REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, JANUARY 2, 2018
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

OATH OF OFFICE
THIRD WARD COMMISSIONER – KRISTOPHER LEE

OATH OF OFFICE
FOURTH WARD COMMISSIONER – DAVID SHORT

ELECTION OF MAYOR

ELECTION OF VICE-MAYOR

OATH OF OFFICE
MAYOR

OATH OF OFFICE
VICE MAYOR

JOINT MEETING WITH WASHINGTON TOWNSHIP TRUSTEES & PIQUA CITY COMMISSION

ROLL CALL

CONSENT AGENDA

1. APPROVAL OF MINUTES
   Approval of the minutes from the January 3, 2017 Joint Meeting of the Washington Township Trustees and the Piqua City Commission

2. RES. NO. R-1-18
   A Resolution reappointing a member to the Board of Trustees of Forest Hill Union Cemetery

ADJOURNMENT

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES
   Approval of minutes from the December 19, 2017 Regular City Commission Meeting
2. **RES. NO. R-2-18**  
   A Resolution authorizing the City Purchasing Analyst to advertise for bids to make certain purchases during the 2018 year

3. **RES. NO. R-3-18**  
   A Moral Obligation to pay Brumbaugh Construction, Inc. for emergency services performed for the repairs to the bike path at Upper Fountain Park

4. **RES. NO. R-4-18**  
   A Resolution establishing the time of City of Piqua Regular Commission meetings

**NEW BUSINESS**

5. **ORD. NO. 1-18 (1st Reading)**  
   An Emergency Ordinance amending Chapter 50 of the Piqua Code, relating to garbage and refuse

**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**
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, Hinds, Terry, Wilson, Vogt, and Martin, Washington Township Trustees Hiegel, McMaken, and Hartley. Absent: None.

JOINT MEETING WITH WASHINGTON TOWNSHIP TRUSTEES

Consent Agenda

Approval of Minutes

Approval of the minutes from the January 5, 2016 Joint Meeting of the Washington Township Trustees and Piqua City Commission

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the January 5, 2016 Joint Meeting of the Washington Township Trustees and the Piqua City Commission be approved. Voice vote, Aye: Hinds, Martin, Wilson, Vogt, Terry, Hartley, McMaken, and Hiegel. Nay, None. Motion carried unanimously.

NEW BUSINESS

RES. NO. R-1-17
A Resolution reappointing a member to the Board of Trustees of Forest Hill Union Cemetery

City Manager Huff stated this resolution reappoints Jim Hiegel to the Board of Trustees of the Forest Hill Union Cemetery for a three year term to expire on December 31, 2019.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the Consent Agenda be Approved. Voice vote, Trustee Hiegel, Trustee Hartley, Trustee McMaken, Commissioner Terry, Commissioner Wilson, Commissioner Vogt, Commissioner Martin, and Mayor Hinds. Nay: None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Trustee Hiegel, to adjourn from the Joint Meeting with the Washington Township Trustees and the Piqua City Commission at 7:34 P.M. Voice vote, Aye: Hiegel, Hartley, McMaken, Martin, Terry, Hinds, Vogt, and Wilson. Nay: None. Motion carried unanimously.

WASHERY TOWNSHIP TRUSTEE

PASSED: _________________

ATTEST: __________________

__________________________

__________________________
RESOLUTION NO. R-1-18

A RESOLUTION REAPPOINTING A MEMBER TO
THE BOARD OF TRUSTEES OF FOREST HILL UNION
CEMETERY

BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, and by the Board of Trustees of Washington Township, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: Kathryn B. Hinds is hereby reappointed as a member of the Board of Trustees of Forest Hill Union Cemetery for a three year term to expire on December 31, 2020 or until her successor is confirmed and qualified;

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

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 Kris Lee
Commissioner Dave Short

WASHINGTON TOWNSHIP TRUSTEES
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 Terry, Martin, Vogt, and Wilson.

ANNOUNCEMENTS
No one came forward to speak at this time.

PROCLAMATION: HONORING JAMES BROWN JR.

Mayor Hinds read and presented the Proclamation honoring James Brown Jr. to his son. Mr. Brown thanked the City of Piqua, and the City Commission for the proclamation, further stating his father would have been very humbled by the proclamation.

COMMISSIONERS RESOLUTIONS OF APPRECIATION

Mayor Hinds read and presented Resolutions of Appreciation to Commissioner Judy Terry and Commissioner Joe Wilson. Mayor Hinds stated both Commissioner Terry and Commissioner Wilson have been on the commission for a total of twelve years each. Commissioner Terry and Commissioner Wilson thanked the City Manager and Commissioners, stating they have enjoyed working with them. They also thanked the City of Piqua employees and the citizens of Piqua for all of their support.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the Minutes from the November 21, 2017 Regular City Commission Meeting.

RES. No. R-151-17

A Resolution authorizing the City Manager to apply for city membership to American Municipal Power, Inc.

RES. NO. R-152-17

A Resolution retaining the services of Cooperative Response Center, Inc. to provide Professional Customer Call Answering and Dispatch Services for the Power System

RES. NO. R-153-17

A Resolution authorizing the City Purchasing Agent to purchase #2 fuel oil on the open and spot market

RES. NO. R-154-17

A Resolution retaining the services of Sawvel and Associates to provide Professional Consulting and Engineering Services for the Power System

RES. NO. R-155-17

A Resolution authorizing a purchase order to Miami Valley Risk Management Association for purchase of insurance

OLD BUSINESS

ORD. NO. 12-17 (3rd Reading)

An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2018

Finance Director Cynthia Holtzapple provided the Staff Report.

The City of Piqua is required to present and pass the 2018 Annual Budget by the end of the year. Ordinance No. 12-17 is the final reading; the Commission reviewed the Department Budgets on November 16, 2017.


ORD. NO. 13-17 (3rd Reading)

An Ordinance repealing Chapter 33.08 and enacting a new Chapter 33.08 of the Piqua Code, relating to Employee Insurance

Finance Director Cynthia Holtzapple provided the Staff Report.

Ordinance No. 13-17 will make the updates necessary to Chapter 33.08 of the Piqua Code setting the new benefits for the employee health insurance in 2018.


