REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, NOVEMBER 7, 2017
7:30 PM
COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET - PIQUA, OHIO 45356

REGULAR CITY COMMISSION MEETING

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES
   Approval of minutes from the October 17, 2017 Regular City Commission Meeting and the
   minutes from the October 18, 2017 Piqua City Commission Joint Worksesson

NEW BUSINESS

2. RES. NO. R-135-17
   A Resolution authorizing purchase orders to Chemical Services Inc., Mississippi Lime Company, Matheson
   and the City of Dayton for the 2018 purchase of various Water Treatment Chemicals

3. RES. NO. R-136-17
   A Resolution requesting authorization to acquire a portion of property and a temporary easement on the property
   located at the southeast corner of the intersection of Looney Road and Garby Road; part of Miami County current
   Tax Parcel No. N44-078594 being owned by Windermere Woods, L.L.C.

4. RES. NO. R-137-17
   A Emergency Resolution to award a contract to Heyne Construction, Inc. for the construction of the Public Works
   Facility renovation project

5. RES. NO. R-138-17
   A Resolution approving the purchase of Excess Liability Insurance

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, October 17, 2017
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. Acting Mayor Wilson called the meeting to order. Also present were Commissioners Terry, Martin and Vogt. Mayor Hinds was absent.

Commissioner Martin moved to excuse Mayor Hinds from the October 17, 2017 City Commission meeting and Commissioner Vogt seconded that motion; motion carried unanimously. Acting Mayor Wilson declared Mayor Hinds excused from the October 17, 2017 City Commission meeting.

ANNOUNCEMENTS

City Manager Huff introduced Sebastian Kordinis who was in attendance to work on his Eagle Scout Badge, and he has chosen Chief Jamieson to interview for his project.

Presentation:
Presented to the City of Piqua by Mr. Joe Branden, West Regional Liaison for Ohio Auditor of State- Mr. Dave Yost

Award: The Auditor of State of Ohio Award with Distinction

Mr. Branden presented the Auditor of State of Ohio Award of Distinction to Assistant City Manager/Finance Director Cynthia Holtzaple. Mr. Branden provided the criteria on being chosen for the award. This puts Piqua in a very distinct group that of the approximate 6000 entities the state audits in a year, fewer than 300 of them are eligible for this award.

City Manager Huff stated the City has received the award every year that the state has been giving it out, and it is a great honor to receive it.

EXECUTIVE SESSION
To consider the purchase or sale of property for public purposes

Moved by Commissioner Vogt, seconded by Commissioner Martin, to move into Executive Session for the purchase or sale of property for public purposes at 7:35 P.M. Roll call vote: Aye, Wilson, Vogt, Terry and Martin. Nay, None. Motion carried.

Moved by Commissioner Terry, seconded by Commissioner Martin, to adjourn from the Executive Session and move into the Regular City Commission Meeting at 7: 52 P.M.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the Minutes from the September 19, 2017 Regular City Commission Meeting.

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

RES. NO. R-128-17

A Resolution authorizing a one year lease with Dream Builders Group, Inc.

Law Director Stacy Wall provided the Staff Report.

The City has been approached about having an organized after school and summer program called "Clubhouse" by the Dream Builders Group, Inc. Currently the Mote Park Building is not being used on the days and hours proposed by the group. They would also like to lease the field at Upper Mote Park for a period of one year for the youth to have the opportunity to participate in the program "Clubhouse". This resolution will allow the Dream Builders Group, Inc. to enter into a one year lease with the City of Piqua for use of the Mote Park Facilities beginning December 1, 2017.

Commissioner Vogt asked if this would only be daytime hours or evenings to. Ms. Wall stated it would only be after school 2-3 days a week and summer daytime hours. Ms. Wall noted that there would not be any conflict per Public Works Director Doug Harter for the use of the facilities for the hours requested.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-128-17.


RES. NO. R-129-17

A Resolution of Support to the Miami County Engineer for the Troy-Sidney Road berm stabilization and overlay project

Amy Havenar, City Engineer provided the Staff Report.

The Miami County Engineer informed the City of their desire to pursue a berm stabilization and overlay project on Troy-Sidney Road from Statler Road to 850 feet south of U.S. 36. The project will include the widening of the pavement by 4 feet on each side of the roadway, improving the turning radius at the northwest corner of the Troy-Sidney Road and Statler Road intersection, and an asphalt overlay of the entire project. Because approximately 20% of the project will be located within the City of Piqua corporation limits, the County Engineer is requesting the City's participation in the project. The City of Piqua will be responsible for approximately 20% of the total project or an estimated $14,700, stated Ms. Havenar.

Commissioners asked several questions on the improvements planned for the turning areas, and why they stopped short of Rt. 36. Ms. Havenar explained.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-129-17.

RES. NO. R-130-17

A Resolution requesting authorization to acquire a portion of the property and acquire easements on the property located at the northwest corner of the intersection of Looney Road and Garbry Road, part of Miami County current Tax Parcel No. N44-072892 and N44-072890 being owned by Buckeye State Mutual Insurance Company

Amy Havenar, City Engineer provided the Staff Report.

As part of the Garbry Road/Looney Road Intersection Improvements Project the City will need to acquire right-of-way easements from the property located at the northwest corner of Looney Road/Garbry Road intersection, which is owned by Buckeye State Mutual Insurance Company. The City’s Right—Of—Way Consultant has been working with the Buckeye State on the acquisition and the property owner is in agreement with the fair market value price being offered for the portion of property and easements that are needed to complete the project.

Commissioners asked several questions regarding the number of properties being purchased and what they were being used for. Ms. Havenar provided the information on the reason for the purchase and use of the properties.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-130-17.

Motion made by Commissioner Terry, seconded by Commissioner Martin, motion was carried unanimously. Roll Call vote: Aye: Vogt, Terry, Wilson, and Martin. Nay: None. Acting Mayor Wilson declared Resolution No. R-130-17 adopted.

RES. NO. R-131-17

A Resolution approving the Purchase of Liability Insurance for Piqua’s Combustion Turbines

Law Director Stacy Wall provided the Staff Report.

Certain specialty areas do not fall within the coverage of the City’s general liability policy and excess liability insurance is needed for coverage. In 2011 one of the combustion turbines failed and required a rebuild with a claim exceeding $1,000,000.00. Since the 2011, the City has not been able to obtain coverage for the turbines due to their unique nature and size of claims. The Law and Power Departments have been working for a year on obtaining coverage and received two quotes from reputable insurance companies in a specialized market. After review of the quotes Chubb was chosen effective January 1, 2018 for a not to exceed cost of $92,405.00.

Commissioners asked several questions concerning what, how much is covered, and what the deductible is for the policy. Ms. Wall explained what is covered and how it is covered.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-131-17.


