

A G E N D A
PIQUA CITY COMMISSION
MONDAY, APRIL 20, 2009
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 April 6, 2009
 Regular City Commission Meeting

2. **ORD. NO. 2-09** An Ordinance amending Section 94.20 of the Piqua
 (3rd Reading) Code, relating to Community Swimming Pool Fees

3. **ORD. NO. 3-09** An Ordinance enacting and adopting a supplement to
 (1st Reading) the Code of Ordinances for the City of Piqua

4. **ORD. NO. 4-09** An Emergency Ordinance amending Sections 51.02,
 (1st Reading) 51.18, 51.54 and 51.57 of Chapter 51: Sewers of the
 Piqua Municipal Code

5. **RES. NO. R-34-09** A Resolution retaining the services of McGohan
 Brabender to provide health insurance consulting
 services for the City of Piqua

6. **RES. NO. R-35-09** A Resolution authorizing application to the United
 States Department of Justice, Office of Justice
 Programs for funding through the Recovery Act:
 Edward Byrne Memorial Justice Assistance Grant
 (JAG) Formula Program: Local Solicitation

Proclamation: Month of April 2009:

➤ Poppy Days

ADJOURN

**MINUTES
PIQUA CITY COMMISSION
APRIL 6, 2009
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

Commissioner Martin stated he would like to make a correction to the Minutes of March 16, 2009, Regular City Commission Meeting stating on page 2, the name of Jamie Sykes should be spelled Jamie Seitz, and be corrected in all the places his name appears in the paragraph. Moved by Commissioner Terry, seconded by Commissioner Fess, that the minutes of the March 16, 2009 Regular City Commission Meeting and the Piqua City Commission Work Session be approved as amended. Voice vote, Aye: Terry, Vogt, Martin, Hudson, and Fess. Nay: None. Motion carried unanimously.

Mayor Hudson asked that Resolution No. R-29-09 be moved up at this time.

RES. NO. R-29-09

A Resolution of Appreciation for the Public Service of Andre H. Burner, Jr. as a City Employee

Mayor Hudson read the Resolution of Appreciation and presented it to Mr. Burner.

Mr. Burner thanked the Mayor and Commission for the resolution and reflected on his almost thirty-two years with the City of Piqua.

All of the Commissioners expressed their appreciation to Mr. Burner and his dedication and the professionalism he has shown over the years representing the City of Piqua.

Public Comment

No one came forward to speak for or against Resolution No. R-29-09.

Moved by Commissioner Martin, seconded by Commissioner Fess, that Resolution No. R-29-09 be adopted. Voice vote, Aye: Hudson, Fess, Martin, Terry, and Vogt. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-29-09 adopted.

ORD. NO. 2-09
(2nd Reading)

An Ordinance amending Section 94.20 of the Piqua Code, relating to Community Swimming Pool Fees

Public Comment

No one came forward to speak for or against Ordinance 2-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, to give Ordinance No. 2-09 a second reading. Voice vote, Aye: Terry, Vogt, Hudson, Fess, and Martin. Nay: None. Motion carried unanimously. Mayor Hudson then declared Ordinance No. 2-09 be given a second reading.

Moved by Commissioner Vogt, seconded by Commissioner Terry, to bring Resolution No. R-25-09 back to the table for consideration. Voice vote, Aye: Hudson, Martin, Vogt, Terry, and Fess. Nay, None. Motion carried unanimously.

RES. NO. R-25-09

(Tabled 3-2-2009)

(Tabled 3-16-2009-Amended)

A Resolution authorizing the City Manager to enter into all necessary agreements with the Fort Piqua Redevelopment Corporation relating to the Fort Piqua Hotel Redevelopment Project

Commissioners asked numerous questions concerning the construction fees, the loan from the local citizens to the project, how the money that was appropriated in 2008 was going to be used, the conditions of the lease agreement with Toon P. Wiggins, and the amount of tax credits that would be used. Law Director Stacy Wall gave a brief explanation of how the amount of money the city was obligated to for the project would be used, and the terms of the lease agreement with Toon P. Wiggins. Finance Director Cynthia Holtzapple gave a brief overview of the expenses to date and where the funds are to be borrowed from to complete the project. City Manager Enderle further explained the City needs a total of \$960,000 to complete the project. Tuttle Construction Co. has agreed to complete the project within 90 days from the start of the construction, said City Manager Enderle.

Commissioner Fess voiced her concern over the financing stating she has not been able to understand the financing as it keeps changing. Commissioner Fess further stated she would like to have more time to read over the information, and the copy of the loan agreement with the citizens group that was provided just before the meeting before making her decision.

Public Comment

Jamie Seitz, W. North Street, voiced his concern over the fact he did not receive specific information that he had requested from the Commissioners, and several other issues he had with the possible tenant for the restaurant space.

Jim Hiegel, Gordon Street, voiced his concern over the lease agreement with Brother's of Piqua Inc. citing several issues he had with the lease agreement.

Lorna Swisher, MainStreet Piqua Director, stated on behalf of the MainStreet Board of Trustees she asked the Commission to move forward to complete the project at this time.

Kris Lee, W. High Street, stated he is in favor of completing the project, and feels it needs to be done at this time. Mr. Lee feels it would be good for the community.

Commissioner Martin stated he would abstain from voting citing he is employed by Hartzell Propeller, and three of the five citizens involved in the loan agreement are his employers.

Commissioner Vogt stated he believes the city is between a rock and hard place on the issue of financing the project. The actual figures have been lowered, and after Finance Director Holtzapple explained the financing in a lengthy discussion with the commissioners, he feels the project should go forward.

Moved by Commissioner Vogt, seconded by Commissioner Terry, that Resolution No. R-25-09 be adopted, as amended. Roll call, Aye: Hudson, Vogt, and Terry. Nay: Fess. Commissioner Martin abstained. Motion carried on a 3-1 vote with 1abstainment. Mayor Hudson stated Resolution No. R-25-09 was adopted as amended.

RES. NO. R-28-09

A Resolution authorizing the City Manager to enter into a loan agreement with a group of citizens relating to the Fort Piqua Hotel Redevelopment Project to assist with funding

City Manager Enderle gave a brief overview of the loan agreement between the City of Piqua and the five city residents involved with the loan agreement to the City.

Several questions were asked in regards to the repayment of the loan from the citizens group.

Public Comment

Jamie Seitz, W. North Street, voiced his concern over the amount of money being put into the Piqua Plaza project.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-28-09 be adopted. Roll call, Aye: Terry, Hudson, and Vogt. Nay: Fess. Commissioner Martin abstained due his employment. Motion carried 3-1 with 1 abstainment. Mayor Hudson then declared Resolution No. R-28-09 adopted on a 3-1 vote with 1 abstainment.

RES. NO. R-30-09

A Resolution authorizing the purchase of property located at 533-535 W. High Street, Miami County, Ohio

Public Comment

No one came forward to speak for or against Resolution No. R-30-09.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Resolution No. R-30-09 be adopted. Voice vote, Aye: Hudson, Martin, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-30-09 adopted.

RES. NO. R-31-09

A Resolution authorizing the City Manager or designee to seek funding on behalf of the City of Piqua for land acquisition, well field exploration and drilling, as well as for planning, design and construction of the City of Piqua's water facility

There was discussion of the need for well field exploration and the possible use of stimulus money if available, the possible location of the new plant, and the amount of money needed to build the water plant.

Mayor Hudson asked if was still possible to work with Sidney on the project. City Manager Enderle stated no, they are to far ahead of us at this time on this process.

Public Comment

No one came forward to speak for or against Resolution No. 31-09.

Moved by Commissioner Fess, seconded by Commissioner Terry, that Resolution No. R-31-09 be adopted. Voice vote, Aye: Hudson, Martin, Fess, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-31-09 adopted.

RES. NO. R- 32-09

A Resolution requesting authorization to issue a purchase order to Advanced Control Systems for; SCADA (Supervisory Control and Data Acquisition) system hardware & software upgrades, and integration services at the Power System

Public Comment

No one came forward to speak for or against Resolution No. R-32-09.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-32-09 be adopted. Roll call, Aye: Hudson, Fess, Vogt, Martin, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-32-09 adopted.

RES. NO. R-33-09

A Resolution appointing a Charter Review Committee

Public Comment

Chuck Starrett, Demming Road voiced his concern over several issues and flaws he feels are in the Charter at this time, and asked if it would be possible to have an audiotape of the Charter Review meetings.

City Manager Enderle stated the Charter Review meetings are open to the public, and will be posted on the web site and in the newspaper.

Commissioner Fess asked if Mr. Starrett could make a list of his concerns and give to one of the committee members for review. City Manager Enderle further stated citizens should provide a list of their concerns and present the list to the Law Director for review.

Moved by Commissioner Terry, seconded by Commissioner Vogt, that Resolution No. R-33-09 be adopted. Voice vote, Aye: Martin, Fess, Hudson, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Hudson then declared Resolution No. R-33-09 adopted.

Other

Monthly Reports – February 2009

Monthly Reports for February 2009 were accepted.

Public Comment

Jim Hiegel, Gordon Street, voiced his concern over the use of his private driveway by the Police Department for checking radar on cars coming into town.

Earl Wagoner, New Haven Rd. representing the Southwest Neighborhood Association stated the group picked up 30 bags of trash from Mainer Avenue to the east side, and voiced concern over the dumping that is going on in the city.

City Manager Enderle stated he would look into the dumping issue and thanked the Southwest Neighborhood Association for their efforts.

Mayor Hudson asked how many citizens participated in the neighborhood cleanup? Mr. Wagoner stated there were about 10-12 citizens who participated in the cleanup.

Jim Cline, Clark Avenue, voiced his opinion on the Piqua Plaza Project.

Ruth Koon, Park Avenue, stated she has been involved with Piqua Plaza Project for twelve years and would like to see it move forward at this time. She also voiced her concerns about the need for window coverings, washing of the windows, and awnings for the first floor windows to keep the sun out.

