

**REGULAR PIQUA CITY COMMISSION MEETING  
TUESDAY, JULY 5, 2011  
7:30 P.M. – COMMISSION CHAMBER – 2<sup>nd</sup> FLOOR  
201 WEST WATER STREET  
PIQUA, OHIO 45356**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**REGULAR CITY COMMISSION MEETING**

**RESIDENCE PRIDE AWARDS**

- |                         |                            |
|-------------------------|----------------------------|
| ➤ 924 Young Street      | John & Linda Brinkman      |
| ➤ 903 Washington Avenue | Vic & Pam Brockman         |
| ➤ 635 Boone Street      | Mr. & Mrs. Fernie Curtis   |
| ➤ 720 W. Ash Street     | LeAnn & Mark Niblick       |
| ➤ 932 W. North Street   | Nicholas & Bonnie Gigandet |

**A. CONSENT AGENDA**

a. APPROVAL OF MINUTES

Approval of the minutes from the June 2, 2011 Piqua City Commission Worksession and the June 21, 2011 Regular Piqua City Commission Meeting

**B. OLD BUSINESS**

a. ORD. NO. 5-11 (2<sup>nd</sup> Reading)

An Ordinance amending Sections 52.01, 52.21, 53.06 and 51.81 of the Piqua Code relating to Municipal Utilities General Service Regulations

b. RES. NO. R-75 –11 (Tabled 6/21/2011)

A Resolution approving the Community Development Block Grant Formula Allocation Program Application for Fiscal -Year 2011

**C. NEW BUSINESS**

a. ORD. NO. 6-11 (1<sup>st</sup> Reading)

An Ordinance authorizing the submission of a proposed amendment to Piqua Charter Sections 120, 122, 125 and 127 The Recall

b. RES. NO. R-80-11

A Resolution accepting the resignation of Karen Schultz as a member of the Community Diversity Committee

- c. RES. NO. R-81-11  
A Resolution awarding a contract to Sulzer Turbo Services for Emergency Repairs to #8 Gas Turbine
- d. RES. NO. R-82-11  
A Resolution awarding contracts to Emerson Process Management and ProEnergy Services for gas turbine planned maintenance
- e. RES. NO. R-83-11  
A Resolution awarding a contract to Star Ex., Inc. for the Power System Service Center early site work project
- f. RES. NO. R-84-11  
A Resolution providing funds to the Piqua Improvement Corporation as required by the Clean Ohio Council for participation in the Clean Ohio Revitalization Fund Program and certifying that funds are available for such purpose and rescinding Resolution No. R-79-11

**D. OTHER**

- a. Monthly Reports – May 2011

**E. ADJOURNMENT TO EXECUTIVE SESSION**

- a. To consider the appointment, employment, dismissal, discipline or compensation of the City Manager
- b. To consider the purchase or sale of property for public purposes

**F. ADJOURN**

**MINUTES**  
**PIQUA CITY COMMISSION WORK SESSION**  
**June 2, 2011**  
**10:30 A.M.**  
**201 WEST WATER STREET**  
**PIQUA, OHIO 45356**

Piqua City Commission met in a Work Session at 10:30 A.M. in the Municipal Government Complex Administrative Conference Room, 201 W. Water Street. Mayor Fess called the meeting to order at 10:30 A.M. Also present were Commissioners Wilson and Martin. Absent: Vogt and Terry.

Residents in attendance included: Paul Stiefel, Bruce Hogston, Bill Hogston, Jim Cruse, Russ Fashner, Regina Favorite.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to excuse Commissioners Vogt and Terry. Voice vote, Aye: Martin, Fess, and Wilson. Nay: None. Motion carried unanimously.

Purpose of the Work Session is for Charter Revision Review.

Commissioner Martin asked if it would be possible to make copies of the information provided by the Law Director for the guests at the meeting so they could follow along?

Law Director Stacy Wall stated it is up to the Commission, but she felt this information was really an attorney work product and she would have to waive the client/attorney privilege to give this information out. But she was unable to do that, stating only the Commission can waive the privilege. Mayor Fess stated she did not have a problem with copies being made for the residents in attendance. Commissioner Wilson made a motion to waive the client/attorney privilege and make copies for the residents in attendance, and Commissioner Martin seconded the motion. Voice vote, Aye: Martin, Fess, and Wilson. Nay: None. Motion was unanimously carried. Copies were made of the summary sheets and passed out to those in attendance.

Ms. Wall stated the primary issue with the Charter Revisions is that making changes involves constitutional rights. Ms. Wall further stated she reviewed 154 charters on-line and handed out a summarized document to the Commissioners on the results of her findings. The summary was broken down into the following categories:

- When a recall may commence
- How many signatures are required for a recall petition
- Whether a reason is required for a recall
- Whether there is any provision for costs
- Any stipulation as to when a recall fails or if the member is recalled
- How a vacancy is filled

After reviewing the other cities charters Piqua's Charter seems to be in accordance with the Ohio Revised Code and other charters in the State regarding when a recall can be commenced, and what restrictions there may be if a recall election fails, stated Law Director Wall.

The discussion was broken down into categories reason and cost.

**Reason**

- Law Director review
- Clerk unable to verify signatures
- Law Director also unable to verify
- Need specific reasons for a recall

**Cost**

- Who pays for the recall
- It is unconstitutional for citizens to pay for recall
- City stuck with cost of paying for recall

Mayor Fess stated it sounds like the City of Piqua is where we should be on the Charter requirements after reviewing the information provided by Ms. Wall.

Ms. Wall explained she feels the Commissioner should be able to provide a statement of rebuttal for their recall, and feels the charter should be amended just in case all of the City Commissioners are recalled at the same time.

There was discussion concerning what would happen if no one ran against the Commissioner being recalled. Ms. Wall stated we need to make a change in the charter stating: If the majority of the commissioners lose in a recall the Planning Commission would function as City Commission, but expand it to state the Planning Commission could also make appointments to fill the City Commission seat until the next general election. The candidate would then run in the next general election.

Commissioner Wilson asked under reasons, who can review the reason for a recall if the Clerk or Law Director cannot review it, can the Planning Commission review the reason? Ms. Wall stated no the Planning Commission cannot review the reason. City Manager Enderle further stated the voters have the right to a recall.

Mayor Fess stated the only thing the Commission can do is to make a change in the charter to have a specific reason for a recall. Most of the other City Charters limit the reason to 200 words or less, and are allowed to provide a rebuttal of 200 words or less, stated Ms. Wall.

Commissioner Wilson stated he is concerned about the reason, and would like to see the need for a change at this time. City Manager Enderle stated to be more specific on the reason for the recall would make more sense.

Mayor Fess asked Ms. Wall to draft language for the need to have a specific reason for a recall and for the Planning Commission to move into place if a total recall of all the Commissioners should occur.

Ms. Wall stated other reasons to consider are allowing the Planning Commission to make an appointment to the end of the term or the Planning Commission to make an appointment until the next General Election. It was decided to have the Planning Commission make appointments until the next General Election.

Commissioner Martin asked about the time frame on the length of time the Board of Elections has to review the signatures and asked if we they could put a time limit on it. Ms. Wall stated the City couldn't put any time limit on the review because we do not have any authority over what the Board of Elections and the County does.

### **Public Comments**

Jim Cruse, voiced concern over several items, the Board of Elections waiting so long to verify the signatures, and Mr. Cruse feels the petitions need to have language written on them warning citizens if they sign the petition and they are not a registered voter they will be charged with criminal charges. Mr. Cruse was also concerned over the length of time the city sat on the recall petitions after receiving them as they were held until next Commission meeting before setting the date, Mr. Cruse feels they lost two weeks time they could have had to obtain signatures and should have called a Special Commission Meeting to set date.

City Manager Enderle stated the City Charter does not give 30 days to get the petitions signed, which is not the intent of the City Charter it states the petitions need to be in 30 days before the election. There was discussion on the number of days between setting the date and the date the petitions have to be submitted.

Russ Fashner voiced his opinion on the time frame of verifying the signatures. He would like to make sure they have a full 30 days to obtain signatures, and have them call a Special Commission Meeting to acknowledge the receipt of the petitions and set a date.

Mayor Fess asked Ms. Wall to draft language stating a Special Meeting will be held within one week following the verification of the petitions to set a Special meeting if the meeting does not fall with the next City Commission Meeting time frame or within three business days.

Mr. Cruse inquired as to who can view the petitions. It was stated the petitions are considered Public Record and anyone can request to see them. Also does the citizens have the authority to remove the City Manager? Ms. Wall stated that is against the City Manager form of government and the Charter would have to be rewritten. Mayor Fess stated the citizens do not know the job the City Manager does, the citizens depend on the Commissioners to manage the City Manager.

Commissioner Martin asked if it would be possible to change the City Charter in Section 127 to change "three" months to "six" months before a recall can take place again. Ms. Wall stated she would write something up for the Commissioners to look at.

Regina Favorite stated she heard there is another recall in the process. Ms. Wall stated the Charter currently states you cannot have another recall before six months has passed, and further stated you might consider changing it to read cannot have a another recall within one year.

Bruce Hogston voiced a concern about absentee ballots and how they are counted and applied.

Bill Hogston asked if the Planning Commission would happen to appoint a City Commissioner would it avoid having the City having to hold a Special Election? Ms. Wall stated yes, and further explained how the appointment would be handled.

Commissioner Wilson asked if the same language could be used as when a current City Commissioner steps down. Ms. Wall stated the appointment would have to be made from the same ward the Commissioner was from.

Ms. Wall stated the Charter Changes must be filled at the Board of Elections by August 10, 2011 to be on the November 2011 ballot. We will have to work quickly to get the changes completed so the Commissioners have time to go through the three readings. This would include the first two meetings in July, and the first meeting in August to get them approved so they can be filled by the August 10, 2011 deadline.

Ms. Wall stated she would make the suggested changes in the Charter the Commissioners would like to see and get back with them as soon as possible.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adjourn from the Work Session at 11:30 A.M. Voice vote, Aye: Martin, Wilson, and Fess. Nay: None. Motion carried unanimously.

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LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday June 21, 2011  
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 Fess called the meeting to order. Also present were Commissioners Vogt, Martin, Terry, and Wilson. Absent: None.

**REGULAR CITY COMMISSION MEETING**

**Consent Agenda**

**Approval of Minutes**

Approval of the minutes from the June 7, 2011 Regular Piqua City Commission Meeting, and the minutes from the Piqua City Commission Worksession of June 10, 2011.

Moved by Commissioner Martin, seconded by Commissioner Vogt, that the minutes of the Regular Piqua City Commission Meeting of June 7, 2011, and the Piqua City Commission Worksession of June 10, 2011 be approved. Voice vote, Aye: Wilson, Martin, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

**OLD BUSINESS**

**ORD. NO. 3-11 (3rd Reading)**

An Ordinance enacting and adopting a supplement to the Code of Ordinances for the City of Piqua

City Manager Enderle stated this is the third reading of Ordinance No. 3-11 that would adopt the 2010 supplement to the Code of Ordinances and is an annual housekeeping item.

**Public Comment**

No one came forward to speak for or against Ordinance No. 3-11.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 3-11 be adopted. Roll call, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 3-11 adopted.

**ORD. NO. 4-11 (3rd Reading)**

An Ordinance amending Section 154.019 Floodplain District of the Code of Ordinances and enacting and adopting Chapter 155: Floodplain Regulations of the Code of Ordinance for the City of Piqua

City Manager Enderle stated this is the third reading of Ordinance No. 4-11 that would amend Chapter 154.019 Floodplain District and adopt Chapter 155: Floodplain Regulations and will replace the previous 70's-80's maps.

**Public Comment**

No one came forward to speak for or against Ordinance No. 4-11.

Moved by Commissioner Vogt, seconded by Commissioner Martin, that Ordinance No. 4-11 be adopted. Roll call, Aye: Vogt, Terry, Wilson, Fess, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Ordinance No. 4-11 adopted.

## **NEW BUSINESS**

### **ORD. NO. 5-11 (1<sup>ST</sup> Reading)**

An Ordinance amending Sections 52.01, 52.21, 53.06 and 51.81 of the Piqua Code relating to Municipal Utilities General Service Regulations

Finance Director Cynthia Holtzapple stated all of the City Utility Departments have reviewed the current Utility General Service Regulations for clarification, consistency and industry standards. This is typically done every five years and was last updated in 2006. During the review it was determined that some changes needed to be made in order to improve the services to our citizens, to better match the costs paid with those receiving the benefits, and to align policy with the needs of the new information billing system.

This will allow the City to include Stormwater as a utility that is governed by these rules. Stormwater was added as a utility last year as a mandate from the EPA. If passed, we would be able to update rule information for current and future practices taking into account the needs of the new billing system and industry practices, and provide the most cost effective customer service to all our residents, said Ms. Holtzapple.

It is important to note that these changes do not create an overall fee increase for all customers. It would be the City to bill users of certain services our incurred costs to provide those requested services. This method of billing is fair and will help keep the utility costs down for the majority of the customers, said Ms. Holtzapple. This will not change the overall utility rate structures and most customers will not be affected by these changes. The purpose is to align the fees with those customers who use these particular services. A public meeting was held and a notice was published in the newspaper and also posted on the City's website for public input, and a draft ordinance was posted on the city web site to view, stated Ms. Holtzapple

Mayor Fess stated the Commission held a lengthy Worksession and the Commissioners all agreed the changes were very beneficial to the City.

There was discussion on the date the utility bills are sent out and when they are received, and the length of the grace period for those bills that are received after the due date. Ms. Holtzapple explained how the bills are received and how they determine when the bills are considered late. They plan to include a statement on the new bills stating "bills should be mailed seven days before the due date". City Manager Enderle stated 95% of the citizen's mail or pay their bills on or before the due date.

There was also a question regarding the reason for the Addendum III being completely crossed out. Ms. Holtzapple explained that section has become part of the policy and procedures and is no longer needed.

Mayor Fess stated the City of Piqua sends out an email to customers using the Bill Payer Services reminding them the City will be taking their payment out on the date that is on listed their bill just as a courtesy reminder.

### **Public Comment**

No one came forward to speak for or against Ordinance No. 5-11.

Ordinance No. 5-11 was given a first reading.

**RES. NO. R-74-11**

A Resolution accepting for statutory purposes a budget for the calendar year 2012

City Manager Enderle stated Resolution No. R-74-11 will accept the draft of the 2012 County Tax Budget totally about 91.5 million for all of the funds with a 15 million increase over 2011 solely due to the Water Plant Construction Project that is included in this budget. This budget needs to be submitted to Miami County by July 20, 2011. Mr. Enderle stated this is only an estimate based upon current revenues and expenses, and we have not factored in the many unknowns, which include the State Budget. This budget really does not mean much of anything at all, the City of Piqua completes the budget in the fall where we are much more precise and we will have a better idea of what our revenues are for the year and can do a better job of forecasting the budget at that time, said City Manager Enderle.

Mayor Fess stated even through there is 15 million in the budget for the Water Plant; we are just doing an initial design, which is required by the EPA at this time.

Commissioner Martin inquired about the \$5.00 listed in the 323 Fund under Pool Construction.

Finance Director Cynthia Holtzapple explained that is the debt service on the Pool Construction that is there for a couple more years, which includes the pool slide, and further explained how the debt service is set up.

**Public Comment**

No one came forward to speak for or against Resolution No. R-74-11 at this time.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-74-11 be adopted. Roll call, Aye: Wilson, Fess, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-74-11 adopted.

