

REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, OCTOBER 4, 2016
7:30 PM
COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS:

RESIDENCE PRIDE AWARDS:

- | | |
|---------------------------|----------------------|
| ➤ Terry & Brenda Felts | 1622 Broadway Street |
| ➤ James & Melody Shively | 321 E. Greene Street |
| ➤ Mark & Shannon Gambill | 531 W. Greene Street |
| ➤ Terry & Teresa Reynolds | 1009 Park Avenue |
| ➤ Thomas Stahl | 457 Staunton Street |

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. **APPROVAL OF MINUTES**
Approval of the minutes from the September 20, 2016 Regular City Commission Meeting

OLD BUSINESS

2. **ORD. NO. 13-16 (3rd Reading)**
An Ordinance amending Chapter 110 of the Piqua Municipal Code-Taxicabs

NEW BUSINESS

3. **RES. NO. R-111-16**
A Resolution requesting authorization to increase the initial purchase order amount for the City of Dayton for the purchase of quicklime
4. **RES. NO. R-112-16**
An Emergency Resolution to award a contract to Chicago Bridge and Iron Company (CB & I) for the new Central Water Tower project
5. **RES. NO. R-113-16**
An Emergency Resolution to award a contract to GM Pipeline, Inc. for the Drake Road water main extension as part of the new Central Water Tower project
6. **RES. NO. R-114-16**
An Emergency Resolution to award a contract to Strand Associates, Inc. for the construction administration and resident project representation for the new Central Water Tower project

7. RES. NO. R-115-16

An Emergency Resoluton to award a contract to Strand Associates, Inc. for the construction administration and resident project representation for the Drake Road water main extension as part of the new Central Water Tower project

8. RES. NO. R-116-16

A Resolution authorizing the City Manager to enter into a lease agreement to permit the usage of Fountain Park, including use of Hance Pavilion and the Dining Hall to Mainstreet Piqua and Piqua Arts Council

9. RES. NO. R-117-16

A Resolution authorizing the City Manager to contract with the Miami County Public Defender Commission

PUBLIC COMMENT

(This is an opportunity for citizens to address the City Commission regarding agenda items, 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, September 20, 2016 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 Hinds called the meeting to order. Also present were Commissioners Wilson, Vogt, Terry, and Martin. Absent: None.

ANNOUNCEMENTS

Jim Cruse, Piqua Bike Fest came forward and provided a brief overview of the weekend events.

Mr. Cruse thanked the sponsors, Board Members, all of the volunteers, City of Piqua, Chris Schmiesing, and all of the City Departments and employees who helped with the preparation and the Bike Fest

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the Regular Piqua City Commission Meeting of September 6, 2016.

RES. NO. 108-16

A Resolution of Appreciation for the Public Service of Roger Wehrman as a City Employee

Mayor Hinds read the Resolution of Appreciation and presented it to Roger Wehrman thanking him for his 30 years of service to the citizens of Piqua.

Mr. Wehrman thanked the City and all of the employees, and especially the Power System.

Mr. Wehrman stated he has worked under several different Power System Directors over his 30 years and has gained a lot of knowledge from them. Mr. Wehrman further stated when he first started with the city, they were working on the Future Piqua Plan. Now as he is retiring he has seen most of the projects in the plan be completed.

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

OLD BUSINESS

ORD. NO. 13-16 (2nd Reading)

An Ordinance amending Chapter 110 of the Piqua Municipal Code-Taxicabs

Law Director Stacy Wall provided the Staff Report.

The current ordinance needs to have updates to the language to reflect changes in the State Law that addresses companies like Uber and Lyft. The state is regulating brands like Uber separately from other taxicab companies, stated Ms. Wall. We did not have an incident, further explaining why the changes were being brought forward at this time. The current legislation that the city has is outdated. This ordinance updates definitions of what qualifies as a taxicab or transportation network company. A license will also be required to operate a taxicab or similar entity, and the city will issue the license. These changes are also being made to protect the residents, said Ms. Wall.

Public Comment

Benjamin Shurbert, came forward stating he is currently operating a taxi service in the City of Piqua, and is glad they are updating the Code Section. Mr. Shurbert gave a brief overview of his services.

Ordinance No. 13-16 was given a second reading.

NEW BUSINESS

RES. NO. R-109-16

A Resolution authorizing a contract with Gamble Associates Architecture + Urban Planning to perform Professional Design Services for a downtown public park space

City Planner, Chris Schmiesing, provided the Staff Report.

The redesign of the Lock Nine park area to be a signature public space is identified as a key catalytic action in the Piqua Riverfront District Development Strategy.

Gamble Associates Architecture + Urban Planning completed the initial phase of the design development process for the redevelopment of the downtown riverfront park are and has extensive knowledge and understanding of the proposed downtown public park space improvements.

Gamble Associates has provided a proposal that will build on the successes of the design development phase and move the project design into the construction document phase, stated Mr. Schmiesing.

City manager Huff also provided additional information on the future of the Riverfront Area and Lock Nine Park.

Commissioner Vogt stated he has received several telephone calls concerning the amount of money being spent at Lock Nine Park.

Commissioners asked several questions regarding the ownership of the monument building, and the old Feed Mill, the cost of the project and future costs, how much of the area is included in this project, will there be green space in the park, will there be grants available to help fund the project, and how much money is currently budgeted for the project.

David Gamble of Gamble Associates Architecture + Urban Planning came forward and provided a brief overview of the project at this time, and answered questions. Also Mr. Schmiesing, City Manager Huff, Assistant City Manager/Finance Director Cindy Holtzapple also provided answers and additional information regarding the project.

Mayor Hinds stated she is very much in favor of moving forward with the project, further stating we will start the process by completing the Lock Nine Park area.

Public Comment

No one came forward to speak for or against Resolution No. R-109-16 at this time.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-109-16 be adopted. Roll call, Aye: Vogt, Terry, Wilson, Hinds, and Martin. Nay: None. Motion carried unanimously. Mayor Hinds then declared Resolution No. R-109-16 adopted.

RES. NO. 110-16

A Resolution approving the tax rates for the City as determined by the Miami County Budget Commission

Assistant City Manager/Finance Director Cynthia Holtzapple, provided the Staff Report.

Each year about this time, the Finance Department requests approval of the certified tax rates which will be used to levy property tax on all genera; duplicates for 2016 to be collected in 2017. These certified rates require the approval of the City Commission and certification to be sent to Miami County before October 1, 2016.

