



**PIQUA CITY COMMISSION MEETING
TUESDAY, APRIL 16, 2024**

6 PM

**COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION

Utilities Business Office Update – RJ Monnier

REGULAR PIQUA CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES

Approval of the Minutes from the April 9, 2024, Regular City Commission Meeting

OLD BUSINESS

2. ORDINANCE NO. O-2-24 (3rd Reading)

An ordinance to make appropriations for the City of Piqua, Ohio, for the Year 2024

NEW BUSINESS

3. ORDINANCE NO. O-3-24 (1st Reading)

An ordinance to adopt Chapter 99: Piqua Historic Preservation Ordinance

4. ORDINANCE NO. O-4-24 (1st Reading)

An ordinance to amend Chapter 32: Boards and Commissions

5. ORDINANCE NO. O-5-24 (1st Reading)

An ordinance to amend Title XV: Land Usage, Piqua Development Code

CITY MANAGER'S REPORT

COMMISSIONERS COMMENT

PUBLIC COMMENT (This is an opportunity for citizens to address the City Commission on agenda items. Comments are requested to be limited to five (5) minutes.)

ADJOURNMENT

§ 30.15 RULES OF CONDUCT FOR MEETINGS.

(A) When adopting a resolution or ordinance, the following procedures shall be followed:

- (1) The heading of the proposed resolution or ordinance shall be read by the City Clerk;
- (2) The City Manager, or appropriate department head, shall briefly explain the proposed ordinance or resolution;
- (3) The Commissioners shall have an opportunity to ask the department heads and City Manager questions regarding the ordinance or resolution. No public comment will be permitted during the Commissions' inquiries;
- (4) The Mayor shall ask the public for comments or questions about the ordinance or resolution. Comments and questions regarding the ordinance or resolution shall be addressed to the Mayor and/or City Manager in a civil, respectful manner and shall be limited to a five minute period per person. The Mayor shall notify any person commenting on an ordinance or resolution as to when his five-minute period for comments is about to expire. The person commenting can request additional time and it shall be within the Mayor's discretion to permit the person to comment longer than five minutes. No person shall be permitted to comment twice on the same resolution or ordinance at the same meeting;
- (5) Finally, the Commission shall have its final debate and complete its deliberation on the ordinance or resolution. No comments from the public shall be permitted during said debate and/or deliberation.

(B) When conducting open forum at the end of the meeting, the following rules be followed:

- (1) Comments and questions by the public shall be addressed to the Commission, Mayor and/or City Manager in a civil, respectful manner and shall be limited to a five minute period per person. The Mayor shall notify any person commenting as to when his five-minute period for comments is about to expire. The person commenting can request additional time and it shall be within the Mayor's discretion to permit the person to comment longer. No person shall be permitted to comment twice in open forum at the same meeting;
- (2) Under no circumstances shall any member of the public address or ask questions, other than the City Manager, to city staff members. If appropriate, the City Manager may direct a city staff member to answer questions or respond to comments from the public.

(C) During the entire commission meeting, the following rules of conduct shall apply to any person attending the Commission meeting:

- (1) Persons shall conduct themselves in a civil, respectful manner;
- (2) No one shall express himself or herself in a manner that interrupts the orderly conduct of the meeting, for example, talking (other than when addressed by the Commission or City Manager), yelling, clapping, jeering or cheering;
- (3) Any person violating any of the rules of conduct shall be warned by the Mayor to cease his or her violation of the rule. If said person fails to comply with the Mayor's request to cease his or her conduct, the Mayor shall direct the person to leave the city premises. Failure to leave the premises when directed to do so may result in criminal prosecution;
- (4) If a person fails to cease commenting after his or her comment time has expired without extension, the public microphone shall be cut off, the television camera shall not focus upon the person, and the person will be asked by the Mayor to sit down. If the person fails to sit down, the Mayor shall direct the person to leave the city premises. Failure to leave the premises when directed to do so may result in criminal prosecution;
- (5) At any time during open forum, if any Commissioner believes that the public comment session no longer serves the public's interest, he or she may make a motion to adjourn the meeting. If said motion is seconded, all public comments shall cease and the Mayor shall direct the Clerk to call the roll to determine if the motion to adjourn shall pass. If the motion passes, the meeting shall be adjourned;
- (6) These Rules of Conduct shall be posted at the entrance of the City Commission Chambers.