**RES. NO. R-75-11**

A Resolution approving the Community Development Block Grant Formula Allocation Program Application for Fiscal year 2011

City Manager Enderle stated this resolution would authorize the filing of the City of Piqua's Fiscal-Year 2011 Community Development Block Grant Formula Allocation Program Application. The City of Piqua is proposing to submit a number of different projects for funding to the Ohio Department of Development.

Economic Development Director/Assistant City Manager Bill Murphy gave a brief overview and stated the City of Piqua received official notification on June 18, 2011 from the Ohio Department of Development on the amount of funding available through the FY 2011 Community Development Block Grant Program, which for this year is \$108,000. This is roughly \$10,000 less than last year and was a shift in directions that were provided to communities from the Ohio Department of Development that are to receive funding through this program.

**Projects the City would like to see funded are:**

1. Playground Improvements (Installation of park equipment at Mote Park) at a cost of \$26,400. The equipment would be very similar to the equipment at Kiwanis Park and Das Park, and they plan to coordinate with the Southview Neighborhood Association in final design and installation.
2. Downtown Street Improvements on the intersections at North Wayne Street and High Street and North Wayne Street and West High Street. These improvements will increase the pedestrian safety in this area by clearly outlining pedestrian cross walks across High Street,

North Wayne and Market Streets and incorporate traffic calming devices which will decrease speed of traveling motorists. Additionally the project will install best management practices for stormwater management as well as include the installation of new trees. These improvements are estimated to cost \$60,000 and the remaining funds received by the grant will be used for the allocated administrative costs (\$16,200) and for fair housing activities (\$5,400).

Commissioner Wilson asked if Resolution No. R-75-11 is approved would this lock these two projects in place if we approve it at this time. Mr. Murphy stated yes, and explained the guidelines for receiving the funds. Commissioner Wilson stated he is not sold on the crosswalk improvements at this time. Commissioner Wilson asked if it would be possible to look into just painting the crosswalks and giving the additional funds to Mote Park for the playground equipment along with a shelter, picnic tables and grills.

City Manager Enderle stated he received along with the Commissioners a letter signed by the President of the Southview Neighborhood Association expressing their support for the proposed budget spending for the improvement of the Mote Park playground equipment.

### **Public Comment**

Frank Barhorst, S. Wayne Street came forward and explained there are plans to build a shelter funded by donations. Mr. Barhorst voiced his opinion on the funds for the Mote Park playground equipment stating he feels the South end of town has not been treated as well as the North end and feels only receiving 24% of the grant money is not enough to purchase the playground equipment needed at Mote Park.

It was stated that \$25,000 was spent on playground equipment for Das Park and Kiwanis Park. There was discussion on whether or not \$25,000 would be enough to cover the playground equipment the Southview Neighborhood Association would like to see installed.

Commissioner Martin stated he would like to see possibly \$50,000 be given to Mote Park and \$25,000 to the intersection improvements.

Mayor Fess asked if Resolution No. R-75-11 could be tabled until Mr. Murphy can set up a meeting with the Southview Neighborhood Association to see what they feel their needs are and to determine how much money is needed for the playground equipment.

Several questions were raised on how much was spent at Fountain Park for playground equipment previously. Commissioner Vogt stated the City hired an outside company to come in and install the playground equipment at Fountain Park, which raised the cost at that time.

Russ Fashner, Forest Avenue, came forward and stated besides the \$25,000 the City is setting aside for the playground equipment had they considered they would also need to apply mulch under the playground equipment.

Commissioner Terry stated the Northparks Neighborhood Association would be willing to help the Southview Neighborhood Association put together the new playground equipment at Mote Park. Mayor Fess further stated this is how the Neighborhood Associations work together to accomplish community projects.

Moved by Commissioner Martin, seconded by Commissioner Vogt, to table Resolution No. R-75-11, until the first City Commission Meeting in July 2011. Roll call, Aye: Fess, Martin, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-75-11 tabled until the first City Commission Meeting in July.

### **Resolutions No. R-76-11 through Resolution No. R-79-11**

City Manager Enderle asked Economic Development Director/Assistant City Manager Bill Murphy to explain the four resolutions and then they would be voted on separately.

Economic Development Director/Assistant City Manager stated the first resolution is Resolution R-76-11 that supports the application being filed by the Piqua Improvement Corporation to the Clean Ohio Council. It should be noted the City of Piqua cannot apply for the funds since it is the responsible party for the environmental conditions at the power plant. However, through the Clean Ohio Council application procedures, the Piqua Improvement Corporation can apply for the funding.

Resolution No. R-77-11 acknowledges and adopts that the Piqua Municipal Power Plant Site as one of the highest priority redevelopment areas as defined in the Redevelopment Opportunities Redevelopment Analysis Report and will yield additional points for the Piqua Improvement Corporation's Clean Ohio Revitalization Fund Application.

Resolution No. R-78-11 declares that the future development and remediation efforts to take place on the site will incorporate sustainable design principles, and will yield additional points in the Piqua Improvement Corporation's Clean Ohio Revitalization Fund Application.

Resolution No. R-79-1 provides funds from the City's Power System to the Piqua Improvement Corporation for the match funding that is required through the Clean Ohio Revitalization Fund Application. The match will only be provided to the Piqua Improvement Corporation and will only be expended if the application is funded from the Clean Ohio Council. The assistance provided will be 25% of the total project costs, with a maximum amount of \$500,000.

Mayor Fess stated the plan is to put green space at the site of the Power Plant and is considered to be the best use of the property. City Manager Enderle also stated this will open up that segment of the river area to the public, and taking down the Dam structures it will open the opportunity for River Overlooks and other potential development and will also reopen the walkways to the riverfront area again along with other possibilities in the future.

Mayor Fess inquired as to the \$500,000 figure. City Manager Enderle explained without the grant we would still need to spend five million out of the Power Fund.

Commissioner Martin asked if receiving this grant would it affect the Hospital grant money. City Manager Enderle stated no that it was a different fund and would have no affect on the Hospital grant money.

Mayor Fess inquired about the Hospital grant at this time. Mr. Murphy explained he would be presenting to the Clean Ohio Council at their June 29<sup>th</sup> meeting, and all the projects will have two minutes to present to the Council. We should know within a week or so if we are successful in securing the two million dollars, said Mr. Murphy.

#### **RES. NO. R-76-11**

A Resolution in Support of an Application to the Clean Ohio Council

City Manager Enderle stated this is first of the four resolutions the City Commission is being asked to adopt which will accomplish different aspects of the filing procedures dealing with the Clean Ohio Revitalization Fund Program Application for the Piqua Power Plant Waterfront Redevelopment Project.

#### **Public Comment**

No one came forward to speak for or against Resolution No. R-76-11

Moved by Commissioner Martin, seconded by Commissioner Vogt, that Resolution No. R-76-11 be adopted. Roll call, Aye: Martin, Vogt, Terry, Wilson, and Fess. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-76-11 adopted.

**RES. NO. R-77-11**

A Resolution declaring Future Development at the site of the Piqua Municipal Power Plant will incorporate sustainable design principles.

City Manager Enderle stated this is the second of the four resolutions.

**Public Comment**

No one came forward to speak for or against Resolution No. R-77-11

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-77-11 be adopted. Roll call, Aye: Vogt, Terry, Wilson, Fess, and Martin. Nay: None. Motion carried on a unanimously. Mayor Fess declared Resolution No. R-77-11 adopted.

**RES. NO. R-78-11**

A Resolution acknowledging and adopting the status of the Piqua Municipal Power Plant as one of the highest priority redevelopment areas as defined in the redevelopment opportunities Redevelopment Analysis Report

City Manager Enderle stated this is the third of the four resolutions.

**Public Comment**

No one came forward to speak for or against Resolution No. R-78-11

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-78-11 be adopted. Roll call, Aye: Terry, Wilson, Fess, Martin, and Vogt. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-78-11 adopted.

**RES. NO. R-79-11**

A Resolution acknowledging and adopting the status of the Piqua Municipal Power Plant as one of the highest priority redevelopment areas as defined in the redevelopment opportunities Redevelopment Analysis Report

City Manager Enderle stated this is the last of the four resolutions.

**Public Comment**

No one came forward to speak for or against Resolution No. R-79-11

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Resolution No. R-79-11 be adopted. Roll call, Aye: Wilson, Fess, Martin, Vogt, and Terry. Nay: None. Motion carried unanimously. Mayor Fess declared Resolution No. R-79-11 adopted.

**PUBLIC COMMENT**

Jean Frantz, Parkridge Place came forward and inquired as to how far the blighted and slum area extended into the north side of town, stating residents in the south end resent their neighborhood being called blighted and slum areas. Mrs. Franz also stated Mote Park needs to be fixed up before the new Bike Path comes through the park area.

Commissioner Terry explained the reason for the term "Blighted and Slum" stating it is an unfortunate term, but is required language to receive the Block Grant Funds.

Mayor Fess stated the City has completed the repairs on the Mote Park Building as promised, and will see what can be done about getting the other things that are needed at the park.

Brad Boehringer, Mound Street voiced his opinion on using some of the rehab funds to fix up some of the buildings in the blighted areas.

City Manager Enderle stated the city needs to follow certain guidelines when receiving grant money. Over the years the City has put millions of dollars in rehabbing properties.

Regina Favorite, New Haven Rd. inquired as to the status of the Hospital Project at this time.

Economic Development Director/Assistant City Manager Bill Murphy explained the City is applying for two million dollars from the State of Ohio for the demolition/cleanup of the property site. If successful the City will begin cleanup/demolition of the site in preparation to make it site ready for development. The Piqua School Board is looking for new sites for a new pre K through 6<sup>th</sup> grade school and possibly the hospital site will be considered, said Mr. Murphy.

Commissioner Wilson stated a meeting was held on June 16, at the YWCA offering information to anyone who is interested in running for office for Piqua City Commission or Piqua School Board. Mr. Wilson stated it was very informative and will be airing on Channel 5 the week of June 20-27. The YWCA did a very nice job setting up the program.

Commissioner Terry stated Mayor Fess, Commissioner Wilson, and City Manager Fred Enderle attended the meeting to offer their input. Commissioner Terry also reminded citizens the Piqua Civic Band would be performing again on Thursday, June 23<sup>rd</sup>, at 7:00 P.M. at the Hance Pavilion at Fountain Park.

Commissioner Vogt stated the Piqua Swimming Pool is open and he is getting good reports on the sales at the concession stand and the quality of the food, and further stated the pool attendance is up so far this year. Commissioner Vogt encouraged citizens to check out the pool.

Commissioner Martin stated asked if it would be possible to look at repairing/replacing the bricks at the crosswalks at Main and High Streets. City Manager Enderle stated it is in the concrete program at this time.

Commissioner Martin also asked at the end of the program, how does an area change the distinction of being slum and blighted, would the City Commission do some type of Resolution stating the slum and blighted areas are no longer slum and blighted areas? City Manager Enderle stated this language really has no real meaning and is only terms that the Federal Government uses to get the grant money. Private investment is our only hope to not require the use of federal funds. When there isn't a need to apply for the Federal Grant funds any longer then you can consider doing something about the language/terms used to receive the funds, said City Manager Enderle.

Mayor Fess stated when she was on the City Commission back in the 1990's the City received millions of dollars in grant funds that were put into the south end in forgivable loans to homeowners. City Manager Enderle stated we receive a half million dollars every couple of years that is put into rehabilitation of properties. Unfortunately the cost is about \$40,000 a unit to rehab and when doing so they must be brought up to code which is where the costs are incurred, and unfortunately a half million dollars only does about ten units at best, stated City Manager Enderle. The City does everything they can to assist the homeowner and investors to help them bring the homes up to code, said Mayor Fess.

Mayor Fess stated she is really excited about the Power Plant area and the possibility of receiving the grant funds. That is going to do a lot for the area down there with the new Green Space and the nice park/recreational area along the River. It will certainly enhance that area greatly, said Mayor Fess.

**Adjournment**

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Piqua Commission meeting at 9:00 P.M. Voice vote, Aye: Martin, Wilson, Terry, Fess, and Vogt. Nay: None. Motion carried unanimously.

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LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**ORDINANCE NO. 5-11**

**AN ORDINANCE AMENDING SECTIONS 52.01, 52.21,  
53.06 AND 51.81 OF THE PIQUA CODE RELATING TO  
MUNICIPAL UTILITIES GENERAL SERVICE  
REGULATIONS**

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 52.01 of the Piqua Code as previously enacted is hereby amended;

SEC. 2: Section 52.01 of the Piqua Code is hereby enacted to read as follows (with deletions lined out and additions underline):

Section 52.01 MUNICIPAL UTILITIES GENERAL SERVICE REGULATIONS

A) The general service regulations for all municipal utilities are contained in the document entitled "City of Piqua Municipal Utilities General Service Regulations" dated ~~3-13-06~~ 6 10 11, which is hereby adopted and incorporated by reference herein and appended to Ordinance No. ~~45-06~~ 5 11.

B) Any references to repealed provisions contained in Chapter 52 of the Piqua Code, which are found elsewhere in the Piqua Code, shall be deemed to refer to the corresponding provision of the General Service Regulations enacted by Ordinance No. ~~45-06~~ 5 11.

C) Copies of the City of Piqua Municipal Utilities General Service Regulations shall be kept on file in the City Managers Office.

SEC. 3: Section 52.21 of the Piqua Code is hereby amended to read as follows (with deletions lined out and additions underlined) and adopting new Sections D and E:

Section 52.21 ELECTRIC SERVICE FEES

(A) No reconnection of electric service for previously-delinquent accounts shall be made until the following fee is paid (in addition to full payment of any balance due on previous accounts):

Residential (reconnect/ <del>disconnect</del> -at meter).....	\$20.00
Commercial and Industrial (reconnect/ <del>disconnect</del> at meter).....	\$40.00
Reconnect/ <del>disconnect</del> at Pole.....	\$50.00

(B) Service Call – For all service calls outside the normal duty hours, a charge of \$60.00 may be made. For all service calls within normal duty hours, a charge of \$25.00 may be made. For non-routine service calls outside the

normal duty hours, the City will bill the customer the full cost if not the responsibility of the city.

(C) Meter Test Fee – a. If a meter registers less than within the accuracy limits, a \$50 fee will be charged. b. A customer is allowed to request an independent meter test. If a meter registers within the accuracy limits, the customer will be charged the full amount of the independent test.

(D) Missing or Broken Meter Seal – For a location where there is a missing or broken meter seal, the customer will be charged a \$100.00 tampering fee.

(E) Missing or Broken Electric Meter – For a location where there is a missing or broken electric meter, the customer will be charged the total cost of the replacement meter.

SEC. 4: Section 53.06 of the Piqua Code is hereby amended to read as follows (with deletions lined out and additions underlined) and adopting new Sections D, E & F:

SECTION 53.06 – WATER SERVICE AND METER INSPECTION FEES

(A) No reconnection of water service for new accounts, seasonal accounts, previously delinquent accounts or for accounts with new meters shall be made until the following fees are paid (in addition to full payment of any balance due on previous accounts):

1) Service Fees (including seasonal accounts):

Water – Residential ..... \$20.00  
Water – Commercial and Industrial..... \$40.00

2) Meter Inspection Fees:

Residential.....\$25.00  
Commercial and Industrial .....\$50.00

(B) Service Call – For all service calls outside the normal duty hours, a charge of \$60.00 may be made. For all service calls within normal duty hours, a charge of \$25.00 may be made. For non-routine service calls outside the normal duty hours, the City will bill the customer the full cost if not the responsibility of the city.

(C) Meter Test Fee – If a meter registers less than within the accuracy limits, a \$50 fee will be charged.

(D) Missing or Broken Meter Seal – For a location where there is a missing or broken meter seal, the customer will be charged a \$100.00 tampering fee.

