

A G E N D A
PIQUA CITY COMMISSION
MONDAY, DECEMBER 1, 2008
7:30 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

REGULAR CITY COMMISSION MEETING

1. **APPROVAL OF MINUTES** Approval of the minutes from the Piqua City Commission Work Session of November 10, 2008 and the November 17, 2008 Regular City Commission meeting

2. **ORD. NO. 28-08** 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
 (1st Reading)

3. **ORD. NO. 29-08** An Ordinance amending Ordinance No. 31-06 relating to Insurance
 (1st Reading)

4. **ORD. NO. 30-08** An Ordinance repealing Ordinance No. 28-07
 (1st Reading)

5. **ORD. NO. 31-08** An Ordinance repealing Ordinance No. 30-07
 (1st Reading)

6. **ORD. NO. 32-08** An Ordinance repealing Ordinance No. 32-07
 (1st Reading)

7. **ORD. NO. 33-08** An Ordinance to make appropriations for the City of Piqua, Ohio for the year 2009
 (1st Reading)

8. **ORD. NO. 34-08** An Ordinance amending Schedule A of Section 52.20 of the Piqua Code to eliminate the General Fund from reimbursing the Municipal Power System for Street Lighting Services
 (1st Reading)

9. **ORD. NO. 35-08** An Ordinance amending Chapter 77 of the Piqua Code relating to Traffic Schedule V to reinstate no left turn onto Main Street from Market Street
 (1st Reading)

10. **RES. NO. R-123-08** A Resolution authorizing the City Purchasing Agent to purchase #2 fuel oil on the open and spot market
11. **RES. NO. R-124-08** A Resolution authorizing the City Manager to apply for City Membership to Amp-Ohio
12. **RES. NO. R-125-08** A Resolution rescinding Resolution No. R-41-08
13. **RES. NO. R-126-08** A Resolution amending the lease agreement of city owned property located at 810 Scott Drive

OTHER

- Monthly Reports-October 2008

ADJOURN

MINUTES
PIQUA CITY COMMISSION WORK SESSION
NOVEMBER 10, 2008
6:00 P.M.
201 WEST WATER STREET
PIQUA, OHIO 45356

Piqua City Commission met in a Special Work Session in the Commission Chambers in the Municipal Government Complex, 201 W. Water Street for a work session. Mayor Hudson called the meeting to order at 6:00 P.M. Also present were Commissioners Martin, Vogt, and Fess. Absent: Terry. Also in attendance: City Manager Fred Enderle, Recreation Director Rob Stanford, and numerous citizens.

Purpose of the Special Meeting is to discuss Piqua Youth Baseball & Softball

Recreation Director Rob Stanford explained there is a conflict with the use of the fields by the various teams, which include the select baseball & softball teams and the Piqua Youth Baseball & Softball teams. The PYBSA leagues are in the process of restructuring their by-laws at this time, said Mr. Sanford.

The city has had a signed lease with the PYBSA for the past forty years, allowing the youth to play baseball and softball at Pitsenbarger Sports Complex, but currently there is not a signed lease at this time.

Tony Homer, President of the PYBSA, reminded the Commissioners that the PYBSA has maintained the fields over the years, and have put quite a lot of money in to them. City Manager Enderle stated, "the key factor to remember is that we've given them sole use of the fields".

Several individuals involved or interested in the various baseball leagues were in attendance and voiced their opinions on the use of the fields by the two different groups. These groups are made up of the select teams and the PYBSA recreational teams. Commissioner Martin commented that this might need to change now, stating that playing on the field is a privilege, and not a right.

There was discussion on the difference between recreational baseball and select team baseball, who maintains and controls the playing fields, number of days the various teams play on the fields, how many teams are in the different leagues, and who is responsible for the concession stand.

There was a lengthy discussion on the reason or need for select baseball teams, and how it affects the recreational baseball teams. Recreational teams are usually comprised of only Piqua players who just want to play baseball while learning the fundamentals and having fun at the same time. The select teams are not affiliated with the PYBSA and are not always comprised of Piqua kids only; they travel to different cities, and are usually considered to have the better kids on them.

City Manager Enderle suggested that before the Commission makes any decision they find out who all is interested in using the fields, and find a way to share them and work together.

Several citizens, who have been involved in the youth baseball over the years, voiced their opinions on the issue of not having enough fields and the fact the city does not have enough funding or manpower to take over the baseball and softball programs at this time.

Various questions were raised concerning the number of fields and the use of the fields by the various teams, and if some type of a schedule could be set up so that all involved can have the

use of the fields at some time. The problem is there are not enough fields for the number of teams requesting to play on them, said Mayor Hudson. A former baseball coach and parent stated baseball in Piqua has went down hill the last few years, there use to be around 1100 kids participating in baseball leagues and then at the end of the season they were chosen to play on All Star Team. Parents and coaches need to get together and work out their differences for the sake of the players.

Mayor Hudson stated just a casual observation today, you do not see many children playing pickup baseball or basketball games, it just doesn't happen anymore.

City Manager Enderle stated we cannot provide enough fields; practices need to be held at other locations so that the fields can be used for games as needed. A concerned parent stated that to hold practices at some of the schools is dangerous to the players with the fields having large holes in them. Questions were raised about the use of old Armco Field. City Manager Enderle stated the city no longer has a lease with Armco to use the fields.

There was discussion of the PYBSA restructuring their by-laws and was noted they have enlisted the services of Melvin J. Gravely a Professional Registered Parliamentarian to help them set up their new by-laws. Mr. Gravely explained some of the details of the new by-laws. Statements were made that the current PYBSA Board was not approachable and many parents were upset with the way things have been conducted. One suggestion was that a board be set up consisting of parents who do not have children playing baseball at that time.

City Manager Enderle stated the city could take more control by the lease, and could step in and fix the problem, have the Recreation Board and the Parks Board oversee the groups.

One of the questions raised was can anyone put together a select team from the existing teams, and take them out of the recreational league? The answer was yes. This is part of the problem.

It was suggested that a board be formed for each group and have a third board to govern the other two. Most parents feel the baseball program is for the kids and are willing to work together for the betterment of the program.

After a lengthy and very informational and vocal meeting, the commission decided they should consider getting both the recreational board members and the select team members together to find out what the best possible solution would be for the use of the fields.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Work Session at 7:35 P.M. Voice vote, Aye: Martin, Fess, Hudson and Vogt.
Motion carried unanimously.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

**MINUTES
PIQUA CITY COMMISSION
MONDAY, NOVEMBER 17, 2008
7:30 P.M.**

Piqua City Commission met at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Hudson called the meeting to order. Also present were Commissioners Martin, Vogt, Fess, and Terry. Absent: None.

REGULAR CITY COMMISSION MEETING

APPROVAL OF MINUTES

Moved by Commissioner Terry, seconded by Commissioner Vogt, that the minutes of the November 3, 2008 Regular City Commission Meeting be approved. Voice vote, Aye: Terry, Martin, Vogt, Hudson, and Fess. Nay: None. Motion carried unanimously.

ORD. NO. 26-08
(3rd Reading)

An Ordinance amending Section 93.04 of the Piqua Code relating to Fire Prevention

Several questions were raised concerning the pending arbitration and the effect it would have on Ordinance No. 26-08. Law Director Stacy Wall explained how the Piqua Charter reads and stated Ordinance No. 26-08 is not in conflict with the Firefighters contract at this time. What the Firefighters Union is grieving has nothing to do with Ordinance No. 26-08, said Mrs. Wall.

Public Comment

Robert Bloom, representing the Piqua Firefighters Local 252 Union, voiced his opposition to Ordinance No.26-08 and explained his reasons. Mr. Bloom further stated the firefighters believe that there is a civil service process for selecting promotion candidates and does not believe the process was followed at this time.

There was a lengthy discussion concerning the difference between taking the Assistant Fire Chief test for Fire Prevention Officer and for the Assistant Chief Shift Officer. City Manager Enderle explained what this would do is eliminate reference to rank specific for the office, to provide flexibility in the level of length that we could choose to fill that position. Law Director Wall stated the current contract refers to the Assistant Fire Chiefs as an officer contract, because it distinguishes between the Assistant Fire Chief for Fire Prevention in terms of their hours, because that position has been a 40-hour position rather than the other Assistant Chiefs who are on shifts at this time.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 26-08 be adopted. Roll call, Aye: Fess, Vogt, Martin, Terry, and Hudson. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 26-08 adopted.

RES. NO. R-121-08

A Resolution establishing a City Commission 2009 calendar of meetings

Public Comment

No one came forward to speak for or against Resolution No. R-121-08.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-121-08 be adopted. Voice vote, Aye: Terry, Hudson, Fess, Vogt, and Martin. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-121-08 adopted.

RES. NO. R-122-08

A Resolution authorizing the City Manager to enter into an agreement with the Miami County Board of Commissioners to replace the existing sanitary sewer agreement to include providing sanitary sewer to the Village of Fletcher

There was discussion on the share of the cost to the city, and how much would need to be approved before the County was able to apply for a grant for the extension. City Manager Enderle stated previously the city has agreements with the Monnin Subdivision, the Country Club, and the Greens of Springcreek to provide sanitary sewer. City Engineer Amy Havenar explained that the City of Piqua has committed \$150,000 to the county in order for them to apply for the grant.