(Ord. 24-06, passed 8-7-06; Am. Ord. 22-12, passed 10-16-12)

**PIQUA CITY COMMISSION MEETING MINUTES
TUESDAY, APRIL 9, 2024**

CALL TO ORDER

Piqua City Commission met at 5:30 p.m. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street, Piqua, Ohio.

ROLL CALL

Mayor Lee and Commissioners DeBrosse, Hohman, Simmons and Vetter were present.

ADJOURN TO EXECUTIVE SESSION

Commissioner Vetter made a motion to adjourn to Executive Session and Commissioner Hohman seconded the motion. Commission adjourned at 5:33 p.m.

ROLL CALL

Mayor Lee and Commissioners DeBrosse, Hohman, Simmons and Vetter were present.

EXECUTIVE SESSION

The Executive Session is to consider pending or imminent litigation and to consider the purchase or sale of property for public purposes.

ADJOURN FROM EXECUTIVE SESSION

Commissioner DeBrosse made a motion to adjourn from Executive Session and Commissioner Vetter seconded the motion.

ROLL CALL

Mayor Lee and Commissioners DeBrosse, Hohman, Simmons and Vetter were present.

Commissioner Hohman made a motion to amend the agenda to include a short Q&A by Ken Moyer from the Miami Conservatory District.

Commissioner Hohman said he has heard a lot of concerns about why the fee is going up so much and asked Ken Moyer to explain the difference between an assessment and a tax. Mr. Moyer says any entity that receives an assessment has to receive a benefit. An assessment benefits the particular homeowner. A tax benefits everyone.

Commissioner Hohman asked what level of government the MCD is through. Mr. Moyer said they follow the Ohio Revised Code and are governed by the Conservancy Court.

Commissioner Hohman asked if there was any way of mitigating the cost if the homeowner can't afford the assessment. Ken Moyer said there is no way to get out of paying it because the homeowner is receiving a direct benefit. Commissioner Hohman reasoned that it is a trade off because the homeowner could have lost the home altogether due to flooding or have to pay for flood insurance without the protection of the MCD.

Ken discussed when the assessments will happen. Commissioners Hohman and Mayor Lee thanked Mr. Moyer for answering questions. Commissioner Vetter mentioned an interesting book available at Johnston Farm with the history of the flood. Commissioner Simmons asked if someone replaced a structure and mitigated the risk, if the assessment could be eliminated. Mr. Moyer said it was a great question. In certain circumstances it may be lessened but the MCD doesn't track topography.

WORK SESSION

Kyle Hinkelman discussed how the City of Piqua would be applying for Piqua Historic Preservation certification. He said that there are a number of other communities that have this designation including Tipp City. This would open up a number of grants to help with certain projects and tax credits. Kyle said we worked with the State already to see if we met their requirements on the checklist and they felt that we needed a new ordinance to cover everything. Kyle showed a map with the boundaries. This would create a new city board. The timeline was discussed. Commissioner Vetter asked what someone could do if they wanted another building included. Kyle said to contact him but noted that the property has to be contiguous. Mayor Lee asked if Kyle had talked to Don Smith and Kyle said he tried to make contact with him, but this would just be another tool for the Caldwell Historic District to use. Commissioner DeBrosse confirmed that this would make tax credits available for developers and would eliminate the developer from having to get this designation themselves. He asked if there were any particular sites that would benefit from this. Kyle said he knows of 2-3 currently. Commissioner Simmons said he'd be interested in being on the Historic Preservation Board and Commissioner DeBrosse said that the paperwork doesn't state a commissioner is needed.

REGULAR PIQUA CITY COMMISSION MEETING

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the Minutes from the March 19, 2024, Regular City Commission Meeting and the March 28, 2024, Special Commission Meeting

RESOLUTION NO. R-59-24

A resolution appointing a member to the Diversity Committee

RESOLUTION NO. R-60-24

A resolution appointing a member to the Diversity Committee

RESOLUTION NO. R-61-24

A resolution appointing a member to the Diversity Committee

RESOLUTION NO. R-62-24

A resolution appointing a member to the Miami Valley Regional Planning Commission

Action taken: Commissioner Hohman made a motion to approve the consent agenda and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

OLD BUSINESS

ORDINANCE NO. O-2-24 (2nd Reading)

An ordinance to make appropriations for the City of Piqua, Ohio for the year 2024

Introduction: Jerry O'Brien said the appropriation is to adjust the line items. There have been no changes since the first reading.

