

AMENDED – MARCH 27, 2014  
AMENDED – MARCH 31, 2014

REGULAR PIQUA CITY COMMISSION MEETING  
TUESDAY, APRIL 1, 2014  
7:30 P.M. – COMMISSION CHAMBER – 2<sup>nd</sup> FLOOR  
201 WEST WATER STREET  
PIQUA, OHIO 45356

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENTATION:** Cindy Bach - Solid Waste Coordinator for Miami County

**EXECUTIVE SESSION**

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

**REGULAR CITY COMMISSION MEETING**

**CONSENT AGENDA**

1. **APPROVAL OF MINUTES**

Approval of the minutes from the February 4, 2014 and the March 18, 2014 Regular Piqua City Commission Meetings and minutes from the March 13, 2014 Piqua City Commission Worksession

**OLD BUSINESS**

2. **ORD. NO. 2-14** (3<sup>rd</sup> Reading)

An Ordinance amending Section 77.01-Traffic Schedules Adopted, Schedule IV of the Piqua Code, relating to four-way stop intersections pertaining to the Park Avenue/Lambert Drive intersection

**NEW BUSINESS**

3. **RES. NO. R-47-14**

A Resolution authorizing a purchase order to John Deere Company for the purchase of lawn mowers for the Public Works Department-Streets and Parks

4. **RES. NO. R-48-14**

A Resolution approving the purchase of Parcel No. N44-000560

5. **RES. NO. R-49-14**

A Resolution approving the purchase of Parcel No. N44-017270

**PUBLIC COMMENT**

(This is an opportunity for citizens to address the City Commission regarding issues or to provide information. Comments are requested to be limited to five (5) minutes and specific questions should be addressed to the City Manager's office.)

**CITY MANAGER'S REPORT**

**COMMISSIONERS COMMENT**

**ADJOURNMENT**

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday, February 4, 2014  
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**

**Consent Agenda**

**Approval of Minutes**

Approval of the minutes from the January 21, 2014 Regular Piqua City Commission Meeting.

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

**NEW BUSINESS**

**RES. NO. R-10-14**

A Resolution authorizing the City Manager to enter into a Memorandum of Understanding with the City of Troy, Ohio, City of Tipp City, Ohio, and Miami County Board of Commissioners for the Purpose of funding a Hazardous Coordinator position

City Manager Huff provided a brief overview stating this Memorandum of Understanding has been in effect since 2009, supports the position of Haz Mat Coordinator. This a part time position funded by Piqua, Troy, Tipp City, and Miami County and benefits both the city and county residents.

Several question were raised concerning the cost and if it was equally shared. Law Director Stacy Wall stated the costs are prorated depending on the size of the entity, and that she reviewed the contract.

**Public Comment**

No one came forward to speak for or against Res. No. R-10-14.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-10-14 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution R-10-14 adopted.

**RES. NO. R- 11-14**

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

Power System Director Ed Krieger provided a brief overview of the request to purchase the twenty-two transformers. Five bids were received and Ermco, and Power Line Supply were the lowest bids. We would like to purchase twenty-two transformers from Ermco for a not to exceed price of \$113,559. In addition, a Purchase Order will be issued to Power Line Supply for ten Howard transformers totaling \$12,500, stated Mr. Krieger.

**Public Comment**

No one came forward to speak for or against Resolution No. R-11-14.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-11-14 be adopted. Roll call, Aye: Vogt, Wilson, Terry, Martin and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-11-14 adopted.

**RES. NO. R-12-14**

A Resolution awarding a contract for purchase of a Bucket Truck for the Power System

Power System Director Ed Krieger stated the Power System plans to replace a vehicle this year, and went out to bid through the State of Ohio Cooperative Purchasing Program. The Power System currently owns several Altec Bucket Trucks and two Altec digger-derricks and are completely satisfied with their performance. Included in the 2014 budget is \$175,000 for the replacement and would like to purchase this Altec Bucket Truck for a not to exceed price of \$150,000 which is below budget, stated Mr. Krieger.

Commissioner Terry inquired about the delivery date. Mr. Krieger explained why it took so long to receive the truck after the order is placed.

**Public comment**

No one came forward to speak for or against Resolution No. R-12-14.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-12-14 be adopted. Roll call, Aye: Wilson, Terry, Martin, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-12-14 adopted.

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

A Resolution authorizing the City Manager to enter into a Collective Bargaining Agreement with the American Federation of State, County and Municipal Workers, Inc., (AFSCME), Ohio Council 8, Local 984 (Blue Collar)

Law Director Stacy Wall stated this contract is the last of the Union Contract to be ratified. Ms. Wall explained the significant changes that would take place in the new contract. They include: Updating the reclassification positions, there will be a need for additional positions added with the new Water Plant; discipline updates; allowance of comp time in lieu of overtime, and rewarding employee's for maintaining perfect attendance.

**PUBLIC COMMENT**

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

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-13-14 be adopted. Roll call, Aye: Terry, Martin, Fess, Vogt, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-13-14 adopted.

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

A Resolution authorizing the City Manager to enter into a Collective Bargaining Agreement with the American Federation of State, County and Municipal Workers, Inc., (AFSCME), Ohio Council 8, Local 984 (Clerical)

Law Director Wall stated this addresses the same benefits contract, wages, health, and discipline as the Blue Collar Contract. The Health Department currently has a Secretary position in the Union, but when the secretary retires the position will no longer be in the union. stated Ms. Wall.

A question was raised concerning the disciplinary steps, and if it was the same steps in all of the contracts, and if not, should it be. Ms. Wall stated no, and explained the reason for the different types of discipline within the various contracts.

Mayor Fess thanked Law Director Wall, Human Resource Director Elaine Barton, and Finance Director/Assistant City Manager Cynthia Holtzapple, City Manager Huff, who spent many hours working on the contracts, and to all of the employees for working together to get the contracts ratified in a timely manner.

**PUBLIC COMMENT**

No one came forward to speak for or against Resolution No.R-14-14.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-14-14 be adopted. Roll call, Aye: Martin, Fess, Vogt, Wilson, and Terry. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-14-14 adopted.

**RES. NO. R-15-14**

A Resolution authorizing the City Manager to enter into a Collective Bargaining Agreement with the Ohio Patrolmen's Benevolent Association

Law Director Wall stated this contract provides a 2% wage increase, and the health and insurance are the same. This contract includes several changes: reimbursement to the HAS account for passing the physical fitness test, cash out time of sick time, and the use of holiday time as flexible time.

**PUBLIC COMMENT**

No one came forward to speak for or against Resolution No.R-15-14.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-15-14 be adopted. Roll call, Aye: Fess, Vogt, Wilson, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-15-14 adopted.

**PUBLIC COMMENT**

No one came forward to speak at this time.

**City Manager's Report**

City Manager Huff provided a brief overview of the City's Emergency Preparedness Plan. It is not just about plowing the streets, as large snows create many other issues. Emergency shelters and food to be set up as needed, emergency transportation as needed, enact emergency snow routes, trash collection, need to run additional turbines, find backup generators as needed, bring in private contractors to help with the removal of snow.

With the storm that is going on at this time, the Public Works Department is putting down the Brine on the streets to prevent freezing, the Public Works Department employees are working two twelve hour shift at this time, the City has about 500 ton of salt available but have been using a lot of the Brine to help, looking to purchase more salt as it comes available, refuse collection will continue unless a Level 3 is issued by Miami County, and the we are currently in an Emergency Status with City Departments only and is not city wide.

Mayor Fess thanked City Manager Huff for progressively looking ahead and providing the citizens with the information to let them know the City is ready to handle any situation and is on top of things.

Commissioner Wilson stated he is glad to see the City is prepared for any situation including being able to communicate with other cities if help is needed. City Manager Huff stated the City has a lot of cooperation working closely with Miami County Communications Center.

Commissioner inquired as how citizens would be notified of any weather related emergency situations or have a one call? City Manager Huff stated the through TV, all media, and if someone has an emergency should call 911. We are working with Miami County Communication Center on issuing a one call, but all they have are land line numbers, and will need to have citizens sign up with their cell phone numbers. But we are working on this process at this time.

Commissioner Martin asked how citizens would find out if there was a Level 1-2 or 3 issued in the City of Piqua? City Manager Huff stated any of the media outlets are very informative.

**Commissioners Comments**

Commissioner Vogt stated he has received a large number of comments regarding the potholes and why they are not getting patched. Commissioner Vogt reminded citizens to be careful when driving on the city streets, further stating they cannot be patched in the cold weather. City Manager Huff explained as soon as the weather breaks the Public Works Department plans to do a lot of night patching as there is not as much traffic. We are also adding a lot more of funding to this year's budget to help with the repairs and paving, explained City Manager Huff. This problem is not just in Piqua other communities are having the same problem with the type of weather we had this winter, stated Commissioner Vogt and Mayor Fess.