Public Comment

No one came forward to speak for or against Resolution R-110-16 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-110-16 be adopted. Voice vote, Aye: Hinds, Wilson, Terry, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Hinds then declared Resolution No. R-110-16 adopted.

PUBLIC COMMENT

No one came forward to speak at this time.

CITY MANAGER'S REPORT

City Manager Huff commended the City Commissioners for taking action on the downtown design of the Riverfront Project.

COMMISSIONERS COMMENT

Commissioner Terry stated the Piqua Bikefest was very successful despite a few rain drops, and commended them on their donations to the various non-profit organizations who will benefit from the proceeds.

Commissioner Vogt congratulated Roger Wehrman on his 30 year of service to the City and the community. Commissioner Vogt also congratulated the Piqua Bikefest Committee on another successful event.

Commissioner Martin also congratulated Roger Wehrman on his retirement and wished him well. Commissioner Martin congratulated the Piqua Bikefest on a job well done.

Mayor Hinds also congratulated the Piqua Bikefest Committee on a great job despite the rain, further stating there were a large number of attendees this year.

Mayor Hinds announced the final Walk with the Mayor will be held on September 27, from 6:00 – 7:30 P.M. in the 5th Ward. Meet at Washington School Parking lot at 6:00 P.M. Mayor Hinds encouraged citizens to come and walk with her even if they don't live in the 5th Ward.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular City Commission Meeting at 8:25 P.M. Voice vote, Aye: Martin, Vogt, Wilson, Terry, and Hinds. Nay: None.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

AN ORDINANCE AMENDING CHAPTER 110 OF THE PIQUA MUNICIPAL CODE

TAXICABS

WHEREAS, the transit system in Miami County and in the State of Ohio has had significant changes partly due to technology in the industry thus requiring the City ordinances governing taxicabs to be updated.

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

SECTION 1. That the City of Piqua hereby amends Chapter 110 Taxicabs as set forth below: (new language is underlined and deleted language is indicated by strikethrough):

§ 110.01 DEFINITIONS.

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

~~**FRANCHISE AREA.** The public streets, alleys and rights-of-way within and outside the corporate limits as designated in the ordinance granting a franchise to the taxicab company.~~

OPERATOR. Any person employed by a taxicab company to drive taxicabs.

SERVICE AREA. The area within the Piqua City Corporation limits plus two miles and the Piqua Airport.

TAXICAB COMPANY. Any person, firm or corporation which transfers or conveys for hire one or more persons by request in motor vehicles not being operated on a regular route at scheduled times from one location or designation to another within the franchise service area.

TAXICAB. Any public vehicle licensed hereunder to be used in securing or accepting any passenger or passengers for compensation, on the public streets, or on any public or quasi-public place, or accepts a passenger or passengers for compensation upon hail or request made on the public streets or on public or quasi-public places. A taxicab does not include a bus, party bus, limousine or private transport service for medical services.

TRANSPORTATION NETWORK COMPANY. A corporation, partnership, association, limited liability company, proprietorship, or any other entity operating in this state that uses a digital network to connect transportation network company riders to transportation network company drivers who provide transportation network company services.

§ 110.02 INSURANCE.

Before any taxicab company commences taxicab service pursuant to its franchise, the company shall have obtained a policy of insurance, approved by the City Manager, which was issued by an insurance company authorized to do business under the laws of this state, protecting and insuring the taxicab company, its officers, agents and employees from public liability in the sum of \$500,000/\$1,000,000 for injuries caused to pedestrians, passengers of the taxicabs and drivers or occupants of other motor vehicles; and in the sum of \$200,000 for damage done to the property of others by reason of the negligence and carelessness of the taxicab operators; and in the sum of \$1,000,000 combined limit for physical damage, collision, and liability insurance on all vehicles.

§ 110.03 RATES.

(A) ~~The Piqua Transit Service shall charge its customers rates in strict compliance with the following Schedule. All rates shall be reasonable based upon the Service Area.~~

~~(1) Each passenger \$2.00 per continuous ride within the Piqua Service Area~~

~~— (2) Each passenger \$4.00 per continuous ride to the Upper Valley Medical Center at the Dettmer Campus~~

~~— (3) Each passenger participating in the Ohio Elderly and Disabled Transit Fare Assistance Program shall be charged one-half the above-referenced rates (within the Piqua Service Area and to the UVMC at the Dettmer Campus):~~

~~— (4) Each passenger \$30 per continuous ride to the Dayton International Airport in Vandalia~~

~~— (B) All children under the age of 12 years may be carried free of charge, at the option of the company, only when accompanied by a parent or guardian paying the fare or rate herein designated. Children not so accompanied shall be charged at the rates herein set forth. Any bona fide care attendant for a passenger who is disabled and has an elderly/disabled card shall be carried free of charge. The charge for the said disabled passenger shall be at the appropriate fare.~~

~~— (C) For waiting time within the service area, it shall be no longer than five minutes in length. Waiting past the five-minute period shall constitute a separate fare.~~

~~— (D) The taxicab company operates a curb-to-curb transit service. The taxicab company is not responsible for assisting the customer in the handling of luggage, packages, and similar items.~~

~~(E) Current rates shall be posted conspicuously within each vehicle. Current service rules will be available in the vehicles and shall be available in the transit offices, City Manager's Office, and Community Development Office.~~

~~§ 110.04 OVERCHARGING PROHIBITED.~~

~~— It shall be unlawful for the operator of any taxicab to charge any rate or fare other than herein provided. Upon being found guilty of violating any of the terms of this chapter the operator shall be fined not less than \$20 nor more than \$100 for the first offense; and not less than \$50 nor more than \$500 for the second offense; and upon the second conviction of any operator of any one taxicab company, the City Manager shall revoke the license of the taxicab company employing such convicted operator.~~

110.05 INSPECTIONS.

Annually and at those other times as the Chief of Police may direct and request, the ~~Chief of Police,~~ individually or through members of the Police Department a third party at the taxicab company's expense, shall inspect all taxicabs being operated within the city to determine whether or not the vehicles are in a safe operating condition, and to determine whether or not the vehicles are in a clean and sanitary condition.

§ 110.06 DISCHARGING OF PASSENGERS.

Operators of taxicabs shall not receive or discharge passengers in the roadway but shall pull up to the right hand sidewalk or curb as nearly as possible, or in the absence of a sidewalk or curb shall pull to the extreme right-hand side of the road and there receive or discharge passengers unless it is impossible to do so because of obstructions in the roadway.