Public Comment: None

Action taken: 2nd Reading

NEW BUSINESS

RESOLUTION NO. R-63-24

A resolution authorizing a purchase order to Knapheide Truck Equipment Center for the purchase of a utility service truck with service body and air compressor system for the underground utilities department

Introduction: Kevin Krejny is seeking approval to purchase a new Utility Service Truck body and air compressor system from Knapheide Truck Equipment Center. This truck is an investment in a piece of equipment that we use every day, and it should last us at least 10 years. It will replace our current utility service truck (W-8) which is 10 years old and has over 100,000 miles. The utility bed and air compressor are being purchased through Knapheide Truck Equipment Center. The cab and chassis are being purchased through Valley Ford Truck, Inc. with a separate Resolution tonight. This equipment was also quoted from one other company known to us as being able to provide this specific equipment, Ace Truck Body, Inc. Their quote came in at \$41,000.00. It will be split 50/50 between Water and Underground.

Commissioners Comments: Commissioner DeBrosse asked what the total of the truck and the service body is. Commissioner Hohman asked if the Utility Board approved, and Kevin replied that they were in approval of this at the March meeting.

Public Comment: None

Action taken: Commissioner Hohman made a motion to approve R-63-24 and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-64-24

A resolution authorizing a purchase order to Valley Ford Truck, Inc. for the purchase of a new utility service truck for the underground utilities department

Introduction: Kevin Krejny introduced this resolution seeking approval to purchase a new Utility Service Truck from Valley Ford Truck, Inc. This truck is an investment in a piece of equipment that we use every day, and it should last us at least 10 years. It will replace our current utility service truck which is 10 years old. The cab and chassis are being purchased through Valley Ford Truck, Inc. The utility bed and air

compressor are being purchased through Knapheide Truck Equipment Center with a separate Resolution tonight. This truck was also quoted from Sherry's and their quote came in at \$70,200.00.

Commissioners Comments: None

Public Comment: None

Action taken: Commissioner DeBrosse made a motion to approve R-64-24 and Commissioner Hohman seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-65-24

A resolution to authorize a replat along Nadene Drive w/ vacation of existing easements and dedication of new easements

Introduction: Kyle Hinkelman reported that the Planning Commission recommended approval to the City Commission at the March 12, 2024, meeting to approve a Replat of Inlots #8660, 8661, & 8662, and vacation of existing easements and dedication of new easements as displayed in Exhibit A. The lot being divided will be split equally between the 2 adjacent homeowners.

This replat is an equal division of inlot #8661, with the western half being conveyed to inlot #8660 and the eastern to inlot #8662. The desired split of the inlot allows for a much larger home to be built on an irregular shaped parcel.

The developer, Rob Alexander, explained that the individual requesting this wanted a bigger lot for what they wanted to build.

Commissioners Comments: Commissioner Hohman asked if there was any opposition and Rob said no and this has been done a dozen or more times before.

Public Comment: None

Action taken: Commissioner Hohman made a motion to approve R-65-24 and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-66-24

A resolution establishing a Piqua City Commission 2024 Calendar of meetings

Introduction: Paul Oberdorfer said traditionally we establish a calendar of meetings.

Commissioners Comments: Mayor Lee pointed out that the August 6 meeting is cancelled due to the Commissioners wanting to attend National Night Out.

Public Comment: None

Action taken: Commissioner Hohman made a motion to approve R-66-24 and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

CITY MANAGER'S REPORT

Paul Oberdorfer reminded everyone that the 2024 Riverway Summit will be held on April 19th at the plaza and encouraged everyone to buy a ticket. He announced that planning commission was moved to Wednesday, April 10th and that the Fire Training Committee has been moved to the Turret Room at the Plaza.