(E) Missing or Broken ~~Water~~ Meter – For a location where there is a missing or broken water meter, the customer will be charged the total cost of the replacement meter.

(F) Annual Backflow Recertification fee will be \$20.00 per device.

SEC. 5: Section 51.81 of the Piqua Code is hereby amended to read as follows (with deletions lined out and additions underlined) and adopting new Section I:

SECTION 51.81 – WASTEWATER SERVICE FEES

(F) Service Call – For all service calls outside the normal duty hours, a charge of \$60.00 may be made. For all service calls within normal duty hours, a charge of \$25.00 may be made. For non-routine service calls outside the normal duty hours, the City will bill the customer the full cost if not the responsibility of the city.

(I) Meter Test Fee – If a meter registers ~~less than~~ within the accuracy limits, a \$50 fee will be charged.

SEC. 6: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



**CITY COMMISSION MEETING REPORT**

*For the Regular Meeting of June 21, 2011*

TO: Fred Enderle, City Manager

FROM: Cynthia A. Holtzapple, Assistant City Manager & Finance Director

SUBJECT: Utility General Service Regulations

**PURPOSE:**

Approve the Ordinance No. 05-11 accepting the proposed changes to our Utility General Service Regulations.

**RECOMMENDATION:**

We are requesting approval of Ordinance No. 05-11 accepting the proposed changes to our Utility General Service Regulations.

**BACKGROUND:**

All City Utility Departments have reviewed the current Utility General Service Regulations for clarification, consistency and industry standards. This is typically done every five years and was last updated in 2006. During that review, it was determined that some changes needed to be made in order to improve our services to our citizens, to better match the costs paid with those receiving the benefits, and to align policy with the needs of the new information billing system.

**ALTERNATIVES:**

- 1) Approve Ordinance No. 05-11 accepting the proposed changes to our Utility General Service Regulations.
- 2) Approve Ordinance No. 05-11 with noted changes from Commissioners.
- 3) Do not approve the Ordinance and leave our Utility General Service Regulations unchanged.

**DISCUSSION:**

- 1) This alternative will allow for us to include Stormwater as a utility that is governed by these rules. Stormwater was added last year as a mandate from the EPA. If passed, we would be able to update rule information for current and future practices taking into account the needs of our new billing system and industry practices. Lastly, these changes will help us to provide the most cost effective customer service to all our residents.
- 2) This alternative will also allow for us to make these enhancements, but with changes in the proposal as seen fit by the Commissioners.

3) This alternative is not recommended based on our review of industry standards and the needs of our new information billing system.

**FINANCIAL IMPACT:**

1) It is important to note that these changes do not create an overall fee increase for all customers. Rather, it will allow us to bill users of certain services our incurred costs to provide those requested services. This method is fair and will help us to keep our utility costs down for the majority of our patrons.

2) Depending on what changes Commission may decide to make, this could be detrimental to our goal of keeping our costs down for all our residents.

3) The City might have to consider covering these types of costs through rates charged to all customers. We don't feel like this is the most advantageous way of recouping these costs.

**COMMUNITY IMPACT:**

This is not to change the overall utility rate structures; therefore, most customers will not be affected by these changes. The purpose is to align the fees with those customers that use those particular services. A public notice was printed in our newspaper advising citizens of their right to attend this meeting in order to discuss this issue with the Commission and we also posted the draft ordinance on our web site to view at any time.

**CONFORMITY TO CITY PLANS & POLICIES:**

We strive to keep our Utility General Service Regulations up to date with any needed revisions. The proposed ordinance addresses our concerns in this area and will help us to provide the best service possible to our citizens.

Draft

CITY OF PIQUA, OHIO  
MUNICIPAL UTILITIES  
Electric, Water, Wastewater, ~~and~~ Refuse and Stormwater  
GENERAL SERVICE REGULATIONS

SCOPE:

The attached General Service Regulations are published to inform and guide users of the Municipal Utilities and are a part of the service agreement between the City of Piqua and the users and owners of the premises served.

SERVICE AREA:

Service is available within the corporate area of Piqua, Ohio, and outside the corporate area in those sections presently being served by the City. In other sections or unincorporated areas, the City reserves the absolute discretion to determine whether initiating that service is in the best interest of the City.

UTILITY BUSINESS OFFICE:

All City Services - Electric, Water, Wastewater, ~~and~~ Refuse Collection and Stormwater.  
The office is located at 201 W. Water Street, Piqua, Ohio, 45356.  
Telephone: (937) 778-2000; Fax: (937) 778-2079  
Office hours are 8 a.m. to 5 p.m., Monday through Friday.

SECTION 1: DEFINITIONS

“City” means all city departments.

“Service agreement” - See Application for Service (Section 2, below).

“Utility” means the following services as provided by the City of Piqua: electric, water, wastewater, ~~and~~ refuse collection and stormwater.

The singular includes the plural and the plural includes the singular.

The masculine, feminine and neuter each include each of the other genders.

SECTION 2. APPLICATION FOR SERVICE and SERVICE AGREEMENT

All applications for utility service shall be accepted in writing or by telephone as determined by the City and shall be a binding service agreement irrespective of any changes of the customer’s location within the City’s service area. By such application, the customer agrees to comply with all the terms, rules and regulations of the City covering such service and further agrees to pay for the same, conformable with the rates of the City, applicable to the service desired. The City will not serve, and may refuse to continue to serve, any consumer who refuses to make a proper application to the City, or who refuses to accept service or to continue conformably with the schedule of the City, which schedule includes not only the rates of the City, but the rules and regulations governing its service.

### SECTION 3. UTILITY DEPOSITS

The City shall have the right at any time to require of the consumer a reasonable deposit or a reasonably safe guaranty to secure payment of its bills for service. See Addendum I.

Current schedules of advances for the various services are on file in the Utilities Business Office and are available on request.

### SECTION 4. SERVICE MAY BE DENIED PERSONS IN DEBT TO THE CITY

The City reserves the right to refuse service, and to refuse to continue to serve, persons who are in debt to the City.

### SECTION 5. MEASUREMENTS OF CONSUMPTION

All water and electric supplied to the consumer shall be measured by meters or metering equipment suitable for the purpose, as determined by the City, and supplied, installed and maintained by the City. The one exception is as stated in Section 53.44 of the City Code, "Taps and Service Lines." No person shall make use of, or consume water or electric supplied by the City for any purpose whatsoever, except as hereinafter provided, unless such water or electric has been metered.

Meter readings shall be prima facie evidence of the amount of the utility service supplied to the consumer.

Sewer charges will be directly based on water or wastewater meter readings.

### SECTION 6. BILLS FOR SERVICE

(A) Under normal conditions, meters and metering equipment will be read monthly, in units of 1,000 gallons (in the case of water and wastewater) and in units of kilowatt hours (in the case of electricity); and bills based on such readings will be rendered to the consumer. The meters of ~~certain~~ commercial and ~~all~~ industrial consumers will be read in units of maximum demand (kilowatts) and consumption (kilowatt hours).

All bills for service are payable at the Utilities Business Office and such other places as the City from time to time may designate. Bills will indicate the consumption and/or applicable billing determinants; the amount of the bill; and the last day on which the bill is payable "net". If the total amount billed, regardless of delivery method of payment, is not paid within the "net" payable date for said service a five-percent (5%) delayed payment charge will be added. ~~Any remittance by mail at the Utilities Business Office, bearing a United States Post Office stamp dated not later than the day indicated on the bill as the last date on which said bill is payable "net" (as defined above), will be accepted as within the net payment period.~~

(B) The City may require that meters or metering equipment be read and bills for service be

paid on a weekly, biweekly or other periodic basis when in its judgment, such a procedure is necessary or desirable. In those cases, and during those periods of time when the City exercises its right to read its meters and metering equipment and render its bills for service on other than a monthly basis, all bills for such service will be computed upon a monthly basis in accordance with the applicable rates for such service, due allowance and adjustments being made on meter readings obtained and adjusted to a monthly basis.

(C) Customers checks returned for insufficient funds or any other reason shall be held by the utility office pending full restitution by the person tendering said check. A returned check fee will be assessed in the amount of \$25.00 or as deemed appropriate by the Finance Director.

(D) Where the total amount due or refund is less than one dollar (\$1.00), such amount shall not be collected or refunded.

(E) The City may bill miscellaneous invoices concurrently with utility usage billings, and reserves the right to apply payments in the order of ageing of the amounts owed.

#### SECTION 7. NON-PAYMENT OF UTILITY BILLS AND MEDICAL EXCEPTIONS

(A) If any person supplied by the City with utility service neglects or refuses to pay the amount due on or prior to the date indicated on the City's bill as the latest date on which such bill is payable, the City may disconnect any or all said services to the premises supplied. Such disconnection shall be initiated by the issuance of a utilities shut off notice when a customer owes a current past due balance greater than the late charges.

"Utilities Shut Off Notice" shall mean a statement of the past due balance containing (but not limited to) the customer's name, billing address, service address, date on which disconnection will occur and the account number. Said notice shall be sent by ordinary mail to the billing address.

The City will charge, and collect in advance, a fee for reconnecting a consumer's service, after service has been disconnected for any reason. These charges will include seasonal disconnects and reconnects, such as for sprinkling meters, swimming pools, etc. Current schedules of fees for the various services are on file in the Utilities Business Office and are available upon request. See Addendum II.

(B) Any customer or occupant who contests any notice provided in subsection "A" above, must contact the Utilities Business Office within seven calendar days after the day of issuance of said notice. The customer or occupant must express specific reasons in writing for disputing the bill or the disconnection decision. Each appeal shall be reviewed and determined by the Utilities Business Manager or designated representative prior to disconnection. Guaranty of payment by a religious organization, social agency or law firm handling the affairs of the customer shall satisfy the payment requirements.

"Notification to Occupant" shall mean a notice delivered to the service address, that disconnection of utility services is pending and that certain options to avoid disconnection are available. Said notice shall also contain instructions to appeal the disconnection decision and for continuation of service.

(C) “Landlord/Tenant” - At the time disconnection notices are issued, the City also will attempt to notify the tenant if the landlord receives a disconnection notice. Any individual whose utility service is included in his rent may retain service by paying the bill if there is a threat of disconnection or if the service has been disconnected because the past due utility bill was not paid by the landlord. The customer will be expected to complete the normal application for service process, including payment of the appropriate deposits.

(D) Such disconnections shall occur throughout the year for all households, with the following exceptions:

(1) “Life/Medical Support Program” - a program consisting of those customers who are either Life Support Recipients or Medical Support Recipients who are eligible and qualify for the program. To qualify for the program, an annual life or medical support form must be provided to the city’s Utility Business Office by the customer’s physician. Program eligibility shall continue for one year and may be extended annually by submission of another life or medical support form by the customer’s physician. The way in which equipment is used shall determine the appropriate customer classification as listed in sections D (2) and (3).

(2) “Life Support Recipients” - those customers needing to operate life sustaining equipment continuously for twenty-four hours a day. Proof of eligibility is by the city’s receipt of a life support form annually from the customer’s physician. The life support form is available from the Utility Business Office. An eligible customers’ utility as required by the life support form will not be disconnected, even if the account is delinquent. If the account is in arrears, alternative payment arrangements may be negotiated to avoid legal action to obtain a judgment on such arrearages.

(3) “Medical Support Recipients” - those customers who have a medical condition requiring assistance of medical support equipment, but not continuous for a twenty-four hour basis. A medical support form must be provided annually by the customer’s physician. The rules for payment of these accounts are consistent with the regulations prescribed for all other utility billings with the exception of payment extensions listed below:

(a) Medical Support (Payment Extensions) - if a Medical Support Recipient account becomes subject to a non-payment disconnection, these customers may qualify for payment extensions. A current issued (within the past 30 days) medical support form may be provided by the customer’s physician to the Utility Business Office three times (each being for thirty days, not to be in consecutive months) during a rolling twelve-month period. The approved form will provide the customer an extension (a maximum of three thirty-day periods, per rolling twelve months) to pay the total amount of the delinquency. Should payment not be received at the end of the extension period, the utility service will be disconnected.

(4) For purposes of this section, “customer’s physician” shall also include a physician’s assistant, a clinical nurse specialist, a certified nurse practitioner, or a certified nurse mid-wife as defined by the Ohio Revised Code.

(E) Disconnections shall occur throughout the year for all households, except for Life Support Recipients and Medical Support Recipients who comply with the Life/Medical Support Program.

(F) Except to the extent that this section of the Piqua Code expressly restricts the City from exercising its power to disconnect utility services in certain circumstances, this section does not constitute a promise or assurance by the City that utility services to any person will be uninterrupted, nor does this section create any obligation of the City to prevent any interruption of any such service.

#### SECTION 8. PERSONS RESPONSIBLE FOR UTILITY CHARGES

No new Municipal utility services shall be provided to any residence unless all adults therein residing, accept joint and several responsibility for payment of said services. Each adult residing in a residence at the time of connection shall be deemed to have accepted such financial responsibility.

No new Municipal utility services shall be provided to any residence if any adult at that residence owes a delinquent utility bill to the City of Piqua. All delinquent utility bills must be paid in full before any initial service will be provided at the residence.

If after this service is provided by the City of Piqua to a residence, it is found that a prior occupant who owes a delinquent utility bill for that residence still resides at the residence, current services may be disconnected without liability to the City, until payment of prior bill is made in full.

No utility account holder is responsible for the delinquent utility bill of another adult who moves into their residence after initial service is started provided that the adult does not owe a utility bill for that residence.

Reconnection due to a non-payment will not occur without proper application completion of all occupants.

#### SECTION 9. ESTIMATED BILLS

In the event the City’s meter or metering equipment fails to properly register the electricity, water, wastewater or stormwater service supplied during any month or other period of time, the City will estimate the consumption, having due regard to the use which the consumer made of such services supplied to him during such a period, or to other applicable sources of information.

The consumer may present any information or data within his knowledge on the subject, but if no objection is made prior to the due date of such estimated bill, it shall become an account stated and be due and payable within the time provided and as stated on such bill.

#### SECTION 10. METERING INACCURACIES

Whenever a meter or metering equipment is found to be inaccurate, it shall be restored to accuracy or replaced by the City with an accurate meter or metering equipment without expense to the consumer.

The City may from time to time remove any meter for testing. Upon consumer request, the City will test its electric or water meters on an approved in-house test bench. If the meter is found to register ~~more than the accuracy limits of 102% for electric and 101.5% for water,~~ there will be no fee to the consumer. If a meter registers less than the accuracy limits, a fee will be charged, outside the accuracy limits of +- 2% for electric and +-1.5% for water, there will be no fee to the consumer. If a meter registers within the accuracy limits of +- 2% for electric and +- 1.5% for water, A fee will be charged, as detailed in Addendum II.

Rebates on bills rendered will be made only for errors in billing, or if the meter(s) is (are) found during testing to register in excess of the above stated limits. No adjustments in bills will be made for water lost on the consumer's property, regardless of the location of the meter.

#### SECTION 11. DISCONTINUANCE OF SERVICE

(a) Due to Consumer Vacating Premises - Any consumer desiring discontinuance of any service shall give the Utility Billing Office at least 72 hours' advance notice of such desire and will be liable for all services supplied to the premises until vacated (a maximum of 72 hours after such notice is received by the City).

(b) Due to Fraud or Damage - In the event the consumer resorts to any fraudulent practice in the use of services supplied or is the beneficiary of any fraudulent practices, or the City's meter, metering equipment or property has been damaged or stolen, or valve seals/electric meter seals have been broken or tampered with, the City will discontinue its services without notice.