RES. NO. R-132-17

A Resolution authorizing the City Manager to submit an application for Federal Fast Act Funds through the Miami Valley Regional Planning Commission.
Amy Havenar, City Engineer provided the Staff Report.

The Miami Valley Regional Planning Commission is in the process of soliciting for new transportation projects using MVRPC regionally controlled federal funds (STP & TA). The projects included are Looney Road Resurfacing Project (STP), the Ohio to Indiana Trail Bridge Reconstruction (TA) and the Great Miami River Trail Bridge Construction (STP).

City Engineer Havenar stated, the City will be looking at other multiple grant sources to defray some of the costs. City Manager Huff stated the Lock 9 Bridge has had tremendous problems with fires on the bridge. This project would remove all the wood and make it concrete and steel. If the City receives the funding from the MVRPC, and did not move forward with the project at this time, it would negatively impact the chances of receiving grants from the MVRPC in the future.

Commissioner Wilson stated in the past when the city has applied for funds and considered not using them, it was considered a negative impact on future grants.

Commissioner Vogt expressed his frustration at the current appearance of the Lock 9 Bridge apart from the wood decking. If we redo the bridge, take all of the wood off of it would make it fireproof, but we would have a nice fireproof bridge sitting on a bunch of old railroad iron, that is black and rusty. Would it be painted at some point in the future?

Commissioner Vogt suggested the city give up on the roundabout and put all the money into the Lock 9 Bridge. Economic Development Director Justin Sommer replied, obviously there is a cost in replacing the decking on the bridge, but the greater concern is the ADA compliance and access to the bridge. Commissioner Vogt expressed his frustration that every corner in town has to be ADA compliant, and the city spends a lot of money on ADA compliance. He further stated he is tired of all of the ADA compliance issues. Commissioner Vogt then stated "we might as well apply for grant money."

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-132-17.


RES. NO. R-133-17

A Resolution authorizing the City Manager to enter into a Five Year Contract with Evans, Mechart, Hambleton, & Tilton, Inc. (EMH &T Inc.) for a Full Scale Utility GIS Implementation for the Underground Utilities Department

Shane Johnson, Underground Utilities Superintendent provided the Staff Report.

The Underground Utilities Department would like to proceed with Phase I of V in the Utility GIS (Geographical Information System) Implementation Program. The GIS Pilot Program demonstrated there were structures that are not currently in our mapping system. The goal is to locate, inventory the condition of the water and sanitary structures.

City Manager Huff provided additional information on the project, further stating the project is long overdue.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-133-17.

RES. NO. R-134-17

A Resolution authorizing the purchase of 201 Spring Street, Parcel No. N44-000550

Justin Sommer, Assistant City Manager provided the Staff Report.

The property located at 201 Spring Street has been identified by the Riverfront Redevelopment Plan and Piqua Placemaking Initiative as a key parcel in regards to the redevelopment envisioned for this area. To effectively engage development interest in the project it is essential that a development entity, control the property. Negotiations with the property owners have produced terms and conditions acceptable to both parties and resulted in a purchase agreement.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-134-17.


PUBLIC COMMENT

Kris Lee, W. High Street came forward stating he is a write in candidate for the 3rd Ward Commission Seat, and provided a brief overview of his background and reasons for running for 3rd Ward Commissioner. Mr. Lee thanked Commissioners Terry and Wilson for their hard work and dedication to the citizens of Piqua over the years.

Dave Short, Washington Avenue came forward stating he is also a write in candidate for the 4th Ward Commission Seat, and provided a brief overview of his background and his reasons for running for 4th Ward Commissioner. Mr. Short reminded citizens that they need to get out and vote, and to remember to write in their choice for write in candidates.

Larry Hamilton came forward and provided information on a program Things That Matter.

Mr. Hamilton stated he would like to moderate the Martin Luther King Town Hall Meetings.

Mr. Hamilton further invited citizens to view the U-Tube video on the Randolf Dedication.

Julie Bayman came forward and stated she believes in what the City is doing and knows her dad (Robert Bayman) who passed away a year ago would be happy and proud of what the city has planned to develop with his lot in the future.

City Manager Report

City Manager Huff stated the City Commission will meet in a Joint Session with the Piqua Parks Board, and the Piqua Planning Commission at 6:00 P.M. on Wednesday October 18 in the City Commission Chambers. A Presentation of the Draft Parks Master Plan will be presented.

Meet the Candidate Night will be held on Wednesday, October 25, at 7:30 at the YWCA and invited citizens to attend. It will also be broadcast live on WPTW and televised and shown at a later date by the Indian Nation Station.

The City of Piqua will join with 100 other communities on opposition of legislation on House Bill 49.
COMMISSIONERS' COMMENTS

Commissioner Vogt thanked the Bayman Family as they had been in business in Piqua for almost 60 years, and they were always there to help the people in the community. Commissioner Vogt thanked Julie Bayman and Tony Bayman for their help in the purchase of their dad's car lot on the corner of Spring and Water Streets.

Commissioner Martin reminded citizens to make sure they get a list of the Write in Candidates when they sign in to vote so they know who they are and can write their choice in the write in area on the ballot.

Commissioner Terry reminded citizens of the Mark Reedy Bike Drive, this fund helps purchase bicycles for the youth of Piqua at Christmas time. Make a child happy donate, stated Commissioner Terry.

Commissioner Wilson also reminded citizens of Meet the Candidate Night at the YWCA October 25, 2017 at 7:30 P.M.

Commissioner Wilson stated know who you want to vote for when you go to the polls as this will be a very unusual election this year with having to write in their choice candidates.

Motion made by Commissioner Vogt to adjourn from the Regular Commission Meeting at 8:50 P.M., seconded by Commissioner Martin, motion was carried unanimously.

JOSEPH H. WILSON, ACTING MAYOR

PASSED: _______________________

ATTEST: _______________________

REBECCA J. COOL
CLERK OF COMMISSION
MINUTES
PIQUA CITY COMMISSION
Wednesday, October 18, 2017
6:00 P.M.

Piqua City Commission, Planning Commission, and Park Board met at 6:00 P.M. in a Combined Work session in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Hinds called the meeting to order. Also present were Commissioners Terry, Martin, Wilson, and Vogt. Planning Commission members: Mr. Koenig, Mr. Spoltman, Mrs. Pearson, and Park Board Members: Mr. Harvey, Mr. Shoemaker, Mr. Fraizer, Mrs. Stiefel, and Mr. Cruse.

PRESENTATION OF DRAFT PARKS MASTER PLAN

Presenter- Pros Consulting.

City Planner Chris Schmiesing provided a brief overview stating this referenced the 2007 Comprehensive Plan concerning community facilities and parks on how to sustain and improve these areas.

Presenter: PROS Consultant President Leon Younger

Mr. Younger provided information on the Parks Master Plan, noting the community input and the variety of suggestions for improvement from critical to visionary projects that could possibly take place over the next decade.