Commissioner Martin reminded citizens to be careful and dress warm if they have to be out in the weather.

Commissioner Terry also reminded residents to be careful when going out. Stay warns, check on and help the elderly neighbors in your neighborhoods if they should need groceries, prescriptions, or their sidewalks/driveways cleared. Just be a good neighbor.

Mayor Fess also reminded citizens to help their elderly neighbors with snow removal, and to be careful if you have to be out in the weather.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Commission Meeting at 8:10 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Fess. Nay, None.

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LUCINDA L. FESS, MAYOR

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

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

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday, March 18, 2014  
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, Martin and Vogt.

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

Approval of the Minutes from the February 20, 2014 Joint Work Session of the Piqua City Commission and the Piqua Planning Commission, as well as the Minutes from the March 4, 2014 Regular City Commission Meeting.

Commissioner Martin moved for the approval of the Consent Agenda; motion seconded by Commissioner Wilson; motion was carried unanimously and Mayor Fess declared the Consent Agenda approved.

**OLD BUSINESS**

**ORD. NO. 2-14 (2<sup>nd</sup> Reading)**

AN ORDINANCE AMENDING SECTION 77.01 – TRAFFIC SCHEDULES ADOPTED, SCHEDULE IV OF THE PIQUA CODE, RELATING TO FOUR-WAY STOP INTERSECTIONS PERTAINING TO THE PARK AVENUE/LAMBERT DRIVE INTERSECTION

Amy Havenar, City Engineer, spoke restating a study had been completed warranting a multi-way stop at this intersection based on the Ohio Manual of Uniform Traffic Control Devices (OMUTCD) and the Transportation Committee had previously unanimously recommended that this intersection be made a four-way stop and that it should be presented to Commission.

**PUBLIC COMMENT**

No one came forward to speak for or against Ordinance No. 2-14.

Ordinance No. 2-14 will stand as a 2<sup>nd</sup> Reading.

**NEW BUSINESS**

**RES. NO. R-45-14**

A RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH URS CORP. FOR THE CONTINUATION OF PHASE 2 OF THE STORM WATER MASTER PLAN - SHAWNEE NEIGHBORHOOD STORMWATER STUDY

Devon Alexander, Storm Water Coordinator, spoke stating this Plan is a continuation of the Phase 1 Master Plan completed in 2013. This Plan would target the Shawnee neighborhood area where substantial flooding occurs in the corridor during heavy rain events. An investigation will take place that will go from the river east to the railroad track near the mall area to evaluate what can be done to divert water away, as well as looking at the infrastructure in that area to see where there are issues with water getting to the pump station.

Commissioner Martin questioned if any other areas besides the mall have already been through such an issue, i.e., more south that also comes down through the same section in question. Mr. Alexander stated there is a known field drainage pipe/tile coming from the east moving west that goes underneath the railroad track. That area will be investigated to see if there is a large amount of water coming from the east that could be putting water in the storm in the Shawnee area.

Commissioner Vogt questioned who is responsible if there is something coming from the fields in that area. Mr. Alexander stated that liability will be determined once the problem is investigated.

Commissioner Wilson questioned if there had already been cleaning in the Shawnee area as a first step. Mr. Alexander stated that there had been about 1,500 linear feet of cleaning in the Cleveland Street area last year. The cleaning helped somewhat but there was flooding again this past summer during a large rain event. A determination will need to be made as to whether the issue is capacity of the infrastructure or more to do with cleaning.

### **PUBLIC COMMENT**

No one came forward to speak for or against Resolution No. R-45-14.

Motion made by Commissioner Vogt; seconded by Commissioner Martin; motion was carried unanimously; Mayor Fees declared Res. No. R-45-14 adopted.

### **RES. NO. R-46-14**

A RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH URS CORP. FOR THE ENGINEERING DESIGN AND BIDDING SERVICES FOR THE WEST INTERCEPTOR TO ECHO LAKE PROJECT

Devon Alexander, Storm Water Coordinator, spoke stating this is another continuation of an alternative that came out of the Phase 1 study. In that study a thorough investigation was done on the west end of Piqua. It was determined through field survey, as well as public input and survey, that there was a concern with the amount of water that was going from the west end of town into Echo Lake. As a result, an alternative was given for possibly piping in the west interceptor, which actually goes to Echo Lake. It is approximately an 800 foot long ditch that's highly eroded and has a large velocity of water that is coming from the west end of town. The engineering design will be looked at for putting the pipe in, as well as going out for bidding services for contractors to do the work.

Commissioner Martin questioned if this will take care of some of the silting problems in Echo Lake. Mr. Alexander stated it is believed that a large amount of the sediment and silt in the lake is coming from the west interceptor ditch that is going to that, so it is believed that the pipe will eliminate a lot of erosion that is taking place in the ditch resulting in less sediment going in to Echo Lake.

Commissioner Martin questioned if something will be implemented to slow the water down or stop the water so that it doesn't all blast into that corridor all at once. Mr. Alexander stated that there will be a rip rap rock placed to assist in alleviating the velocity of the water coming out of the pipe.

City Manager Huff stated that there will be some repairs to the retention ponds to make sure that the water is not running down those ditches as fast as it has been and a number of improvements are scheduled to take place.

Commissioner Wilson questioned the time frame for the completion of this project. Mr. Alexander stated it is in the 2014 budget and it is expected to be completed in 2014.

Commissioner Martin questioned prior dealings with URS. Mr. Alexander stated that URS was involved in the Phase 1 Master Plan. It is believed that URS is the most adequate and best

engineering firm to do the design based on URS having hands on experience with this part of town and knowing the issue and their results have always been nothing but successful.

Commissioner Wilson questioned if notification will be provided to the properties affected. Mr. Alexander stated that there will be easements needed so contact will be made once the project has reached that point.

City Manager Huff stated that public meetings have already been held with the property owners in an attempt to work on resolving this issue and they are very anxious to move forward.

#### **PUBLIC COMMENT**

No one came forward to speak for or against Res. No. R-46-14.

Motion made by Commissioner Wilson; seconded by Commissioner Terry; motion was carried unanimously; Mayor Fess declared Res. No. R-46-14 adopted.

#### **MONTHLY REPORTS**

Mayor Fess stated that the Monthly Reports for January 2014 are in and have been accepted.

#### **PUBLIC COMMENT**

Steven Stiefel of Piqua, Ohio came forward to invite everyone to the 11<sup>th</sup> Annual Race Cars & Future Stars free event at the Miami Valley Centre Mall on March 28<sup>th</sup> through 30<sup>th</sup>, 2014.

#### **CITY MANAGER'S REPORT**

City Manager Huff extended his congratulations to the Finance Department for receiving, again, the state award, with distinction, for the 2012 Financial Report and Audit. Piqua is one of the limited number of municipalities that receive that.

Further, interviews are scheduled for Thursday, March 20, 2014, for the two finalists for the Assistant City Manager/Economic Development Director position. A decision as to who will be filling that position will hopefully be made shortly thereafter.

Finally, a large contingent from Piqua attended the River Summit in Dayton this past Friday. A lot of good comments were made and a lot of good renderings and visions were presented and Piqua received a lot of compliments for the River Development efforts.

#### **COMMISSIONERS' COMMENTS**

Commissioner Vogt wished good luck to Steven Stiefel on the Race Cars and Future Stars car show and thanked him for the good job he does. He further stated he has received several calls questioning what is going on with Garbry Road. City Manager Huff spoke stating temporary work is currently being done on Garbry and North Main. The asphalt in those areas has completely deteriorated and crumbled and there is no way to patch because the patches won't hold and the areas are too large. The Public Works Department is using a process of milling the area out and using that milling to regrade the base and then adding a dry concrete powder and calcium to it. This procedure seems to be working as a temporary fix until the asphalt companies open. Commissioner Vogt is hopeful the temporary patches will last until the Enhanced Paving Program can start in the summer.

Commissioner Martin had no comment.

Commissioner Terry stated that she attended the Piqua Rotary/OSU Buckeyes basketball game on Friday, March 14, 2014, giving special notice to Devon Alexander for his participation in the game, and noted that the fundraiser was well done and successful.

Commissioner Wilson stated that he attended, along with Mayor Fess, the groundbreaking of a Habitat for Humanity home on Boone Street, which the family was very thankful and appreciative of receiving. Habitat for Humanity is taking volunteers and he would suggest anybody interested in helping out with that give them a call.