ORD. NO. 14-17 (3rd Reading)

An Ordinance repealing Schedule A of Chapter 33 of the Piqua Code and adopting a new Schedule A of the Chapter 33 of the Piqua Code relating to wages of certain Municipal Employees

Finance Director Cynthia Holtzapple provided the Staff Report.

Schedule A of Chapter 33 covers the salaries of full-time non-union employees. There are six steps in each classification and each step has been increased by 2%. This is the same increase approved by the City Commission for the Police (FOP and OPBA) contracts.


ORD. NO. 15-17 (3rd Reading)

An Ordinance repealing Schedule A-1 of Chapter 33 of the Piqua Code and adopting a new Schedule A-1 of Chapter 33 of the Piqua Code relating to wages of certain Municipal Employees

Finance Director Cynthia Holtzapple provided the Staff Report.

Schedule A-1 covers part-time, seasonal, and temporary employees. The wages will be adjusted in accordance with State minimum wage requirements.

ORD. NO. 16-17 [2nd Reading]

An Emergency Ordinance amending Chapter 50 of the Piqua Code, relating to Garbage and Refuse

Amy Welker, Director of Health and Sanitation provided the Staff Report.

The proposed amendments to the code include cleaning up the language, defining the approved container and the new rate structure. Currently the residential customer may set out up to 6 bags per week and is equivalent to 78 gallons of waste. The new carts will be 96 gallons. There will still be a senior discount rate on the new containers. Commercial customers will have 3 categories based on the amount of service needed. The new rate structure will be phased in over the next 4 years. The new rate structure will also include a recycling only service for those residents that have private haulers.

Commissioners asked numerous questions on the size of containers, the number of containers residents could have, availability of large pick up, and the type of yard waste containers available.

After discussion Commissioner Vogt moved to table Ordinance No.16-17 at this time, seconded by Commissioner Martin. Voice vote, Aye: Martin, Hinds, Terry, Wilson, and Vogt. Nay, None. Ordinance No. 16-17 was tabled.

NEW BUSINESS

ORD. NO.17-17 (1st Reading)

An Emergency amended Ordinance to make Appropriations for the City of Piqua, Ohio for the year 2017

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

This is the final 2017 Appropriations that have been amended to reflect the final figures.

Public Comment

No one came forward to speak for or against Ordinance No. 17-17.

Moved by Commissioner Martin, seconded by Commissioner Vogt to waive the three reading rule regarding the Ordinance to be read fully and distinctly on three separate days. Voice vote, Terry, Wilson, Martin, Hinds, Vogt, and Martin. Nay, None. Motion carried unanimously.


RES. NO. 156-17

A Resolution authorizing a contract with Code Studio to provide Professional Services for the Land Use and Development Codes and Thoroughfare Plan Update project

Chris Schmiesing City Planner provided the Staff Report.
The 2007 Comprehensive Plan Update along with subsequent planning studies and community engagement activities, identify improving community image/identity as a high priority by Piqua residents. Six firms responded to the request for proposals, the review committee interviewed the three firms identified as being most responsive to the request for proposals. Code Studio was identified as the firm best suited to deliver the professional services requested. Several strategies were recommend, one is the updating of the zoning and subdivision codes.

Commissioners asked several questions, Mr. Schmiesing provided add information answering all questions.

Public Comment

No one came forward to speak for or against Resolution No. R-156-17 at this time.


RES. NO. R-157-17

A Resolution authorizing transfers of cash from the General Fund to the other fund for the fiscal year 2017

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

The Auditor of State Ohio Compliance Supplement requires that: Transfers require a resolution authorizing the transfers. This is the resolution authorizing the Finance Director to make the transfers.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-157-17.


RES. NO. R-158-17

A Resolution authorizing transfers of cash from the General Fund to the other fund for the fiscal year 2018

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

The Auditor of State Ohio Compliance Supplement requires that: Transfers require a resolution authorizing the transfers. This is the resolution authorizing the Finance Director to make the transfers.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-158-17.

RES. NO. R-159-17

A Resolution authorizing temporary loan of cash from the General Fund to the other fund for the fiscal year 2017

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

The Auditor of State Ohio Compliance Supplement requires that: Temporary loans require a resolution authorizing the temporary loans. This is the resolution authorizing the Finance Director to make the transfers.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-159-17.


RES. NO. R-160-17

A Resolution authorizing temporary loan of cash from the General Fund to the other fund for the fiscal year 2018

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

The Auditor of State Ohio Compliance Supplement requires that: Temporary loans require a resolution authorizing the temporary loans. This is the resolution authorizing the Finance Director to make the transfers.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. R-160-17.


PUBLIC COMMENT

No one came forward to speak at this time.

City Manager Report

City Manager Huff stated the City received a 1.5 million dollar grant from the Ohio Public Work for the Wastewater Pump Station.

City Manager expressed his appreciation and thanked Commissioner Terry and Commissioner Wilson for their 12 years of service to the City of Piqua and the residents. City Manager Huff stated "I am certainly very appreciative of them giving me the opportunity to work in Piqua, and they will be missed."

COMMISSIONERS' COMMENT

Commissioner Vogt wished Commissioner Terry and Commissioner Wilson the best in the future now they will have a few more open days. Commissioner Vogt stated don't be a stranger come back often.
Commissioner Martin also congratulated Commissioner Terry and Commissioner Wilson on their twelve years of service with the City Commission.

Commissioner Terry thanked her fellow Commissioners for their support over the last 12 years, also City Manager Huff and past City Managers, city employees for their support. Commissioner Terry mentioned several of the project and happening that have taken place during her 12 year tenure as a City Commissioner.

Commissioner Wilson also thanked his fellow Commissioners for their support over his years as commissioner, including the "dreaded recall" of the Commissioners. Commissioner Wilson wished everyone a Merry Christmas and a Happy New Year.

Mayor Hinds thanked Commissioner Terry and Commissioner Wilson for their years of service to the City and the residents.

Mayor Hinds wished everyone a Merry Christmas and a Happy New Year, Blessings to all.

EXECUTIVE SESSION
To consider the appointment, employment, dismissal, discipline or compensation of the City Manager

Moved by Commissioner Vogt, seconded by Commissioner Martin to move into Executive Session at 8:45 P.M. to consider the appointment, employment, dismissal, discipline or compensation of the City Manager. Roll call vote, Aye: Terry, Wilson, Martin, Vogt, and Hinds. Nay, None. Motion carried unanimously.