Jim Seitz, W. North Street, voiced his concern about not receiving information he had requested previously, and asked that the Commissioners and the City Manager follow through when a citizen asked for information.

City Manager Enderle stated he did email Mr. Seitz with the information he requested the next day after the request, and was sorry he did not receive it. Mr. Seitz asked if he could get a copy of the specifications for the project, and what the cost would be. City Manager Enderle stated yes, he could have a copy of the specifications, and the fee for the copy would be \$176.

Commissioner Martin inquired about the punch list for the work that needed to be done on the Piqua Plaza project. Bob Graeser, Project Manager stated he is working on the punch list and has a meeting next week with Tuttle Construction to finalize the plans.

Commissioner Fess thanked Mrs. Koon for her comments on the Piqua Plaza Project.

Commissioner Fess also explained her reasons for her no vote on Resolution No. R-25-09 and R-28-09. Commissioner Fess stated she felt she needed to understand it better and was concerned about putting the city into debt. Commissioner Fess stated the offer by the citizens is very generous but she wanted to read the loan agreement before making any decision.

Commissioner Terry announced the Piqua Parks & Recreation Department will offer a Tennis Program for 5-10 year olds this year with a meeting to be held on April 21, at 7:00 P.M. in the Commission Chambers. Information may be obtained by contacting Rob Stanford, Director of the Parks & Recreation Department at 937-778-2085.

Commissioner Terry announced the North Parks Neighborhood Associations next meeting will be held on April 16, at 7:00 P.M. at Wilder School on Nicklin Avenue. The Association will be selling mulch on April 18th at the Wilder building as a fundraiser this year.

Commissioner Terry stated she received a letter from residents on Broadway about absentee property owners in their area and the tenants causing problems. Commissioner Terry asked if that would be something the P.O I.N.T. Organization could look into and address.

Commissioner Terry also congratulated Mr. Burner on his retirement stating she knows he will still be involved with the city in a very positive way.

Commissioner Terry inquired about the Health Department Monthly Report and what it means when it is stated a legal notice has been issued for a property with a nuisance, and if there is a deadline for the work to be completed?

Law Director Wall explained there is a deadline for the work to be completed before any legal action is taken. City Manager Enderle stated he would look into it.

Mayor Hudson stated Scott Phillips, producer of the American Woodshop in Piqua, and host of the show just started shooting his 16th season and is featuring the Piqua Plaza this season on his show which will be airing in September. Mr. Phillips has donated two wood tables he made to the Piqua Plaza.

Law Director Wall gave a brief overview of the Press Conference held on April 6, 2009 concerning the work on the demolition of the old Piqua Memorial Hospital building.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn into Executive Session at 9:25 P.M. to prepare for and review negotiations on compensation or other terms and conditions of employment for City personnel. Voice vote, Aye: Vogt, Martin, Hudson, Terry, and Fess. Nay: None. Motion carried unanimously.

Moved by Commissioner Martin, seconded by Commissioner Fess, to adjourn from the Executive Session at 9:50 P.M. Voice vote, Aye: Vogt, Martin, Hudson, Terry, and Fess. Nay: None.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

ORDINANCE NO. 2-09

AN ORDINANCE AMENDING SECTION 94.20 OF THE PIQUA CODE, RELATING TO COMMUNITY SWIMMING POOL FEES

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

SEC. 1: Section 94.20 of the Piqua Code is hereby amended to read as follows (with deletions lined out and additions underlined):

Section 94.20: Community Swimming Pool Fees

The Park Department shall charge the following fees for the use of the community swimming pool:

(A) *Yearly memberships.*

~~\$90.00~~ **\$100.00** Family of two

~~\$15.00~~ **\$20.00** Each additional family member beyond two. All family members must be indicated at time of purchase of family membership.

~~\$60.00~~ **\$65.00** Single Adult

~~\$60.00~~ **\$65.00** Senior citizen family of two (both 62 years of age or older)

~~\$35.00~~ **\$40.00** Senior citizen (62 years of age or older)

~~\$37.50~~ **\$40.00** Student membership (first through twelfth grade)

~~\$15.00~~ **\$20.00** Preschoolers through kindergarten

\$5.00 Replacement of membership card due to lost or destroyed card

*All ages and grades shall be calculated as of Memorial Day each year.

(B) *Daily fee.*

~~\$3.75~~ **\$4.00** Per Adult (~~\$2.00~~ **\$2.50** after 5:00 p.m.)

~~\$3.25~~ **\$3.50** Per Student (first through twelfth grade) (~~\$2.00~~ **\$2.50** after 5:00 p.m.)

~~\$1.00~~ **\$1.50** Preschoolers through kindergarten

(C) *Swimming lessons.* Lessons shall be ~~\$20~~ **\$40.00** per student per 2-week session (~~8~~ **10** lessons).

(D) *Group pool rental.* Sessions run from 7:30 to 9:30 p.m. on Monday, Tuesday, Wednesday, and Thursday only. The cost to rent the pool with city lifeguards is:

~~1-50 persons \$125~~

~~51-100 persons \$175.00~~

1-100 persons \$200.00

~~more than 100 persons \$225~~ **\$300.00**

(E) Special promotional rates: Special lower rates for daily admission and membership may be charged if recommended by the Park Board and approved by the City Manager. Special promotional rates may not exceed those rates established above. When approved, special promotional rates shall include the cost, the period of time for which the rates are available and any special conditions associated with the special promotion.

('97 Code, § 97.24) (Ord. 6-86, passed 2-3-86; Am. Ord. 7-96, passed 3-18-96; Am. Ord. 15-97, passed 3-3-97; Am. Ord. 24-97, passed 3-17-97; Am. Ord. 18-00, passed 5-1-00; Am. Ord. 4-02, passed 2-19-02; Am. Ord. 7-06, passed 4-17-06)

SEC. 2: Section 94.20 (Community Swimming Pool Fees) of the Piqua Code as previously enacted, are hereby amended;

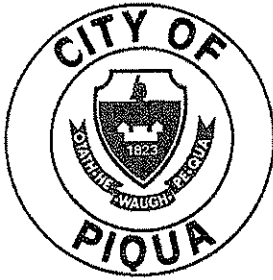
SEC. 3: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

2nd Reading 4-6-2009

THOMAS D. HUDSON MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



PARKS & RECREATION DEPARTMENT

Rob Stanford - Recreation Coordinator
201 West Water Street • Piqua, Ohio 45356
(937) 778-2085 • FAX (937) 778-5165
E-Mail: rstanford@piquaoh.org

March 6, 2009

MEMORANDUM

TO: Frederick E. Enderle, City Manager

**RE: Request For Commission Authorization To Amend
The Fee Schedule for the Municipal Pool**

At its October 2008 meeting the Park Advisory Board voted unanimously to recommend to the City Commission raising the fees at the Piqua Municipal Pool. The increases are in line with those approved in the long range financial plan approved by commission on November 3, 2008. Prices will increase for day passes, memberships, rentals and swim lessons. Day pass will increase \$0.25 on adults and students as well as a \$0.50 increase on the preschool and after 5:00pm. Memberships will increase \$2.50 - \$10.00 depending on membership. After hour rentals will be reclassified into two categories 1-100 or Over 100 with the respective rate being \$200 and \$300 per 2 hour event. Swim lesson fees were doubled in order to recover costs.

It is also requested that code similar to that for golf promotions be added to the section on pool fees. This will enable the use of special promotions in the marketing of the facility at the recommendation of the Park Board and approval by the City Manager.

The pool operations are subsidized by the general fund each year in an excess of \$50,000. These increases will not make up for the entire deficit, but will help to offset some of the general fund transfer. The fees are in line with other public pools in the vicinity. Attached please find Appendix "A" showing current and proposed rates.

Please let me know if I can provide any additional information pertaining to this matter.

Respectfully submitted,

Robert M. Stanford

Frederick E. Enderle
Page 2
April 24, 2006

RMS/nd

Attachment

c: Cathy Oda, Park Board Chairperson

**City of Piqua
Community Pool
2009 Proposed Fee Schedule**

	Atten. 2008	Current 2008	Revenue 2008	Proposed 2009	Revenue 2009	Diff.
<u>Daily Admission</u>						
Adult	2864	\$ 3.75	\$ 10,740	\$ 4.00	\$ 11,456	
Student (Grade 1-12)	6223	\$ 3.25	\$ 20,225	\$ 3.50	\$ 21,781	
Preschool	900	\$ 1.00	\$ 900	\$ 1.50	\$ 1,350	
Children Under 3		-		Free		
After 5pm	747	\$ 2.00	\$ 1,494	\$ 2.50	\$ 1,868	
			<u>\$ 33,359</u>		<u>\$ 36,454</u>	
<u>Membership</u>						
Family of 2	128	\$ 90.00	\$ 11,520	\$ 100.00	\$ 12,800	
Senior Family of 2	0	\$ 60.00	\$ -	\$ 65.00	\$ -	
Additional Family Member	266	\$ 15.00	\$ 3,990	\$ 20.00	\$ 5,320	
Adult	12	\$ 60.00	\$ 720	\$ 65.00	\$ 780	
Student	163	\$ 37.50	\$ 6,113	\$ 40.00	\$ 6,520	
Senior Citizen	8	\$ 35.00	\$ 280	\$ 40.00	\$ 320	
Preschool	5	\$ 15.00	\$ 75	\$ 20.00	\$ 100	
			<u>\$ 22,698</u>		<u>\$ 25,840</u>	<u>\$ 6,238</u>
<u>Swimming lessons</u>						
	105	\$ 20.00	\$ 2,100	\$ 40.00	\$ 4,200	
			<u>\$ 2,100</u>		<u>\$ 4,200</u>	<u>\$ 2,100</u>
<u>Private Rentals</u>						
1-50 Persons	14	\$ 125.00	\$ 1,750	\$ 200.00	\$ 2,800	
51-100 Persons	5	\$ 175.00	\$ 875	\$ 200.00	\$ 1,000	
100+	6	\$ 225.00	\$ 1,350	\$ 300.00	\$ 1,800	
			<u>\$ 3,975</u>		<u>\$ 5,600</u>	<u>\$ 1,625</u>
			<u>\$ 62,131</u>		<u>\$ 72,094</u>	<u>\$ 9,963</u>

94.20 COMMUNITY SWIMMING POOL FEES.

The Park Department shall charge the following fees for the use of the community swimming pool:

(A) *Yearly memberships.*

~~\$99.00~~ 100.00 Family of two

~~\$45.00~~ 20.00 Each additional family member beyond two. All family members must be indicated at time of purchase of family membership.