Mayor Fess stated that volunteering for Habitat for Humanity can also be done through Compassion Network. In addition, she got the opportunity to attend the ribbon cutting for Piqua's newest street at Piqua Baptist Church. The hallway of the church has been decorated with quite a few Piqua buildings, including the old fire station on Park Avenue and the library. Congratulations were extended to the congregation at Piqua Baptist Church for creating a new street here in Piqua with no potholes!!

Motion made by Commissioner Vogt and seconded by Commissioner Martin to adjourn the Regular City Commission Meeting at 7:51 P.M.; motion was carried unanimously.

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LUCINDA L. FESS, MAYOR

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

ATTEST: \_\_\_\_\_  
KIMBERLY J. HEBB  
ACTING CLERK OF COMMISSION

**MINUTES**  
**PIQUA CITY COMMISSION WORK SESSION**  
**Thursday, March 13, 2014**  
**7:30 P.M.**

Piqua City Commission met in a City Commission Work Session at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Vice Mayor Vogt called the meeting to order. Present were Commissioners Terry, Wilson, Martin and Vogt. Also present were Gary Huff, City Manager; Stacy Wall, Law Director; Cynthia Holtzapple, Finance Director/Assistant City Manager; Mike Rindler, Fire Department Chief; Brent Pohlschneider, Assistant Fire Department Chief; and Bruce Jamison, Chief of Police.

Also present: Gregory Foughty, Jim Gover, Jr., Russ Fashner, Tracy Gover, Jim Cruse, Pat Jenkins and Lou Moran, all Committee Members for the Piqua BikeFest.

Motion was made by Commissioner Martin to excuse Mayor Fess from the Work Session; motion seconded by Commissioner Terry; motion carried unanimously.

**PIQUA BIKEFEST**

Numerous members from the BikeFest Committee spoke intermittently throughout the Work Session. The Piqua BikeFest is currently slated to take place September 19-20, 2014, to begin late afternoon on September 19<sup>th</sup> through 11:00 P.M. and then commence on Saturday around 11:00 A.M. through 11:00 P.M.

Tracy Gover was pleased to report that the motorcycle group photo from the September 20, 1914 original BikeFest would be recreated several times throughout the day on Saturday beginning at 11:00 A.M. There is hope that numerous vendors will be located downtown in various places in a barricaded six block area, along with local bands for entertainment. A bike show will be located in front of the plaza with a pro stunt show being planned in front of Z's and a beer garden possibly located around the entertainment stage in a controlled area.

It was further noted that event insurance will be carried and the clean-up at the close of the event will be fully funded and taken care of at no expense or burden to the city.

Any proceeds earned from the event, after the promoter receives his 20%, will be placed in a bank account with the hope that the event will return next year and those proceeds will then be invested into making the next year more successful and hopefully reach a point where a portion of the proceeds will be able to benefit a local charity.

Commissioner Vogt voiced concern about local merchants being on board for the event based on a past failed car show. The BikeFest Committee reported that a meeting with the downtown merchants has been scheduled for April 10, 2014 to address most, if not all, concerns and ideas.

Chief Rindler voiced concern about access routes in case of emergencies and Chief Jamison voiced concerns about having enough police force(s) to ensure security for the event. It was stated by a Committee Member that the hope is to have somewhere between 1,000 to 5,000 visitors, however, they are planning for 10,000 and basing all safety/security issues on that number. Tracy Gover stated the National Guard has volunteered their services in whatever capacity they may be able to assist.

After a long discussion, all parties involved in the Work Session acknowledged the fact that there is still a lot of work to do with a lot of additional information and work needed in order to make this event a successful one. Tracy Gover stated that the Committee continues to meet every Wednesday of every month, and they have been doing so since November of 2013, and invited

any or all in attendance to attend those meetings, which are held at Gover Harley-Davidson. Future meetings will be held with the City Commission as additional information is collected.

Motion was made by Commissioner Martin to adjourn the Piqua City Commission Work Session at 8:45 P.M.; seconded by Commissioner Terry; motion carried unanimously.

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WILLIAM D. VOGT, VICE MAYOR

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

ATTEST: \_\_\_\_\_  
KIMBERLY J. HEBB  
ACTING CLERK OF COMMISSION

**ORDINANCE NO. 2-14**

**AN ORDINANCE AMENDING SECTION 77.01 – TRAFFIC SCHEDULES ADOPTED, SCHEDULE IV OF THE PIQUA CODE, RELATING TO FOUR-WAY STOP INTERSECTIONS PERTAINING TO THE PARK AVENUE/ LAMBERT DRIVE INTERSECTION**

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: Section 77.01 of the Piqua Code, Schedule IV – FOUR-WAY STOP INTERSECTION, is hereby amended to ADD the following:

**PARK AVENUE AND LAMBERT DRIVE**

SEC. 2: Section 77.01 of the Piqua Code, Schedule IV Four-way Stop Intersection is hereby amended to revise the designation of the intersection;

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

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LUCINDA L. FESS, MAYOR

1<sup>st</sup> Reading – March 4, 2014  
2<sup>nd</sup> Reading – March 18, 2014

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

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



# Commission Agenda Staff Report

<b>MEETING DATE</b>	March 4, 2014 – 1 <sup>st</sup> Reading  March 18, 2014 – 2 <sup>nd</sup> Reading  April 1, 2014 – 3 <sup>rd</sup> Reading		
<b>REPORT TITLE</b> <small>(Should match resolution/ordinance title)</small>	An ordinance amending Section 77.01 – Traffic Schedules Adopted, Schedule IV of the Piqua Code, relating to four-way stop intersections pertaining to the Park Avenue/Lambert Drive intersection.		
<b>SUBMITTED BY</b>	Name & Title: Amy Havenar, P.E., City Engineer		
	Department: Engineering		
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution  <input type="checkbox"/> Regular
<b>APPROVALS/REVIEWS</b>	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input checked="" type="checkbox"/> Law Director
	<input type="checkbox"/> Department Director		<input type="checkbox"/> Other:
<b>BACKGROUND</b> <small>(Includes description, background, and justification)</small>	<p>A request was brought before the Transportation Committee to study the possibility of converting the existing two-way stop intersection at Park Avenue and Lambert Drive into a multi-way stop. Based upon the engineering study completed and with recommendation from the Transportation Committee, this intersection does meet the criteria for establishing a multi-way stop as per the requirements set forth in the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).</p> <p>The Transportation Committee voted unanimously at their October 24, 2013 meeting to recommend to the City Commission that this intersection be changed from the current 2-way stop control to a multi-way stop control intersection. We wanted to wait until closer to spring to implement these changes so that if this ordinance is passed, we will have the appropriate weather to be able to install the necessary pavement markings and signage.</p>		
<b>BUDGETING AND FINANCIAL IMPACT</b> <small>(Includes project costs and funding sources)</small>	Budgeted \$:	\$0	
	Expenditure \$:	\$0	
	Source of Funds:		
	<b>Narrative</b>	The only financial impact will be for the new stop signs, the new stop ahead signs, and for the new pavement markings (stop bars and crosswalks). The Sign Shop can make the signs in-house and can perform the pavement markings in-house, also.	
	1.	Approve the ordinance to amend Section 77.01, Schedule IV of the Piqua	

<p><b>OPTIONS</b> (Include Deny /Approval Option)</p>		Code relating to four-way stop intersections pertaining to the Park Avenue/Lambert Drive intersection.
	2.	Do not approve the ordinance and keep the intersection as a 2-way stop controlled intersection.
<p><b>PROJECT TIMELINE</b></p>	This work will be completed in the spring of 2014.	
<p><b>STAFF RECOMMENDATION</b></p>	Approve the ordinance to allow for the conversion of the Park Avenue/Lambert Drive intersection to a multi-way stop.	
<p><b>ATTACHMENTS</b></p>	Traffic Control Change Request Evaluation for the Park Avenue/Lambert Drive intersection.	



**Traffic Control Change Request  
Evaluation Procedure**

**Park Avenue & Lambert Drive**

**Change from 2-way stop control to  
multi-way stop control**

**October 22, 2013**

Prepared By:

City of Piqua Transportation Committee



## Request to Change a Traffic Control Feature REVIEW AND EVALUATION

### REVIEW

**PROPOSED CHANGE:**

A request was received from a citizen to make the intersection of Park Avenue & Lambert Drive a multi-way stop.

**EXISTING CONDITIONS:**

Currently, Lambert Drive is the stop street, with Park Avenue being the through street. Park Avenue has an extremely wide approach leading into this intersection from the east (58' B/C to B/C) due to the presence of a boulevard. There is no refuge island located within the boulevard for pedestrians to utilize while crossing the roadway. Both the Park Avenue approaches and the Lambert Drive approaches are in a curve. Park Ave. dead-ends to the west and Lambert Dr. dead-ends to the north with. Both streets will be extended in the future.