Moved by Commissioner Vogt, seconded by Commissioner Martin to adjourn from Executive Session at 9:07 P.M. Voice vote, Aye; Martin, Wilson, Hinds, Vogt, and Terry. Nay, None. Motion carried unanimously.

Motion made by Commissioner Vogt to adjourn from the Regular Commission Meeting at 9:09 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-2-18

A RESOLUTION AUTHORIZING THE CITY PURCHASING ANALYST TO ADVERTISE FOR BIDS TO MAKE CERTAIN PURCHASES DURING THE 2018 YEAR

WHEREAS, the present operations of the City require the purchase of various items and materials during the 2018 year as listed in Exhibit “A” appended hereto; and

WHEREAS, Section 34.19 of the Piqua Code or as the City Ordinance may require the advertisement for sealed, written bids be published at least once in the Piqua Daily Call;

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 Purchasing Analyst is authorized to cause the publication of advertisement for bids on said items and materials listed in Exhibit “A”, the exact specifications of which are on file and available from the office of the City Purchasing Analyst and those that may arise throughout the year;

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

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 Kris Lee ____________
Commissioner John Martin ____________ Commissioner Dave Short ____________
Commissioner William Vogt ____________
**Commission Agenda**

**Staff Report**

<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>January 2, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>REPORT TITLE</td>
<td>A RESOLUTION AUTHORIZING THE CITY PURCHASING ANALYST TO ADVERTISE FOR BIDS TO MAKE CERTAIN PURCHASES DURING THE 2018 YEAR</td>
</tr>
</tbody>
</table>
| SUBMITTED BY | Name & Title: Beverly M. Yount, CPPB, Purchasing Analyst  
Department: Purchasing & Finance |
| AGENDA CLASSIFICATION | ☑️Consent ☐Ordinance ☑️Resolution ☐Regular |
| APPROVALS/REVIEWS | ☑️City Manager  
☐Asst. City Manager/Finance  
☐Asst. City Manager/Development  
☐Law Director  
☒Department Director;  
☐Other: |
| BACKGROUND | We are required to advertise for bids for any capital or operational purchases the City makes that are over $25,000 in a newspaper of local circulation. Therefore, we use the Piqua Daily Call for this purpose. Exhibit “A” is a list of items that are compiled from the 2018 Budget Book. At the first Commission meeting each year, we ask for Commission approval for the Purchasing Analyst to be authorized to fulfill this commitment. |
| BUDGETING AND FINANCIAL IMPACT | Budgeted $: Each Department budgets their own advertising dollars  
Expenditure $: Varies depending on bids actually done throughout the year  
Source of Funds: Department budget/City funds  
Narrative: The cost of the advertising is an estimate until we know how long the ad will be, which days it will run and which projects will move forward. |
| OPTIONS | 1. Approve Resolution R-2-18 to give approval to run advertising for city departments as needed  
2. Deny Resolution R-2-18 and cause the departments to be in violation of the City Charter. |
| PROJECT TIMELINE | Pass the first Commission meeting of the year to allow the Purchasing Analyst to fill departmental needs throughout the year. |
| STAFF RECOMMENDATION | I recommend passage of this Resolution. We have always obtained Commission approval for this bid advertising authorization each year. |
| ATTACHMENTS | Exhibit “A” shows a listing of the anticipated bid items for 2018. |
### EXHIBIT “A”
#### 2018 Commodity/Bid Items

<table>
<thead>
<tr>
<th>Department</th>
<th>Description</th>
<th>Bid</th>
</tr>
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<tbody>
<tr>
<td>Various</td>
<td>Uniforms</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>Excess Utility Insurance</td>
<td>Piqua</td>
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<tr>
<td>Economic Development</td>
<td>Environmental Assessments – any Phase</td>
<td>Piqua</td>
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<td></td>
<td>Demolition of Houses</td>
<td>Piqua/State</td>
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<tr>
<td>Health</td>
<td>Demolition of houses, etc.</td>
<td>Piqua</td>
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<td></td>
<td>Home repairs</td>
<td>Piqua</td>
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<tr>
<td>Parks</td>
<td>Wayfinding signage</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>Fountain Park Rubber Playground Surfacing</td>
<td>State/Piqua</td>
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<td></td>
<td>1-ton Dump Truck Replacement</td>
<td>State/Piqua</td>
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<tr>
<td>Street</td>
<td>Road salt</td>
<td>SWOP4G</td>
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<td></td>
<td>Resurfacing/Asphalt &amp; Full Depth Reclamation</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>Overhaul 2 Dump Trucks</td>
<td>State/Piqua</td>
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<td></td>
<td>Rental of Tub Grinder and Screener</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>3 Pickup Trucks (carryover from 2017)</td>
<td>State/Piqua</td>
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<td></td>
<td>Slope mower</td>
<td>State/Piqua</td>
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<td></td>
<td>Public Works Complex Repairs</td>
<td>State/Piqua</td>
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<tr>
<td>Street Income Tax</td>
<td>Street Resurfacing &amp; ADA Compliance</td>
<td>Piqua</td>
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<td></td>
<td>Looney Rd. Resurfacing</td>
<td>Piqua</td>
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<td></td>
<td>Garbry/Looney Rd. Intersection Improvements</td>
<td>Piqua</td>
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<tr>
<td></td>
<td>E. Ash St. Bike/Pedestrian Facility Design</td>
<td>Piqua</td>
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<tr>
<td></td>
<td>Pedestrian Bridge Replacement</td>
<td>Piqua</td>
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<tr>
<td>Fire</td>
<td>Replace Stryker Cots</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>Replace Load System for Cots</td>
<td>State/Piqua</td>
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<td></td>
<td>Rescue tool</td>
<td>State/Piqua</td>
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<td></td>
<td>Replace F-18 &amp; F-11 SUV</td>
<td>State/Piqua</td>
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<td></td>
<td>Replace Aerial Ladder (if grant received)</td>
<td>State/Piqua</td>
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<tr>
<td>Police</td>
<td>3 Cruiser Replacements and related upfitting</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>Video evidence capture, download &amp; storage</td>
<td>State/Piqua</td>
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<tr>
<td>Power</td>
<td>Gas Turbine #9 Contractor &amp; Roof replacement</td>
<td>Piqua/State</td>
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<td></td>
<td>Poles, Transformers &amp; Conduit</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>69 kV Breaker Replacements</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>1 Ton Material Truck</td>
<td>State/Piqua</td>
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<tr>
<td></td>
<td>Power Plant roof replacement</td>
<td>Piqua/State</td>
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<tr>
<td>Category</td>
<td>Description</td>
<td>Location</td>
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<tr>
<td>Water</td>
<td>Water Treatment Chemicals</td>
<td>Piqua/SWOP4G</td>
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<tr>
<td></td>
<td>Ferric Sulfate, Lime, Potassium Permanganate</td>
<td>State/Piqua</td>
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<td>City Signs</td>
<td>State/Piqua</td>
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<td></td>
<td>Abraxis</td>
<td>State/Piqua</td>
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<tr>
<td>Wastewater</td>
<td>WWTP Construction</td>
<td>State/Piqua</td>
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<td></td>
<td>Garbry/Looney Rd.</td>
<td>State/Piqua</td>
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<tr>
<td>Sanitation</td>
<td>Building project (design, construction, relocation)</td>
<td>State/Piqua</td>
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<td></td>
<td>Trash carts</td>
<td>State/Piqua</td>
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<tr>
<td>Stormwater</td>
<td>Garbry/Looney Rd. Roundabout</td>
<td>Piqua</td>
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<td></td>
<td>ADA Compliance</td>
<td>Piqua</td>
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<td></td>
<td>GIS Phase II</td>
<td>Piqua</td>
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<td></td>
<td>Replace Catch Basins</td>
<td>Piqua</td>
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<td></td>
<td>Lock 9 Park</td>
<td>Piqua</td>
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<tr>
<td>Golf</td>
<td>Chemicals</td>
<td>Piqua</td>
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<tr>
<td></td>
<td>Mowing/Golf Equipment</td>
<td>State/Piqua</td>
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**Any other items that may arise as needed throughout the year.**
RESOLUTION NO. R-3-18