~~\$60.00~~ 65.00 Single Adult

~~\$60.00~~ 65.00 Senior citizen family of two (both 62 years of age or older)

~~\$35.00~~ 40.00 Senior citizen (62 years of age or older)

~~\$37.50~~ 40.00 Student membership (first through twelfth grade)

~~\$45.00~~ 20.00 Preschoolers through kindergarten

\$5.00 Replacement of membership card due to lost or destroyed card

*All ages and grades shall be calculated as of Memorial Day each year.

(B) *Daily fee.*

~~\$3.75~~ 4.00 Per Adult (~~\$2.00~~ 2.50 after 5:00 p.m.)

~~\$3.25~~ 3.50 Per Student (first through twelfth grade) (~~\$2.00~~ 2.50 after 5:00 p.m.)

~~\$4.00~~ 1.50 Preschoolers through kindergarten

(C) *Swimming lessons.* Lessons shall be ~~\$20~~ 40 per student per 2-week session (8-10 lessons).

(D) *Group pool rental.* Sessions run from 7:30 to 9:30 p.m. on Monday, Tuesday, Wednesday and Thursday only. The cost to rent the pool with city lifeguards is:

1 - 50 persons	\$125		
51 - 100 persons	\$175	1-100	\$200
more than 100 persons	\$225		\$300

(E) *Special promotional rates:* Special lower rates for daily admission and membership may be charged if recommended by the Park Board and approved by the City Manager. Special promotional rates may not exceed those rates established above. When approved, special promotional rates shall include the cost, the period of time for which the rates are available and any special conditions associated with the special promotion.

('97 Code, § 97.24) (Ord. 6-86, passed 2-3-86; Am. Ord. 7-96, passed 3-18-96; Am. Ord. 15-97, passed 3-3-97; Am. Ord. 24-97, passed 3-17-97; Am. Ord. 18-00, passed 5-1-00; Am. Ord. 4-02, passed 2-19-02; Am. Ord. 7-06, passed 4-17-06)

ORDINANCE NO. 3-09

**AN ORDINANCE ENACTING AND ADOPTING A
SUPPLEMENT TO THE CODE OF ORDINANCES
FOR THE CITY OF PIQUA**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2008 supplement to the Code of Ordinances of the City of Piqua, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this City of Piqua; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to the Ohio Code; and

WHEREAS, it is the intent of the Piqua City Commission to accept these updated sections in accordance with the changes of the law of the State of Ohio; and

WHEREAS, it is necessary to provide for the usual daily operation of the City of Piqua and for the immediate preservation of the public peace, health, safety and general welfare of the City of Piqua that this ordinance take effect at an early date.

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: That the 2008 supplement to the Code of Ordinances of the City of Piqua as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, is hereby adopted by reference as if set out in its entirety.

SEC. 2: Such supplement shall be deemed published as of the day of its adoption and approval by the Piqua City Commission and the Clerk of Commission is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk of Commission.

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

ORDINANCE NO. 4-09

AN EMERGENCY ORDINANCE AMENDING SECTIONS 51.02, 51.18, 51.54 AND 51.57 OF CHAPTER 51: SEWERS OF THE PIQUA MUNICIPAL CODE

WHEREAS, the Ohio Environmental Protection Agency regulates sewers through the Ohio Administrative Code; and

WHEREAS, the EPA has made changes to the Ohio Administrative Code necessitating changes to Piqua Municipal Code Sections 51.02, 51.18, 51.54 and 51.57 regarding the regulation of sewers.

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

SECTION 1. That the City of Piqua hereby amends Sections 51.02, 51.18, 51.54 and 51.57 of Chapter 51 of the Piqua Municipal Code as set forth below with additions being underlined:

§ 51.02 DEFINITIONS.

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

BEST MANAGEMENT PRACTICES (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Ohio Administrative Code (OAC) 3745-3-04. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BIOCHEMICAL OXYGEN DEMAND or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in mg/l, as determined by *Standard Methods*.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

CATEGORICAL PRETREATMENT STANDARDS. Pretreatment standards promulgated by U.S. EPA, specifying quantities or concentrations of pollutants or

pollutant properties which may be discharged or introduced to the wastewater system by specific industrial users.

CITY. The City of Piqua, Ohio.

CITY MANAGER. The **CITY MANAGER** as provided for under the Charter of the city, or his or her duly authorized agent or representative.

COMBINED SEWAGE. A combination of sanitary sewage and storm water, with or without industrial wastes.

COOLING WATER. The water discharged from any system of condensation, air conditioning, cooling or refrigeration. It shall be free from odor and oil, and shall contain no polluting substances.

CONTROL AUTHORITY. (1) The POTW if it is under an approved pretreatment program; or (2) Ohio EPA if the POTW is not under an approved pretreatment program.

DEBT SERVICE CHARGE. The charge levied against the users of the sewage system for the retirement of and interest on bonds and/or notes authorized and issued by the city on construction of the sewage system facilities.

DEPARTMENT OF PUBLIC WORKS or DEPARTMENT. The department established by the city for the purpose of managing and operating the wastewater system of the city.

ENGINEER. The Public Works Director, who heads up the Department of Public Works.

FEDERAL ACT. The Federal Water Pollution Control Act Amendments of 1972, as amended by the Clean Water Act of 1977, (Pub. L. 95-217) 33 USC 1251 et seq.; as well as any guidelines, limitations and standards promulgated by the U.S. EPA pursuant to the Act.

GARBAGE. Solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of products.

GARBAGE, PROPERLY SHREDDED. The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried under the flow conditions normally prevailing in public sewers.

GOVERNMENTAL/INSTITUTION CLASS USER. Hospitals, nursing homes, schools; city, county, state or federal building or facilities that discharge wastewater into public wastewater treatment system works and facility.

HEALTH OFFICER. The City Health Commissioner or his or her duly authorized agent or representative.

HOLDING TANK WASTE. Any sanitary waste from holding tanks or chambers used in connection with boats, chemical toilets, campers, trailers, or other facilities from which sanitary wastes emanate. The definition includes sanitary wastes from septic tanks and vacuum pump tank trucks.

INDUSTRIAL USER or INDUSTRIAL DISCHARGER. Any user who discharges to the wastewater system any liquid wastes resulting from processes employed in industry or manufacturing, or from development of any natural resource.

INDUSTRIAL WASTES. The solid, liquid or gaseous waste resulting from any industrial manufacturing, trade or business process; or from the development, recovery or processing of natural resources, as distinct from sanitary sewage.

INTERFERENCE. A discharge which (alone or in conjunction with a discharge or discharges from other sources) does both of the following:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal.

(2) Therefore is a cause of a violation of any requirements of the POTW's NPDES permit (including an increase in the magnitude or duration of violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent local regulations): Section 405 of the Clean Water Act, being 33 USC 1345; the Solid Waste Disposal Act (SWDA), being 42 USC 6901 et seq. (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA, being 42 USC 6941 et seq., the Clean Air Act, being 42 USC 7401 et seq., and the Toxic Substance Control Act, being 15 USC 2601 et seq.

MAY is permissive.

Mg/l. Milligrams per liter.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

NEW SOURCE. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(C) of the Act, being 33 USC 1317(c), which will be applicable to the source if these standards are therefore promulgated in accordance with that section, provided that:

- (1) The building, structure, facility or installation is constructed at a site which no other source is located;
- (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source;
- (3) The production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site.

NORMAL WASTEWATER. Wastewater having an average concentration of not more than the following:

- (1) BOD (biochemical oxygen demand): 200 mg/l
- (2) SS (suspended solids): 250 mg/l

NPDES. National Pollutant Discharge Elimination System.

OPERATION AND MAINTENANCE. The cost incurred in the act of keeping all facilities for collecting, pumping, treating and disposing of sewage in a good state of repair and functioning properly including the replacement of the facilities when necessary.

OEPA. The Ohio Environmental Protection Agency.

PASSTHROUGH. A discharge which exits the POTW into waters of the state in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation.)

PERSON. Any individual, firm, company, association, society, corporation or group.

pH. The logarithm (base 10) of the reciprocal of the weight of hydrogen ions in grams per liter of solution. Low values indicate the presence of acids or acid-forming salts. High values indicate the presence of alkaline material. A pH of 7.0 is considered neutral.

PREMISES. Any parcel of real estate or portion of real estate, including any improvements, determined by the engineer to be a single user for purposes of receiving, using and paying for services.

PRETREATMENT. The reduction in the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state, prior to or in lieu of discharging pollutants to the wastewater system.

PRIVATE SEWER. A sewer which is not controlled by a public authority.

POTW or Publicly Owned Treatment Works. That portion of the POTW that is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

PUBLIC AUTHORITY. Any governmental entity having jurisdiction by law.

PUBLIC SEWER. A sewer owned and operated by a public authority.

REGULATIONS. Any word, provision, paragraph or section of this chapter unless otherwise defined.

RESIDENCE. A building or house erected or constructed on any lot, parcel of land or premises and used primarily for dwelling purposes.

SANITARY SEWER. A sewer which carries sanitary wastewater and/or industrial waste, and to which storm, surface and groundwaters are not intentionally admitted.

SANITARY WASTEWATER. Water-carried wastes from domestic conveniences such as toilets, urinals and sinks.

SEWER. A pipe, conduit, ditch or other device for carrying wastewater or storm water.

SHALL is mandatory.

SIGNIFICANT INDUSTRIAL USER.