**DESIGN CONTROLS:**

Major Street           (Provide information that is available via public records)	Name:	Park Avenue
	Functional Classification:	<input type="checkbox"/> Arterial <input checked="" type="checkbox"/> Collector <input type="checkbox"/> Local
	Terrain Type:	<input checked="" type="checkbox"/> Level <input type="checkbox"/> Rolling <input type="checkbox"/> Hilly
	Average Daily Traffic:	229 VPD
	Cars and Pickups:	27 vehicles during 2-hour count
	Commercial Vehicles:	4 vehicles during 2-hour count
	Bicycles:	0
	Pedestrians:	7 pedestrians during 2-hour count
	Speed Limits:	
	Design Speed:	25 mph
	Posted Speed:	25 mph



## Request to Change a Traffic Control Feature REVIEW AND EVALUATION

Minor Street           (Provide information that is available via public records)	Name:	Lambert Drive
	Functional Classification:	<input type="checkbox"/> Arterial <input checked="" type="checkbox"/> Collector <input type="checkbox"/> Local
	Terrain Type:	<input checked="" type="checkbox"/> Level <input type="checkbox"/> Rolling <input type="checkbox"/> Hilly
	Average Daily Traffic:	251 VPD
	Cars and Pickups:	29 vehicles during 2-hour count
	Commercial Vehicles:	5 vehicles during 2-hour count
	Bicycles:	0
	Pedestrians:	11 pedestrians during 2-hour count
	Speed Limits:	
	Design Speed:	25 mph
	Posted Speed:	25 mph

**CRASH DATA:**

This is where a description of the crash data history is to be provided.

Observed Data	3-Year Totals:	
	Fatal Crashes:	0
	Serious Injury Crashes:	0
	All Injury Crashes:	0
	POD Crashes:	0
	Notes:	No crashes have been reported since Dec. 2010.

**TRAFFIC SAFETY:**

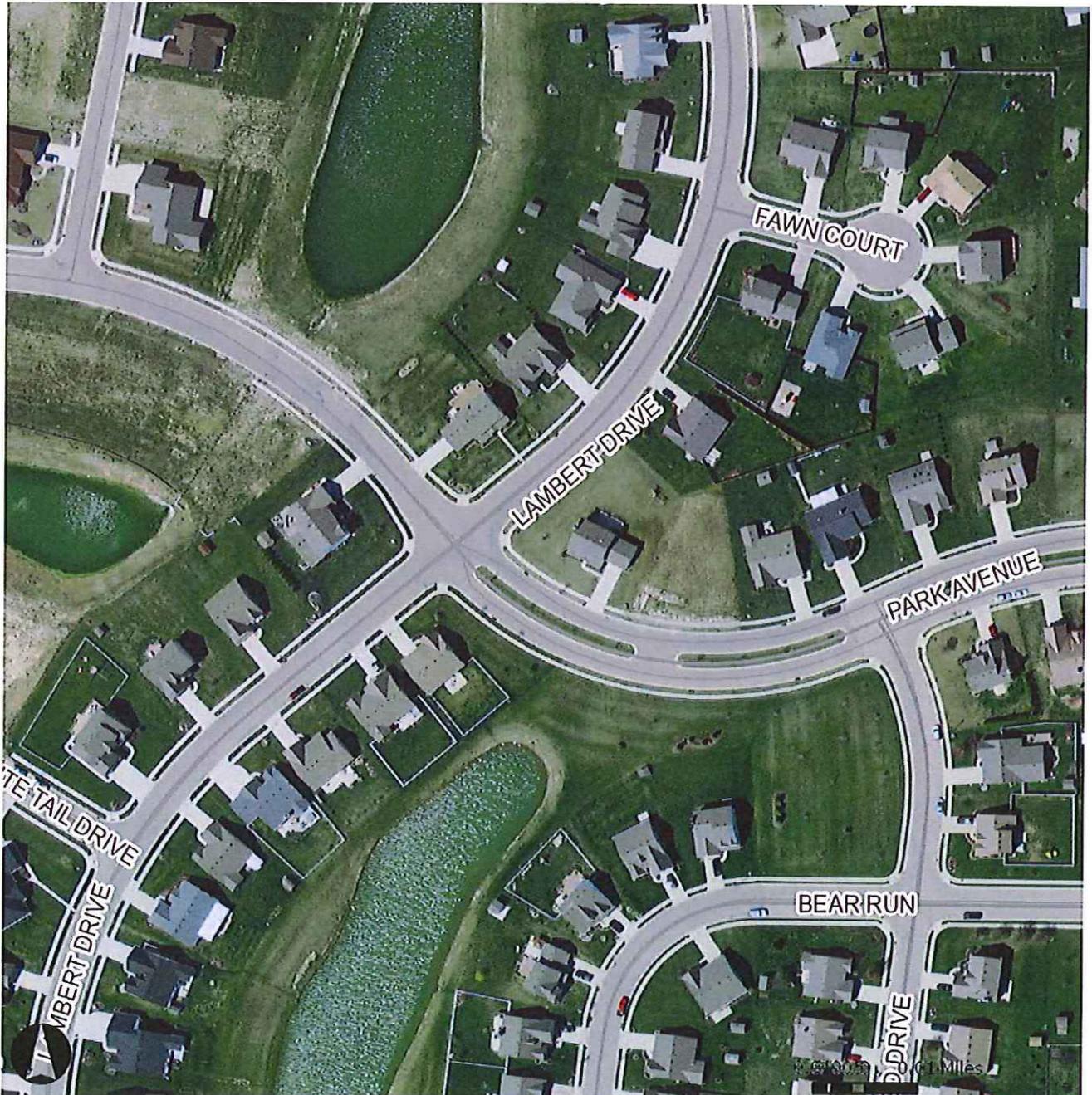
There is a bus stop within this area as per Roger Ely (Piqua City Schools Business Coordinator). There is sidewalk on all four approaches of this intersection; however, pedestrians trying to cross Park Ave. on the east side of Lambert Dr. have to cross the wide cross section on Park Ave. in addition to the fact that Park Ave. is in a curve at this location thus hindering sight distance for both the motorists and the pedestrians.

Request to Change a Traffic Control Feature  
**REVIEW AND EVALUATION**

**ADJACENT LAND USE:**

The adjacent land use is residential. The growth to the south and east is mostly complete; however, considerable growth could occur to the north and west of this intersection as both areas are farm fields at this time. Park Ave. currently dead-ends to the west and Lambert Dr. currently dead-ends to the north.

**PHOTOS:**





**DEVELOPMENT DEPARTMENT**

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

**EVALUATION**

**DESIGN FEATURE OBSERVATIONS:**

Horizontal Alignment:

Both Park Ave. and Lambert Dr. enter into the intersection in a curve.

Intersection Sight Distance:

The property at the northwest corner of Lambert Dr. & Park Ave. has landscaping that interferes with sight distance to the north and should be removed/trimmed.

Traffic Control Devices:

Lambert Dr. is the stop street with Park Ave. being the through street.

Pavement Markings:

Stop bars should be added on Park Ave. if this request is approved.

Signage:

Stop signs will need to be added to Park Ave. if this request is approved. Advanced Stop Ahead signs (with flags) should also be added on Park Ave. due to the curve in the roadway.

**IDENTIFIED PREFERRED SOLUTION**

**RECOMENDATION:**

This intersection was evaluated based upon the criteria established in the Ohio Manual of Uniform Traffic Control Devices (OMUTCD), Section 2B.07. Under "other criteria considered in the engineering study", Items B, C & D all play an important role in the safety/effectiveness of this intersection. A bus stop is located within this area and during the 2-hour traffic count, there were 18 pedestrians who crossed through this intersection. During that same time frame, there were 9 trucks/busses traveling through this intersection.

Both Lambert Drive and Park Avenue are considered neighborhood collector streets which both have similar design and operating characteristics. They are both approaching the intersection in a curve. The Park Avenue approach east of the intersection is extremely wide due to the boulevard and the Park Avenue approach west of the intersection has a sight distance issue caused by landscaping from the property located at the northwest corner of the intersection.

If this intersection were to become a multi-way stop, the installation of advanced signage should be considered to warn motorists traveling on Park Avenue of the stop condition due to the curve in the roadway leading up to the intersection. A multi-way stop will help mitigate the sight distance issue at the northwest corner of the intersection. The

conversion of this intersection to a multi-way stop would be consistent with the improvements planned at Park Avenue and Parkway Drive as a part of the Safe Routes to School Project in which that intersection is being changed from a two-way stop to a multi-way stop.