COMMISSIONERS COMMENT

Commissioner Simmons thanked the Mayor and City Manager for rescheduling last Tuesday's Commission Meeting due to weather. He gave a shout out to ham radio operators and enjoyed listening to them. He said it was a lot of fun seeing all of the volunteers that came out for the eclipse.

Commissioner DeBrosse thanked local businesses for organizing events over the weekend. He thanked the chief for preparing for an influx of visitors during the eclipse. He also thanked the officers for how they carried themselves with class during an encounter this weekend.

Commissioner Vetter attended the CHIP meeting and found it helpful. He said the Public Works department is in the process of delivering door hangers for people not removing their trash cans from the street. He has attended the energy and utility board meetings and is very impressed with the professionalism. There was a home buyers resource meeting, and it was open to everyone. We are trying to expand our spay and neuter program for cats and you can contact him or the City Manager if you would like to volunteer to help. There is a Hance Pavilion meeting to discuss ADA on April 18. The city does not have an ordinance stating what can be burned in recreational fires and we follow the State guidelines. April 25th is a Hydraulic Canal meeting.

Commissioner Hohman echoes Commissioner Vetter about the need for the spay and neuter program. He helped by adopting a stray. He said the eclipse was gorgeous and he hopes others got to experience it too. He said he was impressed with the police officer's ability to keep cool during an encounter this weekend. He thanked Chief Byron for getting back with him on the information regarding firearms training and he appreciates his effort in preparing his response. He asked Paul Oberdorfer how much the MCD assessments were going to increase for city properties.

Mayor Lee thanked the downtown businesses for organizing the event this weekend. He said it was delightful to see all of the people. The eclipse was a nice family affair. He repeated that the Fire Training Committee would be meeting Thursday at the plaza and that there is a mayor's meeting every Wednesday. It is the time of year where people start cutting their grass and asked people to bag their clippings and not put them in the street.

PUBLIC COMMENT

Valerie Mullikin applauded the downtown and Piqua Center for having lots of activities over the weekend. She thinks the Historic Preservation certification would be amazing because she noticed some buildings downtown that could benefit from a grant available if we get certification. She asked when we'd have ADA parking downtown and when the only shelter at Pittsenbarger park would be in ADA compliance. Paul said the study is not complete yet and there has been a change in staff. Valerie said she would like to work with him. Paul told her to email him. Valerie encouraged the commissioners to get involved with the Miami County Fair and to help the Indian Lake tornado victims by donating to Thrivent Financial.

Commissioner Lee said that he received a letter from the City of Celina thanking us for sending our power employees to help. Commissioner Hohman thanked Valerie for her input.

Melonie Walker said that she thinks the Historic Preservation ordinance is amazing. She said she owns a business and a home in this designated area and some repairs are needed to the bricks on her building. She asked about the orange cones around the trees downtown and asked if the work would be done by the Taste of the Arts event in May. She said she appreciated the Police Department. Melonie said she saw a lot of traffic from the alien event downtown. She saw a lot of out of towners on Saturday and on Sunday 80% of the traffic was from Piqua. She said it was a big hit and a lot of people were asking for them to have this event more often.

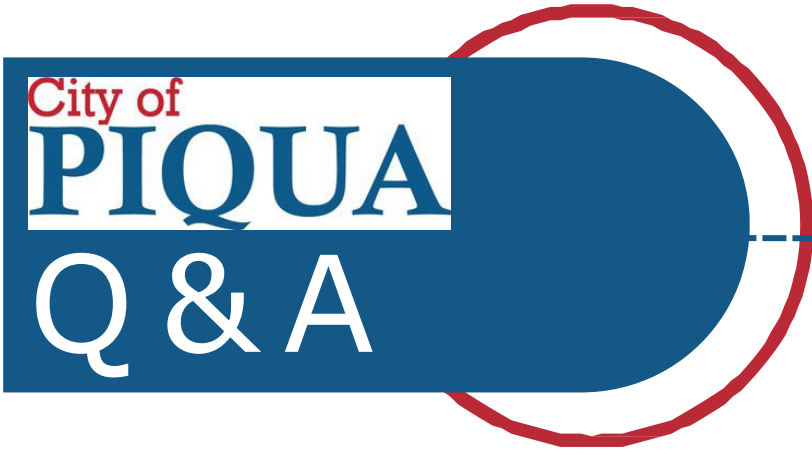
Kim Heisler asked that batteries be added to the restricted items and not just lithium batteries. Commissioner Hohman said that he believes that it is in the ordinance he's working on. She asked if we could just terminate the contract with BGSU. Commissioner Hohman explained that BGSU has one of the best fire training programs in the state. Their training school is separate from the research department.