There was a large effort to engage as many people as possible. Eighteen community engagement sessions were held, which included stakeholder meetings with representatives from the YMCA, Piqua City Schools, Piqua Improvement Corporation, local residents, students, and youth sports clubs. By including as many opinions from the community when or if city officials pursue any of the ideas within the Parks Master Plan, they will know that the ideas have been suggested by the community, stated City Planner Chris Schmiesing.

The total area of all of the parks in the city is 403.5 acres, with approximately 19.3 acres per every 1,000 residents. Many of the suggestions included investing and maintaining the existing buildings and parks. The average area for a city the size of Piqua is to have between 10-15 acres per 1,000 residents. There is not really a great need in terms for new facilities at this time, stated Mr. Younger.

Walking and biking trails, creating a nature center and trails were noted as two types of parks and recreation facilities most important to residents. An off-leash dog park and swimming pool/water park were noted third and fourth on the list. Pilsenbarger Park & Sports Complex was discussed for future enhancement. The existing site is 67 acres and contains the baseball, softball, little league fields, soccer and football fields, along with tennis courts, the community swimming pool, a skate park, picnic facilities and playground equipment. All of these areas were noted as needing repairs and updates to improve design standards. The cost of these improvements was listed at $270,000. Adding a Nature Center was also noted as part of the visionary plan.

Strategic recommendations included enhancing the trail system by adding or updating two miles of the trail each year, and utilizing the city’s access to the riverfront creating more outdoor adventure experiences. Programming for adult wellness and fitness was also noted to be included in the future plans.

Commissioner Terry asked how the city should move forward with the Parks Master Plan.
Mr. Younger suggested the city should pick one or two suggested projects to do each year. It requires an effort, and an opportunity to go out for a funding source for the projects, as not as much money would be needed at one time. At this time the city does not have a dedicated funding source for parks, like a levy. Mr. Younger encouraged the city to consider looking at creating a dedicated fund source for the future.

Several of the combined board members asked questions about various aspects of the plan, and how the projects would be implemented, and when. Mr. Younger and Mr. Schmiesing answered all of their questions. It was mentioned that 57% of the population in the city is 55 and older, and this should be considered when making future plans.

The consensus of the combined boards seemed to be to maintain the current facilities and parks, and look to the future for additional funding if possible to move forward with future projects.

Mayor Hinds thanked Mr. Younger for his very informative presentation. It gives us a lot to think about when looking forward to future projects.

Motion was made by Commissioner Vogt to adjourn the Regular Commission Meeting at 8:45 P.M., seconded by Commissioner Martin, motion was carried unanimously.

KATHRYN B. HINDS, MAYOR

PASSED: ____________________

ATTEST: ____________________

REBECCA J. COOL
CLERK OF COMMISSION
RESOLUTION NO. R-135-17

A RESOLUTION AUTHORIZING PURCHASE ORDERS TO CHEMICAL SERVICES INC., MISSISSIPPI LIME COMPANY, MATHESON TRI-GAS, INC., SHANNON CHEMICAL CORP., SAL CHEMICAL, CARUS CORP., UNIVAR USA INC., JONES CHEMICAL INC., AND THE CITY OF DAYTON FOR THE 2018 PURCHASE OF VARIOUS WATER TREATMENT CHEMICALS

WHEREAS, the Water Treatment Plant requires the purchase of various water treatment chemicals for the water treatment process; and

WHEREAS, after solicitation of bids, bids were opened resulting in the tabulation of bids as listed in 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: Purchase orders are hereby authorized to:

<table>
<thead>
<tr>
<th>Company</th>
<th>Product</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical Services Inc.</td>
<td>Soda ash at $.27 per lb.</td>
</tr>
<tr>
<td>Sal Chemical</td>
<td>Liquid Ferric sulfate at $1.23 per gal.</td>
</tr>
<tr>
<td>Carus Corporation</td>
<td>Sodium Hexametaphosphate at $.85 per lb.</td>
</tr>
<tr>
<td>Chemical Services Inc.</td>
<td>Activated Carbon at $.84 per lb.</td>
</tr>
<tr>
<td>Shannon Chemical</td>
<td>Sodium Permanganate at $7.94 per gal.</td>
</tr>
<tr>
<td>Mississippi Lime Company</td>
<td>Quicklime at $150.75 per ton</td>
</tr>
<tr>
<td>The City of Dayton</td>
<td>Quicklime at $127.20 per ton</td>
</tr>
<tr>
<td>Jones Chemical Inc.</td>
<td>Sodium Hypochlorite $.74 per gal.</td>
</tr>
<tr>
<td>Univar USA Inc.</td>
<td>Hydrofluosilicic Acid $2.187 per gal.</td>
</tr>
<tr>
<td>Matheson Tri-Gas, Inc.</td>
<td>Liquid Carbon Dioxide $.0363 per lb.</td>
</tr>
</tbody>
</table>

SEC. 2: The Finance Director certifies funds are available and is hereby authorized to draw her warrant on the appropriate account of the city treasury in payment for said services rendered.

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

The Motion to adopt the foregoing Resolution was offered by __________________________
seconded by __________________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds  ____________  Commissioner Judy Terry  ____________
Commissioner John Martin ____________  Commissioner Joseph Wilson ____________
Commissioner William Vogt  ____________
# Commission Agenda
## Staff Report