## REFERENCES

### DESIGN PUBLICATIONS:

2012 OMUTCD Section 2B.07

Page 64

2012 Edition

Support:

- 03 The use of STOP signs at grade crossings is described in Section 8B.04 and 8B.05.

#### **Section 2B.07 Multi-Way Stop Applications**

Support:

- 01 Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

- 02 The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications.

Guidance:

- 03 *The decision to install multi-way stop control should be based on an engineering study.*
- 04 *The following criteria should be considered in the engineering study for a multi-way STOP sign installation:*
- A. *Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.*
  - B. *Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.*
  - C. *Minimum volumes:*
    1. *The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day, and*
    2. *The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but*
    3. *If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum volume warrants are 70 percent of the values provided in Items 1 and 2.*
  - D. *Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.*

Option:

- 05 **Other criteria that may be considered in an engineering study include:**
- A. The need to control left-turn conflicts;
  - B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
  - C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and
  - D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

**RESOLUTION NO. R-47-14**

**A RESOLUTION AUTHORIZING A PURCHASE ORDER  
TO JOHN DEERE COMPANY FOR THE PURCHASE OF LAWN  
MOWERS FOR THE PUBLIC WORKS DEPARTMENT –  
STREETS AND PARKS**

WHEREAS, the City of Piqua Public Works Department desires to purchase eight new John Deere Z930M EFI Commercial Ztrak Mowers for the Street and Parks Departments;

WHEREAS, the City of Piqua provided for the purchase of new lawn mowers in the 2014 budget appropriations;

WHEREAS, the purchase will be made using The State of Ohio contract # STS 800276 with John Deere's (Local Dealer - Koenig Equipment) quote being shown on 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: A purchase order is hereby authorized to John Deere Company for the purchase of eight new John Deere Z930M EFI Commercial Ztrak Mowers according to the specifications received;

SEC. 2: The Finance Director certifies Street Department funds (Fund 101) in the amount of \$36,618.76 and Parks Department funds (Fund 105) in the amount of \$36,618.76 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 \$73,237.52;

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

<b>MEETING DATE</b>	April 1, 2014		
<b>REPORT TITLE</b>	A RESOLUTION AUTHORIZING A PURCHASE ORDER TO JOHN DEERE COMPANY FOR THE PURCHASE OF LAWN MOWERS FOR THE PUBLIC WORKS DEPARTMENT – STREETS AND PARKS		
<b>SUBMITTED BY</b>	Name & Title: Doug Harter, Public Works Director		
	Department: Public Works		
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
<b>APPROVALS/REVIEWS</b>	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
<b>BACKGROUND</b>	<p>We are using State Bid contract # STS 800276 to purchase these mowers as this satisfies our formal bidding requirements.</p> <p>Our current mowers are 2011 John Deere Z925A &amp; 2011 John Deere Z950 with anywhere between 500-700 hours on them. The warranties were two years &amp; 500 hours on these machines. We will continue to use them until the new ones are received. With the warranties now expired, we will experience higher maintenance costs.</p> <p>The fuel savings technology has advanced in the last three years to the point where we anticipate saving approximately 15-20% on our fuel purchases which equates to \$600-\$800 a year per mower. The warranties will also be much better with three years and 1500 hours of coverage.</p>		
<b>BUDGETING AND FINANCIAL IMPACT</b>	Budgeted \$:	\$50,000.00 net of trade in/expected resale	
	Expenditure \$:	\$73,237.52	
	Source of Funds:	Streets 101-113-850-8805 (1/2) \$36,618.76 Parks 105-015-880-8805 (1/2) \$36,618.76	
	<b>Narrative:</b>	We plan to try to sell all eight mowers that are three years old on Govdeals.com. All of them have been well maintained and we expect the resale value to be above \$26,000.00 and likely much higher. Koenig Equipment will deliver the new mowers and train all of our employees on how to use them.	

<b>OPTIONS</b>	1.	Approve Resolution R-47-14 as presented.
	2.	Approve Resolution R-47-14 with changes.
	3.	Deny Resolution R-47-14 and offer staff an alternative.
<b>PROJECT TIMELINE</b>	The new mowers would be ordered right away and delivery would be expected within 2-3 weeks. We would then list our older mowers on Govdeals.com allowing enough time to receive the new ones before relinquishing the old ones.	
<b>STAFF RECOMMENDATION</b>	We support the passage of this Resolution so that we may decrease our fuel expenditures and eliminate our maintenance expense as the new mowers will be under warranty for the next three years.	
<b>ATTACHMENTS</b>	Exhibit "A" – John Deere Company (Koenig Equipment) Quote	



"EXHIBIT A"

- Anna (937) 693-2221
- Bolkins (937) 693-2201
- Gas City (766) 674-3703
- Germantown (937) 855-6536
- Greenville (937) 548-1151
- Huntington (260) 356-7703
- Logansp... (574) 722-1999
- Oxtord (513) 523-4169
- Rossville (766) 379-2800
- Tipp City (937) 877-1920
- Urbana (937) 653-5281

Ship To: SAME AS BELOW

Invoice To: City of Piqua  
 Piqua Parks & Recreation  
 201 West Water Street  
 Piqua, Oh 45356

07 - TIPP CITY		
Date	Time	Page
03/21/2014	13:24:53 (O)	1
Account No.	Phone No.	Estimate No.
16021900	9377782085	004882
Ship Via	A40129	
Sales Tax License No.	Federal Exemption No.	
Frank Hillenbrand		515

**Equipment Estimate - Not An Invoice**

Description	** Q U O T E **	EXPIRY DATE: 04/19/2014	Amount
New JD Z930M EFI Commercial Ztrak Mower			12244.00
* 25.3HP Air Cooled Gas Engine			
* 7-Iron PRO Deck			
****INCLUDING THE FOLLOWING OPTIONS****			
2161TC Commercial Ztrak Mower		\$10,899.00	
0202 US Destination		\$0.00	
1505 60 In. 7-Iron PRO Mulch On Demand		\$870.00	
Mower Deck			
2002 Fully Adjustable Suspension		\$475.00	
Seat with Armrests			

Miscellaneous Charges/Credits

STTS DISCOUNT Qty: 1 Price: 3529.08 3529.08-

New JD Z930M EFI Commercial Ztrak Mower			12244.00
* 25.3HP Air Cooled Gas Engine			
* 7-Iron PRO Deck			
****INCLUDING THE FOLLOWING OPTIONS****			
2161TC Commercial Ztrak Mower		\$10,899.00	
0202 US Destination		\$0.00	
1505 60 In. 7-Iron PRO Mulch On Demand		\$870.00	
Mower Deck			
2002 Fully Adjustable Suspension		\$475.00	
Seat with Armrests			

Miscellaneous Charges/Credits

STTS DISCOUNT Qty: 1 Price: 3529.08 3529.08-

New JD Z930M EFI Commercial Ztrak Mower			12244.00
* 25.3HP Air Cooled Gas Engine			
* 7-Iron PRO Deck			
****INCLUDING THE FOLLOWING OPTIONS****			

Terms: Net Cash. All accounts due 10th of month following purchase. Stocked parts may be returned free of charge up to 30 days; after 30 days a charge of 15% will be deducted. Non-stocked parts returned within 30 days are subject to full freight charges and 20% restocking charge; no credit will be issued after 30 days. ALL RETURNS MUST be accompanied by original invoice. SERVICE CHARGE ON OVERDUE ACCOUNTS AT THE RATE OF 2% PER MONTH (24% PER ANNUM)

Direct all invoice inquiries to servicing branch.