Service will not be restored until the consumer has given satisfactory assurance that such fraudulent use, tampering, damage or negligence has been discontinued, and shall have paid to the City an amount estimated by the City to be reasonable compensation for any utility service fraudulently used and not paid for, and for any damage or loss to property of the City, plus the reconnection charges as listed elsewhere in the rules.

The person signing for services and all adults residing at the service address shall be held financially responsible for such acts. The City reserves the right to prosecute for theft. Payment of the reconnection charge and restoration of service does not relieve the consumer from applicable penalties of the Revised Code of Ohio and/or the City of Piqua Code.

(c) Due to Danger - The authorized agents of the City, at all reasonable times, shall have

free access to the premises in which utility services are used to determine whether they are being used in a safe manner and in accordance with these rules and regulations.

The City reserves the right to discontinue without advance notice service to any consumer where a dangerous condition is discovered to exist on the consumer's premises or where, because of conditions beyond the consumer's premises, such discontinuance of the service is reasonably necessary. Service will not be restored until such dangerous condition or conditions have been corrected.

(d) City Not Liable, Except For Neglect - When any utility service is turned on or shut off at the request of the owner or tenant, or for reasons as defined elsewhere in these Regulations, the City shall not be liable for any damage to structure, fixtures, contents or appurtenances except as occasioned by neglect of the City or its agents.

## SECTION 12. RIGHT TO DISCONTINUE SERVICE

The City reserves the right to discontinue its services and disconnect its lines and/or remove its property for any of the following reasons:

- (A) For repairs,
- (B) For non-payment of bills when due (see Section 7, Page 3),
- (C) For any fraudulent representation or concealment in relation to consumption or use of utility services,
- (D) For violation of, or refusal to comply with any of the General Service Regulations applying at any time to the consumer's service,
- (E) In the event the consumer uses utility services in a manner detrimental to the service in general or in his/her immediate locality,
- (F) When made incompatible, unreasonable or unlawful by any ordinances of this municipality, laws of the State of Ohio or the Federal Government, or any of their agencies,
- (G) To prevent any unlawful discrimination in rates or service,
- (H) When the consumer vacates the premises,
- (I) For tampering with the City's meters, meter connections or meter seals, or failure to safeguard the City's property from damage or further damage,
- (J) For reasons of safety,
- (K) For any violation of the service agreement, or the reasons hereinabove set forth shall be in addition to the specific reasons contained elsewhere in the City's regulations.

### SECTION 13. CONTINUITY OF SERVICE

(A) The City will endeavor to supply utility services continuously and without interruption under all reasonable normal conditions. The City shall not be responsible for damage or loss resulting from a failure to supply utility services, when such failure is due to any cause beyond the City's control, including Acts of God, accidents, fires, strikes, riots and war. A failure to supply utility services could include total interruption of supply and/or a variation in supply characteristics.

(B) The City shall not be held liable for any damage or loss resulting from an interruption or variation in utility services, when such failure is found to originate from the customer's premises. Upon identification of such a problem, the City will take appropriate actions (including potential disconnection of service) to minimize future impacts on other City customers.

(C) The City shall not be held liable for any damage or loss from an interruption or variation in utility services, when such failure is a result of orders or regulations issued by any governmental authority having jurisdiction over the City of Piqua.

(D) Temporary interruptions of service may result during emergency repair or scheduled improvements. Whenever possible, and as conditions permit, affected consumers will be notified in advance. The City will endeavor to minimize the impact of such service interruptions by completing repairs or improvements as rapidly as possible.

### SECTION 14. METER LOCATION

Each consumer shall provide without charge to the City a location for the meters and metering equipment. The City shall have the right to determine where the meters or metering equipment shall be located on the premises of the consumer. The meters or metering equipment must be so located as to be easily accessible to the City's employees or agents, and must be located in a safe place and free from the possibility of danger. Meters will not be set nor allowed in a place where there is a likelihood that they will be damaged, hidden or covered by any obstruction. The City reserves the right to require a relocation of its meters and metering equipment from time to time to accommodate the purposes of this provision of its schedule, and the consumer shall provide for such relocation on request and at the expense of the consumer. Any improvements or repairs to customer electric equipment will require the customer to move the meter socket outside to an acceptable location.

### SECTION 15. CONSUMER TO PROTECT CITY PROPERTY ON PREMISES

All equipment furnished by the City shall remain its property. Any equipment supplied by the City and damaged through negligence on the part of the consumer shall be repaired or replaced at the consumer's expense. This includes, but is not limited to water meters damaged by freezing or hot water.

Wiring and plumbing systems on the premises of the consumer to which the City's service

is to be connected shall be so installed that the City may carry out its service obligations and shall be kept in proper condition by the consumer. The consumer shall provide inspections as required by City code.

#### SECTION 16. ACCESS TO PREMISES

The duly authorized agents of the City shall have the right and privilege to enter the consumer's premises at all reasonable hours for the purpose of reading meters, inspecting the consumer's wiring and/or plumbing systems and for the purpose of installing, inspecting, keeping in repair and for removal of any or all of the City's equipment used in connection with the supply of utility services.

The City may, upon its own initiative, inspect consumer's wiring or plumbing in order to insure itself that safe methods of construction have been followed. Such inspections being for its own benefits and information, the City does not thereby assume any responsibility for the performance of such consumer installations. Nor do such inspections substitute for any requirements of the City code.

#### SECTION 17. CHANGES IN CITY FACILITIES

Whenever the City is requested to make changes in, or extensions to, its utility systems to permit work to be done by contractors or others or for the convenience of the consumer, that portion of the cost of the changes shall be paid by the party requiring same, which the City, in its sole discretion, shall determine.

#### SECTION 18. SUSPENDED UTILITY ACCOUNTS; COLLECTION

(A) The Finance Director shall review the unpaid final utility accounts in the active files of the utilities collection office once a month and cause the transfer of any and all such unpaid final accounts to a list of suspended accounts that may be turned over to a collection agency. The City may cease billing for those accounts.

(B) The Finance Director, upon approval of the City Manager, shall place with a properly designated collection agency or the law director for collection, any unpaid final utility account which the Finance Director determines appropriate for collection that has been placed on the list of suspended accounts and reported monthly to the City Commission.

(C) The Finance Director, upon approval of the City Manager, may delete and write off any unpaid final accounts of the utility collection office suspended accounts list, which may be subject to a statute of limitations, discharge in bankruptcy or similar bar to collection efforts.

(D) Customers' checks returned for insufficient funds or any other reason shall be held by the utility office pending full restitution by the person tendering said check. The customer will be assessed a \$25.00 Fee or as deemed appropriate by the Finance Director.

#### SECTION 19. APPLICATION TO ESTABLISH OR CHANGE PUBLIC SERVICE RATE

Any public utility furnishing service within the City desiring to establish any rate, joint rate, toll, classification, charge, rental or apparatus, or to modify, amend, change, increase or reduce any existing rate, joint rate, toll, classification, charge, rental or apparatus, or any

regulation or practice effecting the same, shall, at least five days prior to the filing of such application with the Public Utilities Commission of Ohio, file a copy of such application with the City Commission. Such application shall be verified by the president or vice-president and the secretary or treasurer of the applicant and shall contain a schedule of the existing rates, joint rate, toll, classification, charge or rental or regulation or practice effecting the same, if any, together with a schedule of the modification, amendment, change, increase or reduction sought to be established, and also a statement of the facts and grounds upon which such application is based.

SECTION 20. RIGHT, PRIVILEGE, GRANT OR FRANCHISE NOT GRANTED

The terms of Sections 19 through 21 are not to be construed as granting any right, privilege, grant or franchise to any public utility.

SECTION 21. OHIO PUBLIC UTILITIES COMMISSION

The Clerk of the City Commission is authorized and directed to file a certified copy of Sections 19 through 21 with the Public Utilities Commission.

SECTION 22. RULES AND REGULATIONS MAY BE AMENDED

The City reserves to itself the right to modify, alter or amend these regulations; or to promulgate such other and further regulations as experience and conditions may suggest, or as it deems necessary in the conduct of its business.

UTILITY DEPOSITS

Except as otherwise provided, all utility accounts require payment by the account applicant of a deposit (other than security light deposits) in the following amounts:

1. Electric Accounts –

A) Residential:

Electric.....\$150

B) Industrial & Commercial:

~~1. Electric – Commercial “A”.....\$250~~

~~2. Electric –~~

~~Commercial “B” & Industrial “C”.....One (1) month’s  
estimated billing in cash or irrevocable letter of credit  
\*\$250.00 minimum deposit for Commercial & Industrial~~

2. Water Accounts –

A) Residential.....\$40

B) Commercial & Industrial ~~Minimum~~ Deposit.....One (1)  
month’s billing in cash or irrevocable letter of credit

\*\$50.00 minimum deposit for Commercial & Industrial

No interest will be accrued to utility deposits during the period the monies are held by the City. Monies held as utility deposits will be held until the account is closed. ~~refunded to the customer account after one year of residential, commercial or industrial service if an acceptable payment history is maintained.~~ When a customer moves, and has a deposit on file, that deposit will be applied to the customer’s final bill for all utility services. If the

deposit amount is larger than the customer's final bill, the difference will be refunded directly to the customer. The City reserves the right to require an additional deposit from those customers who have been disconnected for nonpayment twice (2 times) in any consecutive 12-month period. Likewise, owners of real estate by deed disconnected for nonpayment twice (2 times) in any 12-month period may be required to supply a deposit. Notwithstanding anything to the contrary, no partial refunds of deposits shall be permitted.

In lieu of a deposit, ~~the~~ a residential customer must meet one of the following qualifications:

1. The customer must be an owner of real estate by deed at the address of the service.
2. The customer must provide an acceptable payment history from the prior electric utility.
3. The customer must provide a guarantor. The guarantor must meet all of the following requirements at the time of application and throughout the guaranty period of an acceptable payment history:

A) The guarantor must be an owner of residential real estate by deed in Miami County, Ohio, which is served by the Piqua Municipal Power System, and/or Water/Wastewater Systems:

B) The guarantor must be a utility customer of the City; and;

C) The guarantor must have an acceptable history within the City utilities during the immediately preceding 12 months.

An acceptable payment history is defined as ~~the~~ 12 consecutive full payments of all utilities and/or related charges of each utility bill prior to the issuance of the next month's utility bill for eleven (11) of the previous twelve (12) consecutive months and provided not more than one late charge has accumulated. made on or before each months due date.

UTILITY FEES:

ELECTRIC SERVICE –

SECTION 52.21 – ELECTRIC SERVICE FEES

(A) No reconnection of electric service for previously-delinquent accounts shall be made until the following fee is paid (in addition to full payment of any balance due on previous accounts):

Residential (reconnect/ <del>disconnect</del> -at meter).....	\$20.00
Commercial and Industrial (reconnect/ <del>disconnect</del> at meter)...	\$40.00
Reconnect/ <del>disconnect</del> at Pole.....	\$50.00

(B) Service Call – For all service calls outside the normal duty hours, a charge of \$60.00 may be made. For all service calls within normal duty hours, a charge of \$25.00 may be made. For non-routine service calls outside the normal duty hours, the City will bill the customer the full cost if not the responsibility of the city.

(C) Meter Test Fee – a. If a meter registers less than within the accuracy limits, a \$50 fee will be charged. b. A customer is allowed to request an independent meter test. If a meter registers within the accuracy limits, the customer will be charged the full amount of the independent test.

(D) Missing or Broken Meter Seal – For a location where there is a missing or broken meter seal, the customer will be charged a \$100.00 tampering fee.

(E) Missing or Broken Electric Meter – For a location where there is a missing or broken electric meter, the customer will be charged the total cost of the replacement meter.

WATER SERVICE –

SECTION 53.06 – WATER SERVICE AND METER INSPECTION FEES

(A) No reconnection of water service for new accounts, seasonal accounts, previously delinquent accounts or for accounts with new meters shall be made until the following fees are paid (in addition to full payment of any balance due on previous accounts):

1) Service Fees (including seasonal accounts):

Water – Residential .....	\$20.00
Water – Commercial and Industrial.....	\$40.00

2) Meter Inspection Fees:

Residential.....	\$25.00
Commercial and Industrial .....	\$50.00

(B) Service Call – For all service calls outside the normal duty hours, a charge of \$60.00 may be made. For all service calls within normal duty hours, a charge of \$25.00 may be made. For non-routine service calls outside the normal duty hours, the City will bill the customer the full cost if not the responsibility of the city.

(C) Meter Test Fee – If a meter registers ~~less than~~ within the accuracy limits, a \$50 fee will be charged.

(D) Missing or Broken Meter Seal – For a location where there is a missing or broken meter seal, the customer will be charged a \$100.00 tampering fee.

(E) Missing or Broken -Water Meter – For a location where there is a missing or broken water meter, the customer will be charged the total cost of the replacement meter.

(F) Annual Backflow Recertification fee will be \$20.00 per device

WASTEWATER SERVICE-  
SECTION 51.81 – WASTEWATER SERVICE FEES

(F) Service Call – For all service calls outside the normal duty hours, a charge of \$60.00 may be made. For all service calls within normal duty hours, a charge of \$25.00 may be made. For non-routine service calls outside the normal duty hours, the City will bill the customer the full cost if not the responsibility of the city.

(I) Meter Test Fee – If a meter registers ~~less than~~ within the accuracy limits, a \$50 fee will be charged.

# ~~—Addendum III—~~ ~~—Piqua Municipal Power System~~ ~~—Service Policies—~~

~~This Service Policy identifies the responsibility of the City and Customer in providing materials and labor for electrical service to new or upgraded facilities. The customer has the responsibility to notify the Municipal Power System for review and approval of all plans for construction, concerning electrical service, prior to commencing construction. The option for overhead or underground service will be determined by the City. All customer electrical installations must be inspected and approved by the City's designated electrical inspector prior to the City energizing the service.~~

## ~~1. —Underground Industrial and Commercial Installations~~

~~The customer is required to provide a concrete pad for the transformer and a meter box and current transformer cabinet (if required) all in accordance with specifications provided by the City and all to be installed at a location agreeable to the customer and the City. The customer is required to provide, in accordance with specification provided by the City, a trench, provide and install conduit and backfill the trench from a point designated by the City to the transformer and/or from the transformer to the customer service entrance (if required). The conduit will be 4 inch PVC schedule 40 or 4 inch PVC schedule 80 under roads and driveways laced with pulling strings. The number of conduits required and the beginning and ending points will be specified by the City. The City will provide the cable and labor to install the primary cable. The customer is required to provide materials and labor for secondary cable installation from the transformer to the customer facilities. The City will make all connections to the transformer. The transformer is provided by and installed by the City, except for Primary Services where the customer provides and installs the transformer(s).~~

## ~~—Overhead Industrial and Commercial Installations~~

~~The City will provide overhead secondary service (material and labor) from the nearest pole to a mast provided by the customer. The mast shall be of sufficient mechanical strength to support the service drop. The mast location shall be approved by the City. In no case shall the mast be less than 2.5" diameter rigid steel pipe. The customer shall provide and install a meter socket and a current transformer cabinet (if required) in accordance with specifications provided by the City. The meter location shall be approved by the City. The City will make the connections at the customer's weatherhead.~~

## ~~3. —Underground Residential~~

~~When secondary service is already available the customer is required to provide a trench and backfill in accordance with City specifications from the designated secondary location to the meter point. The City will install the cable in the trench and connect the source end of the cable. The customer will connect the load end of the cable to the meter socket. The customer shall provide and install a meter socket in accordance with specifications provided by the City. The meter location shall be approved by the City.~~

~~When secondary service is not available and extension of underground primary is required to serve the location, the customer or the developer shall also provide the following to facilitate extension of the primary distribution system. The customer will provide location(s) specified by the City for placement of City provided transformer(s). The customer will also provide in accordance with specifications provided by the City, trench(es), provide and install conduit(s) and backfill the trench(es) from a point identified by the City where primary service currently is in place to the new transformer location(s). The conduit will be 4 inch PVC schedule 40 or 4 inch PVC schedule 80 under roads and driveways laced with pulling strings. The City will provide the cable and labor to install the primary cable. The number of conduits required will be specified by the City.~~

~~**Overhead Residential**~~

~~The City will provide overhead secondary service (material and labor) from the nearest pole to a mast provided by the customer. The mast shall be of sufficient mechanical strength to support the service drop. In no case shall the mast be less than 2.5" diameter rigid steel pipe. The mast location shall be approved by the City. The customer is required to provide and install the meter socket and make connections at the meter. The meter location shall be approved by the City. The City will make connections at the customer's weatherhead.~~

~~**5. Voltages Available**~~

~~The City will furnish only the following standard voltages and connections:~~

~~Residential, Commercial and Light Industry (100 kw maximum demand)~~

~~Single phase 120/240 volts or 120/208 volts (if available)~~

~~Commercial and Industrial (above 100 kw demand)~~

~~Three phase 4 wire grounded wye connected, 120/208 or 277/480 volts.~~

~~Primary voltage services are available for large customers at 13.2 and 69 kV.~~

**RESOLUTION NO. R-75-11**

**A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT FORMULA ALLOCATION PROGRAM APPLICATION FOR FISCAL YEAR 2011**

WHEREAS, the City of Piqua is a unit of government that possesses the legal authority to apply for Small Cities Community Development Block Grant funds available through the Ohio Department of Development, under the Federal Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the City of Piqua has housing and community development needs that can be improved and alleviated with this assistance; and

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

SEC. 1: This FY 2011 CDBG Formula Allocation Program application is hereby approved and the City Manager is hereby authorized and directed to submit the City's program application to the Ohio Department of Development, including all understandings and assurances therein.