A MORAL OBLIGATION TO PAY BRUMBAUGH CONSTRUCTION, INC. FOR EMERGENCY SERVICES PERFORMED FOR THE REPAIRS TO THE BIKE PATH AT UPPER FOUNTAIN PARK

WHEREAS, the bike path and embankment at Upper Fountain Park had been inspected and it was determined it had serious structural integrity issues and that immediate repair was warranted; and

WHEREAS, due to the high usage of the bike path and the severity of the erosion to the path in this area, the bike path was in need of immediate repair; and

WHEREAS, Brumbaugh Construction, Inc. is an experienced and qualified contractor and has worked for the City on numerous successful projects; and

WHEREAS, Piqua Municipal Code Section 34.19 of the Piqua Municipal Code, section (B) exempts public bidding where in unforeseen emergencies, delay would result in the interruption of or detriment to the delivery of public services, as determined by the City Manager; and

WHEREAS, due to the emergency bike path repair work needing to be completed, the City Manager entered into a contract with Brumbaugh Construction, Inc. on December 7, 2017.

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 had authority to enter into a contract with Brumbaugh Construction, Inc. for emergency repairs to the bike path and embankment at Upper Fountain Park and as such there is a moral obligation to pay pursuant to the terms of the attached contract for the work completed.

SEC. 2: The requirement of Piqua Municipal Code Section 34.19(8) of the Piqua Municipal Code is satisfied waiving the requirement of public bidding, for the reason that an inspection of the bike path produced structural integrity issues and in this unforeseen emergency, delay by bidding would result in the interruption of or detriment to the delivery of public services, as determined by the City Manager.

SEC. 3: 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 in the amount of $42,976.00.

KATHRYN B. HINDS, MAYOR

PASSED: _______________________

ATTEST: _______________________
REBECCA J. COOL
CLERK OF COMMISSION

Mayor Kathryn B. Hinds
Commissioner John Martin
Commissioner William Vogt
Commissioner Dave Short
Commissioner Kris Lee
It was recently brought up at a Commission Meeting about the deteriorating condition of the bike path adjacent to the walk bridge behind the Fountain Park Dining Hall. After further investigation internally, the City determined that there was excessive erosion underneath the bike path and down the adjacent embankment, which was causing the asphalt path to fail. Due to these findings, City staff was notified immediately to keep all maintenance vehicles off of this section of the path.

Due to the severity of the situation, we met with a local contractor, Brumbaugh Construction, Inc., who we have worked with in the past to go over the scope of repairs. They in turn put together a price proposal based upon recommendations from our field walk-through.

After reviewing the proposal, it was determined that the proposed costs were in line with what the repair work should cost. In addition, Brumbaugh Construction, Inc. had an opening between projects that they could mobilize and begin the work immediately.

<table>
<thead>
<tr>
<th>BUDGETING AND FINANCIAL IMPACT</th>
<th>Budgeted $: $0</th>
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<tbody>
<tr>
<td>Expenditure $: $42,976.00</td>
<td>Source of Funds: Parks</td>
</tr>
<tr>
<td>Narrative:</td>
<td></td>
</tr>
<tr>
<td>OPTIONS (Include Deny/Approval Option)</td>
<td>1. Approve the resolution to pay Brumbaugh Construction, Inc. for the Fountain Park Bike Path repair work.</td>
</tr>
<tr>
<td></td>
<td>2.</td>
</tr>
<tr>
<td>PROJECT TIMELINE</td>
<td>The work has been completed and the bike path is back open to all users.</td>
</tr>
<tr>
<td><strong>STAFF RECOMMENDATION</strong></td>
<td>Approve the resolution to pay Brumbaugh Construction, Inc. for the Fountain Park Bike Path repair work.</td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>REASON FOR SELECTING CONSULTANT/COMPANY</strong></td>
<td>Brumbaugh Construction, Inc. has the knowledge and the expertise in embankment work and work involving remote sites, as this repair area was not accessible by heavy truck traffic. They are also a local company who could begin the work immediately.</td>
</tr>
<tr>
<td><strong>ATTACHMENTS</strong></td>
<td>Exhibit A – Proposal &amp; Invoice</td>
</tr>
</tbody>
</table>
Proposal Prepared For
The City of Piqua, Ohio

Cost for the Fountain Bridge Path Repair = $43,726.00 LS

Scope:

- Trim trees as needed for access for concrete pump truck.
- Remove existing asphalt path 25' north & 25' south of existing concrete bridge approach. Dispose of the material.
- Place 6" of 304 aggregate base. Install dowels in top of stone wall.
- Form & pour a 6" concrete slab with up to 18" fattened edges. Concrete to include wire mesh reinforcing. (Note the forming process will require temporary stakes driven into the levy).
- Place and grout riprap in eroded area (+/- 6' wide) on northeast side of path.
- Restore the site.