PLEASE REMIT TO: P.O. BOX 649 BOTKINS, OH 45306

PURCHASER



- Anna (937) 693-2221
- Botkins (937) 693-2201
- Gas City (765) 674-3703
- Germantown (937) 655-6536
- Greenville (937) 648-1151
- Huntington (280) 358-7703
- Oxford (513) 523-4169
- Rossville (765) 379-2800
- Tipp City (937) 877-1920
- Urbana (937) 653-5281

Ship To: SAME AS BELOW

Invoice To: City of Piqua  
 Piqua Parks & Recreation  
 201 West Water Street  
 Piqua, Oh 45356

07 - TIPP CITY		
Date	Time	Page
03/21/2014	13:24:53 (O)	2
Account No.	Phone No.	Estimate No.
16021900	9377782085	004882
Ship Via		
		A40129
Sales Tax License No.		Federal Exemption No.
Frank Hillenbrand		515

**Equipment Estimate - Not An Invoice**

Description	** Q U O T E **	EXPIRY DATE: 04/19/2014	Amount
2161TC Commercial Ztrak Mower			\$10,899.00
0202 US Destination			\$0.00
1505 60 In. 7-Iron PRO Mulch On Demand Mower Deck			\$870.00
2002 Fully Adjustable Suspension Seat with Armrests			\$475.00

Miscellaneous Charges/Credits

STS DISCOUNT	Qty: 1	Price: 3529.08	3529.08-
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New JD Z930M EFI Commercial Ztrak Mower			12244.00
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***INCLUDING THE FOLLOWING OPTIONS***			
2161TC Commercial Ztrak Mower			\$10,899.00
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1505 60 In. 7-Iron PRO Mulch On Demand Mower Deck			\$870.00
2002 Fully Adjustable Suspension Seat with Armrests			\$475.00

Miscellaneous Charges/Credits

STS DISCOUNT	Qty: 1	Price: 3529.08	3529.08-
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ADDITIONAL PARTS

Striper Kit	BTC10286	Qty: 1	Price: 439.77	439.77
Striper Kit	BTC10286	1	439.77	439.77
Striper Kit	BTC10286	1	439.77	439.77
Striper Kit	BTC10286	1	439.77	439.77

Subtotal: 36618.76

Terms: Net Cash. All accounts due 10th of month following purchase. Stocked parts may be returned free of charge up to 30 days; after 30 days a charge of 15% will be deducted. Non-stocked parts returned within 30 days are subject to full freight charges and 20% restocking charge; no credit will be issued after 30 days. ALL RETURNS MUST be accompanied by original invoice. SERVICE CHARGE ON OVERDUE ACCOUNTS AT THE RATE OF 2% PER MONTH (24% PER ANNUM)

Direct all invoice inquiries to servicing branch.

PLEASE REMIT TO: P.O. BOX 549 BOTKINS, OH 45308

PURCHASER



- Anna (937) 693-2221
- Bolkins (937) 693-2201
- Gas City (765) 674-3703
- Germantown (937) 855-6536
- Greenville (937) 548-1151
- Huntington (260) 356-7703
- Logansport (574) 722-1999
- Oxford (513) 523-4169
- Rossville (765) 379-2800
- Tipp City (937) 877-1920
- Urbana (937) 653-5281

No. 4/5/ P. 3

Ship To: SAME AS BELOW

07 - TIPP CITY		
Date	Time	Page
03/21/2014	13:24:53 (O)	3
Account No.	Phone No.	Estimate No.
16021900	9377782085	004882
Ship Via	A40129	
Sales Tax License No.	Federal Exemption No.	
Frank Hillenbrand	515	

Invoice To: City of Piqua  
 Piqua Parks & Recreation  
 201 West Water Street  
 Piqua, Oh 45356

**Equipment Estimate - Not An Invoice**

Description                      \*\* Q U O T E \*\*                      EXPIRY DATE: 04/19/2014                      Amount

Authorization: \_\_\_\_\_                      Quote Total:                      36618.76

All orders must show John Deere Company as the vendor and reference the contract & item/model number. Purchase orders should be addressed as follows:

John Deere Company  
 2000 John Deere Run  
 Cary, NC 27513

Contract # 800276 → *CONTRACT #*

\*\*Tax Exempt Form to John Deere Co. must also be provided.\*\*

Terms: Net Cash. All accounts due 10th of month following purchase. Stocked parts may be returned free of charge up to 30 days; after 30 days a charge of 15% will be deducted. Non-stocked parts returned within 30 days are subject to full freight charges and 20% restocking charge; no credit will be issued after 30 days. ALL RETURNS MUST be accompanied by original invoice. SERVICE CHARGE ON OVERDUE ACCOUNTS AT THE RATE OF 2% PER MONTH (24% PER ANNUM)

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PLEASE REMIT TO: P.O. BOX 649 BOLTINS OH 45306

PURCHASER



- Anna (937) 693-2224
- Botkins (937) 693-2201
- Gas City (765) 674-3703
- Germantown (937) 855-6536
- Greenville (937) 548-1154
- Huntington (260) 358-7703
- Oxford (513) 523-4169
- Rossville (765) 379-2800
- Tipp City (937) 877-1920
- Urbana (937) 653-5281

No. 4757 P. 4

Ship To: SAME AS BELOW

Invoice To: City of Piqua  
 Piqua Street Department  
 201 West Water Street  
 Piqua OH 45356

07 - TIPP CITY		
Date	Time	Page
03/21/2014	13:28:26 (O)	1
Account No.	Phone No.	Estimate No.
15085900	9377782067	004883
Ship Via		
		2177
Sales Tax License No.	Federal Exemption No.	
Frank Hillenbrand		515

**Equipment Estimate - Not An Invoice**

Description	** Q U O T E **	EXPIRY DATE: 04/19/2014	Amount
New JD Z930M EFI Commercial Ztrak Mower			12244.00
* 25.3HP Air Cooled Gas Engine			
* 7-Iron PRO Deck			
****INCLUDING THE FOLLOWING OPTIONS****			
2161TC Commercial Ztrak Mower		\$10,899.00	
0202 US Destination		\$0.00	
1505 60 In. 7-Iron PRO Mulch On Demand Mower Deck		\$870.00	
2002 Fully Adjustable Suspension Seat with Armrests		\$475.00	

Miscellaneous Charges/Credits

STS DISCOUNT	Qty: 1	Price: 3529.08	3529.08-
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2161TC Commercial Ztrak Mower		\$10,899.00	
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Miscellaneous Charges/Credits

STS DISCOUNT	Qty: 1	Price: 3529.08	3529.08-
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New JD Z930M EFI Commercial Ztrak Mower			12244.00
* 25.3HP Air Cooled Gas Engine			
* 7-Iron PRO Deck			
****INCLUDING THE FOLLOWING OPTIONS****			

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PLEASE REMIT TO: P.O. BOX 549 BOTKINS, OH 45306

PURCHASER



KOENIG EQUIPMENT, INC.

- Anna (937) 693-2224
- Botkins (937) 693-2201
- Gas City (765) 674-3703
- Germantown (937) 855-6536
- Greenville (937) 548-1151
- Huntington (260) 358-7703
- Oxford (513) 523-4169
- Roseville (765) 379-2800
- Tipp City (937) 877-1920
- Urbana (937) 653-5281

No. 4757 P. 5

Ship To: SAME AS BELOW

Invoice To: City of Piqua  
 Piqua Street Department  
 201 West Water Street  
 Piqua OH 45356

07 - TIPP CITY		
Date	Time	Page
03/21/2014	13:28:26 (O)	2
Account No.	Phone No.	Estimate No.
15085900	9377782067	004883
Ship Via		
		2177
Sales Tax License No.		Federal Exemption No.
Frank Hillenbrand		515

**Equipment Estimate - Not An Invoice**

Description      \*\* Q U O T E \*\*      EXPIRY DATE: 04/19/2014      Amount

2161TC Commercial Ztrak Mower      \$10,899.00  
 0202 US Destination      \$0.00  
 1505 60 In. 7-Iron PRO Mulch On Demand      \$870.00  
      Mower Deck  
 2002 Fully Adjustable Suspension      \$475.00  
      Seat with Armrests

Miscellaneous Charges/Credits

STS DISCOUNT      Qty: 1 Price: 3529.08      3529.08-

New JD Z930M EFI Commercial Ztrak Mower      12244.00

- \* 25.3HP Air Cooled Gas Engine
- \* 7-Iron PRO Deck

\*\*\*\*INCLUDING THE FOLLOWING OPTIONS\*\*\*\*

2161TC Commercial Ztrak Mower      \$10,899.00  
 0202 US Destination      \$0.00  
 1505 60 In. 7-Iron PRO Mulch On Demand      \$870.00  
      Mower Deck  
 2002 Fully Adjustable Suspension      \$475.00  
      Seat with Armrests

Miscellaneous Charges/Credits

STS DISCOUNT      Qty: 1 Price: 3529.08      3529.08-

ADDITIONAL PARTS

Striper Kit      BTC10286      Qty: 1 Price: 439.77      439.77  
 Striper Kit      BTC10286      1      439.77      439.77  
 Striper Kit      BTC10286      1      439.77      439.77  
 Striper Kit      BTC10286      1      439.77      439.77

Subtotal: 36618.76

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Direct all invoice inquiries to servicing branch.

PLEASE REMIT TO: P.O. BOX 549 BOTKINS, OH 45306

PURCHASER



KOENIG EQUIPMENT, INC.