Jeff Grimes said that the pallets that will be burned at the Fire Training Center have toxic chemicals on them. Commissioner Hohman doubted that statement and Jeff said that Commissioner Hohman should do his research like he has done. He said that BGSU should lose their accreditation. Jeff said he wants to know when his previous questions will be answered which are: Who approved to pay the utility bills at the Fire Training Center, will citizens be compensated for the water and soil testing, how much we are paying attorneys, was grant money available for the Tillman property, and why the value of the water plant increased drastically? He stated we should pay BGSU back their money and stop the nonsense. Frank Patrizio stated that the valuation was off and may have included the 72 acres also. The auditor's office will re-assess the value.

Eva Silvers said that she was against the battery burning in the beginning and has taken a step back. She thanked Officer Rodriguez saying no one should have to go to work and deal with that, just because they can. She is an avid gun owner and 1st amendment supporter but there is also common courtesy and a way to present yourself in how you walk in life without being vile. As far as battery burning, we have valid testing results that we aren't going to believe because they are attached to the EPA. Anyone with any kind of background would know that only certain entities can test, and those tests are acceptable. She keeps hearing and seeing people come to our community that are doing more harm to the community than good. We say we want answers and we've paid for independent companies to test, and they say the company was paid off. This is ludicrous. No company is going to risk their business. They say the water is toxic but finds it is ironic that they wash dishes in the same water. She loves this community. She has a problem with the fire training board because the city is going to give the board their information, but a collective group of citizens say it's not going to be viable. She suggested that they need to share their information. She is a supporter of this community and has done clean ups. When a problem arose instead of handling it like adults, it has become a big conspiracy theory. She said she is really tired of the community being drug through the mud. Eva gave a shout out to Lora Kiser who contacted her and wants to do a bike path clean up. It is catching on.

ADJOURNMENT

A motion was made by Commissioner Vetter to adjourn the meeting. Commissioner Hohman seconded the motion. The meeting adjourned at 7:45 pm.

The logo for the City of Piqua Q & A session. It features a dark blue rounded rectangle on the left containing the text "City of PIQUA" in white and "Q & A" in white. To the right of this rectangle is a large white circle with a red outline. A horizontal dashed blue line extends from the right side of the circle across the top of the page.

City of
PIQUA
Q & A

April 9, 2024

Jeff Grimes:

- Who approved to pay the utility bills at the Fire Training Center? **Former Administration**
- Will citizens be compensated for the water and soil testing? **No**
- How much we are paying attorneys? **Ongoing litigation**
- Was grant money available for the Tillman property? **Answered in 2/6/24 Q&A**

Commission Agenda Staff Report

MEETING DATE	April 16, 2024		
REPORT TITLE	An Amended Ordinance to make appropriations for the City of Piqua, Ohio, for the year 2024		
SUBMITTED BY	Name & Title: Jerald O'Brien, Finance Director		
	Department: Finance		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		
	<input checked="" type="checkbox"/> Law Director		
	<input checked="" type="checkbox"/> Department Director		
BACKGROUND	We are requesting a supplemental appropriation. This is due to changes that were unforeseen at the time the original appropriation was completed.		
BUDGETING AND FINANCIAL IMPACT	Appropriations \$:	\$114,889,333 Including Transfers \$89,607,225 Net of Transfers	
	Source of Funds:	Various	
	Narrative		
OPTIONS	1.	Approve Ordinance No. O-2-24 accepting the Amended Ordinance to make Appropriations for the City of Piqua for the Year 2024.	
	2.	Approve Ordinance No. O-2-24 accepting the Amended Ordinance to make Appropriations for the City of Piqua for the Year 2024 with changes being made to the amounts requested.	
PROJECT TIMELINE			
STAFF RECOMMENDATION	We are requesting approval of Ordinance No. O-2-24 accepting the Amended Ordinance to make Appropriations for the City of Piqua for the year 2024.		
REASON FOR SELECTING CONSULTANT/COMPANY	N/A		
ATTACHMENTS			