Conditions:

1. Contractor can use the existing path for access for delivery trucks, small excavator and skid loader.
2. We will be careful working on the existing asphalt path, roads and parking area, but cannot guarantee the asphalt will not be damaged.
3. The City will close the path and bridge to all traffic.
4. We will not assume responsibility for any damage or leaks to the levy as a result of the work.

Thank you for the opportunity to perform the repair work.

Brumbaugh Construction, Inc.

Daniel W. Hayes
Assistant Vice President

An Equal Opportunity Employer
PAY REQUEST INVOICE #1 & Final

Date: 12/19/2017
JOB #: 1813

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>SUBJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Piqua</td>
<td>Fountain Park Bike Path Repair</td>
</tr>
<tr>
<td>ATTN: Amy Havenar</td>
<td></td>
</tr>
<tr>
<td>201 W. Water Street</td>
<td></td>
</tr>
<tr>
<td>Piqua, OH 45356</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invoicing for the bike path repairs at Fountain Park.</td>
<td>$42,976.00</td>
</tr>
</tbody>
</table>

SUBTOTAL $42,976.00

TOTAL $42,976.00

AUTHORIZED BY

DATE 12/19/2017
RESOLUTION NO. R-4-18

A RESOLUTION ESTABLISHING THE TIME OF CITY OF PIQUA
REGULAR COMMISSION MEETINGS

WHEREAS, Section 4 of the City of Piqua Charter (Meetings of Commission) states that Commission Meetings shall be held on the first Tuesday in January following a regular municipal election beginning at 7:30 P.M.; and

WHEREAS, thereafter the Commission shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month; and

WHEREAS, it is in the best interest of the Piqua City Commission to adopt a new meeting time following the established first meeting of the calendar year.

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 established meeting time for Regular City Commission meetings shall begin at 6:00 PM with the exception of the first meeting in January which remains at 7:30 PM with regards to Section 4 of the City of Piqua Charter.

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

PASSED:

KATHRYN B. HINDS, MAYOR

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 Kris Lee ____________________
Commissioner Dave Short ____________________
ORDINANCE NO. 1-18

AN EMERGENCY ORDINANCE AMENDING CHAPTER 50 OF THE PIQUA CODE,
RELATING TO GARBAGE AND REFUSE

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

SEC. 1: Chapter 50 of the Piqua Code is hereby amended to read as follows (with
deletions lined out and additions underlined):

GARBAGE AND REFUSE

§ 50.01 DEFINITIONS.

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

Approved Containers. Shall include the following:

1. Containers provided by customers that are constructed of metal or heavy gauge plastic,
   with two handles, and in such a manner as to be strong, easily lifted, not easily corrodeible,
   rodent-proof, shall have a capacity not to exceed 32 gallons, have a tight fitting lid, and
   meet the satisfaction of the Sanitation Department.

2. Containers provided by the City of Piqua Sanitation Department.

Board. The Board of County Commissioners of Miami County, Ohio, consisting of three
members chosen as provided in R.C. Chapter 305.

Building Construction Waste. Discarded or unused materials used in the
construction of structures and other improvements to real property.

Bulk Items. Discarded appliances, furniture, and other household items that are too large
to fit inside a garbage container. Does not include building construction waste, items longer than
six feet in length, or items too heavy to be easily lifted by the collection crew.

Collection. The process of picking up and transporting solid waste from the point of
disposition to the point of its ultimate disposal.

Commercial Haulers. Any person, firm or corporation who, for profit, collects or
transports solid waste to disposal sites, and when not operating solely under a contract with the
city to transport solid waste (collected by the city) from the transfer station.

Disposal Site. Any area used by a customer for the disposal of garbage, refuse, or
recyclable materials.

District. The Miami County Garbage and Refuse Disposal District No. 1 as that district is
described in the records of the Board of County Commissioners of Miami County, and in
§ 50.20, and as the district may be amended from time to time. The district is now comprised of all the unincorporated area of Miami County and the municipalities of Troy and Piqua, Ohio.

**GARBAGE.** Shall include the following:

1. Discarded animal and vegetable organic matter.
2. All putrescible wastes from public, private and residential structures.
3. Garbage does not include hazardous waste, recognizable industrial byproducts, non-combustibles, rubbish or building construction waste.

**HAZARDOUS WASTE.** The waste as defined in R.C. § 3734.01(J);

**INCINERATORS.** Structures built and containing furnaces, machinery and equipment for the destruction, by burning, of solid waste with maximum reduction of volume and a minimum of air pollution, other than for domestic or residential use.

**INDIVIDUAL HAULERS.** Persons, firms or corporations using vehicles either owned by them, rented or leased by them, either with drivers or for their use by themselves or by their employees on an occasional basis for the purpose of transporting solid waste produced by them to a point of disposal off their own premises.

**LANDFILLS.** Open areas of ground used for the disposal of solid waste fitting one of the following descriptions (but not including the transfer station).

1. **DUMP.** An open area of ground used for the disposal of solid waste by miscellaneous dumping.
2. **INCRINATOR LANDFILL.** An open area of ground used for the disposal of sterile ash from an incinerator and for the disposal of non-combustible waste, containing no putrescible material, which cannot be reduced in a volume by incineration.
3. **SANITARY LANDFILL.** An open area of ground used for the disposal of solid waste where material is deposited under controlled conditions.