(1) Except as provided in division (2) below, the term **SIGNIFICANT INDUSTRIAL USER** includes:

(a) All industrial users subject to categorical pretreatment standards.

(b) Any other industrial user that discharges an average of 25,000 gpd or more of process wastewater to the POTW; contributes a process waste stream with makes up 5% or more of the average dry-weather hydraulic or organic capacity of the POTW treatment plant; or has a reasonable potential, in the opinion of the Director, to adversely affect the POTW's operation or for violating any pretreatment standard or requirement.

(2) The Director may at any time, on his or her own initiative or in response to a petition received from an industrial user, determine that a noncategorical industrial user is not a **SIGNIFICANT INDUSTRIAL USER** if the industrial user has no reasonable potential to adversely affect the POTW's operation for violating any pretreatment standard or requirement.

SIGNIFICANT NONCOMPLIANCE. A violation which meets one of the following criteria.

(1) Occurs in 66% or more of the samples of any magnitude taken over a six-month period.

(2) Exceeds the technical review criteria (TRC) for the same discharge limit in 33% or more of the samples taken over a six-month period.

(a) TRC = 1.4 (40% exceedance) for BOD, TSS, fats, oils, grease.

(b) TRC = 1.2 (20% exceedance) for all other pollutants.

(3) Causes alone or in combination with other discharges, interference or passthrough, including endangering POTW personnel or the public.

(4) Endangers human health or the environment, or results in the POTW's exercise of its emergency powers.

(5) A delay in meeting a compliance schedule milestone, such as failure to begin or complete construction or attain final compliance by 90 days or more.

(6) Failure to submit any required report within ~~30~~ 45 days of due date.

(7) Failure to report noncompliance.

(8) Any other violation(s) which the POTW considers significant.

SLUGLOAD. A discharge of any pollutant at a flow rate and/or pollutant concentration of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, that has a reasonable potential to that will cause interference (as defined in this section) or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

STANDARD INDUSTRIAL CLASSIFICATION or SIC. The classification of users based on the 1972 *Standard Industrial Classification Manual*, as amended and supplemented, Office of Manpower and Budget of the United States of America.

STANDARD METHODS. The laboratory procedures specified in the latest edition of *Standard Methods for the Examination of Water and Wastewater*, prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

STORM SEWER or STORM DRAIN. A sewer which carries storm and surface waters and drainage, but excludes sanitary wastewater and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT. The superintendent of the wastewater system or known as the POTW.

SUSPENDED SOLIDS or SS. Solids that either float on the surface of, or are suspended in, water, wastewater or other liquids; and which are removable by laboratory filtering as determined by standard methods.

TOXIC POLLUTANT. Any pollutant designated by federal regulations pursuant to Section 307 of the Act, being 33 USC 1317, as amended.

UNPOLLUTED WASTEWATERS or CLEAN WASTEWATERS. Those liquid wastes which meet the criteria established by the OEPA for effluents discharged to city watercourses.

U.S. EPA. The United States Environmental Protection Agency.

USER. Any person that discharges, causes, or permits the discharge of wastewater into a public sewer.

WASTES. Wastewater and all other substances (liquid, solid, gaseous or radioactive) associated with human habitation or of human or animal origin; or from any producing, manufacturing or processing operation of any nature, including substances placed within containers of any nature prior to, and for purposes of, disposal.

WASTEWATER. A combination of water-carried industrial waste, sanitary wastewater or any other waste, together with any ground, surface and storm water that may be present.

WASTEWATER SYSTEM. All facilities for collecting, pumping, treating and disposing of sanitary wastewater and industrial wastes.

WWTP Wastewater Treatment Plant. An arrangement of devices and structures used for treating wastewater.

WATERS OF THE STATE. Any water, surface or underground, including waters, within the boundaries of the state.

§ 51.18 ENFORCEMENT.

(A) *Discontinuation of service.* When an actual or threatened discharge presents a substantial danger to the health of persons or the environment, interferes with the operation of the wastewater system or violates any provision of these regulations, the department may discontinue wastewater treatment service or take any other lawful means to effect the abatement of any danger.

(B) *Notification of violation.* Whenever the department finds that any user has violated any provision of these regulations, the engineer shall notify the user stating the nature of the alleged violation. If a user who has been notified to cease wastewater discharges fails to comply within the time specified by the engineer, the department shall discontinue wastewater treatment service by suspending water service or other appropriate means.

(C) *Show cause hearing.* After receipt of notification to cease wastewater discharges or to abate any substantial danger to the health of persons or the environment, the user has the right to request a hearing before the department. If a hearing is requested, the department shall serve the user with a written notice specifying the time and place of the hearing.

(D) *Right of appeal.*

(1) Any decision rendered by the department can be appealed in writing within 15 days to the Health Officer. The written request shall state the reasons for the appeal and specify what remedies are sought.

(2) The Health Officer shall, within ten days after receipt of the written appeal notice, hold a hearing and decide the question. The hearing shall include testimony from all concerned persons. The Health Officer shall render a written decision within five days after completion of the hearing.

(3) Within 15 days of receipt of the Health Officer's decision, the user may appeal to the Board of Health of the city. The written appeal notice shall be directed to the Health Officer who shall promptly transmit the appeal to the Board of Health. Upon giving not less than five business days' written notice to the appellant, a hearing shall be held before the Board of Health. After the hearing, the Board may, by a majority vote, affirm, reject or modify the decision of the Health Officer. The decision of the Board shall be made in writing within seven business days after the hearing and shall be final, except that further recourse may be had through statutory procedures.

(E) *Reinstatement of service.* Prior to reinstatement of wastewater treatment service, all cost and expense incident to the city's discontinuation of service shall be borne by the user. The department shall reinstate service upon proof acceptable to the city that the noncomplying discharge condition has been eliminated.

(F) *Termination of service.* The department may terminate wastewater treatment service to any user who fails to do the following:

(1) Report the wastewater constituents and characteristics of his or her discharge requested by the engineer.

(2) Permit reasonable access to his or her premises by department personnel for the purpose of inspection or monitoring.

(3) Comply with any provision of these regulations.

(4) Comply with the conditions of any order issued by city, state or federal officials with respect to these regulations.

(G) *Annual publication.* Annually the engineer shall publish a list of all dischargers or significant industrial users which at any time during the previous 12 months were in significant noncompliance with applicable pretreatment requirements. For the purpose of this provision, an industrial user is in significant noncompliance if its violations meet one or more of the following criteria.

(1) Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter.

(2) Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of all the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease and 1.2 for all other pollutants except pH).

Chronic and Technical Review Criteria apply to SIUs but other SNC criteria can be grounds for finding a non-SIU in SNC. The Chronic and Technical Review Criteria are clarified as being applicable to each of an SIU's permitted monitoring points. The Chronic and Technical Review Criteria apply to violations of instantaneous limits. Violations of instantaneous limits or narrative standards that cause pass-through or interference are SNC. SNC criterion for violations that adversely affect the operation or implementation of the pretreatment program include violations of BMPs.

(3) Any other violations of a pretreatment effluent limit (daily maximum or longer term average) that the engineer determines has caused, alone or in combination with other discharges, interference or passthrough (including endangering the health of POTW personnel or the general public).

(4) Any discharge of a pollutant that has caused imminent endangerment of human health, welfare or to the environment or has resulted in the POTW's exercise of emergency authority to halt or prevent such a discharge.

(5) Failure to meet, within 90 days after the schedule data, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.

(6) Failure to provide, within ~~30~~ 45 days after the due date, required reports such as Baseline Monitoring Reports, 90-day Compliance Reports, Periodic Self-monitoring Reports and reports on compliance with compliance schedules.

(7) Failure to report noncompliance.

(8) Any other violation or group of violations which the engineer determines will or has adversely affected the operation or implementation of the city's pretreatment program.

(H) *Schedules of compliance.* When, in the opinion of the Superintendent, it is necessary for industrial users to install technology or provide additional operation and maintenance (O and M) to meet any condition of this chapter, the Superintendent shall require the development of the shortest schedule by which the industrial user will provide this additional technology or O and M.

(1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events. Under no circumstances shall any increment exceed nine months.

(2) Not later than 14 days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the engineer including, at a minimum, whether or not it complied with the increment of progress to be met on that date and, if not, the date on which it expects to comply with the increment of progress, the reason for delay and the steps being taken by the industrial user to return to the schedule established.

§ 51.54 MONITORING; REPORTS; TEST SITES.

(A) *Monitoring.*

(1) All measurements, tests and analysis of the characteristics of water and wastes referred to in this chapter shall be determined in accordance with 40 CFR 136 methodology, as stated in the general pretreatment regulations (40 CFR 403.14(g)). Where 40 CFR 136 does not include sampling or analytical techniques for the regulated pollutants, alternative procedures shall be approved by the Superintendent. All measurements, tests, and analysis of the characteristics of wastewater performed by an industrial user shall be at the user's expense.

(2) Where necessary, in the opinion of the engineer, a user shall provide, at his or her expense, all measurements, test and analysis of the characteristics of wastewater referred to in these regulations.

(3) The sampling requirements for Initial Compliance Reports are the same as Baseline Monitoring Monitoring report.

(4) Periodic Compliance Reports (IU Self-Monitoring Reports) specifically require grab samples for pH, hexavalent chromium, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds.

(5) Except for those pollutants that are required to be measured by grab samples, all other pollutants will be measured by flow-proportional sampling unless justification for an alternate sampling type, representative of the discharge, is documented in the industrial user file. The Industrial User shall bear the cost of any and all Control authority sampling that is done for flow-proportional sampling requirements.

(6) Multiple grab samples collected during a twenty-four hour period may be composited prior to the analysis as follows: for hexavalent chromium, cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; volatile organics and oil and grease samples may be composited in the laboratory. Protocols, including appropriate preservation, specified in 40 C.F.R. 136 and appropriate U.S. EPA guidelines shall be followed.