SEC. 2: The City Manager is authorized to be the designated agent of the program in connection with the application and is authorized to execute all agreements in conjunction with the FY 2011 Program.

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

Tabled until 1<sup>st</sup> Meeting in July  
6-21-2011

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CLERK OF COMMISSION



## CITY COMMISSION MEETING REPORT

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FOR THE REGULAR MEETING TO BE HELD:  
JULY 5, 2011

TO: Fred Enderle, City Manager

FROM: William Lutz, Development Program Manager

SUBJECT: FY 2011 – Community Development Block Grant Formula Allocation Program Application

### ***PURPOSE:***

The purpose of this resolution is to authorize the filing of the City of Piqua's Fiscal-Year 2011 Community Development Block Grant Formula Allocation Program Application. For the Fiscal-Year 2011 application, the City of Piqua is proposing to submit two different projects to the Ohio Department of Development for funding.

Staff members have put forward two projects proposed to be funded through the FY 2011 Community Development Block Grant Program. The first project, at a cost \$26,400, is the installation of new playground equipment at Mote Park. The installation will be very similar to the equipment at Kiwanis Park and Das Park. Additionally, it is anticipated that we would coordinate our efforts with the Southview Neighborhood Association in final design and installation. Our second project is to make streetscape improvements on the intersections at North Wayne Street and High Street and North Wayne Street and West High Street. These improvements will increase the pedestrian safety in this area by clearly outlining pedestrian cross walks across High, North Wayne and Market Streets and incorporated traffic calming devices which will decrease speed of traveling motorists. Additionally, the project will install best management practices for stormwater management as well as include the installation of new trees in the downtown environment. These improvements have been estimated to cost \$60,000. The remaining funds received by the grant, will be used for the allocated administrative costs (\$16,200) and for fair housing activities (\$5,400).

### ***RECOMMENDATION:***

City Staff recommends that the City Commission approve the filing of the application with the Ohio Department of Development.

### ***BACKGROUND:***

Each year, the City of Piqua receives an annual allocation of funding from the Ohio Department of Development for the administration of the Community Development Block Grant Formula Allocation Program. The Community Development Block Grant Formula Allocation Program, is a federal program in which municipalities and counties must use funds to either provide improvements to low to moderate income areas or to address areas of slum and blight. On June 18, 2011 the City of Piqua received official notification from the Ohio Department of Development on the amount of funding available through the FY

2011 Community Development Block Grant Program, which for this year is \$108,000. This amount is roughly \$10,000 less than last year.

Funds are not only provided for projects, but grant funding also is provided to undertake fair housing initiatives and for administrative costs due to running the program. For 2010, 15% of the will be provided for the administrative costs of the program and 5% will be provided for fair housing initiatives, as allowed by the Community Development Block Grant rules and regulations.

***ALTERNATIVES:***

City Commission may decide not to adopt the resolution, in which case, the City would not have the necessary time to prepare a new application by the required deadline of July 29. This would cause the City of Piqua to lose their annual allocation through the Community Development Block Grant Program.

***DISCUSSION:***

In April, the Ohio Department of Development providing guidance to communities stating that allocations for the Community Development Block Grant fund would not be known and communities were asked to submit multiple projects without the knowledge of funding available. City staff coordinated a list of five projects and on June 18<sup>th</sup>, the Ohio Department Development informed the city of the final allocation amount, which was in direct contrast to the original guidance provided.

Originally, a resolution request was made to the City Commission to approve the filing of the Community Development Block Grant Program Application in which \$60,000 would be provided to the Streetscape Improvements at North Wayne Street at West High Street and Market Street and \$26,400 was given for the Mote Park Playground Improvement Project. On June 20, 2011, a required public hearing was held and no objections were heard and on June 21, 2011 a letter from the President of the Southview Neighborhood Association was received announcing the organization's support of the project. During the deliberations of the original resolution, some members of the Southview Neighborhood Association presented objections to the original plan and the City Commission tabled the resolution for further discussion.

On June 27, 2011, members of the City Staff met with members of the Southview Neighborhood Association on different issues at Mote Park, including the \$26,400 Community Development Block Grant request. City Staff members were presented with a list of different improvements in which the neighborhood association felt was necessary for Mote Park; including replacement of some of the playground equipment. After discussions with the members of the association and city staff, there was general agreement that \$26,400 was an appropriate amount of funds for the playground improvements to be made at the park. Additionally, the city agreed to work with the neighborhood association to undertake a process to give the association input on what equipment would be purchased with the grant dollars.

City staff also agreed to work closely with the neighborhood association to develop a long-term plan of work for the improvements with the park and help identify and procure the necessary resources to ensure the proper implementation of these projects. For

example, discussions have been occurring between city staff and the neighborhood association to erect a new picnic shelter at the park. Other discussed improvements at the park include installing new water fountains and updating restrooms. At the conclusion of the meeting, the neighborhood association again was supportive of the city's efforts and the Community Development Block Grant Program Application and the city had committed to continue to work with the neighborhood association to work with the association to develop a plan of work on future improvements to be made at the park.

***FINANCIAL IMPACT:***

The Community Development Block Grant Formula Allocation Program has a positive financial impact on the community, through the grant, dollars are provided to the city to not only undertake a project that has a benefit to low to moderate income residents, it also provides financial resources to help pay for the administration of the program and to undertake necessary fair housing initiatives.

***COMMUNITY IMPACT:***

The impact of the Community Development Block Grant Formula Allocation Program is expected to be positive within the community, no matter which project, or projects are funded by the Community Development Block Grant Program.

***CONFORMITY TO CITY PLANS & POLICIES:***

The proposed activities outlined in the Community Development Block Grant Program application were developed in accordance in City Plans and Policies.

## ORDINANCE NO. 6 -11

### AN ORDINANCE AUTHORIZING THE SUBMISSION OF A PROPOSED AMENDMENT TO PIQUA CHARTER SECTIONS 120, 121, 122, 125 and 127 THE RECALL

WHEREAS, the City Commission desires to place charter amendments on the November 2011 ballot regarding certain recall provisions; and

WHEREAS, the City Commission met in a public work session on June 2, 2011 to consider the matter; and

WHEREAS, the Piqua City Law Director presented a summary of the charters throughout the State of Ohio, consisting of a review of 154 charters and the recommended changes to the Charter are consistent with the governing provisions of the charters throughout Ohio.

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

SECTION 1. The City Commission requests that the Miami County Board of Elections place on the ballot for the November 2011 General Election the question whether the electorate is for or against amending Charter Sections 120, 121, 122, 125 and 127 as follows:

#### **SECTION 120 RECALL PETITION PAPERS.**

A member of the commission may be removed from office by the electors of the city. Any elector of the ward from which a member of the commission was elected may make and file with the city clerk an affidavit stating the name of the member whose removal is sought and grounds alleged for such removal that shall include an allegation of inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office, incapacity or incompetency, and any elector of a ward from which a member of the commission is chosen may make and file with the city clerk an affidavit stating the name of the ward commissioner whose removal is sought and grounds alleged for such removal. The clerk shall thereupon deliver to the elector making the affidavit copies of petition papers for demanding such a removal, printed copies of which he shall keep on file for distribution as herein provided. In issuing any such petition paper the clerk shall enter in a record to be kept in his office the name of the elector to whom issued, the date of issuance, the number of papers issued, and shall certify upon each such paper the name of the elector to whom issued and the date of issuance. No petition paper shall be accepted as part of a petition unless it bears such certificate of the clerk and unless filed as hereinafter provided.

#### **SECTION 121 FILING RECALL PETITION.**

A petition demanding the removal of a member of the commission shall be known as a recall petition. A recall petition to be effective must be returned and filed with the city clerk within thirty days after the filing of the affidavit as provided in the next preceding

section, and to be sufficient must bear the signatures of ~~4,000~~ 2,000 registered voters of the City of Piqua. A recall petition if insufficient as originally filed, may be amended as provided in this charter.

#### **SECTION 122 RECALL ELECTION ORDERED.**

If a recall petition, or amended petition, shall be certified by the city clerk to be sufficient, which shall include the Board of Elections has certified all signatures, he shall at once submit it to the commission with his certificate to that effect and shall notify the member of whose removal is sought of such action. If the member of the commission whose removal is sought does not resign within five days after such notice the commission shall thereupon order and fix a day for holding a recall election in the city. If the commission is not scheduled to meet in the next calendar week after being notified by the clerk that a recall election date needs to be set, the commission shall call a special meeting within three business days to set the election date. Any such election shall be held not less than forty nor more than sixty days after the petition has been presented to the commission, and at the same time as any other general or special election is to be held within such period, the commission shall call a special recall election to be held within the time aforesaid.

#### **SECTION 125 RESULT OF RECALL ELECTION.**

If a majority of the votes cast on the question of recalling a member of the commission shall be against his recall he shall continue in office for the remainder of his unexpired term, but subject to recall as before. If a majority of such votes be for the recall of the member indicated on the ballots he shall, regardless of any defect in the recall petition, be deemed removed from office. When a member of the commission is removed from office by recall the candidate to succeed such member, shall be declared elected after counting the votes in the manner provided by this charter for a regular election, shall succeed the member so removed for the unexpired term.

If there are no candidates on the ballot and a commissioner was recalled, the seat of the recalled commissioner shall be filled by a majority vote of the Planning Commission. Said person appointed shall satisfy the requirements of Charter Section 3 and shall reside in the same ward as the recalled commissioner. If there are more than two years remaining in the term of the recalled commissioner, the appointed person shall serve until the next general election where he shall be elected if he desires to remain as a commissioner. The elected person shall take office upon certification of the results by the Board of Elections and serve for the remainder of the unexpired term. If there are less than two years remaining in the term of the recalled commissioner, the appointed person shall serve for the remainder of the unexpired term.

#### **SECTION 127 LIMITATIONS ON RECALL PETITIONS.**

No recall petition shall be filed against a member of the commission until six months ~~within three months~~ after he takes office nor in case of a member subjected to a recall election and not removed thereby, until at least six months after that election.

SECTION 2. The proposed amendment shall be submitted to a vote of the electors on November 1, 2011, in the general election in the City of Piqua.

SECTION 3. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 120 Recall Petition Papers, and the question to be submitted shall be as follows:

Shall Charter Section 120 be amended to require a recall petition to specify as a reason on the petition for recall an allegation of inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office, incapacity or incompetency?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 4. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 121 Filing Recall Petition, and the question to be submitted shall be as follows:

Shall Charter Section 121 be amended to require the recall petition to have 2,000 signatures of registered voters of the City of Piqua?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 5. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 122 Recall Election Ordered, and the question to be submitted shall be as follows:

Shall Charter Section 122 be amended to define when the Commission needs to set a recall election date upon being notified by the clerk?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 6. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 125 Result of Recall Elections, and the question to be submitted shall be as follows:

Shall Charter Section 125 be amended to allow for the Planning Commission to appoint a member to the commission when a commissioner has been recalled and there was no candidate on the ballot to be elected?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 7. The ballot for said election shall, at the top thereof, be entitled "City of Piqua Charter Amendment Section 127 Limitations on Recall Petitions, and the question to be submitted shall be as follows:

Shall Charter Section 127 be amended to restrict a recall petition being filed against a commissioner until six months after he takes office?

To the left of said wording, in boxes with appropriate places for the marking, shall appear the words, "For the Ordinance" and "Against the Ordinance" for each elector to indicate his vote in the manner and place provided.

SECTION 8. The City Manager shall cause notice of the proposed amendment as well as the time and place of the election to be published in the Piqua Daily Call for a period of two consecutive weeks.

SECTION 9. The Clerk of this Commission shall certify a copy of this Ordinance to the Board of Elections of Miami County, Ohio.

SECTION 10. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

REBECCA J. COOL  
CITY COMMISSION CLERK

**RESOLUTION NO. R-80-11**

**A RESOLUTION ACCEPTING THE RESIGNATION  
OF KAREN SCHULTZ AS A MEMBER OF THE  
COMMUNITY DIVERSITY COMMITTEE**

WHEREAS, Karen Schultz was appointed to the Community Diversity Committee on March 15, 2011 by Resolution No.R-38-11; and

WHEREAS, Karen Schultz submitted a letter of resignation to the Community Diversity Committee on May 6, 2011.

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: This Commission hereby accepts the resignation of Karen Schultz as a member of the Community Diversity Committee.

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

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION

**RESOLUTION NO. R-81-11**

**A RESOLUTION AWARDING A CONTRACT TO  
SULZER TURBO SERVICES FOR EMERGENCY REPAIRS  
TO #8 GAS TURBINE**

WHEREAS, the Power System owns, maintains and operates two combustion turbines as back-up power sources for Piqua electric customers.

WHEREAS, the continued operation of these units provide significant financial benefit to Piqua electric customers.

WHEREAS, a recent unexpected failure to the City's #8 gas turbine has rendered it inoperable.

WHEREAS, qualifications were received for the proper and timely repair of the City's #8 gas turbine.

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

SEC. 1: A contract for said repairs is hereby awarded to Sulzer Turbo Services as the best, responsible proposer and the City Manager is hereby authorized to execute a contract with said proposer pursuant to contract specifications.

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$995,000.

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

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



**CITY COMMISSION MEETING REPORT**

*For the Regular Meeting of July 5, 2011*

TO: Fred Enderle, City Manager  
FROM: Ed Krieger, Power System Director  
SUBJECT: Emergency Repairs to #8 Gas Turbine

**PURPOSE:**

Approve the Resolution No. R-81-11 authorizing the City of Piqua Power System to contract with Sulzer Turbo Services for emergency repairs to #8 gas turbine at a not to exceed cost of \$995,000.