Public Comment

Miami County Sanitary Engineer Pat Turnball explained Miami County applied for a \$400,000 grant from the Ohio Public Works, and stated it is a win-win situation for all three communities involved.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-122-08 be adopted. Voice vote, Aye: Martin, Terry, Hudson, Fess, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-122-08 adopted.

PUBLIC COMMENT

Brad Boehringer, Mound Street, voiced his opinion on Ordinance No. 26-08.

Mike Foster, Main Street, asked several questions concerning the caterers that are to be approved to serve at the Fort Piqua Plaza after the first of the year, and how the Committee was chosen for approving caterers. City Manager Enderle stated he would be glad to speak to Mr. Foster after the meeting and set up a time to get together to discuss his questions.

A Washington Avenue resident voiced his opinion on the property maintenance appeal process.

Tony Homer, President of the PYBSA, voiced his opinion on the current lease the with the City of Piqua and the PYBSA, stating the City is trying to change things in the lease since no one has been able to locate a signed copy of the lease. Mr. Homer further stated the PYBSA has been acting on this lease for the past two years and would like to continue if possible.

Roy Howard, Spiker Road, voiced his opinion on the legislation on the November ballot that was not passed on November 4, 2008 and asked for an explanation. Law Director Wall explained how the City would address the issues. The Commission will decide where to go from here and decide how to proceed at this time.

Lori Dorman, member of the PYBSA presented a letter to Mayor Hudson from a parent regarding the PYBSA and the select teams. Mrs Dorman also voiced her opinion on the lease between the City of Piqua and the PYBSA. Mayor Hudson accepted the letter from Mrs. Dorman.

Mayor Hudson stated the election was held, and three ordinances were turned down and two were passed, he has no problem with respecting the publics vote, and encouraged the commission to honor those passed, and rescind the three that were defeated.

Commissioner Vogt stated he felt the citizens read the ballot issues and voiced their opinions.

Commissioner Vogt voiced his concern about several letters to the editor in the Piqua Daily Call, and stated he was thankful he had the opportunity to vote.

Commissioner Vogt stated he would like to challenge the P.O.I.N.T. Group, The Neighborhood Associations, citizens, and the City to be pro-active instead of reactive on property maintenance issues. Take care of your own home and property, work together with your neighbors to keep their properties up to code, said Commissioner Vogt.

Commissioner Martin asked when the Board of Elections would have the certified results of the ordinances from the November 4, 2008 ballot. Law Director Wall stated she has not received them yet, but she doesn't expect there to be any changes.

Commissioner Martin made a motion to rescind the three defeated ordinances, seconded by Commissioner Vogt. Commissioners Fess, Martin and Vogt all agreed. City Manager Enderle stated this will be brought back to the Commission at the next meeting in the form of a resolution.

Commissioner Martin inquired as how citizens could donate money to help with the repairs to homes in Piqua. City Manager Enderle stated Renew Piqua was set up to help citizens with repairs. Commissioner Martin asked citizens to make contributions to the Renew Piqua Fund to continue to help with repairs.

Commissioner Fess stated for the last twelve plus years the community has been asking for a Skate Park, and now has been able to find several grants available, and would like to set up a Task Force to establish a skate park in the City of Piqua. Commissioner Martin has agreed to set on the Task Force with Commissioner Fess and a meeting has been set on Tuesday, November 25, 2008 at 6:00 P.M. at Mote Park for parents and children to attend.

Commissioner Terry stated she would like to encourage parents and children to attend the PYSBA meeting to be held on Wednesday, November 19, 2008, at 6:00 P.M. at Mote Park.

City Manager Enderle stated there are several positions available on various boards and committees and read a list of the openings. Applications can be picked up in the City Managers Office for those interested in applying for any one of the positions, said Mr. Enderle.

Mayor Hudson stated the ultimate objective of the City is to serve the youth of Piqua, and commended Commissioners Fess and Martin for taking the lead on the Skate Board Park.

Mayor Hudson asked if citizens have questions or concerns to contact their Commissioner or the City Manager to get the information or answers they need.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Piqua City Commission Meeting at 9:05 P.M. Voice vote, Aye: Fess, Hudson, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 28-08

**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**

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

SEC. 1: Schedule A-1 of Chapter 33 of the Piqua Code, as adopted by Ordinance No. 4-08, is hereby repealed; and

SEC. 2: Schedule A-1 of Chapter 33 of the Piqua Code (appended hereto as Exhibit "E") is hereby adopted;

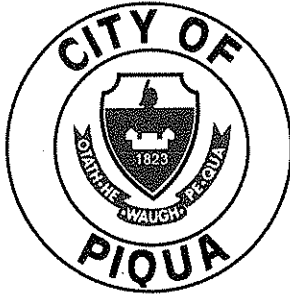
SEC. 3: This Ordinance applies to all salaries and wages earned or accrued on and after January 1, 2009.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



HUMAN RESOURCES DEPARTMENT

Elaine G. Barton, PHR – Human Resources Director
201 West Water Street • Piqua, Ohio 45356-5001
(937) 778-2053 • FAX (937) 778-2048
E-Mail: ebarton@piquaoh.org

November 24, 2008

MEMORANDUM

To: Frederick E. Enderle, City Manager
From: Elaine G. Barton, Human Resources Director
Re: Schedule A-1

The positions listed on schedule A-1 represent part-time, temporary, and seasonal employees not represented by a collective bargaining agreement. On January 1, 2009, the minimum wage will increase from \$7.00 per hour to \$7.30 per hour. Therefore, it is necessary to increase the wage of certain positions listed on Schedule A-1 (those that were increased are in bold type).

Please let me know if you have any questions or need additional information.

<u>CLASSIFICATION/ TITLE</u>	<u>HOURLY RATE</u>	
CLERK TYPIST (CO-OP STUDENT)	7.30	
CITY CLERK*	7.30	
CLERK TYPIST A	7.30	
CLERK TYPIST B	7.42	
RECORDS & DATA ENTRY CLERK	7.52	
ACCOUNT CLERK*	9.94	
SECRETARY I*	10.24	
SECRETARY II*	11.82	
ADMINISTRATIVE SECRETARY (FINANCE)*	15.52	
ENGINEERING CO-OP I (STUDENT)	9.48	
ENGINEERING CO-OP II (STUDENT)	10.33	
ENGINEERING CO-OP III (STUDENT)	11.13	
ENGINEERING CO-OP IV (STUDENT)	11.97	
PLANNING TECHNICIAN	16.48	
INTERNS	7.30 to 12.36	
PARKING CONTROL OFFICER	7.92	
ANIMAL CONTROL OFFICER	7.31	
POWER DISTRIBUTION STOREKEEPER	15.45	
PLUMBING INSPECTOR	19.10	
CONSTRUCTION INSPECTOR	19.10	
PUBLIC HEALTH NURSE	19.10	
LABORER A	7.42	
LABORER B	8.26	
LABORER C	9.18	
CUSTODIAN	7.32	
REFUSE COLLECTOR	7.30	
MAINTENANCE WORKER	7.30	
STREET DEPT. MAINTENANCE SUPV.	9.91	
SEASONAL GOLF COURSE MAINT. LABORER A	7.42	plus free golf**
SEASONAL GOLF COURSE MAINT. LABORER B	8.26	plus free golf**
SEASONAL GOLF COURSE MAINT. LABORER C	9.18	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER A	7.30	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER B	7.30	plus free golf**
SUMMER GOLF COURSE MAINT. LABORER C	7.45	plus free golf**
GOLF COURSE CLUBHOUSE ATTENDANT	7.42	plus free golf**
CART/RANGE ATTENDANT	7.30	plus free golf**
FOOD SERVICE ATTENDANT (GOLF)	7.30	plus free golf**
LIFEGUARD A	7.30	
LIFEGUARD B	7.30	
LIFEGUARD C	7.45	
TICKET WINDOW ATTENDANT A	7.30	
TICKET WINDOW ATTENDANT B	7.30	
HEAD TICKET WINDOW ATTEND. A	7.45	
HEAD TICKET WINDOW ATTEND. B	7.83	
RECREATION LEADER	7.79	
RECREATION ASSISTANT	7.30	
SPORTS INSTRUCTOR	8.53 to 17.06	
DANCE/FITNESS INSTRUCTOR	8.53 to 17.06	
POOL MANAGER	524.45	WEEKLY RATE
ASSISTANT POOL MANAGER A	362.35	WEEKLY RATE
ASSISTANT POOL MANAGER B	379.65	WEEKLY RATE
HEAD LIFE GUARD A	312.91	WEEKLY RATE
HEAD LIFE GUARD B	330.22	WEEKLY RATE
ASSISTANT LAW DIRECTOR	823.40	WEEKLY RATE

*These are confidential employees and are not in any bargaining unit.

**certain restrictions do apply - must work a minimum of 20 hours per week

ORDINANCE NO. 29-08

AN ORDINANCE AMENDING ORDINANCE NO. 31-06 RELATING TO INSURANCE

WHEREAS, the cost to provide health insurance has risen and the City of Piqua desires to assist its employees in securing health insurance.