(7) The control authority may now require an industrial user to install flow monitoring facilities, instruments, and recording devices to enable accurate measurement of flows as determined to be necessary and the Industrial user shall bear all costs of such requirements.

(8) If a violation is detected through sampling and analysis conducted by the control authority in lieu of the industrial user, the control authority shall perform the repeat sampling and analysis within thirty (30) days of becoming aware of the violation, unless it notifies the user of any violation and requires the user to perform the repeat sampling and analysis.

(B) *Discharge permit application.*

(1) It shall be unlawful to discharge industrial wastes into the POTW without first submitting a complete discharge permit application. Existing industrial users shall submit a discharge permit application within 90 days of the effective date of this chapter. New source dischargers shall file a discharge permit application at least 90 days before connecting to or commencing discharge to the POTW. The information on the application shall include the following:

- (a) Name and address of applicant.
- (b) A list of any environmental control permits held by the facility.
- (c) A description of operations, including the nature, rate of production and Standard Industrial Classification (SIC) of the operation(s). This description shall include a schematic process diagram which indicates the point(s) of discharge to the POTW.
- (d) Measured average daily and maximum flows of regulated process streams and other non-regulated streams.
- (e) Results of sampling and analysis of regulated pollutants from each regulated process. For pH, cyanide, total phenols, oil and grease, sulfide and volatile organics, a minimum of four grab samples must be analyzed. For all other pollutants a minimum of one 24-hour flow-proportional composite sample must be obtained. Samples shall be taken immediately downstream of pretreatment facilities if they exist or immediately downstream of regulated processes if no pretreatment facilities exist. The samples shall be representative of the daily operation.
- (f) Raw materials utilized and their amounts.
- (g) Type and amount of product produced. For industrial users subject to equivalent mass or concentration limits established by the Superintendent, this report shall include a reasonable measure of the user's long term production rate. For industrial users subject to production based standards, this report shall include the user's actual production during the appropriate sampling period.
- (h) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this chapter, the discharger shall provide a declaration of the shortest schedule by which the discharge will provide additional pretreatment according to the conditions in § 51.18(H).
- (i) This report shall include the certification statement and shall be signed by an authorized representative of the discharger as defined in division (D) of this section.

(C) *Compliance reports.*

(1) Any industrial user subject to categorical pretreatment standards shall submit a report indicating whether the user has achieved compliance. This report is to be submitted to the Superintendent within 90 days following the date for final compliance with applicable categorical pretreatment standards or in the case of a new source discharger following commencement of the introduction of wastewater into the POTW. This report shall include the certification statement and shall be signed by an authorized representative of the discharger as defined in division (D) of this section. The following information shall be included.

(a) The average daily and maximum flows of regulated process streams and other non-regulated streams.

(b) Results of sampling and analysis of regulated pollutants from each regulated process. For pH, cyanide, total phenols, oil and grease, sulfide and volatile organics, a minimum of four grab samples must be analyzed. For all other pollutants a minimum of one 24-hour flow-proportional composite sample must be obtained. Samples shall be taken immediately downstream of pretreatment facilities if they exist or immediately downstream of regulated processes if no pretreatment facilities exist. The samples shall be representative of the daily operation.

(c) For industrial users subject to equivalent mass or concentration limits established by the Superintendent, this report shall include a reasonable measure of the user's long term production rate. For industrial users subject to production based standards, this report shall include the user's actual production during the appropriate sampling period.

(d) A statement indicating whether pretreatment standards are being met on a consistent basis, and if not, a statement indicating whether additional pretreatment or operation and maintenance will be required to meet the pretreatment standards.

(e) When determined to be necessary by [entity], the report shall also have attached all documentation establishing compliance with a BMP.

(2) (a) All industrial users shall submit periodic compliance reports indicating the nature and concentration of pollutants in their discharge. The frequency of reporting shall be prescribed in the industrial user's discharge permit.

(b) Results of sampling above the minimum required shall also be reported if analyses were conducted according to the methodology in divisions (A) of this section. Where the results of self-monitoring indicate a violation of pretreatment standards, the industrial user shall notify the Superintendent within 24 hours of becoming aware of the violation. The user shall also resample for the pollutant(s) in violation, and report the results of resampling within 30 days of becoming aware of the initial violation.

(c) These reports shall include the certification statement and be signed by an authorized representative of the discharger as defined in division (D) of this section.

(D) *Reports to be signed by authorized representative.*

(1) Baseline Monitoring Reports, 90-Day Compliance Reports and Periodic Compliance Reports must all be signed by an authorized representative. All reports required under this section shall include the following certification statement.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to

assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(2) Additionally, all reports shall be signed by:

- (a) A president, secretary, treasurer or vice-president of the corporation;
- (b) A general partner or proprietor if the industrial user is a partnership or sole proprietorship respectively; or,
- (c) A duly authorized representative of this section if the authorization is previously made in writing to the Superintendent.

In order to be eligible to sign, a manager is required to be authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and of initiating and directing other comprehensive measures, to assure long-term environmental compliance with environmental laws and regulations. The signatory must also be responsible for ensuring that the necessary systems are established or that the necessary actions are taken to gather complete and accurate information for control mechanism requirements. The signatory must be assigned or delegated the authority to sign documents in accordance with corporate procedures and meet the rule specifications as described in OAC 3745-306-6 Signatory Requirements.

For a violation of this section, see Section 51.99 Penalty.

§ 51.57 WASTEWATER DISCHARGE PERMITS.

Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits may contain the following:

- (A) Limits on wastewater constituents and characteristics;
- (B) Limits on the rate and time of discharge or requirements for flow regulations and equalization;
- (C) Requirements for installation and maintenance of inspection and sampling facilities;
- (D) Monitoring and reporting requirements;

- (E) Schedule of compliance;
- (F) Notification requirements for accidental discharges, upsets and substantial changes in discharge; and
- (G) Other conditions as deemed appropriate by the city to ensure compliance with this chapter.
- (H) Provisions for Best Management Practices as an enforceable limit.
- (I) Requirements to control Slug Discharges, if determined by the Superintendent to be necessary.

If a slug load discharge control plan is determined to be required, the plan must be specifically referenced or otherwise incorporated into the IU's control mechanism permit. The review period for slug discharge control plans shall be once per permit cycle. If the POTW decides that a slug plan is needed, the plan shall, at a minimum, contain the following elements:

- (i) description of discharge practices, including non-routine batch discharges;
- (ii) description of stored chemicals;
- (iii) procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under paragraph (B) or rule 3745-3-04 of the Ohio Administrative Code, with procedures for follow-up written notification within five days; and
- (iv) if necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of wastewater discharge, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), or measures and equipment for emergency response.

(J) Each user must notify the Superintendent of any significant changes to the user's operations or system that affects the potential of a slug discharge, which might alter the nature, quality, or volume of its wastewater at least thirty (30) calendar days before the change.

SECTION 2. All other sections of Chapter 51 of the Piqua Municipal Code not amended herein shall remain in effect as is.

SECTION 3. This Ordinance is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua and so that the City of Piqua may be in compliance with and follow state and federal changes already in effect.

THOMAS D. HUDSON, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CITY COMMISSION CLERK

RESOLUTION NO. R-34-09

**A RESOLUTION RETAINING THE SERVICES OF MCGOHAN BRABENDER
TO PROVIDE HEALTH INSURANCE CONSULTING SERVICES FOR THE
CITY OF PIQUA**

WHEREAS, proposals were requested according to City Ordinance Section 34.17 for professional services for the City's health insurance consulting services; and

WHEREAS, after proper solicitation, four proposals were received and reviewed by the City of Piqua's Health Insurance Committee resulting in the recommendation that the City retain McGohan Brabender as the City's health insurance consultants.

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: McGohan Brabender is hereby retained by the City of Piqua for health insurance consulting services.

SEC. 2: For such services, McGohan Brabender's consulting fees are \$2500.00 per month.

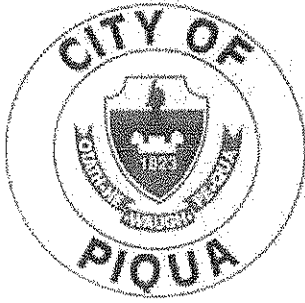
SEC. 3: The Finance Director is authorized to draw her warrant on the appropriate account of the city treasury from time to time in payment for said services rendered.

SEC. 4: 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



HUMAN RESOURCES DEPARTMENT

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

April 7, 2009

MEMORANDUM

To: Frederick E. Enderle, City Manager

From: Elaine G. Barton, Human Resources Director

Re: Request for legislation - Health Insurance Consultant

The City issued a request for proposal (RFP) in February 2009, as has been our practice to review consulting services on an annual basis. On March 11, 2009, the City's Health Insurance Committee reviewed four (4) proposals submitted in response to our RFP with regard to health insurance consulting services. A list of those companies that responded is attached to this memorandum.

Of the four proposals received, the Health Insurance Committee decided to invite AON Consulting to interview with us, as they were comparable in their price quote and were a first-time responder. Wells Fargo was also a first-time responder but their quote was 32% higher than the next closest quote. After hearing the presentation by AON Consulting, the Health Insurance Committee overwhelmingly recommended that the City retain McGohan Brabender as the health insurance consultant. McGohan Brabender has served the City in this role for almost three years and has provided excellent service.

McGohan Brabender represents the communities that surround the City of Piqua including Sidney, Troy, Covington, West Milton, Tipp City, and Vandalia. They also represent the City of Dayton as well as numerous communities south of Dayton. McGohan Brabender's representation of these other communities allows us insight into strategies being utilized by others to maintain affordable health care coverage for both the employer and the employees.

In 2008, McGohan Brabender negotiated our rate with Medical Mutual of Ohio from an 18% increase to a 15% increase thus saving the City over \$38,000 per year that more than paid the consulting fee for the year.

April 7, 2009
Page Two

McGohan Brabender's fee to provide health insurance consulting services is \$2,500 per month. As this amount will exceed the \$25,000 limit, I would request that the Commission consider adopting legislation retaining McGohan Brabender as the City's health insurance consultant. This amount (\$30,000) is budgeted for in the health insurance fund.