~~§ 110.07 FRANCHISE LICENSE REQUIRED.~~

~~No taxicab company, person, firm or corporation shall operate or drive any motor vehicle (except buses, and limousines and CAC vehicles) to transfer or convey for hire one or more persons by request within the city, in violation of or without a duly approved franchise license. The City shall issue a yearly license to the taxicab company with proof of satisfactory insurance and a satisfactory inspection of each vehicle. Every vehicle shall display a copy of the issued license. The yearly license for a company or sole proprietor shall be \$100, including one vehicle and \$25 for each vehicle thereafter.~~

§ 110.08 OPERATORS; REQUIREMENTS.

No taxicab company shall permit any of its employees to operate a taxicab without a valid Ohio driver's license, nor shall any taxicab company permit any of its employees to operate a taxicab before receiving a Police Department report on the driving record of the employee. Prior to operation of a taxicab, all companies shall submit to the Police Department the information contained in Ohio Revised Code 4925.04(A), or as amended, on each operator.

Each taxicab shall display signage in the interior of the vehicle with the name of the taxicab company, the driver's name and photo identification and city license number. The taxicab signage shall be posted so that it is clearly visible to passengers and shall be capable of being illuminated in low visibility or at night.

The operator shall have photo identification on his person at all times showing he is employed by the taxicab company.

§110.09 TRANSPORTATION NETWORK COMPANIES

Transportation network companies shall be governed by Ohio Revised Code Chapter 4925 or as amended. Operators of transportation network companies shall follow all traffic rules and Section 110.06 of this Chapter.

§ 110.99 PENALTY.

(A) Whoever violates any section of this chapter for which no other penalty is provided shall be subject to the terms of §10.99.

(B) Whoever violates §§ 110.06 through 110.08 shall be fined not less than \$10 50 nor more than \$100.

SECTION 2. All other sections of Chapter 110 of the Piqua Municipal Code not amended herein shall remain in effect as is.

SECTION 3. This Ordinance shall take effect at the earliest period allowed by City Charter.

1st Reading 9-6-2016

2nd Reading 9-20-2016

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-111-16

**A RESOLUTION REQUESTING AUTHORIZATION TO INCREASE THE INITIAL
PURCHASE ORDER AMOUNT FOR THE CITY OF DAYTON FOR THE
PURCHASE OF QUICKLIME**

WHEREAS, the City of Piqua has the ability to purchase a greater amount of quicklime from the City of Dayton than originally anticipated; and

WHEREAS, buying quicklime from the City of Dayton for the remainder of 2016 would save the City of Piqua money as the City of Dayton's quicklime is cheaper than our secondary supplier.

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 purchase order for the City of Dayton be increased by \$17,000 to a final amount of \$67,000.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time 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.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	October 4, 2016		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution requesting authorization to increase the initial purchase order amount for The City of Dayton for the purchase of quicklime.		
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant 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>The City of Dayton has a surplus of lime this year and is offering more loads than originally anticipated. Resolution R-167-15 was passed authorizing the Water Department to purchase lime from Dayton for up to \$50,000. Currently, we have exceeded that amount by \$724. We would like to increase that amount by \$17,000 so that we may continue getting shipments of lime from Dayton and cover the overage of the original purchase order.</p> <p>Dayton's quicklime has a higher amount of calcium content and has less grit than Mississippi Lime, who is our other supplier. Therefore, we are able to treat the water with a lesser amount of product.</p> <p>We are able to purchase the lime from Dayton at \$24 per ton cheaper than Mississippi Lime.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	\$142,650	
	Expenditure \$:	\$17,000	
	Source of Funds:	403-305-641-7157	
	Narrative	<p>The Water Department has budgeted moneys for the purchase of quicklime from two companies.</p> <p>We need to add money to the initial purchase order for the City of Dayton so we may purchase cheaper and higher quality lime.</p>	

<p style="text-align: center;">OPTIONS (Include Deny /Approval Option)</p>	<ol style="list-style-type: none"> 1. Approve the Resolution to increase the initial purchase order for the City of Dayton by \$724 to cover the overage for the purchase of quicklime. 2. Approve the Resolution to increase the initial purchase order for the City of Dayton by \$17,000 to cover the overage and have moneys to purchase Dayton lime for the remainder of 2016. 3. Do not approve the Resolution and remain in exceedance of the initial purchase order amount for the City of Dayton and continue to purchase lime at a higher price from Mississippi Lime.
<p style="text-align: center;">PROJECT TIMELINE</p>	<p>The project will begin immediately upon approval of the Resolution.</p>
<p style="text-align: center;">STAFF RECOMMENDATION</p>	<p>Approval of the Resolution to increase the purchase order for the City of Dayton for the purchase of quicklime.</p>
<p style="text-align: center;">ATTACHMENTS</p>	<p>None</p>

RESOLUTION NO. R-112-16

**AN EMERGENCY RESOLUTION TO AWARD A
CONTRACT TO CHICAGO BRIDGE AND IRON
COMPANY (CB&I) FOR THE NEW CENTRAL WATER
TOWER PROJECT**

WHEREAS, on January 5, 2016, this Commission passed Resolution No. R-5-16, authorizing the City Purchasing Analyst to advertise for bids, according to law, for the New Central Water Tower Project; and

WHEREAS, after proper advertisement, bids were opened on July 25, 2016 resulting in CB&I to be the lowest and best bid; and

WHEREAS, on August 16, 2016, Resolution #R-100-16 was passed to authorize the intent to award the contract to CB&I; and

WHEREAS, On September, 29, 2016, a loan from Water Supply Revolving Loan Account (WSRLA) for said project was approved.

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 contract with Chicago Bridge and Iron Company is hereby awarded for the Central Water Tower Project in the amount not to exceed \$3,300,000.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms.

SEC. 3: This Resolution is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua. Any further delay in the signing of this contract would delay pre-scheduled events that would prevent construction to begin and possibly incur additional costs to the City.