<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>Tuesday, November 7, 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>REPORT TITLE</td>
<td>A RESOLUTION AUTHORIZING PURCHASE ORDERS TO CHEMICAL SERVICES INC., MISSISSIPPI LIME COMPANY, MATHESON TRI-GAS, INC., SHANNON CHEMICAL CORP., SAL CHECMIAL, CARUS CORP., UNIVAR USA INC., JONES CHEMICAL INC., AND THE CITY OF DAYTON FOR THE 2018 PURCHASE OF VARIOUS WATER TREATMENT CHEMICALS</td>
</tr>
<tr>
<td>SUBMITTED BY</td>
<td>Name &amp; Title: Don Freisthler, Water Plant Superintendent</td>
</tr>
<tr>
<td></td>
<td>Department: Water Department</td>
</tr>
<tr>
<td>AGENDA CLASSIFICATION</td>
<td>□ Consent</td>
</tr>
<tr>
<td>APPROVALS/REVIEWS</td>
<td>☑ City Manager</td>
</tr>
<tr>
<td></td>
<td>□ Asst. City Manager/Development</td>
</tr>
<tr>
<td></td>
<td>☑ Department Director</td>
</tr>
<tr>
<td>BACKGROUND</td>
<td>Bids were taken on October 18, 2017 and 21 bids in total were received for the purchase of sodium hexametaphosphate, sodium permanganate, sodium hypochlorite, hydrofluosilicic acid, liquid carbon dioxide, activated carbon, liquid ferric sulfate, soda ash and quicklime. The best and lowest bids are being recommended for award with the bid tabulation attached for your reference.</td>
</tr>
<tr>
<td></td>
<td>We will purchase as much Quicklime as possible from the City of Dayton because they will charge us a lower price. However, they do not always have the supply available when we need it which is why we like to have a secondary company approved in case we need it.</td>
</tr>
<tr>
<td></td>
<td>With only a brief history of chemical usages at the new plant, we have estimated total usages for the entire year.</td>
</tr>
<tr>
<td>BUDGETING AND FINANCIAL IMPACT</td>
<td>Budgeted $: In total $319,785 is budgeted for 2018</td>
</tr>
<tr>
<td>Narrative:</td>
<td>Each chemical has its own budget line item.</td>
</tr>
<tr>
<td>OPTIONS</td>
<td></td>
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<tr>
<td>----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>1. Approve Resolution R-135-17 authorizing the purchase of water treatment chemicals for 2018.</td>
<td></td>
</tr>
<tr>
<td>2. Do not approve the Resolution and risk the safety of the drinking water supply for the citizens of Piqua.</td>
<td></td>
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<thead>
<tr>
<th>PROJECT TIMELINE</th>
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<tbody>
<tr>
<td>These purchases would not occur until 2018, but they do continue throughout the entire year as needed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STAFF RECOMMENDATION</th>
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<tbody>
<tr>
<td>We budget for these chemicals each year as a necessary commodity for the normal operation of our Water Treatment Plant. These purchases allow the community to continue to enjoy safe drinking water. The EPA has stringent regulations and we must purchase these chemicals in order to meet and exceed their standards. Our Water Department staff has done an excellent job of providing safe drinking water to the public over the years. This Resolution will allow them to continue with their normal process of ordering chemicals as needed throughout the year.</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>ATTACHMENTS</th>
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<tbody>
<tr>
<td>IFB # 1725 Bid Tabulation</td>
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<tr>
<td>BIDDER No.: NAME:</td>
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<tr>
<td>-------------------</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>DESCRIPTION</td>
</tr>
<tr>
<td>Sodium Hexametaphosphate 1</td>
</tr>
<tr>
<td>Activated Carbon 2</td>
</tr>
<tr>
<td>Liquid Sodium Permanganate 3</td>
</tr>
<tr>
<td>Liquid Ferric Sulfate 4</td>
</tr>
<tr>
<td>Soda Ash 5</td>
</tr>
<tr>
<td>Quicklime 6</td>
</tr>
<tr>
<td>Hydrofluosilicic Acid 7</td>
</tr>
<tr>
<td>Liquid Carbon Dioxide 8</td>
</tr>
<tr>
<td>Sodium Hypochlorite 9</td>
</tr>
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</table>
## CITY OF PIQUA - BID TABULATION

### 2017 Chemicals for Water Treatment

Reference No.: IFB 1725  
Opened 10/18/17 @ 2:00 p.m.

<table>
<thead>
<tr>
<th>BIDDER No.:</th>
<th>NAME:</th>
<th>CITY:</th>
<th>STATE &amp; ZIP:</th>
<th>7 Water Solutions Unlimited</th>
<th>8 SAL Chemical</th>
<th>9 Connection Chemical</th>
<th>10 Carmeuse Lime, Inc.</th>
<th>11 Chemical Services, Inc.</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Franklin</td>
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<td>IN 46131</td>
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<tr>
<td>DESCRIPTION</td>
<td>UNIT</td>
<td>BID:</td>
<td>BID:</td>
<td>BID:</td>
<td>BID:</td>
<td>BID:</td>
<td>BID:</td>
<td>BID:</td>
</tr>
<tr>
<td>Sodium Hexametaphosphate</td>
<td>10,000 LBS</td>
<td>$ 1.14</td>
<td>$ 1.01</td>
<td>$ 0.9036</td>
<td>NB</td>
<td>$ 0.906</td>
<td>$ 11,400.00</td>
<td>$ 10,100.00</td>
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<tr>
<td>Activated Carbon</td>
<td>20,000 LBS</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>$ 0.84</td>
<td>$ 16,800.00</td>
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<tr>
<td>Liquid Sodium Permanganate</td>
<td>2,500 GAL</td>
<td>$ 10.25</td>
<td>$ 8.78</td>
<td>NB</td>
<td>NB</td>
<td>$ 10.05</td>
<td>$ 25,825.00</td>
<td>$ 21,950.00</td>
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<tr>
<td>Liquid Ferric Sulfate</td>
<td>30,000 GAL</td>
<td>NB</td>
<td>$ 1.23</td>
<td>NB</td>
<td>NB</td>
<td>$ 36,900.00</td>
<td></td>
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<tr>
<td>Soda Ash</td>
<td>10,000 LBS</td>
<td>NB</td>
<td>$ 0.283</td>
<td>NB</td>
<td>NB</td>
<td>$ 0.27</td>
<td>$ 2,830.00</td>
<td>$ 2,700.00</td>
</tr>
<tr>
<td>Quicklime</td>
<td>920 TONS</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>$ 159.34</td>
<td>NB</td>
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<td>STATE &amp; ZIP:</td>
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<td>BID:</td>
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<tr>
<td>11</td>
<td>PYS Norwood Chemicals, Inc.</td>
<td>Detroit, MI 48213</td>
<td>MI</td>
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<tr>
<td>12</td>
<td>Kemira Water Solution</td>
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<td>Activated Carbon</td>
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<td>13</td>
<td>Missouri Lime Company</td>
<td>St. Louis, MO 63127</td>
<td>MO</td>
<td>Liquid Sodium Persulfamate</td>
<td>30,000 GAL</td>
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<td>14</td>
<td>Lawrence Chemical Co., Inc.</td>
<td>Croydon, PA 19021-4987</td>
<td>PA</td>
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<td>Soda Ash</td>
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<td>Soda Ash</td>
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<td>LBS</td>
<td>NB</td>
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<td></td>
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Page 4 of 4
RESOLUTION NO. R-136-17

A RESOLUTION REQUESTING AUTHORIZATION TO ACQUIRE A PORTION OF PROPERTY AND A TEMPORARY EASEMENT ON THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF LOONEY ROAD AND GARBY ROAD; PART OF MIAMI COUNTY CURRENT TAX PARCEL NO. N44-078594 BEING OWNED BY WINDERMERE WOODS, L.L.C.

WHEREAS, the City of Piqua desires to complete the Garbry Road/Looney Road Intersection Improvements Project; and

WHEREAS, it will be necessary to acquire right-of-way and easements for this project; and

WHEREAS, the City of Piqua is responsible for 100% of the cost of right-of-way acquisition on the Garbry Road/Looney Road Intersection Improvements Project, in accordance with its agreement with ODOT; and

WHEREAS, the value of the property has been established in strict conformance with federal highway administration guidelines; and

WHEREAS, the property owner has agreed to the purchase price and is willing to execute any necessary documents for the purchase.