ORDINANCE NO. O-2-24
**AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE
 CITY OF PIQUA, OHIO FOR THE YEAR 2024**

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

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

ACCOUNT	2024 BUDGET	INCREASE (DECREASE)	2024 REVISED BUDGET	
City Building				
Operation and Maintenance	\$269,509		\$269,509	
Capital Outlay (including labor)	\$90,460		\$90,460	
Allocated Expenses	(\$20,430)		(\$20,430)	
TOTAL	\$339,539	\$0	\$339,539	
City Commission				
Personal Services/Administrative Support	\$61,737		\$61,737	
Operation and Maintenance	\$40,681		\$40,681	
TOTAL	\$102,418	\$0	\$102,418	
City Manager				
Personal Services/Administrative Support	\$302,063		\$302,063	
Operation and Maintenance	\$34,431		\$34,431	
Allocated Expenses	(\$246,213)		(\$246,213)	
TOTAL	\$90,281	\$0	\$90,281	
Civil Service				
Operation and Maintenance	\$38,870		\$38,870	
TOTAL	\$38,870	\$0	\$38,870	
Engineering				
Personal Services/Administrative Support	\$369,174	\$2,845	\$372,019	New Director (Kyle Hinkelman)
Operation and Maintenance	\$207,624		\$207,624	
Allocated Expenses	(\$469,340)		(\$469,340)	
TOTAL	\$107,458	\$2,845	\$110,303	
Finance				
Personal Services/Administrative Support	\$746,836		\$746,836	
Operation and Maintenance	\$76,374		\$76,374	
Allocated Expenses	(\$569,497)		(\$569,497)	
TOTAL	\$253,713	\$0	\$253,713	
Law				
Personal Services/Administrative Support	\$0		\$0	
Operation and Maintenance	\$128,984		\$128,984	
Allocated Expenses	(\$76,805)		(\$76,805)	
TOTAL	\$52,179	\$0	\$52,179	
Income Tax				
Personal Services/Administrative Support	\$62,016		\$62,016	
Operation and Maintenance	\$460,770		\$460,770	
TOTAL	\$522,786	\$0	\$522,786	
Planning & Zoning				
Personal Services/Administrative Support	\$339,869	\$90,426	\$430,295	New Director (Kyle Hinkelman)
Operation and Maintenance	\$83,436		\$83,436	
TOTAL	\$423,305	\$90,426	\$513,731	
General Government				
Operation and Maintenance	\$725,715		\$725,715	
Capital Outlay (including labor)	\$500,000		\$500,000	
TOTAL	\$1,225,715	\$0	\$1,225,715	
Human Resources				
Personal Services/Administrative Support	\$371,751		\$371,751	
Operation and Maintenance	\$71,640	\$10,238	\$81,878	6,000 Events
Allocated Expenses	(\$384,741)		(\$384,741)	1238 Card Lanvard
TOTAL	\$58,650	\$10,238	\$68,888	3000 HR Firm
Public Relations				
Personal Services/Administrative Support	\$267,650	(\$28,742)	\$238,908	PR Coordinator vacant Feb-March
Operation and Maintenance	\$60,708	\$30,000	\$90,708	Branding Initiative, Video Work
Allocated Expenses	(\$194,191)		(\$194,191)	
TOTAL	\$134,167	\$1,258	\$135,425	