KATHRYN B HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	October 4, 2016		
REPORT TITLE (Should match resolution/ordinance title)	An Emergency Resolution to award a contract to Chicago Bridge and Iron Company (CB&I) for the New Central Water Tower Project.		
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant 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 checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>The New Central Water Tower Project will allow for the construction of a new one million gallon water tower located at 316 Fox Drive. The new tower will be a composite tower with a concrete base and steel bowl. The tower will also have a trihalomethane removal system to help with the removal disinfectant bi-products. This project also includes the demolition of the water towers on Spring and South Main Streets.</p> <p>On Monday, July 25, 2016 four bids were received for the above referenced project. A voluntary pre-bid meeting was held on June 27, 2016 to allow the contractors a chance to view the site and to ask questions about the project. CB&I. was the low bidder at \$2,921,000.00. A 13% contingency is included for the project, bringing the amount to \$3,300,000.00.</p> <p>On August 16, 2016, this commission passed Resolution No. R-100-16 awarding preliminary consent to award the contract to CB&I pending loan approval.</p> <p>On September 29, 2016 the city was approved for a loan from Water Supply Revolving Loan Account (WSRLA).</p> <p>This is an emergency Resolution due to construction timelines and the possibility of losing current bids for the project. We have already been granted a 30 day extension to hold the current bid.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	(2016 Expenditure)	
	Expenditure \$:	\$3,300,000.00 (13% contingency included)	
	Source of Funds:	Project will be funded through a loan from WSRLA and Ohio Public Works Commission (OPWC) Grant.	
	Narrative	Project will be funded through this loan.	

OPTIONS (Include Deny /Approval Option)	1.	Approve the Resolution to enter into an agreement with CB&I for the New Central Water Tower Project.
	2.	Do not approve the Resolution and do not construct the New Central Water Tower.
PROJECT TIMELINE	The project will begin immediately after passing of this legislation and be completed by December of 2017.	
STAFF RECOMMENDATION	Approval of the Resolution to award the contract to CB&I for the construction of the New Central Zone Water Tower.	
ATTACHMENTS	Resolution R-100-16	

RESOLUTION NO. R-100-16

**A RESOLUTION FOR PRELIMINARY CONSENT TO
AWARD A CONTRACT TO CHICAGO BRIDGE AND
IRON COMPANY (CB&I) FOR THE NEW CENTRAL
WATER TOWER PROJECT**

WHEREAS, on January 5, 2016, this Commission passed Resolution No. R-5-16, authorizing the City Purchasing Analyst to advertise for bids, according to law, for the New Central Water Tower Project; and

WHEREAS, after proper advertisement, bids were opened on July 25, 2016 resulting in the tabulation of bids as listed in Exhibit A attached hereto; and

WHEREAS, the City is in the process of making application for a loan from Water Supply Revolving Loan Account (WSRLA) for said project; and

WHEREAS, WSRLA requires the City of Piqua to approve a Resolution of Intent to award a contract for said 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: Preliminary consent to award a contract to CB&I, for the New Central Water Tower Project in the amount not to exceed \$3,300,000.

SEC. 2: Whereas this legislation is consent only legislation as required by WSRLA before approving such a loan for the Project.

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


KATHRYN B HINDS, MAYOR

PASSED: August 16, 2016

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

RESOLUTION NO. R-113-16

**AN EMERGENCY RESOLUTION TO AWARD A
CONTRACT TO GM PIPELINE, INC. FOR THE DRAKE
ROAD WATER MAIN EXTENSION AS PART OF THE
NEW CENTRAL WATER TOWER PROJECT**

WHEREAS, on January 5, 2016, this Commission passed Resolution No. R-5-16, authorizing the City Purchasing Analyst to advertise for bids, according to law, for the Drake Road Water Main Extension; and

WHEREAS, after proper advertisement, bids were opened on July 11, 2016 resulting in GM Pipeline to be the lowest and best bid; and

WHEREAS, on August 16, 2016, Resolution #R-101-16 was passed to authorize the intent to award the contract to GM Pipeline; and

WHEREAS, On September, 29, 2016, a loan from Water Supply Revolving Loan Account (WSRLA) for said project was approved.

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 contract with GM Pipeline, Inc. is hereby awarded for the Drake Road Water Main Extension in the amount not to exceed \$726,000.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms.

SEC. 3: This Resolution is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua. Any further delay in the signing of this contract would delay pre-scheduled events that would prevent construction to begin and possibly incur additional costs to the City.

KATHRYN B HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	October 4, 2016		
REPORT TITLE (Should match resolution/ordinance title)	An Emergency Resolution to award a contract to GM Pipeline, Inc. for the Drake Road Water Main Extension as part of the New Central Water Tower Project.		
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant 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 checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>The Drake Road Water Main Extension as part of the New Central Water Tower Project will allow for the installation of a 12" water main along Drake Rd and through an easement on the property of Paul Sherry. This main will tie the new water tower into the current distribution system.</p> <p>On Monday, July 11, 2016 nine bids were received for the above referenced project. A voluntary pre-bid meeting was held on June 27, 2016 to allow the contractors a chance to view the site and to ask questions about the project.</p> <p>GM Pipeline, Inc. was the low bidder at \$642,464.50. A 13% contingency is included for the project, bringing the amount to \$726,000.</p> <p>On August 16, 2016, this commission passed Resolution No. R-101-16 awarding preliminary consent to award the contract to GM Pipeline pending loan approval.</p> <p>On September 29, 2016 the city was approved for a loan from Water Supply Revolving Loan Account (WSRLA).</p> <p>This is an emergency Resolution due to construction timelines and the possibility of losing current bids for the project. We have already been granted a 30 day extension to hold the current bid.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	(2016 Expenditure)	
	Expenditure \$:	\$726,000.00 (13% contingency included)	
	Source of Funds:	Project will be funded through a loan from WSRLA and Ohio Public Works Commission (OPWC) Grant.	
	Narrative	Project will be funded through this loan.	