Mike Suttman, Vice President and Partner with McGohan Brabender, will be in attendance at the April 20th City Commission meeting if there should be any questions.

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

Attachment



Health Insurance Consultants
Comparisons
March 11, 2009

Name of Firm	Location	Team members	Fee
AON Consulting	Columbus, Ohio	Gary Van Arsdale plus 6 others	\$38,000
McGohan Brabender	Dayton, Ohio	Mike Suttman plus 6 others	\$2500 per month (\$30,000)
USI Insurance	Cincinnati, Ohio	David Rinderle plus 2 others	\$27,900 (two year contract)
Wells Fargo	Dayton, Ohio	Renee Franz plus 3 others	\$50,000

City of Piqua

Request for Proposal – Health Insurance Consultant Services

The City of Piqua invites you to submit a proposal to provide professional consulting services for exploring alternatives to the City's current health insurance coverage.

BACKGROUND

The City of Piqua, Ohio is a full service city located 25 miles north of Dayton in Miami County on Interstate 75. The City employs 201 full-time employees, 2 part-time employees, and approximately 60 seasonal employees. Only full-time employees who work 40 hours or more per week are eligible for health insurance. Currently, the City has 182 employees covered by health insurance. Of this number, 155 are family enrollments and 27 are single enrollments. The City's current health insurance plan is a high deductible plan with either a health savings account or a health reimbursement account that are partially funded by the City.

A Health Insurance Committee consisting of union, non-union, and management employees is exploring this issue in a more comprehensive manner.

SCOPE OF SERVICES

The City of Piqua is seeking an insurance consultant who will provide the following services:

1. Work with and help educate the Employee Health Insurance Committee on current health insurance issues and trends.
2. Assist in review of current benefit schedule, help identify a full range of options, and make recommendations concerning revision of those benefits.
3. Propose a comprehensive, affordable health care strategy for the City's full-time employees.
4. Help prepare a request for proposals for health insurance coverage, coordinate and participate in the review and advise the city in the review of proposals submitted.
5. Represent the City in negotiations with health insurance providers
6. Provide consultation with regard to the short-term and long-term needs of the City and the employees.
7. Work with the Employee Health Insurance Committee to enhance the newly formed wellness program

Each proposer shall submit a response to the information requested below and number such responses accordingly:

- ## SELECTION PROCEDURE

- Proposal Submittal Deadline March 3, 2009
- Evaluation and Selection week of March 9, 2009

The following criteria shall be utilized in selecting the top candidates for this service:

- * Consultant should demonstrate a comprehensive understanding of health insurance options available. Demonstrated an ability and willingness to be innovative and explore nontraditional solutions to providing quality, affordable health care coverage.

Please submit thirteen (13) copies of the proposal no later than March 3, 2009 at the following location:

City of Piqua
Human Resources Department
201 West Water Street
Piqua, Ohio 45356

Please note: Proposals must be marked on the outside of the envelope, Medical Health Insurance Consulting Services Proposal.

All proposals will be thoroughly evaluated on the basis of relevant experience and proven track record.

If you have any questions or need additional information regarding this Request For Proposal, please feel free to contact my office at (937) 778-2053.
Sincerely,

Elaine G. Barton
Human Resources Director

Note:

The City of Piqua anticipates that the consultant chosen will negotiate directly with the insurance companies on behalf of the City. Therefore, we do not anticipate that the City will also be using a broker for this service.

CITY OF PIQUA
REQUEST FOR PROPOSAL – HEALTH INSURANCE CONSULTANT SERVICES

Response to: Scope of Work
Submitted by: Mike Suttman, McGohan Brabender
March, 2009

The following are responses and comments to the items listed in the formal Request for Proposal received from the City of Piqua Director of Human Resources.

Scope of Services

1.) Work with and help educate the Employee Health Insurance Committee on current health insurance issues and trends.

McGohan Brabender has a long history of working with Insurance Committees, particularly with public employers with collective bargaining units. In 2006 The City of Piqua made a significant change to your approach to delivering medical insurance benefits to your employees (changing to a Consumer Driven Healthcare or CDH plan). That change, while financially beneficial to both employees and the City, must continue to mature to maintain the financial promise of 2006. In the coming year, we believe our focus should be to push the insurance committee to review and promote the most appropriate next steps for “evolving” the CDH plan.

Specifically, we believe it most appropriate to concentrate on two objectives:

- First, is to focus on continued development of the aptitude of your employees when it comes to successfully utilizing a consumer driven plan when seeking healthcare. That is, we should help them make appropriate decisions about: what healthcare they seek; where the healthcare is delivered; what price they pay (and alternative costs); and, how to best take advantage of the Health Savings Accounts both from a tax perspective and a overall budget for their healthcare dollar.
- The second objective should be to continue to build awareness of the benefits of the H.I.P. (Health In Piqua) program. When it comes to wellness programs two things are universally accepted; 1.) The healthier your insured population the better your long-term cost; and, 2.) It is a slow and gradual process to change the culture and eventually the behaviors of your workforce and their family members. Details of our objectives are with regard to wellness initiatives are provided in #7.

Finally, I would like to see the process be more inclusive of employee/insurance committee member feedback about successes and hardships in using the CDH plan design. We could conduct an employee survey to solicit feedback about where we should concentrate our efforts.

Response to: Scope of Work continued

Submitted by: Mike Suttman, McGohan Brabender

March, 2009

2.) Assist in review of current benefit schedule, help identify a full range of options, and make recommendations concerning revision of those benefits.

It would be our intent to again conduct a full market review of the City of Piqua benefit plans for 2009. This service speaks to the very nature of what insurance brokers/consultants are asked to do. This review would include all viable carriers and all viable funding arrangements. The change in carriers to Medical Mutual of Ohio in 2008 brought more stability to the administration of the health plan and a greater employee appreciation of the HSA program.

With regards to plan design in addition to what we may learn from an employee survey the two most compelling areas of concentration are:

- We should entertain a discussion about the advantages and disadvantages of offering the Health Savings Account (HSA) as an exclusive option rather than as a dual choice between HSA and Health Reimbursement Account (HRA).
- A decision about whether or not we want to more closely integrate wellness plan initiatives to our medical plan. That is, do we want to pursue a cultural change towards wellness throughout the City of Piqua? Is it who you are? Is it supported by the decision makers? Can it be agreed to by the collectively bargained groups? In short, we need to determine to what extent wellness is a part of the future medical plan and the appetite of the City to drive such a change.

McGohan Brabender has a wealth of experience in this area. We currently represent more than 1,200 employers in S.W. Ohio, including nearly 50 public employers such as cities, counties and other municipalities as well as both public and private schools. All of these relationships require that we be proficient in reviewing current benefit plans, including funding options, and recommending appropriate changes given each individual clients' circumstances.

3.) Propose a comprehensive, affordable health care strategy for the City's full-time employees.

In addition to the "strategy" discussed in the plan design suggestions in the previous question we should begin to discuss what the City is able to commit to financially over the next 2-4 years. Once the financial target is understood McGohan Brabender can lay out the various ways you can achieve those goals. The great unknown in planning beyond the next 12 months is plan claim utilization and subsequent renewal rate increases.

Based on the change in carrier implemented in 2008 it is now more appropriate to regularly review the most recent 12 months of claims to project the next years renewal rate and the corresponding actions required to meet budget. To that end, it is our intention to review the claims utilization reporting package and the renewal projection formula with both The City of Piqua and Medical Mutual. Our intention is to create a satisfactory method and timeline for tracking plan performance and agree to a set of measurements which will allow the City of Piqua to easily measure plan performance.

*Response to: Scope of Work continued
Submitted by: Mike Suttman, McGohan Brabender
March, 2009*

All of our analysis is developed under the broader scope of cost effectiveness for all benefit purchases. The foundation of all our cost discussions continues to be a presentation discussing the "6 Approaches to Cost Saving Strategies". This is designed to identify the most appropriate approach to creating savings for each individual client. Even more importantly, it aides in identifying strategies which do not fit the employer's circumstance or philosophy. By eliminating inappropriate strategies early in the process we are able to devote the committee's time and energy to those strategies holding the greatest opportunity.

4.) Help prepare a request for proposals for health insurance coverage, coordinate and participate in the review and advise the City in the review of proposals submitted.

Part of the early work with the insurance committee is devoted to an explanation of what information is necessary to successfully prepare a market analysis of your group. Included in this analysis is a variety of Insurance Companies, Third Party Administrators (including specialty vendors like COBRA Administrator or Medical Reimbursement Plan Vendors), Preferred Provider Networks, Stop Loss Insurance Carriers, and outside administrators for each of your benefit plans.

5.) Represent the City in negotiations with health insurance providers.

As a result of our market presence McGohan Brabender enjoys strong relationships with all viable insurance providers in this market. McGohan Brabender often serves on many of the insurance providers' insurance advisory boards. This enables us to anticipate changes in the insurance marketplace before they are announced or introduced in the marketplace.

Finally, McGohan Brabender is often given access to insurance carrier personnel to facilitate solving our clients' problems in the quickest and easiest manner. McGohan Brabender has an internal Customer Care unit dedicated to helping both plan administrators and employees with things such as billing or enrollment issues, claims or benefit questions.

6.) Provide consultation with regard to the short-term and long-term needs of the City and the employees.

It has been our experience that many employers spend much of their time in a reactive mode when it comes to their medical insurance. This is often a result of poor long term planning. It is evident to us that failure to have specific identifiable long term goals creates an environment that prevents employers from managing their plan effectively in the short term.

We would work with the insurance committee at the City of Piqua to establish appropriate goals for both the short term and the long term. As we touched on briefly in our answer to question number 3 it is our hope that the City of Piqua would identify their financial goals/constraints for the coming 2-4 year period and we would help identify the most appropriate approach to reaching them. This will enable us to work on a more proactive basis whenever possible and allow for the committee to give appropriate consideration to all major decisions.