**RECOMMENDATION:**

I am requesting approval of Resolution No. R-81-11, which will authorize the Power System to complete emergency repairs to #8 gas turbine.

**BACKGROUND:**

The Power System owns and operates two combustion gas turbines. As a capacity resource bid into the PJM Regional Transmission Organization they provide a significant economic benefit to Piqua customers, effectively saving our customers over \$1,000,000 annually. In addition, the gas turbines can be black-started and are able to serve over half of the City's electric load, should the need arise. It is difficult to quantify the economic benefit of these back-up resources. However, in 2003 Piqua was not too far removed from the black-out that impacted the Midwest and East coast electric grid.

Our agreement with PJM, through American Municipal Power (AMP), requires an annual full load test to verify that the gas turbines are capable of generating 25,000 kilowatts. After successful completion of this year's test on June 7, unusual sounds from #8 gas turbine were heard while ramping the unit down. A follow-up borescope inspection identified significant damage, most likely caused by a broken compressor blade as detailed in Jim Vine's attached report.

The total extend of the required repairs will not be fully known until the unit is opened up and the rotor is trucked to a facility for inspection and repairs. As a result, repair companies are only offering time and material repair options. After much investigation and evaluation of various time and material proposals in consultation with Jim Vines (the City's long-time gas turbine consultant) and AMP staff, we are recommending proceeding with Sulzer Turbo Services for the required repairs. Sulzer is considered the leading in the industry, as they own the largest and most technically-advanced repair facility in the world. Sulzer was also the only company offering a two-year warranty for their work.

### **ALTERNATIVES:**

- 1) Approve Resolution No. R-81-11 authorizing the City of Piqua Power System to contract with Sulzer Turbo Services for emergency repairs to #8 gas turbine.
- 2) Do not approve Resolution No. R-81-11.
- 3) Do not approve Resolution No. R-81-11 and provide staff with further direction.

### **DISCUSSION:**

Piqua's agreement with AMP, and consequently with PJM (Regional Transmission Operator), requires Piqua to have the capability to produce 25,000 kilowatts in order to meet our obligations of the Demand Response program, which provides significant economic benefit to Piqua customers (currently over \$1,000,000 annually). Failure to provide 25,000 kilowatts when requested results in significant financial penalty to the City, though forfeiture of accrued savings. We are currently exposed to forfeiture of up to 60% of our projected savings of \$1,000,000 or \$600,000 should PJM call on our gas turbines while #8 gas turbine is out of service. In addition, with #8 gas turbine out of service (which is our black-start unit), we have no capability to back-up the City's power supply should we experience an outage to the electric grid.

The option to not repair #8 gas turbine will subject the City's electric customers to higher electric costs and eliminate the possibility of backing up the City's power supply with our own generation resource. This alternative would leave us captive to the reliability of the electric grid. In 2003, Piqua was not too far removed from the black-out that impacted much of the Midwest and East coast.

### **FINANCIAL IMPACT:**

Obviously, the required repairs to #8 gas turbine will be an unbudgeted expenditure. However, the Power System currently has adequate cash reserves to cover the full cost of the repairs. In addition, the City is pursuing an insurance claim through our coverage with MVRMA for a significant portion of the repair costs.

**COMMUNITY IMPACT:**

The approval of Resolution No. R-81-11 will ultimately return #8 gas turbine to service. This action ensures the City has a resource available to provide back-up power to over half of the City's customers should it be needed. In addition, this action will reduce our exposure to significant financial penalties should the City be called upon to operate our gas turbines as part of our participation in the PJM demand response program. Our continued participation in this program saves Piqua's electric customers over \$1,000,000 annually on their electric bills.

**CONFORMITY TO CITY PLANS & POLICIES:**

The Piqua Energy Board unanimously recommended City Commission to approve a contract with Sulzer Turbo Services to complete the required emergency repairs to the City's #8 gas turbine during their regular meeting of June 28, 2011.

**James Franklin Vines: When time proven experience is necessary, 42 yrs, Gas turbines!**

**1146 Lee Hwy., Verona, VA. 24482: Phone: 540-569-6476, Emergency calls- OK**

# PIQUA POWER

**DAMAGED COMPRESSOR ROTOR**

**FOR**

**FRAME 5 MODEL N**

**June 15, 2011**

This is a report for the condition of the compressor of the Piqua Power systems unit #8. This turbine was run, June 7, 2011, to test the capacity of this unit for load acceptance for the next year. The test went good and the turbine ran full load @ 16.0 MW, @93F ambient temp. During this test no problems were noted. During the shutdown, the de-acceleration went as normal to @ 4,000 rpm turbine speed. At this time an alarm came in which was, Compressor bleed valve trouble and Inlet guide vane trouble. This was the time the sound coming from the compressor changed. Looking outside quickly, the exhaust stack showed smoking and evident blow out of flame. The turbine tripped, fuel off, and came down in RPM. When the RPM got to @ 1,500 turbine speed, a rubbing was heard and was RPM dependent. As speed came down the rubbing slowed.

After the unit came to ratchet speed, no rubs were heard. The unit was rolled over many times to hear a rub and noise. None were heard. The unit was test started in crank speed, @1000 RPM, and once again, the rubbing or knock was heard, RPM dependent.

Because of the heat of the turbine it will take a few days for the temperature to come down to a point to shut down ratchet. I left for the week and will return next week to borescope the compressor, turbine and exhaust.

I arrived back on site at June 15, 2011, 7:00 A.M. and looked into the intake. Some rust and rusted materials were in the bottom of the intake stack. This stack was cleaned, the last borescope evaluation Oct. 20, 2010. The viewing of the IGV's showed not damages and some wear on the bushings. Not enough to repair yet. The R1 rotating blades did have some damage. A few of the tips had foreign material damaged, (rust hitting the blades), and have 5 blades that have minor bends. These can be blended out later if needed.



R1 bent leading edge

R1 bent leading edge again

The unit was ratcheted many revolutions and no rubs were noted. The unit was spun with the diesel to 300 RPM and allowed to roll down. No rubs were noted. When the unit was tested to 300 RPM, the 14HM relay picked up and would have allowed the unit to fire very early. This was a control system fault. When the unit was back on ratchet system all was OK. The unit was re-spun to 1000 RPM and this time the 14 HM picked up at 900 RPM, correct! There were not rubs in the turbine and the unit was shut down for roll down check out. All was correct until @ 600 RPM. A sound of a loose blade rolling in the later stages of compressor was heard. Note: The #8 nozzle was removed and now a good sound identification can be made. This sound seems to be a broken off compressor blade in the middle of the compressor hitting and dinging off other blades. @ 400 RPM the sound quite and all was normal to ratchet speed.

A borescope was used to view deeper in the compressor.

## **Borescope of compressor:**

The IGV's were in good condition and will require only cleaning. The gears for the IGV's are in good condition and are a max of .007 wobble.

The 1R rotor blades are in good condition and do have some dings and small outer edge bends from foreign materials hitting the blades, (rust).



The 1S to 7S stator blades are in great condition and require no attention.



Great R3

and

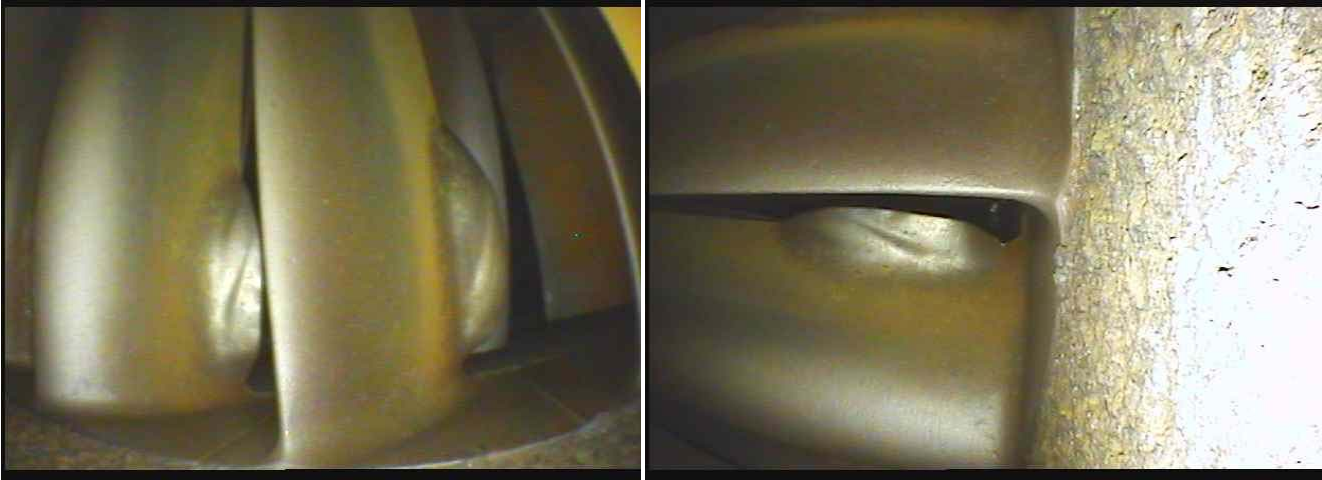
S6 blades.

The 2R to 8R rotor blades are in great condition and require no attention.



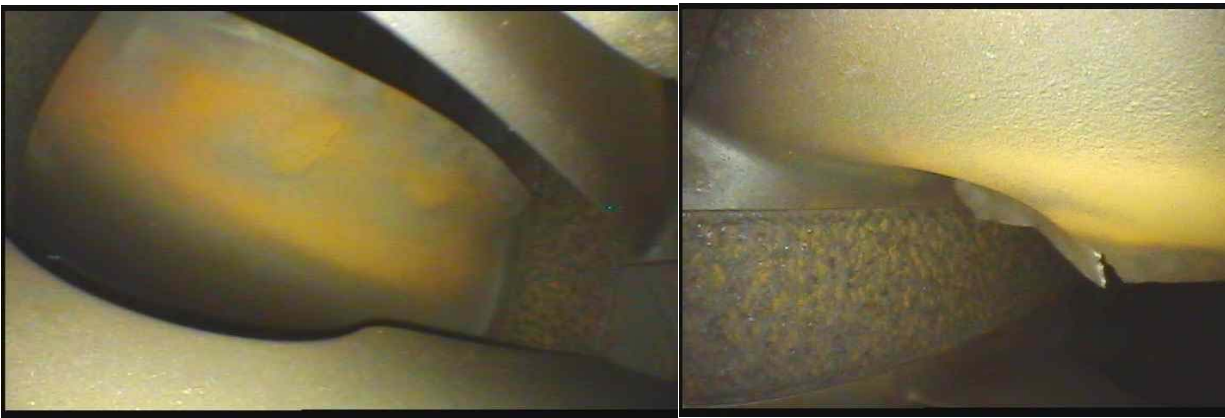
Great R5 and bleed air ports for 5<sup>th</sup> stage bleed air

The 8S to 10S stator blades are in very bad condition, cracks, bends, dings, and need immediate attention. These damages are from, (most likely), an dislodged compressor blade during the compressor bleed valve surge problems.



Damaged S8 stator blades, many damaged here

Another view of damaged stators

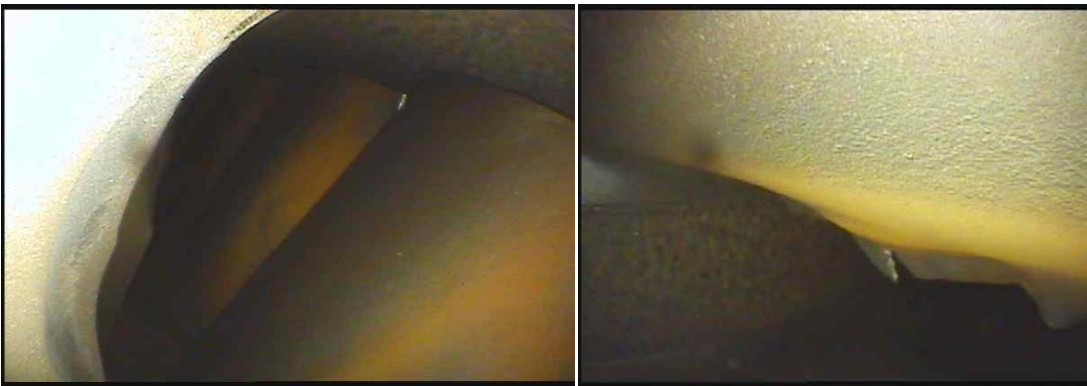


Badly damaged R10 rotor blades

and

S9 stators blades

The 9R to 11R rotating blades are in very bad condition and need immediate attention, cracks, bends, dings, and need immediate attention. These damages are from, (most likely), a dislodged compressor blade during the compressor bleed valve surge problems.



Damaged 10 stators

and

Broken trailing edge stators



Damaged 10 stage stators.

I was not able to go further than 10S and 10R stages. There are 16 Stages and 6 are left unseen at this time. I fully expect more damages in these stages. I do not believe any damages were done to the hot turbine sections.

The problems that have been identified will not allow the turbine to be run for load. This machine, if re-started, will do more damages to the compressor.

#### Repairs:

- The main gas turbine rotor will have to be removed. This rotor will have to be un-stacked, blades repaired/replaced and the rotor re-stacked.
- The stationary blades in the turbine shell, 8S to 16S, will have to be repaired/replaced as necessary.
- The compressor bearing will have to be checked and repaired if necessary
- The compressor thrust bearing will have to be checked and repaired as necessary.
- The exhaust bearing will have to be checked and repaired as necessary.
- The turbine 1<sup>st</sup> and 2<sup>nd</sup> stage nozzles will have to be checked and repaired as necessary.
- The 1<sup>st</sup> and 2<sup>nd</sup> stage buckets will have to be checked and repaired as necessary.

During this time, the controls and the exhaust systems can be repaired/replaced.

## Worked to be done:

1. Remove the upper roof sections
2. Remove the inner air piping, fuel piping, electric lines
3. Remove the nozzles and piping
4. Remove the combustion can covers
5. Remove the combustion liners and cross flame tubes
6. Remove the combustion outer cans
7. Remove the bolts of the turbine shell
8. Remove the upper inlet duct 90 degree elbow
9. Remove the inlet upper duct at the scroll
10. Removed the upper C1 case
11. Remove the upper inlet scroll
12. Remove the upper compressor bearing cover.
13. Remove the upper turbine shell
14. Removed the Transition pieces, upper and lower
15. Remove the upper anti rotation pins for turbine nozzles
16. Removed the upper compressor covers, C2 and compressor discharge case
17. Remove the inner torque tube covers.
18. Removed the 1<sup>st</sup> stage nozzle, upper
19. Remove the 2<sup>nd</sup> stage nozzle , upper
20. Remove any upper sections, support rings, inner seals,
21. Removed the exhaust upper bearing support housing
22. Remove all seals
23. Remove upper exhaust bearing cover
24. Removed upper bearings, compressor and exhaust
25. Remove the turbine main load gear drive shaft cover
26. Removed the turbine main load gear drive shaft
27. Removed the accessory gear drive shaft cover
28. Removed the accessory gear drive shaft.
29. Inspect all turbine parts and make detailed report of all damages
30. Send rotor to repair shop
31. Repair damage stator blades in compressor shell, lower and upper.
32. Check for needed repairs on the inner turbine parts., nozzles, buckets, seals, shrouds, etc.
33. Make recommendations for repairs.