OPTIONS (Include Deny /Approval Option)	1.	Approve the Resolution to enter into an agreement with GM Pipeline, Inc. for the Drake Road Water Main Extension for the New Central Water Tower.
	2.	Do not approve the Resolution and do not complete the Drake Road Water Main Extension which would not allow for the construction of the New Central Water Tower.
PROJECT TIMELINE	The project will begin immediately after passing of this legislation and be completed by summer of 2017.	
STAFF RECOMMENDATION	Approval of the Resolution to award the contract to GM Pipeline, Inc. for the Drake Road Water Main Extension.	
ATTACHMENTS	Resolution R-101-16	

RESOLUTION NO. R-101-16

**A RESOLUTION FOR PRELIMINARY CONSENT TO
AWARD A CONTRACT TO GM PIPELINE, INC. FOR THE
DRAKE ROAD WATER MAIN EXTENSION AS PART OF
THE NEW CENTRAL WATER TOWER PROJECT**

WHEREAS, on January 5, 2016, this Commission passed Resolution No. R-5-16, authorizing the City Purchasing Analyst to advertise for bids, according to law, for the Drake Road Water Main Extension; and

WHEREAS, after proper advertisement, bids were opened on July 11, 2016 resulting in the tabulation of bids as listed in Exhibit A attached hereto; and

WHEREAS, the City is in the process of making application for a loan from Water Supply Revolving Loan Account (WSRLA) for said project; and

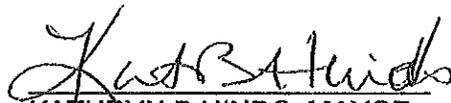
WHEREAS, WSRLA requires the City of Piqua to approve a Resolution of Intent to award a contract for said project.

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: Preliminary consent to award a contract to GM Pipeline, Inc. for the Drake Road Water Main Extension in the amount not to exceed \$726,000.

SEC. 2: Whereas this legislation is consent only legislation as required by WSRLA before approving such a loan for the Project.

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


KATHRYN B HINDS, MAYOR

PASSED: August 16, 2016

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

RESOLUTION NO. R-114-16

**AN EMERGENCY RESOLUTION TO AWARD A
CONTRACT TO STRAND ASSOCIATES, INC. FOR THE
CONSTRUCTION ADMINISTRATION AND RESIDENT
PROJECT REPRESENTATION FOR THE NEW
CENTRAL WATER TOWER PROJECT**

WHEREAS, After engineering, designing, and bidding of the new Central Water Tower Project, Strand Associates will oversee the construction phase of the project; and

WHEREAS, Strand Associates will ensure that the construction will follow the engineered plans as designed; and

WHEREAS, on August 16, 2016, Resolution #R-103-16 was passed to authorize the intent to award the contract to Strand Associates; and

WHEREAS, On September, 29, 2016, a loan from Water Supply Revolving Loan Account (WSRLA) for said project was approved.

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 contract with Strand Associates is hereby awarded for the construction administration of the Central Water Tower Project in the amount not to exceed \$178,000.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms.

SEC. 3: This Resolution is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua. Any further delay in the signing of this contract would delay pre-scheduled events that would prevent construction to begin and possibly incur additional costs to the City.

KATHRYN B HINDS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	October 4, 2016		
REPORT TITLE (Should match resolution/ordinance title)	An Emergency Resolution to award a contract to Strand Associates, Inc. for the Construction Administration and Resident Project Representation for the New Central Water Tower Project.		
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant 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 checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>In June of 2013, Strand Associates, Inc. was contracted by the City of Piqua to engineer and design a new water tower for the City of Piqua Central Zone. Along with the tower, a water main extension was needed to connect the tower to the existing water distribution system. In July of 2016, the plans for the new tower and water main project were finalized and approved by the Ohio EPA.</p> <p>On July 25, 2016, bids were opened for the construction of the New Central Water Tower Project. A Resolution to award the contract to Chicago Bridge and Iron for that construction is before the Commission in conjunction with this Resolution.</p> <p>This Resolution will allow Strand Associates, Inc. to oversee all aspects of the construction of the new tower and ensure that it follows the plans as designed. The contract for the construction administration and project representation with Strand Associates is \$155,000. The project will include a 15% contingency which brings the total to \$178,000.</p> <p>On August 16, 2016, this commission passed Resolution No. R-103-16 awarding preliminary consent to award the contract to Strand Associates pending loan approval.</p> <p>On September 29, 2016 the city was approved for a loan from Water Supply Revolving Loan Account (WSRLA).</p> <p>This is an emergency Resolution due to construction timelines and the possibility of losing current bids for the project. We have already been granted a 30 day extension to hold the current bid.</p>		

BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	(2016 Expenditure)
	Expenditure \$:	\$178,000 (10% contingency included)
	Source of Funds:	WSRLA Loan and OPWC Grant
	Narrative	Project will be funded through this loan.
OPTIONS (Include Deny /Approval Option)	1.	Approve the Resolution to enter into an agreement with Strand Associates, Inc. for construction administration and resident project representation of the New Central Water Tower Project.
	2.	Do not approve the Resolution and do not award Strand Associates, Inc. the contract to administer the construction of the New Water Tower Project.
PROJECT TIMELINE	The project will begin immediately after passing of this legislation and be completed by December of 2017.	
STAFF RECOMMENDATION	Approval of the Resolution to award a contract to Strand Associates, Inc. for the construction administration and resident project representation of the New Central Water Tower Project.	
ATTACHMENTS	Resolution # R-103-16	

RESOLUTION NO. R-103-16

**A RESOLUTION FOR PRELIMINARY CONSENT TO AWARD A
CONTRACT TO STRAND ASSOCIATES, INC. FOR THE
CONSTRUCTION ADMINISTRATION AND RESIDENT PROJECT
REPRESENTATION FOR THE NEW CENTRAL WATER TOWER
PROJECT**

WHEREAS, on January 5, 2016, this Commission passed Resolution No. R-5-16, authorizing the City Purchasing Analyst to advertise for bids, according to law, for the construction of the New Central Water Tower; and

WHEREAS, after engineering, designing, and bidding of the New Central Water Tower Project, Strand Associates, Inc. will oversee the construction phase of the project; and

WHEREAS, Strand Associates, Inc. will ensure that the construction will follow the engineered plans as designed; and

WHEREAS, the City is in the process of making application for a loan from Water Supply Revolving Loan Account (WSRLA) for said project; and

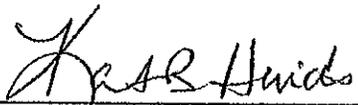
WHEREAS, WSRLA requires the City of Piqua to approve a Resolution of intent to award contract for said project.

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: Preliminary consent to award a contract to Strand Associates, Inc. is hereby awarded for the construction administration and resident project representation of the New Central Water Tower Project in the amount not to exceed \$178,000.

SEC. 2: Whereas this legislation is consent only legislation as required by WSRLA before approving such a loan for the Project.