NOW THEREFORE BE IT ORDAINED BY THE Commission of the City of Piqua, Ohio, the majority of all members election hereto concurring that:

SEC 1. Section 33.08 of the Piqua City Code is hereby amended to read as follows (with deletions lined out and additions underlined):

(A) The city will provide health insurance benefits including dependent coverage (ages 19 to 25 if a full-time student or disabled). Effective January 1, 2007, the benefits will include a high deductible health plan (HDHP) and, at the employee's option, either a health savings account (HSA) or a health reimbursement account (HRA). The HDHP will have "network" deductibles of \$2,000 for individual coverage and \$4,000 for family coverage.

(B) Employee HSA accounts will be funded by the City in the amount of \$2,000 for individual coverage and \$4,000 for family coverage during the 2007 and 2008 plan years, by funding 1/12th of the annual total to be deposited the 1st of each month beginning January 2007. Employee HRA accounts will be funded by the City in the amount of \$2,000 for individual coverage and \$4,000 for family coverage during the 2007 and 2008 plan years, by funding the entire amount each year in January. For the 2009 plan year, the City will fully fund employee HSA and HRA accounts if the premium increase between 2008 and 2009 does not exceed 5% (\$2,000 for individual coverage and \$4,000 for family coverage). If the increase is over 5%, the City will fund 85% 75% of the accounts (\$1,700 \$1,500 for individual coverage and \$3,400 \$3,000 for family coverage).

(C) The City shall select the carrier for the HDHP annually after consulting with the Insurance Committee. The City will make every effort to maintain comparable coverage. ~~for the duration of this Agreement. Comparable coverage shall mean that the City shall solicit quotes annually from up to three carriers and request standard products which most closely match the plan design then in effect.~~

(D) Cost Sharing. For the 2007 plan year, an employee will contribute \$8.62 weekly for individual coverage and \$25.31 weekly for family coverage. For the 2008 and 2009 plan years, an employee will contribute 11% of the City's total cost of purchasing the employee's HDHP and funding the employee's HSA or HRA, by weekly payroll deduction. For the 2009 plan year, an employee will contribute 11% 15% of the

City's total cost of purchasing the employee's HDHP and funding the employee's HSA or HRA, by weekly payroll deduction.

~~(E) Transition from Self Insured Plan. The City will waive employee contributions for the employee's share of the costs of the 2006 self-insured plan and the remainder of the 2005 self-insured plan to be paid in 2007.~~

(E) Option Out. Eligible employees who decline the city offered health insurance benefits, will be entitled to receive a one-time payment per health insurance year (2007, 2008, 2009) of \$2,000 for those eligible for family coverage and \$1,000 for individual coverage.

(F) The city shall provide and pay the necessary premium for group life insurance in an amount equal to two times (not to exceed \$180,000) salary for the following classifications: City Manager, Assistant City Manager, Finance Director, Public Works Director, Power System Director, Human Resources Director, Health and Sanitation Director, Information Technology Director, Law Director, Purchasing Director, Community Development Director, Economic Development Director, Police Chief and Fire Chief; \$50,000 for Most Senior Assistant Fire Chief, and \$50,000 for all other employees.

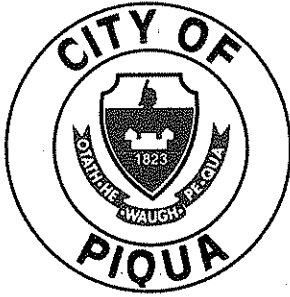
SEC 2. All remaining sections of Piqua Code Section 33.08 not amended herein shall remain in full force and effect.

SEC 3. The Ordinance shall be in effect January 1, 2009.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



HUMAN RESOURCES DEPARTMENT

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November 24, 2008

MEMORANDUM

To: Frederick E. Enderle, City Manager

From: Elaine G. Barton, Human Resources Director

Re: Legislation relating to employee health insurance

Chapter 33 of the Piqua code governs employment policy with regard to non-union employees. Specifically, section 33.08 provides for employee health insurance. In light of the current economy, non-union employees have been advised that their share of the total cost of health insurance will increase from 11% to 15% (from \$24.70 per week to \$34.09 per week for family coverage; and from \$10.52 per week to \$14.20 per week for single coverage). In addition, the City will fund only 75% of the non-union employee's \$4,000 or \$2,000 deductible (\$3,000/ family or \$1,500/single).

In order for these changes to be implemented, an ordinance must be adopted amending Section 33.08 of Chapter 33 of the Piqua Code.

Please let me know if you need additional information.

ORDINANCE NO. 30-08

**AN ORDINANCE REPEALING ORDINANCE
NO. 28-07**

WHEREAS, Ordinance No. 28-07 amended Chapter 150 (Appendix: Tables, Table A: Permit Fee Schedule) and was approved by Piqua City Commission on December 17, 2007; and

WHEREAS, this Ordinance was placed on the November 4, 2008 ballot at the initiative of the City Commission for an advisory vote and was defeated.

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

SEC. 1: Ordinance No. 28-07 adopted on December 17, 2007 is hereby repealed.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 31-08

**AN ORDINANCE REPEALING ORDINANCE
NO. 30-07**

WHEREAS, Ord. No. 30-07 amended Chapter 154 of the Piqua Municipal Code establishing the discontinuance of a nonconforming use and the discontinuance of a nonstandard use and was approved by Piqua City Commission on December 17, 2007; and

WHEREAS, this Ordinance was placed on the November 4, 2008 ballot at the initiative of the City Commission for an advisory vote and was defeated.

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

SEC. 1: Ordinance No. 30-07 adopted on December 17, 2007 is hereby repealed.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 32-08

**AN ORDINANCE REPEALING ORDINANCE
NO. 32-07**

WHEREAS, Ord. No. 32-07 adopted and implemented a Civil Code for nuisance violations (Chapter 91), Zoning Code Violations (Chapter 154), and Property Maintenance Violations (Chapter 150) of the Piqua Municipal Code and was approved by Piqua City Commission on December 17, 2007; and

WHEREAS, this Ordinance was placed on the November 4, 2008 ballot at the initiative of the City Commission for an advisory vote and was defeated.

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

SEC. 1: Ordinance No. 32-07 adopted on December 17, 2007 is hereby repealed.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 33-08
AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO FOR THE YEAR 2009

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

SEC. 1: That there be appropriated from the GENERAL FUND (001)

<u>ACCOUNT</u>	<u>2009</u> <u>APPROPRIATIONS</u>
<u>City Building</u>	
Personal Services/Administrative Support	\$50,818
Operation and Maintenance	\$75,500
Allocated Expenses	<u>(\$29,340)</u>
TOTAL	\$96,978
<u>City Commission</u>	
Personal Services/Administrative Support	\$34,123
Operation and Maintenance	<u>\$42,238</u>
TOTAL	\$76,361
<u>City Manager</u>	
Personal Services/Administrative Support	\$324,760
Operation and Maintenance	\$23,746
Allocated Expenses	<u>(\$255,106)</u>
TOTAL	\$93,400
<u>Civil Service</u>	
Operation and Maintenance	<u>\$31,300</u>
TOTAL	\$31,300
<u>Engineering</u>	
Personal Services/Administrative Support	\$319,317
Operation and Maintenance	\$41,204
Allocated Expenses	<u>(\$293,536)</u>
TOTAL	\$66,985
<u>Finance</u>	
Personal Services/Administrative Support	\$485,061
Operation and Maintenance	\$30,340
Allocated Expenses	<u>(\$356,967)</u>
TOTAL	\$158,434
<u>Health</u>	
Personal Services/Administrative Support	\$383,413
Operation and Maintenance	<u>\$112,940</u>
TOTAL	\$496,353
<u>Law</u>	
Personal Services/Administrative Support	\$181,399
Operation and Maintenance	\$25,194
Allocated Expenses	<u>(\$123,129)</u>
TOTAL	\$83,464

2009
APPROPRIATIONS

<u>Planning & Zoning</u>	
Personal Services/Administrative Support	\$168,738
Operation and Maintenance	\$34,730
TOTAL	\$203,468
<u>General Government</u>	
Operation and Maintenance	\$1,412,990
TOTAL	\$1,412,990
<u>Human Resources</u>	
Personal Services/Administrative Support	\$175,121
Operation and Maintenance	\$26,338
Allocated Expenses	(\$172,953)
TOTAL	\$28,506
<u>Purchasing</u>	
Personal Services/Administrative Support	\$62,607
Operation and Maintenance	\$7,155
Allocated Expenses	(\$68,088)
TOTAL	\$1,674
<u>Income Tax</u>	
Personal Services/Administrative Support	\$210,849
Operation and Maintenance	\$188,299
Capital	\$8,000
TOTAL	\$407,148
<u>Transfers</u>	
Transfer to NIT Fund 104	\$144,700
Transfer to Parks Fund 105	\$402,000
Transfer to Safety Fund 106	\$3,931,000
Transfer to Forest Hill Mausoleum Fund 110	\$65,240
Transfer to Pro Piqua Fund 128	\$41,648
Transfer to Building Facility Bonds Fund 248	\$535,270
Transfer to Hotel Debt Service Fund 252	\$355,040
Transfer to Golf 409	\$100,665
Transfer to Swimming Pool Fund 415	\$82,963
TOTAL	\$5,658,526
TOTAL GENERAL FUND	\$8,815,587
SEC. 2:	That there be appropriated from the STREET DEPARTMENT FUND (101)
Personal Services/Administrative Support	\$985,485
Operation and Maintenance	\$1,049,447
Non Government/Transfers/Refunds	\$15,493
TOTAL	\$2,050,425