**NON-COMBUSTIBLES.** Garbage or refuse which will not reduce to ash within 45 minutes at a temperature of 1,800 F. when properly mixed with oxygen from the air for the purpose of burning tree stumps and materials in the nature of earth, sand, bricks, stones, plaster, ashes and other substances which may accumulate as a result of building construction or demolition.

**PUBLIC HEALTH DEPARTMENT.** The public health department having jurisdiction in the geographical area appropriate to the rule under discussion.

**RECYCLABLE MATERIALS.** Materials as determined by the Health and Sanitation Director to be easily reused or repurposed, and be suitable for collection and separation from regular household solid waste to be diverted from the landfill.
**REFUSE.** Shall include the following.

1. Discarded non-organic materials generated from commercial, industrial and/or residential sources within the city which are of a size and weight suitable for containment in receptacles designated for garbage and refuse.

2. Refuse shall not include liquids or hazardous wastes, recognizable industrial by-products, non-combustibles or building construction waste.

**SANITARY ENGINEER.** The Sanitary Engineer of Miami County, appointed by the Board of County Commissioners of Miami County, Ohio, or its duly authorized or appointed assistants acting in its behalf or stead.

**SOLID WASTE.** Garbage and refuse other than liquids.

**TRANSFER STATION.** A site owned or leased by the city where solids waste is deposited by city personnel for pick-up and removed by a person, firm, or corporation under contract with the city.

(‘97 Code, § 55.01) (Ord. C-686, passed 1-2-51; Am. Ord. 40-68, passed 11-4-68; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15)

§ 50.02 GARBAGE-SOLID WASTE AND RECYCLING RECEPTACLE REQUIRED.

(A) No owner, tenant, or lessee of any public or private premises shall permit to accumulate upon his or her premises any refuse solid waste or recyclable materials, except in covered approved containers, which shall be substantially constructed and in such manner so as to be easily lifted by the refuse collectors.

(‘97 Code, § 55.02)

(B) The covered containers shall be constructed of metal or heavy-gauge plastic, with two handles and in such a manner as to be strong, easily lifted, not easily corrodivle, rodent-proof, and shall have a capacity of not more than 32 gallons and have tight covers, same to be in place at all times, except when garbage is being deposited therein, or removed therefrom. The container contents shall not in any case exceed 75 pounds in weight.

(B-C) Solid waste and recyclable materials shall be placed in approved containers which may be provided by the city and, if so provided, said containers shall be and remain the property of the city and remain with the residence, regardless of owner or tenant. Any misuse or destruction of said containers shall subject the person responsible to replacement costs. Should the containers become lost or unusable, they may be replaced by notifying the City of Piqua. The city is authorized to charge a replacement fee in accordance with rules and regulations of the City of Piqua.

(C) When approved containers are provided by the City, then no other containers will be approved for collection. No solid waste or recyclable materials will be collected unless it is properly placed in the approved containers (with the exception of bulk items in accordance with 50.07 (D)).
§ 50.03 UNCOLLECTIBLE GARBAGE, SOLID WASTE AND RECYCLABLE MATERIALS.

(A) No garbage and refuse solid waste shall be collected by the city unless it is placed in waste approved containers or plastic bags and placed in the proximity of the street or alley or other convenient place for collection as determined by the City Sanitation Department Foreman. However, the Sanitation Foreperson Department may collect garbage and refuse solid waste at locations other than in the proximity of the street or alley in hardship cases. Hardship cases are cases in which the Sanitation Foreperson Department determines there is no able-bodied person in the household.

(B) Garbage and refuse solid waste and recyclables may be collected by the city other than in the proximity of the street or alley in non-hardship cases by the customer paying a charge in addition to the charge set forth in § 50.07 in the amount of $2 per month.

(C) All twigs, branches, limbs and other trimmings of trees and bushes shall not be collected unless the trimmings are less than six feet in length and less than four inches in diameter, tied into bundles no larger than 24 inches in diameter.

(D) No garbage, refuse or non-combustibles transported into the city from outside the corporate limits shall be collected.

(E) Yard waste will only be collected if placed loose in cans approved containers or in paper biodegradable bags.

§ 50.04 (RESERVED).

§ 50.05 PRIVATE DISPOSAL PROHIBITED.

The disposal of garbage or refuse solid waste in any quantity by an individual or an establishment is prohibited in any public or private place within the city limits.

§ 50.06 TAMPERING WITH REFUSE PROHIBITED.

(A) All garbage, refuse, recyclables and other materials on disposal sites are the property of the city.

(B) No person shall be allowed to separate and collect, carry off, or dispose of materials on disposal sites, except under the direction of the City Manager or except by contract with the city. In addition, the provisions of division (B) hereof shall not apply to any law enforcement officer or fire investigator in the performance of his or her official duties.
§ 50.07 GARBAGE-SOLID WASTE COLLECTION RATES; PERMITS.

(A) (1) The collection of garbage and refuse solid waste from houses, buildings, and premises for residential purposes shall be in accordance with (3) below for in the amount of $15.30 per month for cans or bags not to exceed 32 gallons, or any other approved containers approved by the Sanitation Department. There shall be an additional monthly charge of $3.13 for recycling costs incurred by the city. The current fees shall remain in effect until changed. No more than six bags or cans of refuse a 96 gallon capacity of solid waste and six cans or bags of leaves or grass a 96 gallon capacity of yard waste (leaves or grass) will be collected per week without additional charges. No householder within the city limits shall be exempt from the provisions of this section without obtaining a special waiver pursuant to (B) below.

(2) The term HOUSEHOLDER shall mean the head of a family or one maintaining his or her separate living room or quarters on the premises, and shall include owners, tenants, and occupants of all premises.