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


KATHRYN B HINDS, MAYOR

PASSED: August 16, 2016

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

RESOLUTION NO. R-115-16

**AN EMERGENCY RESOLUTION TO AWARD A CONTRACT TO
STRAND ASSOCIATES, INC. FOR THE CONSTRUCTION
ADMINISTRATION AND RESIDENT PROJECT REPRESENTATION
FOR THE DRAKE ROAD WATER MAIN EXTENSION AS PART OF
THE NEW CENTRAL WATER TOWER PROJECT**

WHEREAS, After engineering, designing, and bidding of the Drake Road Water Main Extension, Strand Associates, Inc. will oversee the construction phase of the project; and

WHEREAS, Strand Associates, Inc. will ensure that the construction will follow the engineered plans as designed; and

WHEREAS, on August 16, 2016, Resolution #R-102-16 was passed to authorize the intent to award the contract to Strand Associates, Inc.; and

WHEREAS, On September, 29, 2016, a loan from Water Supply Revolving Loan Account (WSRLA) for said project was approved.

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 contract with Strand Associates, Inc. is hereby awarded for the construction administration of the Drake Road Water Main Extension in the amount not to exceed \$82,000.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms.

SEC. 3: This Resolution is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua. Any further delay in the signing of this contract would delay pre-scheduled events that would prevent construction to begin and possibly incur additional costs to the City.

KATHRYN B HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	October 4, 2016			
REPORT TITLE (Should match resolution/ordinance title)	An Emergency Resolution to award a contract to Strand Associates, Inc. for the Construction Administration and Resident Project Representation for the Drake Road Water Main Extension as part of the New Central Water Tower Project.			
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant 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 checked="" type="checkbox"/> Asst. City Manager/Finance	
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director	
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:	
BACKGROUND (Includes description, background, and justification)	<p>In June of 2013, Strand Associates, Inc. was contracted by the City of Piqua to engineer and design a new water tower for the City of Piqua Central Zone. Along with the tower, a water main extension was needed to connect the tower to the existing water distribution system. In July of 2016, the plans for the new tower and water main project were finalized and approved by the Ohio EPA.</p> <p>On July 11, 2016, bids were opened for the construction of the Drake Road Water Main Extension. A Resolution to award the contract to GM Pipeline, Inc. for that construction is before the Commission in conjunction with this Resolution.</p> <p>This Resolution will allow Strand Associates, Inc. to oversee all aspects of the construction of the water main extension and ensure that it follows the plans as designed.</p> <p>The contract for the construction administration and project representation with Strand Associates is \$75,000. The project will include a 10% contingency which brings the total to \$82,000.</p> <p>On August 16, 2016, this commission passed Resolution No. R-102-16 awarding preliminary consent to award the contract to Strand Associates pending loan approval.</p> <p>On September 29, 2016 the city was approved for a loan from Water Supply Revolving Loan Account (WSRLA).</p> <p>This is an emergency Resolution due to construction timelines and the possibility of losing current bids for the project. We have already been granted a 30 day extension to hold the current bid.</p>			

BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	(2016 Expenditure)
	Expenditure \$:	\$82,000 (10% contingency included)
	Source of Funds:	WSRLA Loan and OPWC Grant
	Narrative	Project will be funded through this loan.
OPTIONS (Include Deny /Approval Option)	1.	Approve the Resolution to enter into an agreement with Strand Associates, Inc. for construction administration and resident project representation of the Drake Road Water Main Extension.
	2.	Do not approve the Resolution and do not award Strand Associates, Inc. the contract to administer the construction of the Drake Road Water Main Extension.
PROJECT TIMELINE	The project will begin immediately after passing of this legislation and be completed by summer of 2017.	
STAFF RECOMMENDATION	Approval of the Resolution to award a contract to Strand Associates, Inc. for the construction administration and resident project representation of the Drake Road Water Main Extension.	
ATTACHMENTS	Resolution # R-102-16	

RESOLUTION NO. R-102-16

A RESOLUTION FOR PRELIMINARY CONSENT TO AWARD A
CONTRACT TO STRAND ASSOCIATES, INC. FOR THE
CONSTRUCTION ADMINISTRATION AND RESIDENT PROJECT
REPRESENTATION FOR THE DRAKE ROAD WATER MAIN
EXTENSION AS PART OF THE NEW CENTRAL WATER TOWER
PROJECT

WHEREAS, on January 5, 2016, this Commission passed Resolution No. R-5-16, authorizing the City Purchasing Analyst to advertise for bids, according to law, for the construction of the Drake Road Water Main Extension; and

WHEREAS, after engineering, designing, and bidding of the Drake Road Water Main Extension as part of the New Central Water Tower Project, Strand Associates, Inc. will oversee the construction phase of the project; and

WHEREAS, Strand Associates, Inc. will ensure that the construction will follow the engineered plans as designed; and

WHEREAS, the City is in the process of making application for a loan from Water Supply Revolving Loan Account (WSRLA) for said project; and

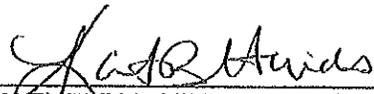
WHEREAS, WSRLA requires the City of Piqua to approve a Resolution of intent to award contract for said project.

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: Preliminary consent to award a contract to Strand Associates, Inc. is hereby awarded for the construction administration and resident project representation of the Drake Road Water Main Extension in the amount not to exceed \$82,000.

SEC. 2: Whereas this legislation is consent only legislation as required by WSRLA before approving such a loan for the Project.

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


KATHRYN B HINDS, MAYOR

PASSED: August 16, 2016

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

RESOLUTION NO. R-116 -16

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
ENTER INTO A LEASE AGREEMENT TO PERMIT THE USAGE
OF FOUNTAIN PARK, INCLUDING USE OF HANCE PAVILION
AND THE DINING HALL TO MAINSTREET PIQUA AND PIQUA
ARTS COUNCIL**

WHEREAS, the Piqua City Commission approved Resolution No. R-46-16, approving the City enter into a Lease Agreement with Mainstreet Piqua and the Piqua Arts Council for use of Lock 9 Park for the Rock Piqua concert series; and

WHEREAS, the August concert got cancelled due to inclement weather and Mainstreet Piqua and the Piqua Arts Council have requested the rescheduling of the concert for October 22, 2016 in Fountain Park.

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 permit Mainstreet Piqua and Piqua Arts Council on October 20, 2016 to use Fountain Park, including the Dining Hall and Hance Pavilion for the rescheduling of a Rock Piqua! concert, upon the condition that Mainstreet Piqua and Piqua Arts Council obtains liability insurance satisfactory to the City Manager at a minimum coverage of \$1,000,000, complies with the terms of the attached Lease Agreement and receives the proper liquor permit from the State of Ohio. The rental fee for this lease shall be \$1.00 and other valuable consideration.