Jim Vines

June 15, 2011



**RESOLUTION NO. R-82-11**

**A RESOLUTION AWARDING CONTRACTS TO  
EMERSON PROCESS MANAGEMENT AND PROENERGY  
SERVICES FOR GAS TURBINE PLANNED MAINTENANCE**

WHEREAS, on January 4, 2011, this Commission passed Resolution No. R-2-11 authorizing the City Purchasing Analyst to advertise for bids, according to law, for the Gas Turbine Planned Maintenance Project; and

WHEREAS, after proper advertisement, bids were opened resulting in the tabulation of bids as listed in Exhibit "A" attached hereto;

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

SEC. 1: Contracts with Emerson Process Management and ProEnergy Services for Gas Turbine Planned Maintenance are hereby approved as the lowest, responsible bidders for said project and the City Manager is hereby authorized to execute a contract with said bidders pursuant to contract specifications.

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$1,109,920.

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

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



## CITY COMMISSION MEETING REPORT

*For the Regular Meeting of July 5, 2011*

TO: Fred Enderle, City Manager  
FROM: Ed Krieger, Power System Director  
SUBJECT: Gas Turbine Planned Maintenance

### **PURPOSE:**

Approve the Resolution No. R-82-11 authorizing the City of Piqua Power System to contract with Emerson Process Management and ProEnergy Services for planned maintenance to the City's gas turbines. Turbine and generator control systems on both units, a fuel valve on #9 gas turbine and the exhaust plenum/diffuser on #8 gas turbine will be replaced at a not to exceed cost of \$1,109,920 during the fall of 2011 and spring of 2012.

### **RECOMMENDATION:**

I am requesting approval of Resolution No. R-82-11, which will authorize the Power System to complete needed maintenance to the City's gas turbines.

### **BACKGROUND:**

The Power System owns and operates two combustion gas turbines. These units are over forty years old and to this point, significant dollars have not been invested to ensure their continued reliable operation. As a capacity resource bid into the PJM Regional Transmission Organization they provide a significant economic benefit to Piqua customers, effectively saving our customers over \$1,000,000 annually. In addition, the gas turbines can be black-started and are able to serve over half of the City's electric load, should the need arise. It is difficult to quantify the economic benefit of these back-up resources. However, in 2003 Piqua was not too far removed from the black-out that impacted the Midwest and East coast electric grid.

Sega is serving as Owner's Engineer and Project Manager. Attached is their evaluation and recommendation to utilize Emerson Process Management and ProEnergy Services for completion of the planned maintenance to the gas turbines. The approach would be to complete the planned maintenance on #8 gas turbine during the fall of 2011, budget for and complete the remaining maintenance to #9 gas turbine in the spring of 2012.

Sega recommends awarding a contract to Emerson Process Management for turbine & generator control replacements on both units and fuel valve replacement on #9 gas turbine for a not to exceed price of \$792,000 (\$375,600 of which will be expended in 2011). In addition, Sega recommends awarding a contract to ProEnergy Services for exhaust plenum/diffuser replacement on #8 gas turbine for a not to exceed price of \$317,920, with that work also completed in the fall of this year.

### **ALTERNATIVES:**

- 1) Approve Resolution No. R-82-11 authorizing the City of Piqua Power System to contract with Emerson Process Management and ProEnergy Services to complete planned maintenance to the City's gas turbines.
- 2) Do not approve Resolution No. R-82-11.
- 3) Do not approve Resolution No. R-82-11 and provide staff with further direction.

### **DISCUSSION:**

Extensive testing of combustion turbines #8 (GE Frame 5 Model N) and #9 (Westinghouse W-191-G) in the fall of 2010 revealed both are operational but with the abnormal high possibility of nuisance shutdown due to control and controls related malfunctions. Both units control system contain obsolete parts and are harder to repair each year. In addition, the fuel valve on #9 gas turbine is outdated technology, with more efficient and reliable models now available. Finally, the exhaust plenum/diffuser on #8 gas turbine is deteriorating to the point it is negatively impacting the reliability of the unit.

As discussed previously, the reliability of these units is of paramount importance due to our agreement with AMP, and consequently with PJM (Regional Transmission Operator), that requires Piqua to have the capability to produce 25,000 kilowatts in order to meet our obligations of the Demand Response program, which provides significant economic benefit to Piqua customers. Failure to provide 25,000 kilowatts when requested results in significant financial penalty to the City, though forfeiture of accrued savings.

### **FINANCIAL IMPACT:**

The Power System has included \$650,000 in the 2011 budget to cover the cost of the planned maintenance to the gas turbines. Including required contingencies, Sega is recommending we allocate \$693,520 in 2011 to complete all planned maintenance activities to #8 gas turbine. The remaining \$43,520 will be reallocated from other electric distribution capital accounts (Poles & Fixtures, Overhead & Underground Conductors) with little adverse impact, by reducing the pace of ongoing distribution improvement projects.

**COMMUNITY IMPACT:**

The approval of Resolution No. R-82-11 will provide for enhanced reliability and modernization of the City's combustion turbines. Investment in this equipment will help to maintain the high level of service reliability our customers expect, while also helping to ensure Piqua's power costs remain at an enviable and competitive cost level.

**CONFORMITY TO CITY PLANS & POLICIES:**

The planned maintenance to the City's gas turbines is included in the Power System's ten year capital plan. This long-planned project is consistent with the Power System's goals of providing cost-effective and reliable electric service. The Piqua Energy Board unanimously recommended City Commission to approve contracts with Emerson Process Management and ProEnergy Services to complete the recommended planned improvements to Piqua's gas turbines during their regular meeting of June 28, 2011.



June 23, 2011

City of Piqua  
123 Bridge Street  
Piqua, OH 45356

Attention: Mr. Ed Krieger

Re: City of Piqua  
Unit 8 and 9 Control System Replacement  
Project Contract No. 1115  
Project No. 11-0090

**SUBJECT: BID EVALUATION AND REWARD RECOMMENDATION, REV. 1**

Dear Mr. Krieger:

On June 16, 2011, the City of Piqua received and opened five bid packages from bidders for the City of Piqua Unit 8 and 9 Control System Replacement. Responsive bid proposals were received from Emerson, ProEnergy, S.T. Cotter, HPI, and McGuffey. GE submitted a "no bid" response to the Request for Bid. All proposals included separate bids for each turbine and generator control system for Unit 8 and 9, for the Unit 9 throttle control valve, and for the Unit 8 diffuser and flex seals (please see the attached Bid Tabulation).

Sega Inc. (Sega), the Engineer for the City of Piqua, has reviewed the bids in detail and a bid evaluation for the proposals received. With the consideration that the City of Piqua will negotiate the commercial terms and conditions, Sega evaluated the details of each bid proposal for its technical merits and conformance to the Specification. The Unit 8 turbine and generator controls, Unit 9 turbine and generator controls, and Unit 9 throttle valve replacement and installation were evaluated all together, but separately from the Unit 8 exhaust diffuser and flex seals and installation as this provided a logical division of the work and the best overall value to the City of Piqua.

**UNIT 8 AND 9 TURBINE AND GENERATOR CONTROLS,  
AND UNIT 9 THROTTLE VALVE**

Overall, Emerson provided the lowest bid for the Unit 8 turbine and generator controls, Unit 9 turbine and generator controls, and Unit 9 throttle valve replacement and installation, and provided a detailed proposal on the engineering design and how they will accomplish the work. While Emerson interpreted the wording that the turbine and generator control systems shall be NERC CIP ready as being very broad and took exception to it, Sega deems the specific areas Emerson can and will conform to for NERC CIP as acceptable. Overall, Emerson's proposal for the work closely follows the Specification, but Emerson's approach to performing the retrofit for the Unit 8 and 9 turbine and generator controls does differ from the Specification as follows:

1. Emerson plans to replace one unit's turbine and generator control systems at a time; one unit will be completed by the end of this year and the second by the end of April 2012 contrary to the Specification which has the turbine control systems for both units completed this October and the generator control systems for both units retrofitted in 2012. From discussion, this schedule is acceptable to the City of Piqua.
2. Emerson plans to re-use the existing conduits for the new cables it will install for Unit 8 instead of providing new conduits. Any conduit repair or new conduits would be a cost addition. Considering Emerson's experience level in retrofitting GE Frame 5N combustion turbine control systems, this should be an acceptable risk.
3. In Emerson's bid, the initially offered Emerson power supplies were not redundant, but per email, Emerson has agreed to provide redundant power supplies. Redundant power supplies increase system reliability in case anything internal to the supply is faulty (see attached).
4. Emerson plans to replace the Unit 9 turbine and generator cabinets completely by opening the side of the turbine control enclosure, removing the present cabinets, and replacing them with new ones. Emerson would require the City of Piqua to provide a dumpster removing the existing system and a forklift or crane for moving the new cabinets in place. The City of Piqua may need to make special disposal arrangements for items containing mercury.
5. Emerson does not plan to program the replacement generator protection relays for Unit 8 and 9. The City of Piqua would need to provide for this separately. No other bidder discussed the programming of the protective relays.

Emerson specifically discussed the control functions to be performed in the replacement control systems, the instruments to be replaced, providing Allen-Bradley ControlLogix, a new overspeed wheel and electronic probes for Unit 9, the new throttle valve replacement and function, factory acceptance testing, manufacturer and model number for generator control equipment replacement, historical data archiving, training, demolition, installation, and commissioning for all equipment.

HPI provided the next lowest bid for the Unit 8 turbine and generator controls, Unit 9 turbine and generator controls, and Unit 9 throttle valve replacement. HPI plans to provide Allen-Bradley ControlLogix, and discussed the functions to be performed in the replacement control systems, a new overspeed wheel and electronic probes for Unit 9, the new throttle valve replacement and function, factory acceptance testing, manufacturer and model number for generator control equipment replacement, historical data archiving, training, demolition, installation, and commissioning for all equipment.

ProEnergy provided the third lowest bid for the Unit 8 turbine and generator controls, Unit 9 turbine and generator controls, and Unit 9 throttle valve replacement. ProEnergy plans to provide Allen-Bradley ControlLogix with flex I/O, and discussed the functions to be performed in the replacement control systems, the new throttle valve replacement and function, manufacturer and model number for generator control equipment replacement, and demolition, installation, and commissioning for equipment.

S.T. Cotter provided the fourth lowest bid, but did not provide any specific information for the Unit 8 turbine and generator controls, Unit 9 turbine and generator controls, and the Unit 9 throttle valve replacement. McGuffy initially appeared to offer the second lowest bid for the controls replacement, but did not include installation and commissioning in their bid.

### **UNIT 8 EXHAUST DIFFUSER AND FLEX SEALS**

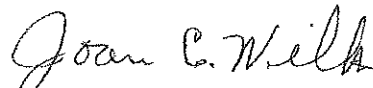
S.T. Cotter provided the lowest bid for the Unit 8 exhaust diffuser and flex seals and installation. They plan to install equipment they will have manufactured by Braden Manufacturing, a reputable OEM supplier of auxiliary systems for combustion turbine manufacturers. ProEnergy provided the second lowest bid; less than \$900 more than S.T. Cotter's bid. Sega's knowledge of both companies' experience leads us to believe either company can perform the work satisfactorily.

### **RECOMMENDATIONS**

Sega recommends that the City of Piqua proceed with negotiations for award of Project Contract No. 1115 Combustion Turbine Controls Systems for Unit 8 and 9 turbine and generator controls, including the Unit 9 throttle valve and installation, to Emerson for the proposed systems. Sega further recommends that the City of Piqua proceed with negotiations for the award of the Unit 8 exhaust diffuser and flex seals and installation with either S.T. Cotter or ProEnergy for their proposed system. Based on Sega's past experience, a contingency of 20 percent of the proposal should be added to the total budgetary scope to cover unforeseen items that occur.

Sincerely,

SEGA INC.



Joan C. Wilk, P.E.  
Senior Control Engineer

JCW/dlc

Enclosures

c: Bev Yount, City of Piqua  
Chad Elder, Sega  
Dave Howell, Sega

Bid Tabulation IFB # 1115  
 Power System Turbine Units # 8 & 9 Control System Replacements  
 Opened 6/16/11 at 10:00 a.m.

City of Piqua, Ohio

	McGuffey*	Pro Energy	HPI	ST Cottier	Emerson
Unit 8 Turbine Controls and Installation	\$ 252,920.00	\$ 424,408.00	\$ 316,809.00	\$ 561,255.00	\$ 231,000.00
Unit 8 Generator Controls and Installation	\$ 122,680.00	\$ 108,925.00	\$ 127,669.00	Included above	\$ 82,000.00
Unit 9 Turbine Controls and Installation	\$ 170,000.00	\$ 313,544.00	\$ 249,224.00	\$ 534,541.43	\$ 227,000.00
Unit 9 Throttle Valve and Installation	\$ 45,000.00	\$ 77,675.00	\$ 49,705.00	Included above	\$ 50,000.00
Unit 9 Generator Controls and Installation	\$ 72,500.00	\$ 108,925.00	\$ 79,379.00	Included above	\$ 70,000.00
Controls Subtotal	\$ 663,100.00	\$ 1,033,477.00	\$ 822,786.00	\$ 1,095,796.43	\$ 660,000.00
Unit 8 Exhaust Diffuser and Flex Seals including Installation	\$ 335,000.00	\$ 265,768.00	\$ 329,847.00	\$ 254,934.39	\$ 398,000.00
Grand Total	\$ 998,100.00	\$ 1,299,245.00	\$ 1,152,633.00	\$ 1,360,730.82	\$ 1,058,000.00
Difference between Controls Bidder Subtotal and lowest Subtotal bid	\$ 3,100.00 *	\$ 373,477.00	\$ 162,786.00	\$ 435,796.43	\$ -
Difference between bid for Exhaust diffuser bid and lowest bid	\$ 70,065.61	\$ 833.61	\$ 64,912.61	\$ -	\$ 133,065.61

All companies included a bid bond or cashier's check  
 GE Energy responded with a "No Bid"  
 \*does not include installation and commissioning

**RESOLUTION NO. R-83-11**

**A RESOLUTION AWARDING A CONTRACT TO  
STAR EX., INC. FOR THE POWER SYSTEM SERVICE  
CENTER EARLY SITE WORK PROJECT**

WHEREAS, on January 4, 2011, this Commission passed Resolution No. R-2-11 authorizing the City Purchasing Analyst to advertise for bids, according to law, for the Power System Service Center Early Site Work Project; and

WHEREAS, after proper advertisement, bids were opened resulting in the tabulation of bids as listed in Exhibit "A" attached hereto;

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

SEC. 1: A contract is hereby approved with Star Ex., Inc. Inc as the lowest, responsible bidder for the Power System Service Center Early Site Work Project and the City Manager is hereby authorized to execute a contract with said bidder pursuant to contract specifications.

SEC. 2: The Finance Director is hereby authorized to draw her warrants from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$443,855.

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

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



## **CITY COMMISSION MEETING REPORT**

*For the Regular Meeting of July 5, 2011*

TO: Fred Enderle, City Manager  
FROM: Ed Krieger, Power System Director  
SUBJECT: Power System Service Center Early Site Work

### **PURPOSE:**

Approve the Resolution No. R-83-11 authorizing the City of Piqua Power System to retain the services of Star Ex., Inc. to complete early site work activities associated with the construction of a new consolidated Power System Service Center.

### **RECOMMENDATION:**

I am requesting approval of Resolution No. R-83-11, which will authorize the Power System to retain the services of Star Ex., Inc. to complete said early site work construction activities at a cost not to exceed \$443,855.

### **BACKGROUND:**

The Power System currently houses a majority of our operation in the decommissioned nuclear Power Plant (Dome) located at 123 Bridge Street. The Dome is currently owned by the Federal Government and the City of Piqua has an agreement to occupy the building until a yet to be determined future time when ownership will revert to the City of Piqua. The remaining Power System staff and materials are housed within or near the decommissioned coal-fired Power Plant at 919 S. Main Street.