SEC. 3: That there be appropriated from the STREET INCOME TAX FUND (103)

Operation and Maintenance	\$341,839
Capital Outlay (including labor)	<u>\$1,898,058</u>
TOTAL	\$2,239,897

SEC. 4: That there be appropriated from the NEIGHBORHOOD IMPROVEMENT TEAM FUND (104)

Personal Services/Administrative Support	\$0
Operation and Maintenance	\$119,700
Capital Outlay (including labor)	<u>\$25,000</u>
TOTAL	\$144,700

SEC. 5: That there be appropriated from the PARK AND RECREATION FUND (105)

Personal Services/Administrative Support	\$456,334
Operation and Maintenance	<u>\$340,217</u>
TOTAL	\$796,551

SEC. 6: That there be appropriated from the PUBLIC SAFETY FUND (106)

<u>009 Fire Department</u>	
Personal Services/Administrative Support	\$3,122,763
Operation and Maintenance	\$385,106
Capital Outlay (including labor)	\$514,560
Non Government/Transfers/Refunds	<u>\$112,699</u>
TOTAL	\$4,135,128

<u>014 Police Department</u>	
Personal Services/Administrative Support	\$4,023,087
Operation and Maintenance	\$594,190
Capital Outlay (including labor)	\$145,000
Non-Government/Transfers/Refunds	<u>\$16,904</u>
TOTAL	\$4,779,181

TOTAL PUBLIC SAFETY **\$8,914,309**

SEC. 7: That there be appropriated from the PIQUA TREE FUND (107)

Operation & Maintenance	<u>\$7,200</u>
TOTAL	\$7,200

SEC. 8: That there be appropriated from the FOREST HILL MAUSOLEUM FUND (110)

Operation & Maintenance	<u>\$65,240</u>
TOTAL	\$65,240

SEC. 9: That there be appropriated from the RENEW PIQUA FUND (114)

Operation and Maintenance	<u>\$6,000</u>
TOTAL	\$6,000

SEC. 10: That there be appropriated from the C.H.I.P. (2006) FUND (117)

Operation and Maintenance	<u>\$35,057</u>
TOTAL	\$35,057

SEC. 11: That there be appropriated from the C.H.I.P. PROGRAM INCOME FUND (119)

Operation and Maintenance	<u>\$23,900</u>
TOTAL	\$23,900

SEC. 12:	That there be appropriated from the POLICE AUXILIARY FUND (120)	
Operation & Maintenance		\$3,200
TOTAL		\$3,200
SEC. 13:	That there be appropriated from the COMMUNITY DEVELOPMENT BLOCK GRANT FUND (122)	
Operation and Maintenance		\$88,400
Capital Outlay (including labor)		\$64,800
TOTAL		\$153,200
SEC. 14:	That there be appropriated from the WORKER'S COMP FUND (124)	
Personal Services/Administrative Support		\$275,000
TOTAL		\$275,000
SEC. 15:	That there be appropriated from the INSURANCE RESERVE FUND (125)	
Operation & Maintenance		\$300,000
TOTAL		\$300,000
SEC. 16:	That there be appropriated from the DEMOLITION DEFENSE FUND (126)	
Non Government/Transfers/Refunds		\$27,000
TOTAL		\$27,000
SEC. 17:	That there be appropriated from the ENTERPRISE ZONE APPLICATION FUND (127)	
Operation & Maintenance		\$600
TOTAL		\$600
SEC. 18:	That there be appropriated from the PRO PIQUA FUND (128)	
Operation and Maintenance		\$41,648
TOTAL		\$41,648
SEC. 19:	That there be appropriated from the REVOLVING LOAN FUND (130)	
Operation and Maintenance		\$10,250
TOTAL		\$10,250
SEC. 20:	That there be appropriated from the BROWNFIELD EPA GRANT (131)	
Operation and Maintenance		\$200,000
TOTAL		\$200,000
SEC. 21:	That there be appropriated from the COMPREHENSIVE HOUSING IMPROVEMENT PROGRAM FY 2008 FUND (132)	
Operation and Maintenance		\$494,700
TOTAL		\$494,700
SEC. 22:	That there be appropriated from the COMMUNITY DEVELOPMENT FUND (135)	
Personal Services/Administrative Support		\$219,575
Operation and Maintenance		\$57,425
Allocated Expenses		(\$277,000)
TOTAL		\$0

SEC. 23:	That there be appropriated from the DOWNTOWN REVITALIZATION (GENERAL BUSINESS) FUND (137)	
Operation and Maintenance		<u>\$400,000</u>
TOTAL		\$400,000
SEC. 24:	That there be appropriated from the FEMA FUND (139)	
Personal Services/Administrative Support		<u>\$95,000</u>
TOTAL		\$95,000
SEC. 25:	That there be appropriated from the ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (141)	
Operation and Maintenance		<u>\$200,000</u>
TOTAL		\$200,000
SEC. 26:	That there be appropriated from the SPECIAL ASSESSMENT DEBT SERVICE FUND (202)	
Operation and Maintenance		\$104,400
Non Government/Transfers/Refunds		<u>\$37,022</u>
TOTAL		\$141,422
SEC. 27:	That there be appropriated from the OWDA-1995 LOAN WASTEWATER DEBT SERVICE FUND (210)	
Non Government/Transfers/Refunds		<u>\$506,537</u>
TOTAL		\$506,537
SEC. 28:	That there be appropriated from the SWIMMING POOL DEBT SERVICE FUND (221)	
Non Government/Transfers/Refunds		<u>\$8,555</u>
TOTAL		\$8,555
SEC. 29:	That there be appropriated from the ELECTRIC G O BONDS DEBT SERVICE FUND (238)	
Non Government/Transfers/Refunds		<u>\$405,303</u>
TOTAL		\$405,303
SEC. 30:	That there be appropriated from the GOLF COURSE EXPANSION G.O. BONDS DEBT SERVICE FUND (243)	
Non Government/Transfers/Refunds		<u>\$169,672</u>
TOTAL		\$169,672
SEC. 31:	That there be appropriated from the BUILDING FACILITY G. O. BONDS DEBT SERVICE FUND (248)	
Non Government/Transfers/Refunds		<u>\$544,700</u>
TOTAL		\$544,700
SEC. 32:	That there be appropriated from the PFDP PENSION G. O. BONDS DEBT SERVICE FUND (249)	
Non Government/Transfers/Refunds		<u>\$40,938</u>
TOTAL		\$40,938
SEC. 33:	That there be appropriated from the WATER TOWER DEBT SERVICE FUND (250)	
Non Government/Transfers/Refunds		<u>\$132,823</u>
TOTAL		\$132,823

SEC. 34: That there be appropriated from the WATER TOWER
DEBT SERVICE FUND 2006 (251)

Non Government/Transfers/Refunds	<u>\$14,351</u>
TOTAL	\$14,351

SEC. 35: That there be appropriated from the HOTEL CONSTRUCTION
DEBT SERVICE FUND (252)

Non Government/Transfers/Refunds	<u>\$357,352</u>
TOTAL	\$357,352

SEC. 36: That there be appropriated from the INFORMATION TECHNOLOGY
'08 G.O. DEBT SERVICE FUND (253)

Non Government/Transfers/Refunds	<u>\$126,785</u>
TOTAL	\$126,785

SEC. 37: That there be appropriated from the EQUALIZATION TANK '08 NOTE
(OWDA) DEBT SERVICE FUND (254)

Non Government/Transfers/Refunds	<u>\$414,128</u>
TOTAL	\$414,128

SEC. 38: That there be appropriated from the FIRE EQUIPMENT '08 G.O.
NOTE FUND (255)

Non/Government/Transfers/Refunds	<u>\$91,010</u>
TOTAL	\$91,010

SEC. 39: That there be appropriated from the JOHN DEERE CAPITAL LEASE
DEBT SERVICE FUND (260)

Non Government/Transfers/Refunds	<u>\$17,992</u>
TOTAL	\$17,992

SEC. 40: That there be appropriated from the TYMCO CAPITAL LEASE
DEBT SERVICE FUND (261)

Non Government/Transfers/Refunds	<u>\$11,767</u>
TOTAL	\$11,767

SEC. 41: That there be appropriated from the HOTEL REHABILITATION
FUND (301)

Personal Services/Administrative Support	\$6,201
Operation and Maintenance	\$53,350
Non-Government/Transfers/Refunds	<u>\$175,000</u>
TOTAL	\$234,551

SEC. 42: That there be appropriated from the GREAT MIAMI RECREATIONAL TRAIL
FUND (303)

Capital outlay (includes labor)	<u>\$300,000</u>
TOTAL	\$300,000

SEC. 43: That there be appropriated from the SWIMMING POOL CONSTRUCTION
FUND (323)

Non Government/Transfers/Refunds	\$25
TOTAL	\$25

SEC. 44: That there be appropriated from the POWER SYSTEM FUND (401)