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

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ROCK PIQUA! RIVERFRONT CONCERT SERIES
LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into this _____ day of _____ 2016, by and between the City of Piqua (CITY) and the Piqua Arts Council and Mainstreet Piqua (ASSOCIATION) as follows:

Section 1: For one dollar and other valuable consideration, the City leases to the Association on the day October 22, 2016, Fountain Park and specifically the Pavilion and the Fountain Park Dining Hall.

Section 2: The Association shall occupy and use the leased premises solely for the purposes of the Rock Piqua! Concert and tailgate party.

Section 3: The Association shall obtain insurance for injuries to persons or damages to property which may arise from or in connection with the acts or omissions of the Association, its agents, representatives, employees or subcontractors related to its occupation and use of the leased premises. Coverage shall be at least as broad as:

- a. Commercial General Liability (CGL) insurance with coverage at least as broad as Insurance Services Office (ISO) Form CG 0001, including products-completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this event or be not less than \$3,000,000.
- b. Liquor Liability coverage in the amount of \$1,000,000 per occurrence, \$1,000,000 aggregate for any bodily injury or property damage claim.

The CGL and Liquor Liability policies shall contain, or be endorsed to contain, the following provisions:

- a. Additional Insureds: The City of Piqua, its elected and appointed officials, all employees, agents, volunteers, all boards, commissions and/or authorities and board members, including employees, agents and volunteers thereof shall be additional insureds.
- b. Primary/Non-Contributing Coverage: For any claims related to this agreement, the Association's insurance shall be primary as respects the Additional Insureds. Any insurance or self-insurance maintained by the Additional Insureds shall be excess of the Association's coverage and shall not contribute with it.

Verification of Coverage: Association shall furnish City with certificate(s) of insurance evidencing the coverages required herein. All certificates are to be received at least ten (10) days prior to the event. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

All performers and vendors at the celebration shall provide proof of liability coverage that meets these specifications, including covering the City of Piqua, its officials and employees as

ROCK PIQUA! RIVERFRONT CONCERT SERIES
LEASE AGREEMENT

additional insureds. The Association shall not permit any performer or vendor without the proper liability insurance coverage.

Section 4: The Association shall be solely responsible for obtaining a liquor permit and provide a copy to the City of Piqua. The City shall also be solely responsible for providing a fenced in area for the liquor/beer sales and providing adequate security and educated servers to check for proper ID and to prevent any underage person from entering the alcohol area.

Section 5: The Association shall indemnify, hold harmless and defend the City of Piqua, Ohio, its officers, employees, agents and volunteers against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the City of Piqua, Ohio, its officers, employees, agents and volunteers may hereafter sustain, incur or be required to pay, arising out of or by any act or omission of the Association, the City of Piqua, Ohio, their officers, employees, agents and volunteers, in the execution, performance or failure to adequately perform Association's or City of Piqua's obligations pursuant to this contract.

Section 6: The Association, its assigns, heirs, successors, employees and any and all subcontractors are independent contractors and are not agents and/or employees of the City of Piqua.

Section 7: This agreement shall not be assignable.

Section 8: The Association and all performers and vendors shall comply with all inspections and obtain any permits required prior to operation, including any full time or on-site security, at the Association's expense.

Section 9: No Association contract with any performer or vendor shall place any liability upon the City.

Section 10: The Association shall be responsible for basic clean-up of the facilities after the conclusion of each Rock Piqua! Riverfront Concert Series event.

Executed as of the above-referenced date by:

CITY OF PIQUA

MAINSTREET PIQUA

Gary A. Huff, City Manager

Lorna Swisher, Executive Director

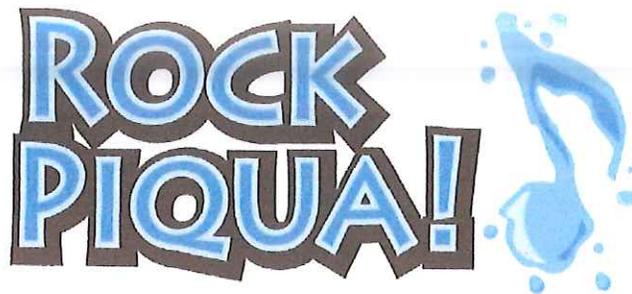
**ROCK PIQUA! RIVERFRONT CONCERT SERIES
LEASE AGREEMENT**

PIQUA ARTS COUNCIL

Jordan Knepper, Executive Director

EXHIBIT A





RIVERFRONT CONCERT SERIES

Thursday, September 1, 2016

Mr. Gary Huff
City of Piqua
201 W. Water Street
Piqua, OH 45356

Dear Mr. Huff,

As you know the final Rock Piqua! Riverfront Concert was cancelled due to severe weather on August 20. As the organizers of the concert series Mainstreet Piqua and the Piqua Arts Council would like to reschedule the concert for October 22, 2016 at Hance Pavilion. We are requesting permission to use the venue and sell beer and wine at the event.

We would like to promote the event as a Rock Piqua! Tailgate Party and along with two different live musical performers there would be a large screen with the Ohio State vs. Penn State (away) game. In deference to the neighbors in the area we would like to start the musical performances at 6 p.m. (instead of our traditional start time of 7 p.m.) and end at 10 p.m.

This would be our proposed timeline:

- 5 p.m. – Gates open & alcohol sales begin
- 6 p.m. – Opening Act starts
- 8 p.m. – Live broadcast of OSU vs. Penn State & Headliner Starts
- 10 p.m. – Headline act finishes
- 11 – 11:30 p.m. – approximate end of football game
- Midnight – Alcohol sales end and event ends

With assistance from the Public Works Department we will erect a snow fence barrier about 15 – 20 yards around Hance Pavilion. This area, along with the pavilion, would be the designated area for alcohol and this area would also include food trucks, pop sales etc. As always, Rock Piqua! will maintain a glass

free environment. There would be one entrance and exit that would be monitored by a Rock Piqua! volunteer and a hired security professional. We would provide porta-potties on the North side of the pavilion. Along with providing a designated smoking area outside of the pavilion.

Additionally, we would like to request the use of the dining hall (subject to availability) for use as a Green Room for the bands and select volunteers.

As usual the event would be free for anyone to attend and free will donations will be accepted at the entrance.