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

SEC. 1: The City Manager is hereby authorized to enter into a contract to purchase a portion of said real property and an easement located at the southeast corner of the intersection of Looney Road and Garbry Road, being part of Parcel No. N44-078594 from Windermere Woods, L.L.C.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of $5,080.00

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

The Motion to adopt the foregoing Resolution was offered by __________________________
seconed by __________________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds ____________ Commissioner John Martin ____________
Commissioner William Vogt ____________ Commissioner Joseph Wilson ____________
Commissioner Judy Terry ____________
| REASON FOR SELECTING CONSULTANT/COMPANY | N/A |
| ATTACHMENTS                          | Exhibit A – Legal Descriptions and Purchase Contract |
## Commission Agenda
### Staff Report

<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>November 7, 2017</th>
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<tbody>
<tr>
<td>REPORT TITLE</td>
<td>A Resolution requesting authorization to acquire a portion of property and a temporary easement on the property located at the southeast corner of the intersection of Looney Road and Garbry Road; Part of Miami County Current Tax Parcel Number N44-078594 being owned by Windermere Woods, L.L.C.</td>
</tr>
</tbody>
</table>
| SUBMITTED BY | Name & Title: Amy L. Havenar, City Engineer  
Department: Engineering |
| AGENDA CLASSIFICATION | ☑ Consent  
☐ Ordinance  
☒ Resolution  
☐ Regular |
| APPROVALS/REVIEWS | ☑ City Manager  
☐ Asst. City Manager/Finance  
☐ Asst. City Manager/Development  
☐ Law Director  
☐ Department Director  
☐ Other: |
| BACKGROUND | As a part of the Garbry Road/Looney Road Intersection Improvements Project, the City needs to acquire right-of-way and an easement from the property located at the southeast corner of the Looney Road/Garbry Road intersection, which is owned by Windermere Woods, L.L.C.  
The City’s Right-Of-Way Consultant has been working with Windermere Woods on this acquisition and the property owner is in agreement with the fair market value price being offered for the portion of property and the temporary easement needed for the project. |
| BUDGETING AND FINANCIAL IMPACT | Budgeted $: $120,000  
Expenditure $: $5,080  
Source of Funds: Street Income Tax (103 Fund)  
Narrative: This money was budgeted for in the 2017 budget. The $5,080 is for the acquiring of the temporary easement (0.098 acre) and the purchase of property (0.074 acre). |
| OPTIONS | 1. Approve the Resolutions to acquire a temporary easement and to purchase a portion of the property located at the southeast corner of the Looney Road/Garbry Road intersection.  
2. Do not approve the resolution and do not complete the Garbry Road/Looney Road Intersection Improvements Project. |
| PROJECT TIMELINE | The project construction is scheduled for the summer of 2018. |
| STAFF RECOMMENDATION | Approve the Resolution to acquire a portion of the property and the temporary |
EXHIBIT A

CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY
WITHOUT BUILDING(S)

PARCEL(S): 12 WD, T
MIA-Looney/Garbry

This Agreement is by and between the City of Piqua, Miami County, Ohio ["Purchaser"] and
Windermere Woods, L.L.C., an Ohio Limited Liability Company ["Seller"; "Seller" includes all of the
foregoing named persons or entities]. Purchaser and Seller are referred to collectively in this Agreement
as "Parties."

In consideration of the mutual promises, agreements and covenants herein contained the Parties
contract as follows:

1. **Price and Consideration**

   Purchaser shall pay to Seller the sum of $5,080.00, which sum shall constitute the entire amount
   of compensation due Seller for: (a) the real property to be conveyed, including all fixtures; (b) any and all
   damages to any residual lands of Seller; (c) Seller’s covenants set forth herein; (d) any and all
   supplemental instruments reasonably necessary to transfer the title of the subject property; and (e) *other
   items*.

   Seller shall be exclusively responsible for all delinquent taxes and assessments, including
   penalties and interest, and for all other real estate taxes and assessments that are a lien as of the date on
   which this Agreement closes. The taxes and assessments for the current calendar year shall be prorated
   on an estimated basis to the date of acquisition of title or date of possession, whichever is earlier in time.
   Seller shall be responsible for any and all future installments of any special assessments levied and
   assessed against the real property, whether or not any such special assessment has been certified to the
   county auditor for collection, provided that such installments of special assessments shall be a lien on the
   subject real property as of the date of transfer of title. Purchaser may withhold in escrow a sufficient
   amount of the purchase money to satisfy the foregoing items to be paid by Seller; any balance remaining
   after such taxes, assessments, etc., are discharged shall be paid to Seller and any deficiency shall be the
   responsibility of Seller.

2. **Estate Sold and Deed to Transfer**

   Seller, upon fulfillment of all the obligations and terms of this Agreement, shall sell and convey
to Purchaser, its successors and assigns, the property which is more particularly described in Exhibit A
attached hereto and by this reference incorporated herein, together with all improvements now located
thereon and all fixtures of every nature now attached to or used with said land and improvements
including, but not limited to, driveways, signs, utility fixtures, shrubbery and trees.
If the rights, titles and estates described in Exhibit A constitute the fee simple in, to and of the
real property, then such sale and conveyance by Seller shall be by a good and sufficient general warranty
deed with, if applicable, full release of dower. In the event the rights, titles, and estates described in
Exhibit A constitute something less than the fee simple of the real property, then such sale and
conveyance by Seller shall be by a good and sufficient deed or other instrument regularly and ordinarily
used to transfer such lesser rights, titles and estates with, if applicable, full release of dower.

3. **Limited Access Parcels - Waiver of Abutters’ Rights**

If the property described in Exhibit A is designated by Purchaser as a limited access parcel, then
Seller further agrees to release to Purchaser, its successors and assigns, any and all abutters’ rights,
including access rights, appurtenant to any remaining lands of Seller (from which the property described
in Exhibit A is being severed) in, over, on, from and to the property described in Exhibit A.

4. **Supplemental Instruments**

Seller agrees to execute any and all supplemental instruments or documents necessary to vest
Purchaser with the rights, titles and interests described in Exhibit A.

5. **Warranty of Title**

Seller shall, and hereby does, warrant that the property described in Exhibit A is free and clear
from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions and covenants
of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules and regulations; and (d)
any and all taxes and assessments not yet due and payable.

6. **Elimination of Others’ Interests**

Seller shall assist, in whatever manner reasonably possible under the circumstances, to procure
and deliver to Purchaser releases and cancellations of any and all other rights, titles and interests in the
property described in Exhibit A, such as, but not limited to, those belonging to tenants, lessees,
mortgagees or others now in possession or otherwise occupying the subject premises, and all assessment
claims against said property.