Personal Services/Administrative Support	\$2,095,858
Operation and Maintenance	\$23,299,869
Capital Outlay (including labor)	\$1,544,604
Overhead Transfers	(\$274,035)
Non Government/Transfers/Refunds	\$397,049
TOTAL	\$27,063,345

SEC. 45: That there be appropriated from the WATER SYSTEM FUND (403)

Personal Services/Administrative Support	\$1,205,783
Operation and Maintenance	\$1,704,632
Capital Outlay (including labor)	\$270,300
Overhead Transfers	(\$10,912)
Non Government/Transfers/Refunds	\$142,529
TOTAL	\$3,312,332

SEC. 46: That there be appropriated from the WASTEWATER SYSTEM FUND (404)

Personal Services/Administrative Support	\$1,060,485
Operation and Maintenance	\$1,186,401
Capital Outlay (including labor)	\$4,625,590
Non Government/Transfers/Refunds	\$501,715
TOTAL	\$7,374,191

SEC. 47: That there be appropriated from the GARBAGE AND REFUSE FUND (405)

Personal Services/Administrative Support	\$512,819
Operation and Maintenance	\$1,157,279
Capital Outlay (including labor)	\$109,226
TOTAL	\$1,779,324

SEC. 48: That there be appropriated from the CITY INCOME TAX
ADMINISTRATION FUND (407)

Non Government/Transfers/Refunds	\$8,500,020
TOTAL	\$8,500,020

SEC. 49: That there be appropriated from the INFORMATION TECHNOLOGY
FUND (408)

Personal Services/Administrative Support	\$269,726
Operation and Maintenance	\$114,731
Capital Outlay (including labor)	\$1,000,000
Non Government/Transfers/Refunds	\$126,785
TOTAL	\$1,511,242

SEC. 50: That there be appropriated from the GOLF COURSE FUND (409)

Personal Services/Administrative Support	\$284,618
Operation and Maintenance	\$291,352
Non Government/Transfers/Refunds	\$171,548
TOTAL	\$747,518

SEC. 51: That there be appropriated from the FORT PIQUA PLAZA FUND (410)

Operation & Maintenance	\$293,428
TOTAL	\$293,428

SEC. 52: That there be appropriated from the METER READERS FUND (412)

Personal Services/Administrative Support	\$221,486
Operation and Maintenance	\$29,768
Capital Outlay (including labor)	\$8,000
Allocated Expenses	<u>(\$259,254)</u>
TOTAL	\$0

SEC. 53: That there be appropriated from the UTILITIES BUSINESS OFFICE FUND (413)

Personal Services/Administrative Support	\$463,840
Operation and Maintenance	\$348,766
Allocated Expenses	<u>(\$819,606)</u>
Non-Government/Transfers/Refunds	\$7,000
TOTAL	\$0

SEC. 54: That there be appropriated from the SWIMMING POOL FUND (415)

Personal Services/Administrative Support	\$86,535
Operation and Maintenance	\$90,283
Non Government/Transfers/Refunds	<u>\$8,778</u>
TOTAL	\$185,596

SEC. 55: That there be appropriated from the ELECTRIC METER DEPOSIT FUND (603)

Non Government/Transfers/Refunds	<u>\$190,000</u>
TOTAL	\$190,000

SEC. 56: That there be appropriated from the WATER METER DEPOSIT FUND (604)

Non Government/Transfers/Refunds	<u>\$60,000</u>
TOTAL	\$60,000

SEC. 57: That there be appropriated from the CONSERVANCY FUND (611)

Operation and Maintenance	<u>\$46,800</u>
TOTAL	\$46,800

SEC. 58: That there be appropriated from the CITY HEALTH INSURANCE FUND (614)

Operation and Maintenance	\$2,442,500
Non Government/Transfers/Refunds	<u>\$300,000</u>
TOTAL	\$2,742,500

SEC. 59: That there be appropriated from the EMPLOYEE FLEXIBLE SPENDING FUND (615)

Administrative Support	<u>\$185,000</u>
TOTAL	\$185,000

SEC. 60: That there be appropriated from the WEED CUTTING FUND (735)

Operation and Maintenance	<u>\$100,000</u>
TOTAL	\$100,000

SEC. 61: That there be appropriated from the FIRE EQUIPMENT REPLACEMENT FUND (809)

Non Government/Transfers/Refunds	\$0
TOTAL	\$0

SEC. 62: That the sums appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2009. Future commitments representing encumbrances of fund balance or future receipts will be appropriated in the future year when those services or goods are rendered to the city.

SEC. 63: That the sums expended from the appropriations and which are proper charges against any other department or against any person, firm or corporation which are repaid with the period covered by such appropriations shall be considered reappropriated for such original purposes; provided, that the net total of expenditures under any item of said appropriations shall not exceed the amount of the item.

SEC. 64: That the Director of Finance is hereby authorized and directed to draw her warrant upon the City Treasury for the amounts appropriated in this order when claims are properly presented and approved, the same to be chargeable to the appropriations for the year 2009 when passed and legally contracted for in conformity by law.

SEC. 65: That the Finance Director at the discretion of the City Manager make temporary advances from the General Fund to any Fund to cover temporary shortages of cash until revenues or permanent transfers become available to repay that temporary advance. That these advances shall not exceed \$650,000 in the aggregate nor extend past December 31, 2009; except those that are to be reimbursed by federal or state grant programs that were previously approved by this Commission.

SEC. 66: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

SEC. 67: That this ordinance shall take effect and be in force from and after passage.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 34-08

**AN ORDINANCE AMENDING SCHEDULE A OF
SECTION 52.20 OF THE PIQUA CODE TO ELIMINATE
THE GENERAL FUND FROM REIMBURSING THE
MUNICIPAL POWER SYSTEM FOR STREET LIGHTING SERVICES**

WHEREAS, the City Commission adopted a long range financial plan to sustain the General Fund; and

WHEREAS, the long range financial plan includes eliminating the General Fund from paying for street lighting services.

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

SEC. 1: Exhibit A of Section 52.20 of the Piqua Code, as adopted by Ordinance No. 22-06, is hereby amended by eliminating "City Street Lighting Service – Schedule CSL" from the rate schedule as attached in Exhibit A.

SEC. 2: All other provisions of Section 52.20 shall remain in full force and effect.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

Piqua Municipal Power System
Electric Rates

CITY STREET LIGHTING SERVICE – SCHEDULE CSL

APPLICABLE:

~~_____ This schedule is applicable to the City of Piqua for street light service provided by the Piqua Municipal Power System for lighting public streets, alleys and other public facilities.~~

CHARACTER OF SERVICE:

~~_____ Single phase, 60 hertz, alternating current will be supplied at standard voltages.~~

RATE:

~~_____ For each street light installation:~~

_____ 150 Watt High pressure Sodium _____	\$4.42 per month
_____ 250 Watt High pressure Sodium _____	\$5.58 per month
_____ 310 Watt High pressure Sodium _____	\$6.12 per month

OHIO EXCISE TAX:

~~_____ Bills computed in accordance with the foregoing rates are subject to the Ohio Excise Tax Rider, Schedule OET.~~

Piqua Municipal Power System
Electric Rates

RESIDENTIAL SERVICE – SCHEDULE R

APPLICABLE:

This schedule is applicable to electric service for residential dwellings, and churches.

CHARACTER OF SERVICE:

Single or three phase, 60 Hertz, alternating current will be supplied at standard voltages as available through one transformer.

MONTHLY RATES AND CHARGES:

	Effective For Billings After 01/15/2007	Effective For Billings After 01/15/2008	Effective For Billings After 01/15/2009
Customer Charge:	\$5.60	\$5.60	\$5.60
Energy Charge (\$/kWh):			
First 500 kWh	\$0.07773	\$0.08240	\$0.08706
All over 500 kWh	\$0.07246	\$0.07681	\$0.08116

Minimum Charge: The Customer Charge

POWER COST ADJUSTMENT:

Bills computed in accordance with the foregoing rates and charges are subject to adjustment for changes in the cost of fuel and purchased power pursuant to Schedule PCA.

OHIO EXCISE TAX:

Bills computed in accordance with the foregoing rates are subject to the Ohio Excise Tax Rider, Schedule OET.

2 Piqua Municipal Power System
Electric Rates
Exhibit A
Ordinance No. ~~22-0634-08~~

RATE STABILIZATION RIDER CREDIT:

Bills computed in accordance with the foregoing rates are subject to the Rate Stabilization Rider Credit, Schedule RSRC.

TERMS AND CONDITIONS:

Service hereunder is subject to the General Service Regulations of the City applicable to Electric Service.

Piqua Municipal Power System
Electric Rates

GENERAL POWER SERVICE – SCHEDULE GP

APPLICABLE:

This schedule is applicable to all commercial and industrial customers that do not qualify under Residential Service – Schedule R.

If a customer requests service from the City and that customer is atypical of customers receiving service under the current rate design, the City will revisit its Cost of Service analysis and develop a rate that is representative of the cost to serve such customer. The City may also require a contract for service with said customer if an atypical investment is associated specifically with serving the customer. The City reserves the right to determine, in its sole judgment, the applicability of this Schedule to a customer requesting service.

CHARACTER OF SERVICE:

Single or three phase, 60 Hertz alternating current will be supplied at standard voltages as available through one transformation.