(3) Residential Rates

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
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<tbody>
<tr>
<td><strong>Solid Waste</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(96 gallon capacity)</td>
<td>$19.35</td>
<td>$20.31</td>
<td>$21.32</td>
<td>$22.38</td>
</tr>
<tr>
<td><strong>Recycling</strong></td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
</tr>
<tr>
<td>(64 gallon capacity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Additional Solid Waste</strong></td>
<td>Household with 5 or more persons and actively recycling may receive a second container free of charge.</td>
<td>Household with 5 or more persons and actively recycling may receive a second container free of charge.</td>
<td>Household with 5 or more persons and actively recycling may receive a second container free of charge.</td>
<td>Household with 5 or more persons and actively recycling may receive a second container free of charge.</td>
</tr>
<tr>
<td>(96 gallon capacity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Additional Recycling</strong></td>
<td>No additional charge for solid waste customers</td>
<td>No additional charge for solid waste customers</td>
<td>No additional charge for solid waste customers</td>
<td>No additional charge for solid waste customers</td>
</tr>
<tr>
<td>(64 gallon capacity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Yard Waste</strong></td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
</tr>
<tr>
<td>(96 gallon capacity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Container Replacement Cost</strong></td>
<td>$50</td>
<td>$50</td>
<td>$50</td>
<td>$50</td>
</tr>
<tr>
<td>(Due to misuse or destruction)</td>
<td></td>
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</table>
(B) Special waivers of compliance with (A) above may be granted at the Utility collection Billing Office to the following. Special waivers may be subject to revocation without notice.

(1) Owners of buildings containing four or more apartment units, and who have in force a contract with a commercial hauler to collect garbage and refuse solid waste from the apartment units.

(2) Commercial or business accounts who have in force a contract with a commercial hauler to collect garbage and refuse solid waste from the commercial or business establishments.

(3) Participants in the Senior Discount Program. The Senior Discount Program shall be for householders who reside in the city and who are 62 years of age and older or disabled, or who have other hardship reasons approved by the Sanitation Department and also meet income guidelines as established by the Utility Billing Office. The rate for the program shall be 50% of the standard refuse rate as established in division (A) (3) plus a recycling rate which shall be 30% of the standard recycling rate as established in division (A).

(4) Owners of single-family residences which remain unoccupied during vacations for a minimum of two months subject to appropriate receipt of notice and approval by the utility office.

(C) The collection of garbage and refuse solid waste and recycling from commercial establishments shall be on the basis of the amount of materials collected as follows from approved containers in accordance with (1) below. There shall be an additional monthly charge for recycling.

(1) Commercial Rates For each container or part thereof not exceeding 32 gallons or 75 pounds, whichever is greater, the charge shall be $2.74 per container, to be billed monthly at a minimum monthly charge of $17.23. In addition, a charge of $3.13 per month for recycling shall be included.
<table>
<thead>
<tr>
<th>192 gallon capacity</th>
<th>$35.00</th>
<th>$36.75</th>
<th>$38.58</th>
<th>$40.50</th>
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</thead>
<tbody>
<tr>
<td>Large Quantity Generator (up to 288 gallon capacity)</td>
<td>$43.75</td>
<td>$45.93</td>
<td>$48.22</td>
<td>$50.63</td>
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<tr>
<td>Additional Container (96 gallon capacity)</td>
<td>$11.00</td>
<td>$11.00</td>
<td>$11.00</td>
<td>$11.00</td>
</tr>
<tr>
<td>Recycling (64 gallon capacity)</td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
<td>Included with solid waste</td>
</tr>
<tr>
<td>Recycling Service Only (64 gallon capacity)</td>
<td>$16.80</td>
<td>$17.64</td>
<td>$18.52</td>
<td>$19.44</td>
</tr>
<tr>
<td>*if eligible</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recycling Service -- Additional (64 gallon capacity)</td>
<td>$3.00</td>
<td>$3.00</td>
<td>$3.00</td>
<td>$3.00</td>
</tr>
</tbody>
</table>

(2) A record of the number of containers shall be maintained by garbage and refuse collectors the Sanitation Department. Garbage and refuse Solid waste and recyclables must be placed in approved containers to comply with the specifications for garbage and refuse containers herein.

(3) Collection of fees shall be made by the Utility Billing Office as a separate item on each utility bill. The fees shall be assessed against the person or firm in whose name the utility bill is listed.

(D) Bulk items shall be collected when placed at normal trash collection points on the regular collection day. Such items shall be collected at the discretion of the Sanitation Department in reasonable amounts not to exceed three bulk items in one week. Excessive amounts of bulk items placed out for collection may incur additional charges based on the disposal cost.

(E) Garbage and refuse may be collected at locations outside the city limits when feasible, at a rate of 150% of the rates listed in divisions (A) and (C) above, except that recycling costs shall be uniform inside and outside the city limits.

(F) A delayed payment charge of 5% of each month’s fee shall be added to the month’s billing if not paid within the net payable date of the monthly statement.

("97 Code, § 55.08) (Ord. 7-59, passed 2-16-59; Am. Ord. 15-94, passed 3-21-94; Am. Ord. 53-94, passed 11-21-94; Am. Ord. 15-96, passed 3-18-96; Am. Ord. 11-02, passed 5-20-02; Am. Ord. 3-05, passed 4-4-05; Am. Ord. 32-06, passed 1-2-07; Am. Res. R-12-07, passed 1-16-07; Am. Ord. 12-10, passed 6-1-10; Am. Ord. 1-15, passed 2-17-15) Penalty, see § 50.99

§ 50.08 UNCOLLECTED GARBAGE-SOLID WASTE DECLARED A NUISANCE.
(A) No garbage or refuse solid waste shall be collected from any premises where the owner or lessee is in arrears for a period of one month. Fermenting, putrefying, or odoriferous garbage solid waste in containers uncollected or dumped in the open due to failure to pay garbage fees shall be declared a nuisance, and the person or persons responsible shall be liable to prosecution under the provisions of R.C. § 3767.13 or Piqua Code 91.20.

('97 Code, § 55.09)

(B) No person, firm or corporation shall permit the accumulation or collection on his, her or its premises of any garbage, refuse, non-combustibles, hazardous waste or solid waste which was not generated on said premises.

('97 Code, § 55.10) (Ord. C-696, passed 1-2-51; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15) Penalty, see § 50.99

DISPOSAL OF SOLID WASTE

§ 50.20 ESTABLISHMENT OF DISPOSAL DISTRICT NUMBER ONE.

The Commission authorizes the Board of County Commissioners to lay out, establish, and maintain the Miami County Garbage and Refuse Disposal District Number One, and to include therein, in addition to other lots and lands, all lots and lands within the corporate limits of the city.

('97 Code, § 55.15) (Ord. 13-66, passed 3-21-66; Am. Ord. 32-87, passed 7-27-87; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15)

§ 50.21 HAULING PERMIT REQUIRED.