Current plans (assuming timely Clean-Ohio Revitalization Fund approval) call for demolition of the coal-fired Power Plant in 2012. The Underground Utilities department will move into the Dome after the new Power System Service Center construction is completed in 2012. City Commission has previously approved the purchase of 5 acres of property bounded by Hemm and Basset Avenues to facilitate Service Center construction. Site activities have begun with tree removal, fence installation on the west property line and installation of utilities by City personnel.

Wenco is serving as Owner's Engineer and Project Manager. Attached is their evaluation and recommendation to utilize Star Ex., Inc. for completion of the early site work phase of the project. This phase of the construction project includes: remaining site clearing activities, earth work & grading, installation of storm sewers and gravel base, rock excavation as required and construction of the building pad. Wenco recommends awarding a contract to Star Ex., Inc. at a not to exceed cost of \$443,855, which is \$213,645 below the Engineer's estimate for the project.

### **ALTERNATIVES:**

- 1) Approve Resolution No. R-83-11 authorizing the City of Piqua Power System to retain the services of Star Ex., Inc. to complete early site work activities associated with construction of the consolidated Power System Service Center.
- 2) Do not approve Resolution No. R-83-11.
- 3) Do not approve the Resolution and provide staff with further direction.

### **DISCUSSION:**

Approximately 5 acres of property along Hemm & Bassett Avenues has previously been purchased for the construction of a consolidated Power System Service Center. A Phase I Environmental Site Assessment was completed by PSI, Inc. which revealed no environmental concerns with the site. Wenco is serving as the Owner's Engineer and Project Manager for the project. Site activities have begun with tree clearing, installation of a new west property line fence and installation of utilities by City personnel.

The approval of Resolution R-83-11 will allow Power System staff to proceed with plans to construct a consolidated Power System Service Center. The selected site is considered ideal due to the proximity of existing Power system assets, including two electrical substations and the dam. It is located within an existing industrial/commercial area along South Main Street which will allow for prompt emergency and outage response.

The Energy Board unanimously recommended Piqua City Commission approve awarding a contract to Star Ex., Inc. for completion of early site work activities associated with the construction of a consolidated Power System Service center at their June 28, 2011 regular meeting.

A possible alternative is to reject Resolution R-83-11 and cancel future plans for construction of the Power System Service Center. The benefit would obviously be an immediate savings to the Power System of \$443,855. However, the Power System has already purchased a five acre site at a cost of approximately \$75,000 which would have no other use for the Power System and most likely be sold at a loss if a buyer could be identified. In addition, site development activities have begun with tree clearing, fence installation and utility line installation by City personnel (total estimated cost exceeds \$100,000). Design and project management services due Wenco to this point also

likely exceed \$100,000. In addition, this option does nothing to address the long-range facility needs of the Power System or the Underground Utilities department.

**FINANCIAL IMPACT:**

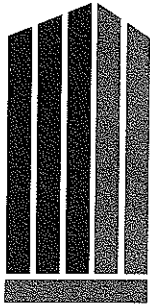
The Power System has included \$545,000 in the 2011 budget for early site work activities associated with construction of the new consolidated service center. Star Ex., Inc.'s expected cost to complete early site work construction activities is \$443,855. It is expected that all planned activities for the site, including tree removals, installation of a new west property line fence and utility line installations by City personnel will be completed within the \$545,000 budget.

**COMMUNITY IMPACT:**

The approval of Resolution No. R-83-11 will allow the City of Piqua Power System to proceed with plans to construct a new consolidated service center. Consolidating Power System personnel, equipment, inventory and resources will significantly improve the operation's overall efficiency. It will allow for the storage of vehicles and the majority of our inventory within an enclosed structure, thus reducing maintenance costs and deterring theft. A properly designed facility will also allow the City to meet increasingly stringent security standards for electric utilities as required by the Federal Energy Regulatory Commission. The future Service Center site is ideally located near key Power System infrastructure; include two electrical substations and the dam. The location along South Main Street will allow for quick emergency and outage response to any location within our service territory. The approval of Resolution R-83-11 will ultimately allow for an improved level of service to our electric customers.

**CONFORMITY TO CITY PLANS & POLICIES:**

The construction of a consolidated Power System Service Center is included in the Power System's ten year capital plan. This long-planned project is consistent with the Power System's goals of providing cost-effective and efficient delivery of service, while also providing a high level of customer-service. The Piqua Energy Board unanimously recommended City Commission approve to contract Star Ex., Inc. to complete early site work construction activities associated with construction of a consolidated Power System Service Center during their regular meeting of June 28, 2011.



**WENCO**  
INC. A Team Builder

### Piqua Power Service Center

June 23, 2011

Mr. Ed Krieger  
Power System Director  
123 Bridge Street  
Piqua, OH 45356

Dear Mr. Krieger:

We have evaluated the bids received on June 16, 2011 for the Early Sitework bid package on the Piqua Power Service Center project.

Four bids were received as shown below:

Contractor	Base Bid	Rock/cy	Bad Soil/cy
Star Ex., Inc.	\$260,500	\$180/cy	\$95/cy
Leo B. Schroeder, Inc *	\$270,684	\$140/cy	---
Arcon Builders, Ltd.	\$315,938	\$159/cy	\$59/cy
Demmy Sand & Gravel **	\$375,700	\$125/cy	\$42/cy
Engineer's Estimate	\$657,500		

\* Considered to be non-responsive due to no bid entry for Bad Soil/cy

\*\* Considered to be non-responsive due to no signed acknowledgement of Addendum #2.

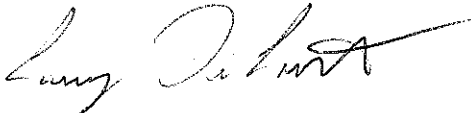
The low bid was submitted by Star Ex., Inc in the base bid amount of \$260,500. In order to evaluate the impact of rock excavation and bad soil, we have provided a conservative estimated value of 146 cy of rock, and 1044 cy of bad soil. Using these quantities with Star Ex and Arcon Builders quotes, the resulting total estimated bids are \$385,960 and \$400,750, respectively.

We conducted a phone interview with Star Ex. and contacted their references. Star Ex. has a good grasp for the project and explained their plan for carrying out the Early Sitework in great detail. References returned excellent comments (see attached notes).

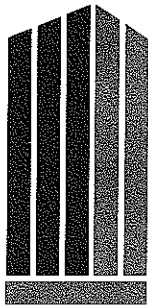
Our evaluation of the experience, reputation and financial condition of Star Ex., Inc. indicates that they are capable of completing the work required. Therefore, we recommend the award of a contract for the construction of the Early Sitework for the Piqua Power Service Center to Star Ex., Inc. in the base bid amount of \$260,500.

In addition, we recommend the project cost to include the \$260,500 Early Sitework bid, a 146cy allowance for rock excavation for \$26,280, a 1044 cy allowance for bad soil replacement for \$99,180, and a 15% contingency for \$57,895, for a total project cost request of \$443,855.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry DiLoreto". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Larry DiLoreto  
Construction Manager  
WENCO, Inc.



**WENCO**  
INC. A Team Builder

6/21/11

## Star Reference Responses

Corna Kokosing Eng. – 614 901 8844

- I spoke to Chad Banneker – 6/21/11
- Long time to remember details, but could not remember a problem
- It was a good job
- The paperwork was clean
- Job was on schedule

Tipp City – 937 667 6305

- I spoke to Scott Vagedes – 6/21/11
- Worked with them on two major jobs
- Did a nice job on both
- They were fair on their Change Orders
- Always cooperative and timely

Bruns – 937 339 2300

- I called Jeff Baker twice – 6/21/11
- Left a message (have not heard back yet)
- I will keep trying

City of Piqua Engineering – 937 778 2044

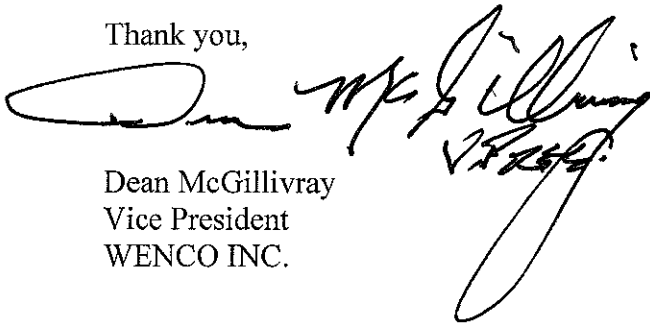
- Bev talked to Amy – 6/21/11
- Amy reported no problems with Star in the past
- Gave a positive reference to use on this job

Miami County Engineering – 937 440 5653

- I talked to Matt Ryan – 6/21/11
- Good work / Professional Company
- Eager to go beyond the scope of the project, but will want Change Orders for that

Of all the comments, none were really negative, most were positive to very positive. Wenco has worked with Star in the past and had very successful projects regarding their work. We know of no reason nor did we find any reason not to award them this job.

Thank you,

A handwritten signature in black ink, appearing to read 'Dean McGillivray', is written over a printed name and title. The signature is stylized and cursive.

Dean McGillivray  
Vice President  
WENCO INC.



**RESOLUTION NO. R-84-11**

**A RESOLUTION PROVIDING FUNDS TO THE PIQUA IMPROVEMENT CORPORATION AS REQUIRED BY THE CLEAN OHIO COUNCIL FOR PARTICIPATION IN THE CLEAN OHIO REVITALIZATION FUND PROGRAM AND CERTIFYING THAT FUNDS ARE AVAILABLE FOR SUCH PURPOSE AND RESCINDING RESOLUTION NO. R-79-11**

WHEREAS, The City of Piqua is interested in supporting The Piqua Improvement Corporation's application to the Clean Ohio Council for the Clean Ohio Revitalization Fund – Piqua Power Plant Waterfront Redevelopment Project, and

WHEREAS, The State of Ohio, through the Clean Ohio Council, provides financial assistance to local governments for the purpose of addressing local needs, and

WHEREAS, The Piqua Improvement Corporation is submitting a Clean Ohio Revitalization Fund Application to complete eligible activities, including but not limited to the performance of remedial activities at the Piqua Power Plant Waterfront Redevelopment Project; and

WHEREAS, The Clean Ohio Council requires applicants to provide matching funds of not less than 25% for every project funded through the Clean Ohio Revitalization Fund; and

WHEREAS, The City of Piqua is committed to assist the Piqua Improvement Corporation through providing the required match of the total project, at a cost not to exceed \$1,000,000 for the required local match through the Clean Ohio Revitalization Fund; and

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

SEC. 1: The City of Piqua approves and authorizes the expenditure of funds from the Piqua Municipal Power System to the Piqua Improvement Corporation in an amount not to exceed \$1,000,000 to be used exclusively for the match requirements and reimbursements to be incurred by the Piqua Improvement Corporation in the administration of the Piqua Power Plant Waterfront Redevelopment Project.

SEC. 2: The Finance Director hereby certifies that the funds are available to be drawn on the accounts of the Piqua Municipal Power System to meet such obligations.

SEC. 3: The provision of funds from the Piqua Municipal Power System to the Piqua Improvement Corporation is contingent on the successful award and execution of a grant agreement received by the Piqua Improvement Corporation from the Clean Ohio Council.

SEC. 4: Resolution Number R-79-11 is hereby rescinded.

SEC. 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

\_\_\_\_\_  
LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION



## **CITY COMMISSION MEETING REPORT**

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**FOR THE REGULAR MEETING TO BE HELD:  
JULY 5, 2011**

To: Fred Enderle, City Manager

CC: William Murphy, Assistant City Manager/Development Director

From: William Lutz, Development Program Manager

Subj.: A resolution providing \$1,000,000 in funding to the Piqua Improvement Corporation as required by the Clean Ohio Council for Participation in the Clean Ohio Revitalization Fund Program and Certifying that Funds are Available for Such Purpose and Rescinding Resolution No. R-79-11.

### **Purpose of the Legislation**

The resolution provides funds from the City's Power System to the Piqua Improvement Corporation for the match funding that is required through the Clean Ohio Revitalization Fund application. The match will only be provided to the Piqua Improvement Corporation and will only be expended if the application is funded from the Clean Ohio Council and will be provided at a maximum of \$1,000,000.

### **Recommendation**

Adopt the resolution which will provide for the necessary match funding for the Piqua Improvement Corporation's Clean Ohio Revitalization Fund application.

### **Background**

On June 21, 2011, the City Commission adopted Resolution Number R-79-11, which forwarded \$500,000 to the Piqua Improvement Corporation for the necessary match for the Piqua Power Plant Waterfront Redevelopment Project. Since June 21<sup>st</sup>, the City of Piqua has worked with the consultant assisting the city with the application and has determined the total project cost of the project at \$2,500,000.

Given the fact that a successful application will only provide \$1,500,000 for the project and the city has already committed \$500,000 through Resolution Number R-79-11, an additional \$500,000 is required for the project. City staff is recommending that the City Commission adopt the attached resolution which would rescind Resolution Number R-79-11 and provide \$1,000,000 in funding to the Piqua Improvement Corporation for the administration of the project.

### **Alternatives**

The City Commission may take the following actions:

1. Adopt the resolution, therefore providing the necessary resources to the Piqua Improvement Corporation for the Piqua Power Plant Waterfront Redevelopment Project and meeting the grant requirements of the Clean Ohio Revitalization Fund program.
2. Reject the resolution and risk having the Piqua Power Plant Waterfront Redevelopment Project not meeting the Clean Ohio Revitalization Fund program requirements and jeopardize the grant funding for the project.

### **Discussion**

As previously stated, the City Commission adopted Resolution Number R-79-11 on July 21, 2011 committing \$500,000 in power funds to the project. As more information has been received from the consultant, it has been determined that the amount funds needed for the project match will need to be \$1,000,000, which is \$500,000 more than what was originally committed. As previously indicated, the demolition and clean up of entire Power Plant site could very easily be in excess of \$5 million. The City's (PIC) success in getting grant dollars only reduces the City's liability for the total cost. This latest engineering estimate is just that; an estimate, and until the project is bid will we know the final cost. Whether we have to match a \$1.5 million State grant with \$500,000 or \$1 million it is only a portion of the total cost the city is ultimately liable for. Therefore, our best option is to commit the additional funding.

City staff is recommending that the City Commission commit \$1,000,000 in power funds to the Piqua Improvement Corporation for the project and rescind Resolution Number R-79-11. This action will allow the Piqua Improvement Corporation's application to move forward.

### **Financial Impact**

Under the provision of the grant, the Piqua Improvement Corporation must match any funds provided by the Clean Ohio Revitalization Fund, in excess of the \$1,500,000 being requested for any project, as long as the match is in excess of 25% of the total project cost. The entire project has been estimated to cost \$2,500,000. The Piqua Improvement Corporation is requesting \$1.5 million dollars from the fund and the City of Piqua's Power Fund is committing up to \$1,000,000 for the project to be forwarded to the Piqua Improvement Corporation for the match funding for the project.

Additionally, if the Piqua Improvement Corporation application is approved, ownership of the property will be transferred from the City of Piqua to the Piqua Improvement Corporation, as required by the grant.

### **Community Impact**

The impact of this resolution on the community is potentially far reaching. This specific funding from the Clean Ohio Revitalization Fund will have the ability to provide substantial capital improvements to the riverfront area, increasing the area's recreational value while cleaning up environmental hazards on the property.

### **Conformity to City Plans and Policies**

This opportunity for funding through the Clean Ohio Revitalization Fund capitalizes on leveraging other city funds to further goals outlined in the Redevelopment Opportunities report that has been adopted by the City Commission.