Seller and Purchaser agree that if a mortgagee of Seller or of a predecessor in title fails to
cooperate with the efforts to obtain a release of that mortgagee’s mortgage lien secured by the property
described in Exhibit A, then and in that event this Agreement shall become null and void and the parties
to this Agreement shall be discharged and released from any and all obligations created by this
Agreement; for the purposes of this provision, the term “fails to cooperate” shall include a demand or
request by any such mortgagee for a fee to process such a release of that mortgagee’s mortgage lien that
Purchaser, in its sole discretion, deems to be excessive.
7. **No Change in Character of Property**

Seller shall not change the existing character of the land or alter, remove, destroy or change any improvement located on the property described in Exhibit A. If, prior to the date on which possession of the subject property is surrendered to Purchaser, the subject property suffers any damage, change, alteration or destruction then, and without regard to the cause thereof, Seller shall restore the subject property to the condition it was in at the time Seller executed this Agreement; in the alternative, Seller may agree to accept the abovementioned purchase price less the costs associated with such restoration. If the Seller refuses to either restore the premises or accept the decreased consideration as aforementioned, then Purchaser, at its option after discovery or notification of such damage, change, alteration or destruction, may terminate and cancel this Agreement upon written notice to Seller.

8. **Offer to Sell**

If Seller executes this Agreement prior to Purchaser, then this Agreement shall constitute and be an Offer to Sell by Seller that shall remain open for acceptance by Purchaser for a period of 20 days immediately subsequent to the date on which Seller delivers such executed Agreement to Purchaser. Upon Purchaser’s acceptance and execution of this Agreement within said period of 20 days, this Agreement shall constitute and be a valid Contract for Sale and Purchase of Real Property that is binding upon the Parties.

9. **Designation of Escrow Agent**

Seller agrees that Purchaser may designate an escrow agent to act on behalf of the Parties in connection with the consummation and closing of this Agreement.

10. **Closing Date**

The consummation and closing of this Agreement shall occur at such time and place as the Parties may agree, but no later than 10 days after Purchaser notifies Seller in writing that Purchaser is ready to consummate and close this Agreement. Provided, however, in no event shall such consummation and closing occur more than 120 days after the last date on which one of the Parties executes this Agreement.

11. **Physical Possession of Structures Occupied by Seller**

Seller shall surrender physical possession of the land and improvements to Purchaser not later than the date on which Purchaser tenders the purchase price to Seller.
12. Control of Property Occupied by Seller's Tenant(s)

Control of property occupied by Seller's tenant(s) shall be assumed by Purchaser on the date Purchaser tenders the purchase price to Seller. From that date forward, Purchaser shall be entitled to collect and retain as its own funds any and all rental payments thereafter made by such tenant(s). If any rents due under the lease(s) with Seller have been prepaid by Seller's tenant(s), then said prepaid rents shall be prorated to the date on which the purchase price is tendered by Purchaser, and said prepaid rents shall be paid to Seller and Purchaser in accordance with such proration.

13. Binding Agreement

Any and all of the terms, conditions and provisions of this Agreement shall be binding upon and shall inure to the benefit of Seller and Purchaser and their respective heirs, executors, administrators, successors and assigns.

14. Multiple Originals

This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together shall constitute but one and the same instrument.

15. Entire Agreement

This instrument contains the entire agreement between the Parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties, conditions or obligations whatsoever, either express or implied, other than herein set forth, shall be binding upon Seller or Purchaser.

16. Amendments and Modifications

No amendment or modification of this Agreement shall be valid or binding upon the Parties unless it is made in writing, cites this Agreement and is signed by Seller and Purchaser.
IN WITNESS WHEREOF, the parties hereto, namely the City of Piqua, Miami County, Ohio and Windermere Woods, L.L.C., an Ohio Limited Liability Company have executed this Agreement on the date(s) indicated immediately below their respective signatures.

WINDERMERE WOODS, L.L.C., AN OHIO LIMITED LIABILITY COMPANY

By: Windermere Woods LLC

Date: 10-11-17

STATE OF OHIO, COUNTY OF MIAMI ss:

BE IT REMEMBERED, that on the 11 day of OCTOBER, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Gayle A. Holland, who acknowledged being the and duly authorized agent of Windermere Woods, L.L.C., an Ohio Limited Liability Company, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

CHRISTINE M. BROWN
Notary Public, State of Ohio
My Comm. Expires: Sept 12, 2020
City of Piqua, Miami County, Ohio

Gary A. Huff, ICMA-CM
City Manager

Date: __________________________

STATE OF OHIO, COUNTY OF MIAMI ss:

BE IT REMEMBERED, that on the _____ day of _________________________, __________, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Gary A. Huff, ICMA-CM, the City Manager and duly authorized representative of City of Piqua, Miami County, Ohio, who acknowledged the signing of the foregoing instrument to be the voluntary act and deed of City of Piqua, Miami County, Ohio.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

______________________________
NOTARY PUBLIC
My Commission expires: __________
EXHIBIT A

LPA RX 851 WD

Ver. Date 04/13/2017

PARCEL 12-WD
MIA-LOONEY/GARBRY
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF PIQUA, MIAMI COUNTY, OHIO

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression “Grantor/Owner” includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor’s description of the premises follows]

Being a parcel of land lying on the right side of the centerline of right of way of Garbry Road (County Road 192) and right side of the centerline of right-of-way Looney Road (County Road 194) as shown on a centerline survey plat made in 2017 for the County of Miami, Ohio, titled "MIA-LOONEY/GARBRY" as recorded in Plat Book 26, Pages 48 and 48A of the records of Miami County:

Situated in the State of Ohio, County of Miami, City of Piqua, being part of Inlot 8756 Holland Replat, as shown in Plat Book 20, Page 66, Land Survey 38, Page 6 and Lot Survey 24, Page 87 conveyed to Windmere Woods, L.L.C. by deed of record in Deed Book 753, Page 109, and described as follows:

Beginning for Reference at a concrete monument set (Ohio Department of Transportation Type “A” Monument) at the intersection of the centerline of right-of-way of Garbry Road with the centerline of right-of-way of Looney Road, as shown on Plat Book 16, Page 24 and Plat Book 18, Page 90, located on centerline of right-of-way station 5+00.00 for Garbry Road and on centerline of right-of-way station 10+00.00 for Looney Road;

thence North 84 Degrees 58 Minutes 16 Seconds East, with said centerline of Garbry Road, a distance of 151.54 feet, to the northwesterly corner of Inlot 8744 as shown in Plat Book 20, Page 60 and conveyed to Doris McMillan, Trustee, by deed of record in Deed Book 751, Page 590, located on of centerline right-of-way station 6+51.54 for Garbry Road;
EXHIBIT A

thence South 05 Degrees 04 Minutes 59 Seconds West, with the westerly line of said Inlot 8744, a distance of 30.47 feet, to a point on the southerly existing right-of-way line of Garbry Road and the northeasterly corner of said Inlot 8756, located 30.00 feet right of centerline right-of-way station 6+46.19 for Garbry Road, being the True Point of Beginning, (reference a 5/8" rebar located 29.85 feet right of centerline right-of-way station 6+46.32 for Garbry Road);

thence across said Inlot 8756, the following two courses:

South 55 Degrees 18 Minutes 11 Seconds West, a distance of 90.91 feet, to an iron pin set, located 75.00 feet right of centerline right-of-way station 5+67.19 for Garbry Road and 80.00 feet right of centerline right-of-way station 9+38.85 for Looney Road;

South 37 Degrees 47 Minutes 15 Seconds West, a distance of 75.34 feet, to an iron pin set on the westerly line of said Windmere Woods tract and easterly existing right-of-way line of Looney Road, located 40.00 feet right of centerline right-of-way station 8+75.00 for Looney Road;

thence with the easterly existing right-of-way line of Looney Road, the southerly existing right-of-way line of Garbry Road and northerly line of said Inlot 8756, the following three courses:

North 05 Degrees 43 Minutes 16 Seconds East, a distance of 42.06 feet, to a point, located 40.00 feet right of centerline right-of-way station 9+17.06 for Looney Road and 88.95 feet right of centerline right-of-way station 5+23.83 for Garbry Road, (reference a 5/8” rebar located 41.07 feet right of centerline right-of-way station 9+16.54 for Looney Road);

North 38 Degrees 36 Minutes 00 Seconds East, a distance of 81.44 feet, to a point, located 30.00 feet right of centerline right-of-way station 5+80.02 for Garbry Road, (reference a 5/8” rebar located 30.21 feet right of centerline right-of-way station 5+81.27 for Garbry Road);

thence North 84 Degrees 58 Minutes 16 Seconds East, a distance of 66.17 feet, to the True Point of Beginning, containing 0.074 acre of which 0.000 acre is within the present roadway occupied and is contained within Auditor’s Parcel Number N44-078594.

All references are to the records of the Recorder’s Office, Miami County, Ohio, unless otherwise noted.

Iron pins set, as shown on said Right-of-Way plans, in the above description are 3/4 inch steel rod, thirty (30) inches long with a 2” diameter aluminum cap stamped “EMHT INC.”
All bearings shown are for project use only. The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial reference system.

This description was prepared by John C. Dodgion, Registered Surveyor No. 8069, based upon a survey by Evans, Mechwart, Hambleton & Tilton, Inc. in April 2016.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

John C. Dodgion
Professional Surveyor No. 8069
EXHIBIT A

PARCEL 12-T
MIA-LOONEY/GARBRY
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PERFORM GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF PIQUA, MIAMI COUNTY, OHIO

[Surveyor’s description of the premises follows]

Being a parcel of land lying on the right side of the centerline of right of way of Garbry Road (County Road 192) and right side of the centerline of right-of-way Looney Road (County Road 194) as shown on a centerline survey plat made in 2017 for the County of Miami, Ohio, titled "MIA-LOONEY/GARBRY" as recorded in Plat Book 26, Pages 48 and 48A of the records of Miami County:

Situated in the State of Ohio, County of Miami, City of Piqua, being on, over and across Inlot 8756 Holland Replat, as shown in Plat Book 20, Page 66, Land Survey 38, Page 6 and Lot Survey 24, Page 87 conveyed to Windermere Woods, L.L.C. by deed of record in Deed Book 753, Page 109, and described as follows:

Beginning at the intersection of the southerly existing right-of-way line of said Garbry Road with the southerly proposed right-of-way line of said Garbry Road, acquired as Parcel 12-WD of right-of-way plans titled “MIA-LOONEY/GARBRY”, being the northeasterly corner of said Inlot 8756, located 30.00 feet right of centerline of right-of-way station 6+46.19 for Garbry Road, (reference a 5/8” rebar located 29.85 feet right of centerline of right-of-way station 6+46.32 for Garbry Road);

thence South 05 Degrees 04 Minutes 59 Seconds West, with the easterly line of said Inlot 8756 and the westerly line of Inlot 8744 as shown on Plat Book 20, Page 60 conveyed to Doris McMillan, Trustee by deed of record in Deed Book 751, Page 590, a distance of 30.47 feet, to a point, located 60.00 feet right of centerline right-of-way station 6+40.84 for Garbry Road;

thence across said Inlot 8756, the following two courses:

South 50 Degrees 37 Minutes 18 Seconds West, a distance of 95.70 feet, to a point, located 114.00 feet right of centerline right-of-way station 5+61.82 for Garbry Road and 82.00 feet right of centerline right-of-way station 8+99.53 for Looney Road;
EXHIBIT A

South 36 Degrees 51 Minutes 17 Seconds West, a distance of 81.23 feet, to a point on the westerly line of said Inlot 8756 and easterly existing right-of-way line of Looney Road, located 40.00 feet right of centerline right-of-way station 8+30.00 for Looney Road;

thence North 05 Degrees 43 Minutes 16 Seconds East, with said westerly line and said easterly existing right-of-way line, a distance of 45.00 feet, to an iron pin set at the intersection of said lines with the easterly proposed right-of-way line of Looney Road, located 40.00 feet right of centerline right-of-way station 8+75.00 for Looney Road;

thence with said easterly and southerly proposed right-of-way lines of Looney Road and Garby Road, the following two courses:

North 37 Degrees 47 Minutes 15 Seconds East, a distance of 75.34 feet, to an iron pin set, located 80.00 feet right of centerline right-of-way station 9+38.85 for Looney Road and 75.00 feet right of centerline right-of-way station 5+67.19 for Garby Road;

North 55 Degrees 18 Minutes 11 Seconds East, a distance of 90.91 feet, to the Point of Beginning, containing 0.098 acre of which 0.000 acre is within the present roadway occupied and is contained within Auditor’s Parcel Number N44-078594.

All references are to the records of the Recorder’s Office, Miami County, Ohio, unless otherwise noted.

Iron pins set, as shown on said Right-of-Way plans, in the above description are 3/4 inch steel rod, thirty (30) inches long with a 2" diameter aluminum cap stamped "EMHT INC."

All bearings shown are for project use only. The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial reference system.