It shall be unlawful for any person, firm or corporation to engage in the business of collecting, hauling, or transporting through, over, or upon the public streets and ways of the city, any solid waste, without obtaining a license or permit to do so from the office of the Sanitary Engineer, Miami County Incinerator, Troy, Ohio 45373. This section shall not apply to any person, firm or corporation solely when operating under contract with the city to remove solid waste (collected by the city) from the transfer station.

('97 Code, § 55.16) (Ord. 40-68, passed 11-4-68; Am. Ord. 32-87, passed 7-27-87; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15) Penalty, see § 50.99

§ 50.22 COMPLIANCE WITH HAULING REGULATIONS.

It shall be unlawful for any commercial hauler or individual hauler to haul or transport through, over, or upon the public streets and ways of the city, any garbage, rubbish, or refuse unless the garbage, rubbish, or refuse is hauled to the Miami County Transfer Station and is hauled in conformance with the rules and regulations of disposal of solid wastes in Miami County Garbage and Refuse Disposal District Number One adopted by the Miami County Commissioners. This section shall not apply to any person, firm or corporation solely when operating under contract with the city to remove solid waste (collected by the city) from the transfer station.
§ 50.23 INCINERATOR.

(A) It shall be unlawful for any person, firm or corporation to operate an incinerator within the city unless the incinerator meets the federal, state, or local ordinances for solid or smoke emission from incinerators, and in no instance shall the solid and smoke emission exceed the following standards:

1. Solids: 0.85 pounds per 1,000 pounds of gas, corrected to 15% CO.
2. Smoke: Ringlemann Number Two for no more than 60 minutes in 24 hours.

§ 50.24 COVERED VEHICLE REQUIRED FOR HAULING.

It shall be unlawful for any person, firm or corporation to haul or transport any waste, refuse, trash, or garbage in an form within the city in a vehicle not fitted with a tight cover or not constructed in such a manner as to prevent the escape of any portion of the load being transported, no matter how minute.

§ 50.25 HAULING GARBAGE TO LOCATION OUTSIDE CITY PROHIBITED.

(A) It shall be unlawful for any commercial hauler to haul or transport any waste, refuse, trash, or garbage in any form from a point within the city to any point outside of Miami County.

(B) In the event of an emergency such as, but not limited to, a truck breakdown or driver illness, the provisions of this section shall not apply if the commercial hauler notifies the office of the City Police Department of the emergency prior to the removal from the county of the waste, trash, or garbage.

(C) This section shall not apply to any person, firm or corporation solely when operating under contract with the city to remove solid waste (collected by the city) from the transfer station.
§ 50.99 PENALTY.

Whoever violates any provisions of this chapter shall be punished as provided in § 10.99. Each day's violation shall constitute a separate offense.

(Am. Ord. 1-15, passed 2-17-15)

SEC. 2: This Ordinance shall be declared an emergency for immediate preservation of the public peace, health, or safety in the City of Piqua and shall take effect and be in force from and after passage.

KATHRYN B. HINDS, MAYOR

PASSED: _______________________

ATTEST: _______________________
    REBECCA J. COOL
    CLERK OF COMMISSION

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

Mayor Kathryn B. Hinds
Commissioner John Martin
Commissioner William Vogt
Commissioner Dave Short
Commissioner Kris Lee
MEETING DATE | January 2, 2018
---|---
REPORT TITLE | An Emergency Ordinance amending Chapter 50 of the Piqua Code, relating to garbage and refuse
SUBMITTED BY | Name & Title: Amy Welker, RS Director of Health & Sanitation
Department: Sanitation
AGENDA CLASSIFICATION | ☒ Ordinance | ☐ Resolution | ☐ Regular
APPROVALS/REVIEWS | ☒ City Manager | ☒ Asst. City Manager/Finance
☐ Asst. City Manager/Development | ☐ Law Director
☐ Department Director; | ☐ Other:
BACKGROUND | The proposed amendments to the code include language clean up, a definition of an approved container, and a new rate structure. These amendments will allow for the addition of trash carts for customers to use for garbage and refuse, similar to the carts provided for recycling.

The new rate structure will be based on the amount of service needed. All customers will receive the same service they are currently provided. The current standard is a residential customer may set out up to 6 bags or cans of waste per week.

The 96 gallon capacity will be the standard service offered to all customers and the basis for the minimum rate. However, if a customer needs more capacity for waste collection, then a second 96 gallon cart will be provided if desired at no cost, providing there are at least 5 members in the household and they actively recycle.

For commercial customers, the rate structure will have 3 categories based on the amount of service needed.

The new rate structure will be phased in over the next 4 years. This will allow the department to monitor and adjust the cart system as needed. It will also allow the customers’ time to become familiar with the new cart system and adjust their habits as needed. As noted in the structure, a second recycling cart is free of charge for residential service, offering the customers an opportunity to save money by recycling more.

The new rate structure also includes a recycling only service. This
service would accommodate residence where a private hauler is used, such as apartment buildings, but the resident is interested in recycling.

The Ordinance is requested to be an Emergency so that the new rate structure will be in place for the new year.

<table>
<thead>
<tr>
<th>BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budgeted $:</td>
</tr>
<tr>
<td>Expenditure $:</td>
</tr>
<tr>
<td>Source of Funds:</td>
</tr>
<tr>
<td>Narrative:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPTIONS (Include Deny /Approval Option)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Pass the ordinance to update Chapter 50.</td>
</tr>
<tr>
<td>2. Do not pass the ordinance and provide further direction.</td>
</tr>
<tr>
<td>3.</td>
</tr>
<tr>
<td>4.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROJECT TIMELINE</th>
</tr>
</thead>
<tbody>
<tr>
<td>First reading January 2, 2018</td>
</tr>
<tr>
<td>Suspend the second and third readings in order for the changes to take effect in January 2018</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STAFF RECOMMENDATION</th>
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<tbody>
<tr>
<td>Pass the ordinance to amend Chapter 50.</td>
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<table>
<thead>
<tr>
<th>REASON FOR SELECTING CONSULTANT/COMPANY</th>
</tr>
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</table>

<table>
<thead>
<tr>
<th>ATTACHMENTS</th>
</tr>
</thead>
</table>