MONTHLY RATES AND CHARGES:

Commercial

Customer Demand Less than 500 Kilowatts

Where customer demand for the billing period was less than 500 kilowatts.

	Effective For Billings After 01/15/2007	Effective For Billings After 01/15/2008	Effective For Billings After 01/15/2009
Customer Charge:	\$8.56	\$8.56	\$8.56
Demand Charge (\$/kW):			
First 5 kW	\$0.00	\$0.00	\$0.00
All Above 5 kW	\$7.00	\$10.80	\$14.65
Energy Charge (\$/kWh):			
First 600 kWh	\$0.06901	\$0.07943	\$0.08955
Next 4,400 kWh	\$0.05898	\$0.04955	\$0.03992
Next 20,000 kWh	\$0.05524	\$0.04082	\$0.02625
All over 25,000 kWh	\$0.04592	\$0.03597	\$0.02590

Minimum Charge: The Customer Charge

Industrial

Customer Demand 500 Kilowatts or More

Where customer demand for the billing period was greater than or equal to 500 kilowatts.

	Effective For Billings After 01/15/2007	Effective For Billings After 01/15/2008	Effective For Billings After 01/15/2009
Customer Charge:	\$8.56	\$8.56	\$8.56
Demand Charge (\$/kW):			
All kW	\$10.54	\$12.01	\$13.49
Energy Charge (\$/kWh):			
First 200,000 kWh	\$0.03900	\$0.03331	\$0.02762
Next 300,000 kWh	\$0.03860	\$0.03256	\$0.02651
All over 500,000 kWh	\$0.03821	\$0.03201	\$0.02582

Minimum Charge: The Customer Charge plus the Demand Charge

BILLING DEMAND:

The monthly billing demand shall be:

The maximum fifteen (15) minute integrated KW demand for the billing month; determined as follows shall be the greater of:

- a. On peak is defined as 100% of the maximum demand recorded during the hours beginning 0800 until 2330 on Monday through Friday.
- b. Off peak is defined as 25% of the maximum demand recorded during all hours not included in a) and in addition shall also include the following Holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

ADJUSTMENT FOR PRIMARY METERING:

Where a transformer installation (regardless of ownership) is utilized solely to furnish service to a single customer, the Piqua Municipal Power System may elect to

meter the service on the primary side of the transformer in which case the metered demand and energy shall each be reduced 1%.

ADJUSTMENT FOR PRIMARY SERVICES:

If, at the option of the customer, electric service is rendered and metered at a primary voltage of the Piqua Municipal Power System, metered demand will be reduced 5% and metered energy will be reduced 1%. To qualify for this adjustment, customer must own, operate and maintain all necessary transforming, controlling, regulating and protective equipment.

ADJUSTMENT FOR POWER FACTOR:

The maximum fifteen-minute kilowatt of demand for the month shall be increased by 1% for each 1% or major fraction thereof that the average power factor is less than 85% lagging.

$$\text{AVERAGE POWER FACTOR} = \frac{\text{KWH}}{\sqrt{\text{KWH}^2 + \text{KVARH}^2}}$$

POWER COST ADJUSTMENT:

Bills computed in accordance with the foregoing rates and charges are subject to adjustment for changes in the costs of fuel and purchased power pursuant to Schedule PCA.

OHIO EXCISE TAX:

Bills computed in accordance with the foregoing rates are subject to the Ohio Excise Tax Rider, Schedule OET.

RATE STABILIZATION RIDER CREDIT:

Bills computed in accordance with the foregoing rates are subject to the Rate Stabilization Rider Credit, Schedule RSRC.

TERMS AND CONDITIONS:

Service hereunder is subject to the General Service Regulations of the City applicable to Electric Service.

Piqua Municipal Power System
Electric Rates

PRIVATE OUTDOOR LIGHTING SERVICE – SCHEDULE OL

APPLICABLE:

To all consumers served by the Piqua Municipal Power System.

CHARACTER OF SERVICE:

This service is available for all outdoor lighting service to any consumer when such service can be supplied by the installation of lighting fixtures on existing City poles and supplied directly from existing secondary circuits, except as provided herein. The Piqua Municipal Power System reserves the right to approve or disapprove any or all customer requests for private outdoor lighting installations, including the application, number and location of fixtures, poles and aerial spans.

RATE:

For each lamp with luminaire and, where needed, an upsweep arm not over six (6) feet in length, controlled automatically, where service is supplied from existing facilities of the City:

100 Watt High Pressure Sodium	\$7.35 per month
250 Watt High Pressure Sodium	\$9.35 per month
400 Watt Metal Halide	\$12.30 per month
1000 Watt Metal Halide	\$16.00 per month

OHIO EXCISE TAX:

Bills computed in accordance with the foregoing rates are subject to the Ohio Excise Tax Rider, Schedule OET.

AERIAL SERVICE:

Secondary aerial spans shall be supplied, where necessary, for an additional charge of \$0.60 per month per span.

Additional 30 ft. class 6 wood poles shall be supplied and installed, only on the consumer's private property, for an additional charge of \$1.90 per month per standard wood pole.

Additional 35 ft. class 4 wood poles shall be supplied and installed, only on the consumer's private property, for an additional charge of \$2.30 per month per standard wood pole.

TERMS AND CONDITIONS:

All service and necessary maintenance will be performed only during the regular scheduled working hours of the City. It is the intent of the Piqua Municipal Power System to effect repairs within three (3) days of failure notification except during system emergency conditions.

All electric service of the City is rendered under and subject to the General Service Regulations.

Piqua Municipal Power System
Electric Rates

TEMPORARY ELECTRIC SERVICE – SCHEDULE TS

APPLICABLE:

Applicable service for only a short period of time such as traveling shows, carnivals, fairs, church socials, construction sites, etc. Not applicable to service to recurring seasonable loads.

MONTHLY RATES AND CHARGES:

In cases where service is available from existing Piqua Municipal Power System facilities, the customer will be billed a \$100 temporary service charge. In addition, the customer will be billed under the appropriate rate schedule for power usage.

Where the Piqua Municipal Power System is required to install additional facilities that will not be used in providing permanent service to the customer, the customer will be charged the total estimated cost of installing and removing the temporary facilities. This estimated temporary facility charge will take the place of the normal \$100 charge outlined above. In addition, the customer will be billed under the appropriate rate schedule for power usage.

OHIO EXCISE TAX:

Bills computed in accordance with the foregoing rates are subject to the Ohio Excise Tax Rider, Schedule OET.

POWER COST ADJUSTMENT:

Bills computed in accordance with the above provisions are subject to adjustment for changes in the cost of fuel and purchased power pursuant to Schedule PCA.

Piqua Municipal Power System
Electric Rates

OHIO EXCISE TAX RIDER- SCHEDULE - OET

APPLICABLE:

In accordance with Section 5727 of the Ohio Revised Code an Excise Tax Surcharge shall be assessed on all monthly-consumed kWhs (kilowatt-hours) of electricity distributed through the meter of an end user in the State of Ohio, by the City of Piqua Municipal Power System. "The meter of an end user in this state means the last meter used to measure the kilowatt hours distributed by an electric distribution company to a location in this state or the last meter located outside of this state that is used to measure the kilowatt hours consumed at a location in this state. If no meter is used to measure the kilowatt hours of electricity distributed by the company, the rates shall apply to the estimated kilowatt hours distributed to an un-metered location in this state".

CHARGE:

The Ohio excise tax is applicable to all electric consumption on and after May 1, 2001. The Rates to be charged are as follows subject to automatic adjustment based on any future amendment to the Ohio Revised Code.

For a consumption period of 30 days the Ohio excise tax is the sum of the following:

First 2,000 kWh consumed times \$0.00465 per kWh
Next 13,000 kWh consumed times \$0.00419 per kWh
Over 15,000 kWh consumed times \$0.00363 per kWh

For a consumption period other than 30 days the Ohio excise tax is the sum of the following:

First 67 kWh consumed times \$.00465 times number of days in the consumption period
Next 433 kWh consumed times \$.00419 times number of days in the consumption period
Over 500 kWh consumed times \$.00363 times number of days in the consumption period

Piqua Municipal Power System
Electric Rates
RATE STABILIZATION RIDER CREDIT- SCHEDULE –RSRC

APPLICABILITY:

The purpose of the Rate Stabilization Rider Credit is to refund amounts from the Electric Fund cash balance including previously collected revenues from the Rate Stabilization Rider Credit to the customer. The goal is to assist the customer by providing a means to transition into the increased power supply costs the Power System will incur in 2007. The Rate Stabilization Rider Credit is applicable to the following electric rate schedules.

- Residential Service – Schedule R
- General Power Service- Schedule GP
- City-Owned Parks Facilities – Schedule CP

CREDIT:

	Effective For Billings After 01/15/2007	Effective For Billings After 01/15/2008	Effective For Billings After 01/15/2009
Rate Stabilization Rider Credit (\$/kWh):	\$(0.00836)	\$(0.00425)	\$(0.00000)

TERMS AND CONDITIONS:

The Rate Stabilization Rider Credit shall be applied to all billings after January 15, 2007 through all billings prior to January 15, 2009. The Rate Stabilization Rider credit is intended to refund to the customer no more than \$2.7 million dollars in 2007 and no more than \$1.4 million dollars in 2008 while maintaining an electric fund balance of no less than \$5 million dollars through December 31, 2009. In the event the actual refund exceeds these levels, or the electric fund balance is projected to drop below \$5 million dollars, the Power System Director shall determine new rates of refund as appropriate to achieve this intent and present such to the City Commission for approval.