- Anna (937) 693-2221
- Botkins (937) 693-2201
- Gas City (765) 674-3703
- Germantown (937) 855-6536
- Greenville (937) 548-1151
- Huntington (260) 356-7703
- No. 4757 P. 6
- Loganport (574) 722-1999
- Oxford (513) 523-4169
- Rossville (765) 379-2800
- Tipp City (937) 877-1920
- Urbana (937) 853-5281

Ship To: SAME AS BELOW

Invoice To: City of Piqua  
 Piqua Street Department  
 201 West Water Street  
 Piqua OH 45356

07 - TIPP CITY		
Date	Time	Page
03/21/2014	13:28:26 (O)	3
Account No.	Phone No.	Estimate No.
15085900	9377782067	004883
Ship Via		
		2177
Sales Tax License No.	Federal Exemption No.	
Frank Hillenbrand		515

Equipment Estimate - Not An Invoice

Description      \*\* Q U O T E \*\*      EXPIRY DATE: 04/19/2014      Amount

Authorization: \_\_\_\_\_      Quote Total:      36618.76

All orders must show John Deere Company as the vendor and reference the contract & item/model number. Purchase orders should be addressed as follows:

John Deere Company  
 2000 John Deere Run  
 Cary, NC 27513  
 Contract # 800276

→ CONTRACT

\*\*Tax Exempt Form to John Deere Co. must also be provided.\*\*

Terms: Net Cash. All accounts due 10th of month following purchase. Stocked parts may be returned free of charge up to 30 days; after 30 days a charge of 15% will be deducted. Non-stocked parts returned within 30 days are subject to full freight charges and 20% restocking charge; no credit will be issued after 30 days. ALL RETURNS MUST be accompanied by original invoice. SERVICE CHARGE ON OVERDUE ACCOUNTS AT THE RATE OF 2% PER MONTH (24% PER ANNUM)

Direct all invoice inquiries to servicing branch.

PLEASE REMIT TO: P.O. BOX 549 BOTKINS, OH 45306

PURCHASER

**RESOLUTION NO. R-48-14**

**A RESOLUTION APPROVING THE PURCHASE OF PARCEL NO. N44-000560**

WHEREAS, Parcel No. N44-000560, 117 E. Water St., Piqua, Miami County, Ohio, is available for purchase and necessary for economic development; and

WHEREAS, the City has been in pre-planning stages to create development of the Riverfront and 117 E. Water St. is a critical piece of the proposed planning of development; and

WHEREAS, the owner of Parcel No. N44-000560 and the City executed a Purchase Agreement on December 27, 2013, and the owner has recently approached the City explaining the immediate need to sell the property.

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:

SECTION 1. The City Manager is hereby authorized to purchase Parcel No. N44-000560 for an amount not to exceed \$48,000.00, taking into consideration the fair market value and, in accordance with the terms of the Agreement to Purchase attached hereto as Exhibit A.

SECTION 2. The Finance Director certifies and warrants that the funds are available.

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

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

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

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CITY COMMISSION CLERK

## AGREEMENT TO PURCHASE

<sup>2013</sup> This Agreement is hereby entered into this 27<sup>th</sup> day of December of ~~2014~~ between the City of Piqua, a municipal corporation in the State of Ohio ("Buyer") and Joseph E. Drapp ("Seller") for the purchase of 0.002 acre part of Inlot No. 19, also known as 117 E. Water Street, Piqua, Miami County, Ohio 45356.

WHEREAS, Buyer desires to purchase from Seller the property described below and Seller desires to sell the property;

NOW, THEREFORE, the parties hereto have executed this Agreement to Purchase, which is based on the terms and conditions as set forth below.

### I. DESCRIPTION OF PROPERTY

The real estate is located at 117 E. Water Street, Piqua, Miami County, Ohio 45356. The Parcel No. is N44-000560, and is part of Inlot No. 19, and a copy of the deed with said legal description is attached in Exhibit A.

The said real estate being purchased shall include the land in its present condition. Buyer agrees to purchase the aforementioned real estate subject to all zoning laws, ordinances and restrictions of record. Buyer agrees to purchase the property "as is" and agrees to hold Seller harmless from any claim as to the condition of the property.

The land is currently unoccupied and the Buyer desires to acquire the property to assemble the tract with adjoining land to facilitate the development of public and or private improvements contemplated in the City of Piqua Riverfront District Brownfield Action Plan.

### II. PURCHASE PRICE AND CONVEYANCE

The Buyer and Seller agree to execute a Purchase Agreement, contingent upon the Piqua City Commission authorizing purchase of the property in a public meeting and the Buyer securing funds to complete the purchase of the subject property.

The Seller agrees the property is currently vacant and agrees no new improvements or alterations to the property will be constructed prior to the executing of a Purchase Agreement.

The Buyer and Seller agree to an appraisal value for the property equal to the amount assigned to the parcel by the Miami County Auditor's office effective December 19, 2013, with a copy of the Auditor's valuation information for the Property attached herewith as Exhibit B. Buyer shall pay, and Seller, shall

terminate the Agreement if Buyer fails to receive the funding and authorization to purchase the Property by December 31, 2015. Buyer may terminate this Agreement at any time and for any reason by providing written notice to Seller.

If the Buyer does not secure funding and authorization for the purchase of the Property by December 31, 2015, the parties may extend this Agreement upon a written request from the Buyer for such an extension with the said extension period being designated in writing.

Notwithstanding any other provision of this Agreement, Buyer shall have no obligation to purchase the Property, and no transfer of title to the Buyer may occur, unless and until the Buyer has provided Seller with a written notification that funds have been secured and the purchase of the property has been authorized.

#### V. CLOSING AND POSSESSION

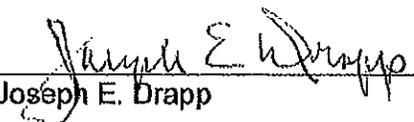
Seller shall transfer possession of the premises to Buyer at closing.

#### VI. ENTIRE AGREEMENT

This offer, upon acceptance, constitutes the entire agreement between the parties. Any amendment hereto must be agreed upon by both parties and confirmed in writing. All certifications and warranties of the Seller shall survive the closing. The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first set forth above.

**SELLER:**

  
\_\_\_\_\_  
Joseph E. Drapp

**BUYER:**

CITY OF PIQUA, OHIO

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

Exhibit A

50'

**TRANSFERRED**  
 In compliance with DRG 819.202  
 CHINA A. PESTER, Miami County Auditor  
 By: *[Signature]*  
**DEC 20 2005**  
 Total Fee \$ 40.00  
 ORG 318.54  
 ORG 322.02  
 Extra

# Warranty Deed

**KNOW ALL MEN BY THESE PRESENTS THAT** Peggy Supinger, unmarried, claiming title by or through instrument recorded in Volume 765, Page 403, Miami County Recorder's Office, for valuable consideration thereunto given, and for the sum of One Dollar (\$1.00) received to her full satisfaction of Joseph E. Drapp, the Grantee, whose tax mailing address will be 1366 Park Avenue, Piqua, Ohio 45356 does:

**GIVE, GRANT, BARGAIN, SELL AND CONVEY** unto said Grantee, his heirs and assigns, the following described premises, situated in the City of Piqua, County of Miami, and State of Ohio:

Being a part of Inlot 19 in said City, described as follows: Beginning at the southeast corner of Main and Water Streets in the City of Piqua, Ohio; thence East along the south right-of-way line of Water Street for 158.63' to the northwest corner of Inlot 19; thence continuing East along the south right-of-way line of Water Street for 1.02' to the west wall of a brick building and the place of beginning of tract; thence North 0 deg. 06' East 3.76' to a point; thence North 89 deg. 19' East 6.32' to a point on the west line of the Miami and Erie Canal; thence South 10 deg. 32' West along the west line of the canal 3.9' to a point on the south right-of-way line of Water Street; thence continuing South 10 deg. 32' West along the west line of the canal 31.00' where said canal line intersects the west outside wall of the building; thence North 0 deg. 06' East along the west wall of the building for 30.48' to the place of beginning, per survey performed by Glen G. McConnell, Jr., Reg. Surveyor and recorded in Vol. 10, Plat 149 of Miami County Engineer Record of Lot Surveys. The same being subject to the right-of-way for Water Street, as shown in said survey.

Permanent Parcel No(s):

**TO HAVE AND TO HOLD** the above premises, with the appurtenances thereunto belonging, unto the said Grantee, and his separate heirs and assigns forever.

**AND THE SAID Grantor**, for herself and her heirs, executors and administrators, by covenants with the said Grantee, his heirs and assigns, that said Grantor is the true lawful owner of said premises, and is well seized of the same in fee simple, and has the right and full power to bargain, sell and convey the same in the manner aforesaid, and that the same are free and clear from all encumbrances, except zoning ordinances, easements, reservations, conditions and restrictions of record, if any, and real estate taxes and assessments, general and special, which are a lien at the time of transfer, but which are not then due and payable, and further, that said Grantor will warrant and defend the same against all claims whatsoever except as provided herein.