This description was prepared by John C. Dodgion, Registered Surveyor No. 8069, based upon a survey by Evans, Mechwart, Hambleton & Tilton, Inc. in April 2016.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

John C. Dodgion
Professional Surveyor No. 8069
RESOLUTION

I, GAYLE HOLLAND, do hereby certify that I am the Sole Member of WINDERMERE WOODS, L.L.C.; that a Resolution of the Members of WINDERMERE WOODS, L.L.C. was duly adopted at its meeting held on July 1, 2004; that said Resolution is currently in full force and effect and has not been rescinded; and that the following is a complete, true and correct copy of said Resolution:

RESOLVED, that the following individual is hereby appointed and empowered to execute, on behalf of WINDERMERE WOODS, L.L.C., all agreements on behalf of WINDERMERE WOODS, L.L.C., including the right to purchase, to sell, to obtain loans, to mortgage real estate owned by the limited liability company, and to cancel or release any mortgage loans to or from WINDERMERE WOODS, L.L.C.:

GAYLE HOLLAND, Sole Member and Authorized Representative.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of October, 2017.

[Signature]
Gayle Holland, Sole Member
RESOLUTION NO. R-137-17

AN EMERGENCY RESOLUTION TO AWARD A CONTRACT TO HEYNE CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE PUBLIC WORKS FACILITY RENOVATION PROJECT

WHEREAS, on January 3, 2017, this Commission passed Resolution No. R-3-17 authorizing the City Purchasing Analyst to advertise for bids, according to law, for the Public Works Facility Renovation Project; and

WHEREAS, after proper advertisement, bids were opened on October 24, 2017 resulting in the tabulation of bids as listed in 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 contract is hereby approved with Heyne Construction, Inc. as the lowest, responsible bidder for the Public Works Facility Renovation Project and the City Manager is hereby authorized to execute a contract with said bidder pursuant to contract specifications.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of $297,000.

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 will most likely cause the Contractor to have delays in the project due to weather as a portion of this project involves the removal and replacement of exterior walls and exterior finishes. Any delays would prevent the Public Works staff from moving back into this facility.

KATHRYN B. HINDS, MAYOR

PASSED: ________________________

ATTEST: ________________________

REBECCA J. COOL
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by ________________________
seconded by ________________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds ________ Commissioner John Martin ________
Commissioner William Vogt ________ Commissioner Joseph Wilson ________
Commissioner Judy Terry ________
### Commission Agenda Staff Report

**Meeting Date:** November 7, 2017

**Report Title:** An Emergency Resolution to award a contract to Heyne Construction, Inc. for the construction of the Public Works Facility Renovation Project.

**Submitted By:** Amy L. Havenar, P.E., City Engineer

**Engineering Department**

**Agenda Classification:**
- ☒ City Manager
- ☐ Asst. City Manager/Finance
- ☐ Asst. City Manager/Development
- ☐ Law Director
- ☐ Department Director
- ☐ Other:

**Approvals/Reviews:**

**Background:**

On October 24, 2017, five bids were received for the Public Works Building Renovation Project (see attached Exhibit A). In general, the work consists of removal of the existing exterior walls in the office areas of the Administration building that have been damaged due to water infiltration, the installation of new exterior face brick, fiber cement siding and metal wall panels, as well as the installation of new windows and doors with new door hardware. The replacement of the existing furnace and existing condensing unit were bid as alternates. With the bids being favorable, we are proposing to award these alternates as a part of the construction contract.

Extensive reference checks were completed on Heyne Construction, Inc. for projects of similar size and scope. We received nothing but positive feedback from the building owners regarding Heyne Construction, Inc. and the product they deliver.

**Budgeting and Financial Impact:**

- **Budgeted $:** $500,000
- **Expenditure $:** $297,000 (includes 10% contingency)
- **Source of Funds:** 101 Fund (Street Department)

**Narrative:** This resolution includes a 10% contingency for items of work which may be required which are not included in the original plans and specifications.

**Options:**

1. Approve the resolution and complete the Public Works Facility Renovation Project.

2. Do not approve the Resolution and do not complete the Public Works Facility Renovation Project.

**Project Timeline:**

The work will begin as soon as possible and has a completion date of February 2018.
<table>
<thead>
<tr>
<th><strong>STAFF RECOMMENDATION</strong></th>
<th>Approve the resolution to allow for the completion of the Public Works Facility Renovation Project.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REASON FOR SELECTING CONSULTANT/COMPANY</strong></td>
<td>Lowest bidder following the public bidding process.</td>
</tr>
<tr>
<td><strong>ATTACHMENTS</strong></td>
<td>Bid Tabulation (Exhibit A)</td>
</tr>
</tbody>
</table>
## Submitted Bids

<table>
<thead>
<tr>
<th>Business</th>
<th>Base Bid Total</th>
<th>Bid Alternate Total</th>
<th>Bid Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heyne Construction Inc</td>
<td>$260,520.00</td>
<td>$9,500.00</td>
<td>$270,020.00</td>
</tr>
<tr>
<td>Arcon Builders, Ltd. *</td>
<td>$292,000.00</td>
<td>$11,000.00</td>
<td>$303,000.00</td>
</tr>
<tr>
<td>ATCS, Inc.</td>
<td>$294,216.00</td>
<td>$11,740.00</td>
<td>$305,956.00</td>
</tr>
<tr>
<td>Westerheide Construction Company</td>
<td>$352,900.00</td>
<td>$11,300.00</td>
<td>$364,200.00</td>
</tr>
<tr>
<td>Becker Construction</td>
<td>$546,450.00</td>
<td>$11,258.00</td>
<td>$557,708.00</td>
</tr>
</tbody>
</table>

* Bidexpress.com bid included alternate.
RESOLUTION NO. R-138-17

A RESOLUTION APPROVING THE PURCHASE OF EXCESS LIABILITY INSURANCE

WHEREAS, certain specialty areas do not fall within the coverage of the City’s general liability policy and excess liability insurance is needed for coverage; and

WHEREAS, excess liability insurance covers the City’s dams for its lakes and canal, pollution and claims arising out of an injury or property damage as a result of an exercise of its emergency assistance agreements with other communities specifically related to power and claims related to water and wastewater; and

WHEREAS, Associated Electric & Gas Insurance Services Limited ("AEGIS") has provided excess liability coverage to the City for its dams and water, wastewater and power utility for over twenty years.

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: Excess liability coverage for the City’s dams, pollution and emergency assistance agreements is hereby provided by Associated Electric & Gas Insurance Services Limited ("AEGIS") for 2017-2018.

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account in an amount not to exceed $80,000.00.

SEC. 3: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to the premium and certifies that the funds are available.

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

KATHRYN B. HINDS, MAYOR

PASSED: ________________________________

ATTEST: ________________________________
REBECCA J. COOL
CITY COMMISSION CLERK

The motion to adopt the foregoing Resolution was offered by ________________________________
seconded by ________________________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds ________ Commissioner Judy Terry ________
Commissioner John Martin ________ Commissioner Joseph Wilson ________
Commissioner William Vogt ________