As the most recent 12 months have proven, no matter what short or long term goals you may make it is important that we be able to respond quickly when circumstances require us to do so.

City of Piqua 2009 RFP

Response to: Scope of Work continued

Submitted by: Mike Suttman, McGohan Brabender

March, 2009

7.) Continue to Work with the Employee Health Insurance Committee and the Wellness Committee

Assisting clients with wellness programs has been an area of significant internal development within the McGohan Brabender organization over the past several years. In fact, the City of Piqua has experienced some of our capabilities firsthand when working with our Wellness coordinator, Heather Bailey, to help establish the H.I.P. – Health in Piqua logo and agenda.

This year we have begun to beta test our latest wellness initiative program, WellVibe. It is currently targeted to be available for customers as early as January 1, 2010. The intent of WellVibe is to create a platform for integrating homegrown Wellness programs with existing medical insurance plans, especially Consumer Driven Healthcare designs. The Well Vibe program is designed to create incentives for employees to begin to take some small steps toward healthier behavior. It is designed to be customizable and scalable to any employer's wellness goals. We would welcome the opportunity to present the Well Vibe concept to your insurance committee whenever you are ready to hear about it. There is a "coming soon" brochure regarding the Well Vibe program included in this proposal response binder.

Typically, as part of our standard compensation we are able to assist employers in creating their own wellness programs, establishing goals and measurements for both the short and long term and providing periodic guidance when needed. This is usually done in a couple of meetings led by our McGohan Brabender wellness coordinator.

For those clients with greater needs we can also provide a proposal for more extensive and ongoing involvement, which may or may not have additional cost. The level of involvement of McGohan Brabender resources for your wellness program, hard costs for wellness programs and impact to your medical plan costs are just a few of the factors we consider when determining how much assistance we can provide without incurring any additional expense. If we were selected to continue as the consultant for the City of Piqua it would be my intention to have discussions and receive the City's approval before you incurred any additional cost.

City of Piqua 2009 RFP

Response to: Scope of Work continued:

Submitted by: Mike Suttman, McGohan Brabender

March, 2009

McGohan Brabender has a primary set of services we present as services available to employers and are tailored to meet individual client's needs.

In addition, we have the ability to include additional or optional services on an "as needed" basis. These optional services typically require additional compensation outside our normal brokerage / consulting fees.

Primary Brokerage and Consulting Services

- ✓ Meet with City of Piqua representatives and/or insurance committee members to determine objectives for life, disability, dental and medical/drug plans. Establish a timeline for completing projects related to objectives.
- ✓ Complete an assessment of current benefit plans. Assessment to include cost/benefit analysis of plan design; carrier/vendor cost; etc. The assessment will also include recommendations for plan revisions and industry "benchmark" data or "comparison to norms" data. Provide the City of Piqua with a report summarizing results of assessment.
- ✓ Develop streamlined reporting for medical/drug, dental, life and disability plans. Reporting to be provided based on a schedule dictated by the City of Piqua.
- ✓ Meet on a quarterly basis with the City of Piqua representatives to review financial performance of plans. During quarterly meetings, discuss current trends, plan revisions and new programs that will help control benefit expenditures.
- ✓ Negotiate annual carrier/vendor renewals for life, disability, dental and medical/drug plans.
- ✓ Complete market review/bid process to insure life, disability, dental and medical/drug plans are benefit and cost competitive.
- ✓ Provide a report summarizing renewal and market review activity for all plans. Target date for delivery of renewal/market review report would be 120 days prior to renewal date or based on time frames established by the City of Piqua.
- ✓ Assist with the City of Piqua's annual budgeting process for all plans. Assist in the development of employer and employee contribution levels for all plans.
- ✓ Provide "advocacy" services for the City of Piqua HR/Benefit Representatives and the City of Piqua employees when administrative, billing or claim issues surface via MB Customer Care Team.
- ✓ Continue to work with and assist the City of Piqua Wellness Committee with future Wellness programs

City of Piqua 2009 RFP

Response to: Scope of Work continued

Submitted by: Mike Suttman, McGohan Brabender

March, 2009

- ✓ Assist with annual enrollment process.
 - Develop communications materials (paper or electronic benefit summaries; etc.).
 - Attend or facilitate annual enrollment/informational meetings.

- ✓ Provide ongoing communications materials/publications:
 - Benefits Insider (Employer Communication)
 - Worksite Posters
 - EMbrace (Employee Communication tool)
 - Flash Updates

- ✓ Provide consulting support for “in-house” or self-administered COBRA and/or Section 125 FSA programs.

- ✓ Provide access to “Simply HR”

- ✓ Provide access to The Learning Center.

Optional Brokerage and Consulting Services

- ✓ Access to My MBLink Communications and “On-Line” Enrollment.
- ✓ Access to on-going legal/compliance support (via Paul Roufh, Attorney at Law)
- ✓ Produce benefit videos for open enrollment and or new hires
- ✓ Provide benefit individualized customized Benefit Statements for each employee
- ✓ Provide ongoing leadership role for the City of Piqua’s wellness committee

**The City of Piqua – 2009 RFP
HEALTH INSURANCE CONSULTANT SERVICES PROPOSAL
MARCH 2009**

Note: McGohan Brabender considers many factors when pricing our services including the scope of services needed by the client, role of McGohan Brabender with insurance committees, lines of coverage to be managed, plan designs etc.

Cost for Proposed Brokerage and Consulting Services

“Primary” Brokerage/Consulting/Communication Services:

Option #1 Annual Fees (billed at a monthly rate of \$2,500)	\$30,000
Option #2* Annual Fees (billed at a monthly rate of \$2,083) Plus Qualified Carrier Bonuses, Expense Reimbursements and/or Override Compensation for which MB is eligible. (Disclosure to The City of Piqua as requested)	\$24,996 + Other Carrier Compensation
Simply HR (HR online portal)	Included

“Optional” Brokerage/Consulting/Communication Services:

	<u>First Year</u>	<u>Est. Second Year</u>
1) My MB Link - Employee Communication site	TBD	TBD
2) My MB Link - On-Line Enrollment	TBD	TBD
3) Well Vibe – Wellness Tracking Software	TBD	TBD
4) Compensation and Benefit Statements	\$3,195	
	(Assumes 213 employees @ \$15.00 per employee- one-time)	
5) COBRA administrative/consulting support	Cost to be determined upon identification of service needs.	

** This alternative arrangement (Option #2) would permit McGohan Brabender to accept payments, legally defined as “Other Compensation” by the State of Ohio, which we are otherwise qualified to receive in addition to the monthly fees charged by McGohan Brabender. These fees include bonuses, overrides, expense reimbursement payments which are generally not included in the rate build for the carrier.*

RESOLUTION NO. R-35-09

**A RESOLUTION AUTHORIZING APPLICATION TO THE UNITED STATES DEPARTMENT
OF JUSTICE, OFFICE OF JUSTICE PROGRAMS FOR FUNDING THROUGH THE
RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)
FORMULA PROGRAM: LOCAL SOLICITATION**

WHEREAS, The U.S. Department of Justice, Office of Justice Programs (OJP) Bureau of Justice Assistance (BJA) administers financial assistance for local law enforcement to improve the functioning of the criminal justice system through the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation.

WHEREAS, The City of Piqua is eligible to apply for an individual allocation of \$27,017 under this program; and,

WHEREAS, based on principles of disparate allocation, to be eligible for the above individual allocation, the City of Piqua must enter into agreement with Miami County, Ohio for a total eligible joint allocation of \$42,050 to a single fiscal agent; and,

WHEREAS, it is in the best interest of the City to participate in the JAG Formula Program during the Fiscal-Year 2009;

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

SEC. 1: The City Manager hereby approves the filing of an application for financial assistance.

SEC. 2: That the City Manager, Frederick E. Enderle, is authorized and directed to execute and file an application with the Office of Justice Programs and to provide all information and documentation required to become eligible for possible funding assistance and to act as the fiscal agent for the entire joint allocation under this program.

SEC. 3: That the City Manager, Frederick E. Enderle, is authorized and directed to enter into a memorandum of understanding with Miami County, Ohio to become eligible for the joint allocation of this possible funding assistance.

SEC. 4: That the City of Piqua does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the JAG Formula Program.

SEC. 5: 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

APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION	3. DATE RECEIVED BY STATE		State Application Identifier
Application Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier
Preapplication Non-Construction			
5. APPLICANT INFORMATION			
Legal Name		Organizational Unit	
City of Piqua		Police Department	
Address 100 N. Wayne St. Piqua, Ohio 45356-2226		Name and telephone number of the person to be contacted on matters involving this application Jamison, Bruce (937) 778-2027	
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 31-6000136		7. TYPE OF APPLICANT Municipal	
8. TYPE OF APPLICATION New		9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.804 CFDA 16.804 - Recovery Act - Justice Assistance Grants - TITLE: Localities		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT Laptop and cruiser technology for enhancement of law enforcement safety and communications.	
12. AREAS AFFECTED BY PROJECT City of Piqua and Miami County, Ohio			
13. PROPOSED PROJECT Start Date: July 01, 2009 End Date: December 31, 2009		14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project OH08	
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal	\$42,050	Program is not covered by E.O. 12372	
Applicant	\$0		
State	\$0		
Local	\$0		

Other	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? N
Program Income	\$0	
TOTAL	\$42,050	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		

Close Window

Program Narrative (Attachment 1)

Problem Statement

Currently, laptop computers are used in marked law enforcement cruisers in Miami County. The laptops are used by deputies and officers to receive dispatch calls and information from our county-wide central dispatch center. Additionally, the laptops are utilized to transmit and receive L.E.A.D.S. data, G.P.S. data for crash scene locations on the Ohio crash report (OH-1), and mobile reporting of criminal/incident reports from the patrol car which is in compliance with the Ohio Incident-Based Reporting System (O.I.B.R.S.). Law enforcement agencies also utilize wireless technology to enable the officers and deputies to access the Internet for the Ohio Law Enforcement Gateway (O.H.L.E.G.) and other criminal justice related websites to better enable them to investigate crime all from the confines of the patrol car. Miami County is also in the process of mapping the county digitally in cooperation with the Miami County Communications Center. When this is complete digital mapping data will be available to law enforcement officers from the communication center via the laptop.