**IN WITNESS WHEREOF**, the Grantor hereunto set her hand the 19th day of December, 2005.

Grantor:

*[Signature]*  
 PEGGY SUPINGER

STATE OF OHIO )  
 MIAMI COUNTY ) ss.

**EXECUTED BEFORE ME**, on the 19th day of December, 2005, by Peggy Supinger, unmarried who, under penalty of perjury in violation of section 2921.11 of the Ohio Revised Code, represented to me to be said person.



DALE G. DAVIS, Attorney at Law  
 Notary Public, State of Ohio  
 My Commission has no expiration date  
 Section 147.03(A), G.C.

*[Signature]*  
 NOTARY PUBLIC

THOMAS J. BUECKER  
 CO., L.P.A.  
 ATTORNEY AT LAW  
 308 WEST HIGH STREET  
 P. O. BOX 1215  
 PIQUA, OHIO 45356  
 TELEPHONE  
 (937) 778-0000  
 FAX  
 (937) 778-1151

VOL 0767 PAGE 870

THIS DOCUMENT PREPARED BY: Thomas Buecker, Attorney at Law, Piqua, Ohio

FFG

**RESOLUTION NO. R-49-14**

**A RESOLUTION APPROVING THE PURCHASE OF PARCEL NO. N44-017270**

WHEREAS, Parcel No. N44-017270, 111 S. Main St., Piqua, Miami County, Ohio, is available for purchase and necessary for economic development; and

WHEREAS, the City has been in pre-planning stages to create development of the Riverfront and 111 S. Main St. is a critical piece of the proposed planning of development; and

WHEREAS, the owner of Parcel No. N44-017270 and the City executed a Purchase Agreement on December 27, 2013, and the owner has recently approached the City explaining the immediate need to sell the property.

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:

SECTION 1. The City Manager is hereby authorized to purchase Parcel No. N44-017270 for an amount not to exceed \$50,000.00, taking into consideration the fair market value and, in accordance with the terms of the Agreement to Purchase attached hereto as Exhibit A.

SECTION 2. The Finance Director certifies and warrants that the funds are available.

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

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

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

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CITY COMMISSION CLERK

## AGREEMENT TO PURCHASE

2013 This Agreement is hereby entered into this 27<sup>th</sup> day of December of 2014 between the City of Piqua, a municipal corporation in the State of Ohio ("Buyer") and Joseph E. Drapp ("Seller") for the purchase of 0.1 acre part of Inlot No. 1051, also known as 111 S. Main Street, Piqua, Miami County, Ohio 45356.

WHEREAS, Buyer desires to purchase from Seller the property described below and Seller desires to sell the property;

NOW, THEREFORE, the parties hereto have executed this Agreement to Purchase, which is based on the terms and conditions as set forth below.

### I. DESCRIPTION OF PROPERTY

The real estate is located at 111 S. Main Street, Piqua, Miami County, Ohio 45356. The Parcel No. is N44-017270, and is part of Inlot No. 1051, and a copy of the deed with said legal description is attached in Exhibit A.

The said real estate being purchased shall include the land in its present condition. Buyer agrees to purchase the aforementioned real estate subject to all zoning laws, ordinances and restrictions of record. Buyer agrees to purchase the property "as is" and agrees to hold Seller harmless from any claim as to the condition of the property.

The land is currently unoccupied and the Buyer desires to acquire the property to assemble the tract with adjoining land to facilitate the development of public and or private improvements contemplated in the City of Piqua Riverfront District Brownfield Action Plan.

### II. PURCHASE PRICE AND CONVEYANCE

The Buyer and Seller agree to execute a Purchase Agreement, contingent upon the Piqua City Commission authorizing purchase of the property in a public meeting and the Buyer securing funds to complete the purchase of the subject property.

The Seller agrees the property is currently vacant and agrees no new improvements or alterations to the property will be constructed prior to the executing of a Purchase Agreement.

The Buyer and Seller agree to an appraisal value for the property equal to the amount assigned to the parcel by the Miami County Auditor's office effective December 19, 2013, with a copy of the Auditor's valuation information for the Property attached herewith as Exhibit B. Buyer shall pay, and Seller, shall accept, the sum of Forty Six Thousand Six Hundred Dollars (\$46,600), as and for

purchase the Property by December 31, 2015. Buyer may terminate this Agreement at any time and for any reason by providing written notice to Seller.

If the Buyer does not secure funding and authorization for the purchase of the Property by December 31, 2015, the parties may extend this Agreement upon a written request from the Buyer for such an extension with the said extension period being designated in writing.

Notwithstanding any other provision of this Agreement, Buyer shall have no obligation to purchase the Property, and no transfer of title to the Buyer may occur, unless and until the Buyer has provided Seller with a written notification that funds have been secured and the purchase of the property has been authorized.

#### **V. CLOSING AND POSSESSION**

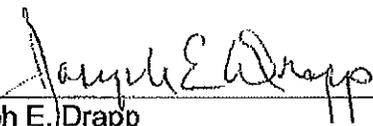
Seller shall transfer possession of the premises to Buyer at closing.

#### **VI. ENTIRE AGREEMENT**

This offer, upon acceptance, constitutes the entire agreement between the parties. Any amendment hereto must be agreed upon by both parties and confirmed in writing. All certifications and warranties of the Seller shall survive the closing. The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first set forth above.

**SELLER:**

  
\_\_\_\_\_  
Joseph E. Drapp

**BUYER:**

CITY OF PIQUA, OHIO

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

Exhibit A

# Fiduciary's Deed

Statutory Form Ohio Revised Code Section 5302.09

KNOW ALL MEN BY THESE PRESENTS THAT **Diana Sheryl King**, Trustee of the **Gustin Irrevocable Living Trust dated August 2, 2002**, Grantor, by the power conferred by said Trust, and every other power, for **Eighty Thousand Dollars (\$80,000.00)** paid, grants with fiduciary covenants to **Joseph E. Drapp, unmarried**, whose tax mailing address is **1366 Park Avenue, Piqua, Ohio 45356**, the following Real Property:

Situated in the City of Piqua, County of Miami, and State of Ohio:

DESCRIPTION APPROVED  
MIAMI COUNTY ENGINEER  
BY: *[Signature]* DATE: 9-28-07  
PER: *[Signature]*

Being **sixty-one feet** of the North end of Lot Number One Thousand and Fifty-one (1051) on the General Plat of the City of Piqua, Ohio: also, all the rights and interest under the lease for a strip of canal land on East side of North end of Lot Number One Thousand and Fifty-one (1051) from the City of Piqua and State of Ohio.

Permanent Parcel No(s): **N44-017270**.

IN WITNESS WHEREOF, the Grantor hereunto set his hand the 27<sup>th</sup> day of September, 2007.

GRANTOR:

560  
TRANSPERMO  
In accordance with Ohio Statute  
6111.02, Piqua, Miami County Auditor  
By *[Signature]*  
SEP 28 2007  
Total Fee \$ 160.00  
ORC 319.54 \$ 80.00  
ORC 322.02 \$ 80.00  
Exempt

*[Signature]*  
DIANA SHERYL KING, TRUSTEE  
THE GUSTIN IRREVOCABLE  
LIVING TRUST DATED AUGUST 2,  
2002

*[Signature]*  
THOMAS J. BUECKER, CO-TRUSTEE  
THE GUSTIN IRREVOCABLE  
LIVING TRUST DATED AUGUST 2,  
2002

STATE OF OHIO )  
MIAMI COUNTY ) ss.

EXECUTED BEFORE ME, on the 29<sup>th</sup> day of September, 2007, by **Diana Sheryl King and Thomas J. Buecker**, Trustees of the **Gustin Irrevocable Living Trust dated August 2, 2002**, who, under penalty of perjury in violation of section 2921.11 of the Revised Code, represented to me to be said person.

*[Signature]*  
NOTARY PUBLIC

MI 0788 PAGE 277

This Instrument Prepared By:

Thomas J. Buecker Co., LPA  
306 W. High Street, P.O. Box 1216  
Piqua, Ohio 45356  
937-778-9000

GRANT D. KEPNER, Attorney at Law  
Notary Public, State of Ohio  
My commission has no expiration date  
O.R.C. Section 147.03

River view Box

Exhibit B

Data For Parcel N44-017270

Valuation Data

Parcel: N44-017270  
Owner: DRAPP JOSEPH E  
Address: 111 S MAIN ST

Valuation	Market (100%)	Assessed (35%)
Land Value:	\$17,500.00	\$6,130.00
CAUV Value:	\$0.00	\$0.00
Improvements Value:	\$29,100.00	\$10,190.00
Total Value:	\$46,600.00	\$16,320.00

CAMA database last updated 12/19/2013 11:58:42 PM.