/ordinance title)	A resolution authorizing the City Manager to enter into the Interstate Maintenance Agreement with the Ohio Department of Transportation (ODOT) for the maintenance of Interstate 75 (IR 75).		
SUBMITTED BY	Name & Title: Amy Havenar, P.E., City Engineer		
	Department: Engineering		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>This legislation would eliminate the need for ODOT to obtain Consent Legislation from the City each time ODOT completes a maintenance project on IR 75 within the City of Piqua corporation limits. Currently, each time ODOT completes a project (i.e., resurfacing, guardrail project, etc.), pursuant to Ohio Revised Code Section 5521.01, they are required to obtain consent of the municipal corporation prior to completing the work. This legislation establishes a maintenance agreement between the City of Piqua and ODOT that would allow for ODOT to complete projects located within the right-of-way of IR 75 without having to obtain consent legislation for each individual project.</p> <p>ODOT will still schedule the projects to be completed with the Engineering Department, so the City will have advanced knowledge of these projects.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A	
	Expenditure \$:	N/A	
	Source of Funds:		
	Narrative	All of the projects that ODOT will complete under this maintenance agreement will require no financial participation from the City.	
OPTIONS (Include Deny /Approval Option)	1.	Approve the resolution to enter into a Maintenance Agreement with ODOT.	
	2.	Deny the resolution and require that each individual maintenance project completed by ODOT obtain consent legislation.	
PROJECT TIMELINE	This agreement will go into effect with the next scheduled maintenance project.		

STAFF RECOMMENDATION	Approve the resolution to allow for the City to enter into a Maintenance Agreement with ODOT
ATTACHMENTS	Interstate Maintenance Agreement (Exhibit A)

EXHIBIT A

INTERSTATE MAINTENANCE AGREEMENT

Interstate Highway(s) IR 75 Agreement is entered into this _____ day of February, 2014.

A resolution enacted by the City of Piqua, Ohio hereinafter, in the matter of the maintenance repair and operation of Interstate Highway IR 75

WHEREAS, the public interest that the Ohio Department of Transportation maintain and keep in repair Interstate Highways within the City of Piqua Ohio.

NOW Therefore, be it ordained by the Commission of the City of Piqua, Miami County, Ohio.

SECTION I

That it is declared to be in the public interest that the consent of said City be hereby given to the Ohio Department of Transportation to maintain and repair said Interstate Highway(s) and to bear the costs thereof.

SECTION II

That the City, hereby proposes to cooperate with the State of Ohio and will bear the cost and;

- a.) Maintain and repair all grade separated municipal streets, exclusive of bridge structures within the right of way limits of the interstate highway.
- b.) Maintain and repair the wearing surface on bridges carrying municipal streets over the interstate highway when such wearing surface is separate from the bridge floor slab. Changes in type of depth of wearing surface will not be permitted without prior approval by the State.
- c.) Remove snow and place abrasives and chemical for ice control on all grade separated municipal streets, inclusive of bridges carrying such streets over the interstate highway.
- d.) Maintain and repair all service roads, drainage structures and other roadway items located outside the fenced portion of the interstate highway.
- e.) Furnish, install, maintain and repair all signs, pavement makings and other traffic control devices on the intersecting local streets at interchanges or on overpass or underpass roadways in accordance with the Ohio Manual of Uniform Traffic Control Devices.
- f.) Maintain and repair (including furnishing electric power) highway lighting units on intersected local streets at interchanges and on overpass or underpass roadways.

SECTION III

That the Ohio Department of Transportation shall be the issuing authority for permits to use or occupy interstate highway right- of-way and permits for the movement of oversize and overweight loads over interstate highways.

SECTION IV

That traffic control lights will not be installed at the intersections of ramp terminals and the local streets without prior approval by the State.

SECTION V

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

Passed: _____, 2014

CITY OF PIQUA, OHIO

Gary A. Huff, City Manager
City of Piqua

Witness

CERTIFICATE OF COPY

State of Ohio

City of _____ ss

County of _____

I, _____ as clerk of the City of Piqua, Ohio do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the commission of the said City of Piqua on the _____ day of _____, 2014

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal, this _____ day of _____, 2014.

FOR STATE OF OHIO

Jerry Wray, Director of
Ohio Department of Transportation

Date