Piqua Municipal Power System
Electric Rates

POWER COST ADJUSTMENT - SCHEDULE PCA

APPLICABLE:

The Power Cost Adjustment (PCA) is applicable to electric rate schedules as noted herein. The calculation of monthly bills pursuant to the rates and charges therein shall be subject to adjustment for changes in the cost of fuel and purchased power by applying a unit charge or credit to the total kilowatt-hours (KWH) represented by the bill.

OVERVIEW:

This PCA calculation is intended to be based on forward looking projections of fuel, purchase power and other power supply related costs, as well as projections of kWh sales, for the period. The calculation is further intended to be performed at a minimum six month interval or more frequently, if required, to accomplish recovery of fuel related cost in a timely manner. The calculation also includes a provision to reconcile over or under collection of cost from previous periods based on actual cost versus projected cost for the period.

The PCA calculation shall be performed by the Power System Director in a manner consistent with this schedule and initially applied for a maximum seven-month period effective for billings after January 15, 2007. Thereafter, the PCA calculation shall be effective for a maximum of six months. The Power System Director shall review the PCA calculation and shall make new projections for the subsequent six-month periods (i.e., August 15 and February 15 of each year). Following such PCA review and calculation, the Power System Director shall direct the PCA to be applied, as deemed necessary to accomplish recovery of the fuel, purchase power, and other power supply related costs in a timely manner. The PCA shall be applied each month as hereinafter stated. The Power System Director shall recalculate and direct application of the PCA at intervals more frequent than six months if actual fuel and purchase power cost vary significantly from projections.

DEFINITION OF FUEL COST:

The cost in dollars and cents of all projected fuel used in the production of electric energy at the Piqua Municipal Power Plant during the applicable time period determined from the projected weighted average cost of such fuel applied to the projected quantity used. The projected weighted average cost of fuel as used shall be defined as the cost of fuel consumed in the Electric System's generating facilities priced at the Piqua Municipal Power System's cost including freight, demurrage, and taxes, of fuel on hand at the beginning of the applicable time period, plus projected cost of fuel received during the

applicable time period, divided by the total quantity of fuel on hand and projected to be received.

DEFINITION OF PURCHASED POWER COST:

The net cost in dollars and cents of all projected purchased power required to supplement the projected generating capacity and energy production of the Electric System during the applicable time period.

The net cost of purchased power shall be the projected total cost billed to the Piqua Municipal Power System for power and energy received from other suppliers, including service and dispatch fees and any power supply related charges billed to the Piqua Power System by its suppliers, less the projected total cost billed by the Piqua Municipal Power System for delivery of power and energy to other parties.

DETERMINATION OF PCA UNIT CHARGE OR CREDIT:

This adjustment is applicable to and becomes a part of each electric service contract and rate schedule in which reference is made to Power Cost Adjustment, Schedule PCA.

When total fuel cost and purchased power cost increases above or decreases below \$0.05440 per kilowatt-hour sold, the rate for electric service shall be increased or decreased in accordance with the following formula:

$$PCA = \frac{P + R}{S} - B$$

Where;

PCA = Power Cost Adjustment factor, expressed in dollars per kWh rounded to the nearest five decimal places.

P = Total projected fuel cost and projected purchased power cost during the applicable time period expressed as dollars (\$) as defined in this schedule.

S = Projected sales (kWh) for the applicable time period for which the fuel cost and purchased power cost (P) is computed.

R = Reconciliation of the actual cumulative over or under recovery of fuel cost and purchased power cost from preceding applicable time periods including over or under recovery of fuel cost and purchased power cost before January 15, 2007 expressed as dollars (\$).

13 Piqua Municipal Power System
Electric Rates
Exhibit A
Ordinance No. ~~22-0634-08~~

B = Base power supply cost for the schedule of rates and charges
provided by this Ordinance, B shall be \$0.05440 per kWh sold.

Piqua Municipal Power System
Electric Rates

CITY OWNED PARKS FACILITIES – SCHEDULE CP

APPLICABLE:

This schedule is applicable to electric service for all City owned park facilities.

CHARACTER OF SERVICE:

Single or three phase, 60 Hertz, alternating current will be supplied at standard voltages.

MONTHLY RATES AND CHARGES:

Customer Charge: \$5.26 per month

Energy Charge: \$0.0614 per KWH for all kilowatt hours

Minimum Charge: Customer Charge

POWER COST ADJUSTMENT:

Bills computed in accordance with the foregoing rates and charges are subject to adjustment for changes in the cost of fuel and purchased power pursuant to Schedule PCA.

OHIO EXCISE TAX:

Bills computed in accordance with the foregoing rates are subject to the Ohio Excise Tax Rider, Schedule OET.

TERMS AND CONDITIONS:

The first 75,000 KWH used by the City owned parks facilities each year shall be provided at no charge. All electric provided above 75,000 KWH annually will be billed under this rate schedule.

RATE STABILIZATION RIDER CREDIT:

Bills computed in accordance with the foregoing rates are subject to the Rate Stabilization Rider Credit, Schedule RSRC.

Piqua Municipal Power System
Electric Rates

~~CITY STREET LIGHTING SERVICE SCHEDULE CSL~~

~~APPLICABLE:~~

~~— This schedule is applicable to the City of Piqua for street light service provided by the Piqua Municipal Power System for lighting public streets, alleys and other public facilities.~~

~~CHARACTER OF SERVICE:~~

~~— Single phase, 60 hertz, alternating current will be supplied at standard voltages.~~

~~RATE:~~

~~— For each street light installation:~~

150 Watt High pressure Sodium	\$4.42 per month
250 Watt High pressure Sodium	\$5.58 per month
310 Watt High pressure Sodium	\$6.12 per month

~~OHIO EXCISE TAX:~~

~~— Bills computed in accordance with the foregoing rates are subject to the Ohio Excise Tax Rider, Schedule OET.~~

ORDINANCE NO. 35-08

**AN ORDINANCE AMENDING CHAPTER 77 OF THE PIQUA
CODE RELATING TO TRAFFIC SCHEDULE V TO REINSTATE
NO LEFT TURN ONTO MAIN STREET FROM MARKET STREET**

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

WHEREAS, On January 10, 2006 High Street was closed to through traffic to accommodate construction of the Ft. Piqua Hotel project;

WHEREAS, Piqua City Commission approved a temporary suspension of Ordinance No. 51-85 to allow for left turns onto Main Street from Market Street; and

WHEREAS, Construction for the Ft. Piqua Hotel project has since been completed and High Street has been reopened to traffic.

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

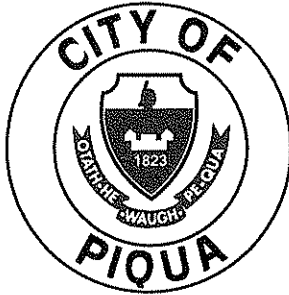
SEC. 1: Chapter 77 relating to Schedule V (Left or right turn prohibited) is hereby reinstated per Exhibit "A" attached hereto.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



ENGINEERING DEPARTMENT

Amy L. Havenar, P.E. – City Engineer
201 West Water Street • Piqua, Ohio 45356
(937) 778-2044 • FAX (937) 778-5165
E-Mail: ahavenar@piquaoh.org

November 21, 2008

MEMORANDUM

TO: Frederick E. Enderle, City Manager

RE: **Request For Commission Authorization to Amend Chapter 77
Traffic Schedule V – Reinstate No Left Turn**

This request is to reinstate Ordinance 51-85, which prohibits left turns at the intersection of Market Street onto Main Street.

On January 10, 2006, High Street was closed to through traffic to accommodate construction of the Ft. Piqua Hotel project. At that time, the commission approved a temporary suspension of Ordinance 51-85 to allow for left turns onto Main Street from Market Street.

Construction has since been completed and High Street has been reopened to traffic. Therefore, we are requesting that Ordinance 51-85 be reinstated to avoid any potential conflicts between this intersection and the intersection of High Street and Main Street.

Please let me know if you have any questions pertaining to this matter.