Many of the laptops that are currently being utilized are in excess of 6 years old and are showing their wear which is evidence by hard drive failures, screen failures, and other mechanical failures. Additionally, within the next 12 months the Miami County 911 Communications Center will be completing a several million-dollar upgrade of its infrastructure with regards to C.A.D. and radio communication. Due to this upgrade we have been informed that many current laptop computer's operating systems will be obsolete and not useable with the new radio and data systems upgrades. Further, the current laptop computers will not support the new operating system needed for interoperability with the upgraded dispatch center. Additionally, the current records management system will also cease to be utilized once the upgrades are complete. As such, we are currently speaking with private vendors as sources of a new records management system. By keeping laptops in all marked cruisers it will continue to save time/man hours and keep deputies out of the field instead of coming into headquarters.

Due to the above reasons we will need to replace at least 17 laptop computers within the next 12 months. We are currently seeking any manner of funding to assist in replacement of the laptops as Miami County and the City of Piqua, like all local governments, is experiencing tight budgets due to the downturn of the economy.

The public has also come to expect visual recordings of law enforcement contact, especially "cruiser cams." The evidence obtained from these recordings frequently aids investigation of crimes and allegations of police misconduct.

The in-car camera systems in most Piqua Police Department cruisers are over 10 years old and use VHS technology. The systems and tapes frequently fail, and storage has become a challenge. We currently transfer all tapes over to DVD. During the transfer process, we occasionally discover problems with the function of the equipment, which makes the transfer impossible or the recording unusable.

As part of this technology update program, we are including a project that will replace one in-car camera system with a direct-to-DVS system. If awarded the funds, the economic benefits discussed with the laptop project will also apply to in-car camera replacement.

Project Description

The City of Piqua will serve as fiscal agent for this program. All applicable purchasing and audit procedures will be followed. The Piqua Police Department and the Miami County Sheriff's Office will work together to determine specifications for the laptops, and the Piqua Police Department will handle the specifications for the in-car camera system.

When the equipment is received by the City of Piqua, the Miami County Sheriff's Office will be notified and they will coordinate installation of the laptops into their cruisers, and notify the Piqua Police Department when satisfactory installation is complete. The Piqua Police Department uses the same installer, and will independently coordinate installation of those laptops and the in-car camera system. The City of Piqua will render payment to the installer upon notification of completion of these installations.

The budget and budget narrative included in this application includes the necessary laptops, docking stations, software, hardware, and a service warranty.

By replacing cruiser laptop computers we will enable deputies to continue to save man hours by working from their cars and remaining in the field versus coming to headquarters to perform paperwork and other investigative functions. The laptops will enable data communication with the communications center, L.E.A.D.S. access, access to the county's digital mapping, G.P.S. access for Ohio crash reports, and will interact with an O.I.B.R.S. records management system. Additionally, we will continue to utilize wireless technology to enable deputies to access the Internet for access to the O.H.L.E.G. and other criminal justice related websites or websites in general that would aid in criminal investigations. We estimate that there is a man hour savings of two (2) hours per deputy/officer utilizing a laptop computer in a cruiser as the officer/deputy does not have to go on station to complete paperwork and other tasks and remains in the field. Thus, seven laptops in three cruisers shared among fourteen law enforcement officers would save a total of approximately 2 hours per shift. The aforementioned reasons show how critical it is for the Miami County Sheriff's Office to continue to have laptop computers in marked cruisers.

Both jurisdictions are experiencing decreasing tax revenues. While neither has needed to institute any lay-offs, positions are not being filled when they become vacant. These positions are located throughout the same general funds that support the law enforcement agencies that would benefit from this award. There will be benefits to these general funds that are difficult to measure, but some measurables are defined in the project objectives detailed below.

Project Objectives

OBJECTIVE ONE:

This project will enable seven cruisers in Miami County to be outfitted with new laptop computers enabling state of the art communication with L.E.A.D.S., Internet access (O.H.L.E.G.), O.I.B.R.S. compliant R.M.S., mapping, and G.P.S. The seven cruisers are shared among fourteen law enforcement officers in two agencies, thus the seven laptop computers would benefit a total of fourteen law enforcement officers deputies saving an estimated two (2) hours per shift per officer.

OBJECTIVE TWO:

This project will also enable the seven Miami County cruisers to effectively communicate data (dispatch information – C.A.D.) with the county central dispatch center, which is currently undergoing upgrades making the old laptop's operating systems obsolete with the new system. Funding must be found to bring the old laptops up-to-date, and this need for funds may compete with funds currently being used to retain officers, deputies, and dispatchers, thus preserving jobs.

The number of jobs preserved will be measured during the first three months of this program, as we compare the impact of decreasing tax revenues on the personnel-related budget line items. We will also seek information from vendors selected to determine the impact our order makes on their staffing levels, for both sales and production of this equipment. This may include preserving jobs or creating jobs in order to complete our orders.

OBJECTIVE THREE:

The installation of an in-car camera to a Piqua Police cruiser will provide for reliable recording of significant events previously lost due to equipment malfunctions and errors in current VHS to disk transfer techniques. This objective will be measured by determining the number of hours of recordings preserved with the new equipment.

Timeline of Activities

Both projects within this program can be completed within six months of the award, if received. Proper City of Piqua bidding and purchasing procedures will be followed to place the orders within sixty-days of notification of the award. It is practical to expect delivery of the items within the following sixty days. We would then use the same installer to complete installation of all laptops and the in-car camera no later than sixty days following receipt of the equipment. Upon completion of these installations, the goals and objectives of this program will be completed.

The ability to start and complete these projects expeditiously will maximize job retention and economic benefits, especially as we endeavor to favor local sales and installation businesses.

Separation of Federal Funding

Budget Detail Worksheet

A. Personnel

Name/Position	Computation	Cost
n/a		
		Sub-Total

B. Fringe Benefits

Name/Position	Computation	Cost
n/a		
		Sub-Total

C. Travel

n/a		
-----	--	--

D. Equipment

Item	Computation	Cost
Ruggedized Laptops and software	7 @ \$4260	\$ 29,820.00
Cruiser docking stations	7 @ \$750	\$ 5,250.00
In-Car Camera	1 @ \$6000	\$ 6,000.00
		Total \$ 41,070.00

The Miami County Sheriff's Office and the Piqua Police Department propose the purchase of ruggedized notebook computers to continue the update process of all laptop computers that are currently in service in marked Sheriff's and police cruisers. The upgraded operating system in the new laptops will enable data communications with the upgraded dispatch center. The budget for the seven laptops includes all docking stations, software, hardware, and a service warranty. Additionally, the Piqua Police Department is in the process of converting outdated (and frequently unusable) VHS in-car cameras to a digital system. One additional in-car camera system will be purchased if these funds are allocated.

E. Supplies

Supply Items	Computation	Cost
		Total

F. Construction

Purpose	Description of Work	Cost
n/a		
		Total

G. Consultants/Contracts

Consultant Fees		
n/a		
		Sub-Total

Consultant Expenses

n/a		
		Sub-Total

Contracts

n/a		
	<i>Sub-Total</i>	
	Total	

H. Other Costs		
Description	Computation	Cost
Installation labor, 2 hours per laptop	14 hours @ \$80	\$ 1,120.00
	Total	\$ 1,120.00
Narrative: Professional installation will be necessary since the docking stations are likely to need to be changed to match the configuration of new laptops. Piqua Police Department will cover any costs related to installation of the in-car camera that are over and above any allocated funds from this program.		

I. Indirect Costs		
Description	Computation	Cost
	Total	

Budget Summary

Budget Category	Amount
A. Personnel	\$ -
B. Fringe Benefits	\$ -
C. Travel	\$ -
D. Equipment	\$ 41,070.00
E. Supplies	\$ -
F. Construction	\$ -
G. Consultants/Contracts	\$ -
H. Other Costs	\$ 1,120.00
Total Direct Costs	\$ 42,190.00
I. Indirect Costs	\$ -
Total Project Costs	\$ 42,190.00

Federal Request	\$ 42,050.00
Non-Federal Amount	

Review Narrative (Attachment 3)

This narrative will be completed prior to submission of the grant application. It will include information that is not available as the application is being prepared for governing body and public review, including:

- The date the JAG application is made available for review by the applicant's governing body. This governing body notification must occur no less than 30 days before submission to BJA.
- A state explaining that the application was made public and then, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and neighborhood or community organizations.
- The completed Memorandum of Understanding (MOU), executed and signed by each jurisdictions' Authorized Representative, outlining each jurisdictions allocation and indicating which jurisdiction is serving as the applicant/fiscal agent for the joint funds.

Abstract (Attachment 4)

Applicant Name: City of Piqua, Ohio

Project Title: Cruiser Technology Enhancement

Project Goals:

- 1) Replace obsolete, worn law enforcement equipment.
- 2) Preserve and retain jobs supported by the general funds of the two jurisdictions involved and in private businesses that will be utilized to provide and install equipment.

Strategies:

- 1) Upgrade laptop computer installations in seven cruisers owned by two different law enforcement agencies in Miami County, Ohio.
- 2) Upgrade one in-cruiser camera system.
- 3) Preserve and retain jobs supported by the general funds of the two jurisdictions involved and in private businesses that will be utilized to provide and install equipment.

Major Deliverables:

- 1) Seven new cruiser laptops.
- 2) One in-car camera system.
- 3) Local outsourced installation
- 4) Use of in-house IT personnel.

Coordination Plans:

- 1) Cooperation toward common bid specifications by the Miami County Sheriff's Office and Piqua Police Department.
- 2) Purchasing and requisition by the City of Piqua.
- 3) Installation labor performed at local business and coordinated by each agency.