Please let us know what steps we would need to proceed with this project. Thank you in advance for your consideration. If you have any questions feel free to contact Lorna Swisher at 937-773-9355 or Jordan Knepper 937-773-9630.
Sincerely



Lorna Swisher
Executive Director
Mainstreet Piqua, Inc.



Jordan Knepper
Executive Director
Piqua Arts Council.

RESOLUTION NO. R-117-16

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO CONTRACT WITH THE MIAMI COUNTY PUBLIC
DEFENDER COMMISSION**

WHEREAS, the City recognizes its responsibility to provide legal services to indigents charged with loss-of-liberty offenses under the Piqua Code; 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: The proposed contract by and between the City of Piqua and the Miami County Public Defender Commission commencing January 1, 2017 and shall terminate on December 31, 2017 is hereby approved;

SEC. 2: The Finance Director certifies that funds are available is hereby authorized to draw three warrants on the appropriate account of the city treasury in the total amount of \$20,341.13 consisting of three installments according to Section 2 of said contract;

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

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

MIAMI COUNTY PUBLIC DEFENDER ASSOCIATION

MIAMI COUNTY COURTHOUSE
201 WEST MAIN STREET
TROY, OHIO 45373
(937) 440-3950

September 26, 2016

City of Piqua, OH
Attn: Debbie Stein
201 W. Water St.
Piqua, OH 45356

Re: 2017 Public Defender Contract

Dear Ms. Stein:

Enclosed please find the proposed 2017 Public Defender Contract for Miami County Public Defender services for representing indigent defendants. Please note that there has been no increase; so if you have no other questions, I would ask that you please have the contract approved and signed and return it to me at the above address as soon as possible. The contract will then be forwarded to the State Public Defender for approval once all contracts are returned.

Very truly yours,



Steven R. Layman

SRL:tlm

Enclosure

**CONTRACT FOR COUNTY PUBLIC DEFENDER SERVICES
TO MUNICIPAL CORPORATIONS**

AGREEMENT

THIS AGREEMENT entered into between the Miami County Public Defender Commission hereinafter called the "Commission" and the City of Piqua, Ohio, hereinafter called the "City".

WHEREAS, the City recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with loss of liberty offense in its Municipal Court, and

WHEREAS, the city in furtherance of the execution of its legal responsibilities, desires that the legal services of the Commission be delivered to the City's indigent citizens and others so situated;

NOW THEREFORE, the parties do mutually agree to bind themselves as follows:

1. Scope of Work.

The Commission shall in a satisfactory and proper manner under the terms and conditions contained herein, perform the following services:

Provide legal counsel to indigent persons charged with loss of liberty offenses under, by or through, the Codified Ordinances of the City of Piqua, Ohio. The within representation shall include such cases filed in the Miami County Municipal Court, and/or Miami County Common Pleas Court, and Miami County Juvenile Court.

2. Compensation.

The City shall pay to the Commission a sum not to exceed Twenty Thousand Three Hundred Forty One Dollars and Thirteen Cents (\$20,341.13) which shall constitute full and complete payment for all the Commissions services during the term of this contract. Said sum shall be paid in the following manner: One Third of this contract, to wit, Six Thousand Seven Hundred Eighty Dollars and Thirty Seven Cents (\$6,780.37) shall be paid upon the execution of this contract; thereafter Commission shall be paid the balance in two equal payments of one third of the contract price, the first of said payments at the expiration of the first four (4) months of the term of this contract in the amount of Six Thousand Seven Hundred Eighty Dollars and Thirty Eight Cents (\$6,780.38), and the second at the expiration of the first eight (8) months of this contract in the same amount of Six Thousand Seven Hundred Eighty Dollars and Thirty Eight Cents (\$6,780.38).

3. Term of Service.

The duration of this contract shall be for one (1) year commencing January 1, 2017, and shall terminate on December 31, 2017.

4. Non-Assignment.

The Commission shall not assign all or any part of this Agreement without the prior written consent of the city, which consent shall not be unreasonably withheld.

5. Termination.

If the Commission shall fail to fulfill in a reasonable timely and proper manner its obligations under this Agreement, or if the Commission shall substantially violate any of the covenants, agreements or stipulations of this Agreement, the City shall thereupon have the right to terminate this Agreement by giving written notice to the Commission of such termination and specifying an effective date thereof at least sixty (60) days before the effective date of said termination. Termination by the City shall not constitute a waiver of any other right or remedy it may have at law or in equity for breach of this Agreement by the Commission.

6. Amendments.

All Amendments to this Agreement agreed upon by the parties shall be in writing and made a part of this Agreement.

7. Anti-Discrimination.

There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against any application for such employment because of race, color, religion, sex or national origin. This provision shall apply to but not be limited to, employment, upgrading, demotion or transfer, recruitment or recruitment advertising, lay-off or termination, raises of pay or other forms of compensation, and selection for training including apprenticeship. The Commission shall insert a similar provision in any sub-contract for services covered by this Agreement.

8. Conflicts.

Commission covenants that it presently has no interest and shall not acquire any interest direct or indirect, which would conflict in any manner with the performance of services required under this Agreement. No members of, nor delegates to, the Congress of the United States of America, and no resident Commissioner shall share in any part hereof or any benefits to arise herefrom.

9. Indigent Eligibility Standards.

In determining the indigent status of all individuals receiving representation pursuant to this agreement, all applicable standards of indigency and other rules and standards established by the Ohio Public Defender Commission and the Ohio Public Defender will be followed.

10. Verification of Contract Amount.

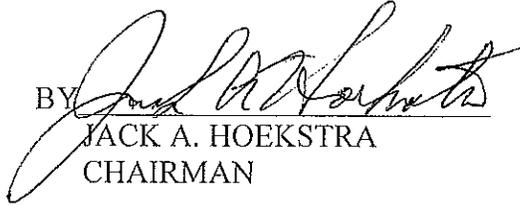
Payment by the municipality, whether by contractual amount or a fee schedule, does not exceed the fee schedule in effect and adopted by the county commissioners of the said herein county wherein the municipal corporation is located.

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____ day of _____, 20_____.

APPROVED AS TO FORM:

MIAMI COUNTY PUBLIC
DEFENDER ASSOCIATION

BY _____
OHIO PUBLIC DEFENDER
COMMISSION

BY 
JACK A. HOEKSTRA
CHAIRMAN

CITY OF PIQUA, OHIO

BY _____