Respectfully submitted,

Amy L. Havenar, P.E.
Interim Public Works Director

ALH/jc

c: Doug Harter, Street Superintendent



RESOLUTION NO. R-123-08

**A RESOLUTION AUTHORIZING THE CITY
PURCHASING AGENT TO PURCHASE
#2 FUEL OIL ON THE OPEN AND SPOT
MARKET**

WHEREAS, Section 34.19 of the Piqua Code permits the purchase of supplies for City departments without advertising when, in the judgment of the City Purchasing Agent, advertising would not be of any material economic benefit; and

WHEREAS, it is the judgment of the City Purchasing Agent that purchasing #2 fuel oil for the City, at the best price available when it is needed, on the open and spot market during the year 2009 without advertising, is permissible and advisable by said Section 34.19;

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 Agent is authorized to dispense with advertising for the purchase of #2 fuel oil for the City during the year 2009 and to make said purchases at the best price available when it is needed on the open and spot market;

SEC. 2: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasury from time to time to pay for said purchases.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

DATE: November 5, 2008

TO: Fred Enderle, City Manager
Piqua City Commission

REF: Authorization to Purchase #2 Fuel Oil on the Open-Spot Market in 2009

The Power System purchases #2 fuel oil, for use in its two combustion turbine generators. In previous years these purchases have been made on the open and spot market by obtaining quotes from various suppliers prior to placing an order. The quantity and timing of fuel burned annually fluctuates depending on the need to run the generating units. As a result of these issues, along with the unpredictable fuel market it is impractical to obtain an annual fixed cost for this commodity. We have included \$100,000 in our 2009 budget for this item. Recent suppliers of fuel oil include:

- Earhart Petroleum, Troy, Ohio
- Burke Petroleum, Minster, Ohio
- Ports Petroleum, Wooster, Ohio
- Kevin Mote Petroleum, Laura, Ohio

We are requesting authorization to purchase #2 fuel oil as required for 2009 on the open and spot market. I am available to answer any questions you may have regarding these purchases.

William J. Sommer
Power System Director

RESOLUTION NO. R-124-08

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO APPLY FOR CITY MEMBERSHIP TO AMP-OHIO**

WHEREAS, Section 30.01 of the Piqua Code requires this Commission's approval for the City Manager to join trade organizations with annual membership dues in excess of \$25,000;

WHEREAS, Piqua participates in the development of long-term generation assets by Amp-Ohio including the Amp-Ohio Municipal Generation Station, the Prairie State Energy Campus and several hydroelectric projects thus providing the need for the City to continue membership with Amp-Ohio.

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 and directed to continue the City's membership to Amp-Ohio for 2009.

SEC. 2: The Finance Director is hereby authorized to draw her warrants on the appropriate account of the City treasury in payment according to this Resolution;

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

Date: November 5, 2008

To: Fred Enderle, City Manager
Piqua City Commissioners

Subject: Amp-Ohio Membership Dues – 2009

Amp-Ohio is a nonprofit wholesale power supplier and service provider for its 122 member Municipal electric systems. Amp-Ohio is owned and governed by its member communities.

Currently Amp-Ohio is Piqua's power supplier. Piqua is also participating in the development of long term generation assets by Amp-Ohio including the Amp-Ohio Municipal Generation Station, the Prairie State Energy Campus and several hydroelectric projects. It is my recommendation that Piqua continue membership in Amp-Ohio. A cost of \$40,500 has been included in the 2009 budget for this expenditure.

William J. Sommer
Power System Director

RESOLUTION NO. R-125-08

**A RESOLUTION RESCINDING RESOLUTION
NO. R-41-08**

WHEREAS, Piqua City Commission passed Resolution No. R-41-08 on March 3, 2008 which established a Civil Citation Appeal Board due to the adoption of Ord. No. 32-07; and

WHEREAS, Ord. No. 32-07 implemented a Civil Code for nuisance violations (Chapter 91), Zoning Code Violations (Chapter 154), and Property Maintenance Violations (Chapter 150) of the Piqua Municipal Code or the City of Piqua; and

WHEREAS, Ord. No. 32-07 was placed on the November 4, 2008 ballot at the initiative of the City Commission for an advisory vote and was defeated; and

WHEREAS, the panel to hear appeals of a civil citation shall no longer need to be in effect thus eliminating a Civil Citation Appeal Board.

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

SEC. 1: Resolution No. R-41-08 (A Resolution establishing the Civil Citation Appeal Board for the City of Piqua) is hereby rescinded.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-126-08

**A RESOLUTION AMENDING THE LEASE AGREEMENT
OF CITY OWNED PROPERTY LOCATED AT 810 SCOTT DRIVE**

WHEREAS, Piqua City Commission passed Resolution No. C-9529 on November 18, 1991 which approved the lease of City owned property located at 810 Scott Drive; and

WHEREAS, this lease agreement has not been revised since 1991; and

WHEREAS, it is in the best interest of the City to revise the lease agreement attached hereto as Exhibit "A"; and

WHEREAS, the proposed increase for the rental of 810 Scott Drive is consistent with the long-range financial plan approved by City Commission on November 3, 2008.

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:

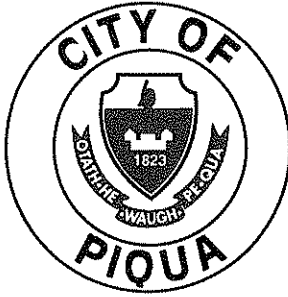
SEC. 1: The lease agreement for 810 Scott Drive is hereby amended as attached Exhibit A and the City Manager is hereby authorized to execute said lease on behalf of the City.

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

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



ENGINEERING DEPARTMENT

Amy L. Havenar, P.E. – City Engineer
201 West Water Street • Piqua, Ohio 45356
(937) 778-2044 • FAX (937) 778-5165
E-Mail: ahavenar@piquaoh.org

November 21, 2008

MEMORANDUM

TO: Frederick E. Enderle, City Manager

RE: **REQUEST FOR COMMISSION AUTHORIZATION ALLOWING THE CITY MANAGER
TO ENTER INTO A LEASE AGREEMENT FOR THE RENTAL OF THE RESIDENTIAL
PREMISES AT THE HOLLOW PARK
CURRENT LEASE PRICE - \$200 PER MONTH
PROPOSED LEASE PRICE - \$350 PER MONTH (BEGINNING 1-1-09)**

The City of Piqua leases the residential property at the Hollow Park. The lease payment is intentionally less than the market value because the tenants provide some limited security services at the park. These services include: opening and closing the gates to the park every day, and observing activity in the park and calling 911 when necessary. However, the lease has not been revised since 1991.

The purpose for requesting the modification of the lease is two-fold, as follows:

1. The increase brings the value of the lease to an amount similar to comparable rental properties, after being reasonably discounted for security services.
2. The increase is consistent with the long-range financial plan approved by commission on November 3, 2008.

Attached please find a draft of the new lease which has been prepared by Law Director Stacy Wall.

Please let me know if you have any questions pertaining to this matter.

Respectfully submitted,

Amy L. Havenar, P.E.
Interim Public Works Director

ALH/jc

Attachment

c: Rob Stanford, Recreation Coordinator



Exhibit "A"

LEASE AGREEMENT

The City of Piqua, Ohio (hereinafter referred to as LESSOR) hereby agrees to Lease to _____,
(hereinafter referred to as LESSEE) the residential premises located at the Hollow Park and
Miami County, Ohio, according to the following terms:

- 1) **TERM** – The term of this Lease Agreement shall be for one (1) year commencing on the first day of January, 2009 and expiring on the last day of December, 2009, except the Lessor may terminate this Lease by sending notice thereof to Lessee by regular U.S. Mail at least 60 days in advance of the termination date selected by Lessor.

- 2) **RENT**- Lessee shall pay to the Lessor as rent for said premises, \$350 per month.

Lessee shall make said rent payments on or before the first business day of each month during the period of this Lease at the Finance Office of the City at 201 W. Water Street, Piqua, Ohio.

- 3) **UTILITIES**- Lessee shall be responsible for payment of all utilities serving the premises.

- 4) **MAINTENANCE** – Lessee is responsible for the general maintenance and upkeep of the property, including mowing the grass and any miscellaneous yard work.

Lessee shall abide by all property maintenance, health, zoning and nuisance codes of the City of Piqua. Failure to abide by these codes shall constitute cause to terminate said lease.

- 5) **RESTRICTIONS**- Lessee shall not assign this Lease or sublet the premises without Lessor's written approval.

Lessee shall permit Lessor's agents to inspect the premises at all reasonable times.

Lessee shall be liable for all property damage occurring to the premises, reasonable wear and tear excepted.

The City of Piqua shall not be responsible for any property damage or bodily harm or injury sustained on the premises to any lessee or a guest or invitee of lessee unless such damage, harm, or injury was caused by the negligence of the City of Piqua. Liability shall be limited to the extent allowable by law.

- 6) **RENEWAL OF LEASE**- This Lease shall be renewed only by mutual consent for successive terms of one year. Lessee must notify Lessor in writing of this request to renew this Lease at least 30 days before expiration of this lease.

- 7) **PARK SECURITY PROVIDED BY LESSEE**- Lessee shall provide security service to the Hollow Park by opening the gate to the park each morning, closing the gate to the park each night, and by notifying police or other appropriate agency when Lessee becomes aware of illegal or suspicious activity in the Hollow Park.

When Lessee is unavailable to open or close the gate, arrangements are to be made with the City Parks and Recreation Superintendent.

- 8) **DEFAULT**- Delay in rent payments or breach of any of the terms of this Lease shall immediately terminate this Lease and authorize Lessor to commence eviction proceedings against Lessee.
- 9) Lessee shall abide by all criminal laws of the State of Ohio and the City of Piqua and ensure that any guest or invitee also abide by such laws. Criminal conduct conducted on the premises shall constitute cause to terminate said lease even if there is no criminal conviction as a result of said conduct.
- 10) Unless otherwise provided above, this Lease shall be governed by and supplemented with the applicable statutes of the Ohio Revised Code.

Executed this _____ day of _____, 2009

LESSOR

LESSEE