	2024 BUDGET	2024 REVISED BUDGET	
Facilities			
Personal Services/Administrative Support	\$126,289	\$126,289	
Operation and Maintenance	\$1,500	\$1,500	
Allocated Expenses	(\$127,789)	(\$127,789)	
TOTAL	\$0	\$0	\$0
Purchasing			
Personal Services/Administrative Support	\$251,840	\$251,840	
Operation and Maintenance	\$19,758	\$19,758	
Allocated Expenses	(\$259,592)	(\$259,592)	
TOTAL	\$12,006	\$0	\$12,006
Transfers			
Transfer to Parks Fund 105	\$1,000,000	\$1,000,000	
Transfer to Safety Fund 106	\$3,550,000	\$3,550,000	
Transfer to Forest Hill Mausoleum Fund 110	\$25,000	\$25,000	
Transfer to Pro Piqua Fund 128	\$60,000	\$60,000	
Transfer to Golf 409	\$225,000	\$225,000	
Transfer to Fort Piqua Plaza 410	\$300,000	\$425,000	Transfer for Library Basement
TOTAL	\$5,160,000	\$125,000	\$5,285,000
TOTAL GENERAL FUND	\$8,521,087	\$229,767	\$8,750,854
SEC. 2:	That there be appropriated from the STREET DEPARTMENT FUND (101)		
Personal Services/Administrative Support	\$1,493,267	\$1,493,267	
Operation and Maintenance	\$1,744,816	\$1,744,816	
Capital Outlay (including labor)	\$500,000	\$500,000	
TOTAL	\$3,738,083	\$0	\$3,738,083
SEC. 3:	That there be appropriated from the STATE HIGHWAY FUND (102)		
Operation and Maintenance	\$89,500	\$89,500	
TOTAL	\$89,500	\$0	\$89,500
SEC. 4:	That there be appropriated from the STREET INCOME TAX FUND (103)		
Operation and Maintenance	\$2,367,183	\$2,367,183	
Capital Outlay (including labor)	\$1,821,250	\$67,000	Addition to Lock 9
TOTAL	\$4,188,433	\$67,000	\$4,255,433
SEC. 5:	That there be appropriated from the NEIGHBORHOOD IMPROVEMENT PROGRAM FUND (104)		
Personal Services/Administrative Support	\$0	\$0	
Operation and Maintenance	\$69,300	\$69,300	
TOTAL	\$69,300	\$0	\$69,300
SEC. 6:	That there be appropriated from the PARK AND RECREATION FUND (105)		
Personal Services/Administrative Support	\$768,536	\$768,536	
Operation and Maintenance	\$620,619	\$620,619	
Capital Outlay (including labor)	\$122,000	\$122,000	
TOTAL	\$1,511,155	\$0	\$1,511,155
SEC. 7:	That there be appropriated from the PUBLIC SAFETY FUND (106)		
009 Fire Department			
Personal Services/Administrative Support	\$4,888,780	\$56,856	\$4,945,636
Operation and Maintenance	\$979,353	\$979,353	\$979,353
Capital Outlay (including labor)	\$6,500	\$6,500	\$6,500
TOTAL	\$5,874,633	\$56,856	\$5,931,489
014 Police Department			
Personal Services/Administrative Support	\$5,896,026	(\$32,727)	\$5,863,299
Operation and Maintenance	\$931,417	(\$6,653)	\$924,764
Capital Outlay (including labor)	\$239,104	\$6,653	\$245,757
TOTAL	\$7,066,547	(\$32,727)	\$7,033,820
TOTAL PUBLIC SAFETY	\$12,941,180	\$24,129	\$12,965,309
SEC. 8:	That there be appropriated from the D.U.I. EDUCATIONAL FUND (109)		
Operation & Maintenance	\$11,000	\$11,000	
TOTAL	\$11,000	\$0	\$11,000

	2024 BUDGET		2024 REVISED BUDGET
That there be appropriated from the FOREST HILL MAUSOLEUM FUND (110)			
Operation & Maintenance	\$25,000		\$25,000
TOTAL	\$25,000	\$0	\$25,000
SEC. 10: That there be appropriated from the MANDATORY DRUG FINE FUND (111)			
Operation and Maintenance	\$4,400		\$4,400
TOTAL	\$4,400	\$0	\$4,400
SEC. 11: That there be appropriated from the SCARBROUGH TIF FUND (112)			
Operation and Maintenance	\$555		\$555
TOTAL	\$555	\$0	\$555
SEC. 12: That there be appropriated from the ONEOHIO OPIOID SETTLEMENT FUND (113)			
Operation and Maintenance	\$40,000		\$40,000
TOTAL	\$40,000	\$0	\$40,000
SEC. 13: That there be appropriated from the CHIP FUND (117)			
Operation and Maintenance	\$125,875		\$125,875
TOTAL	\$125,875	\$0	\$125,875
SEC. 14: That there be appropriated from the CDBG-CV FUND (118)			
Operation and Maintenance	\$334,550		\$334,550
TOTAL	\$334,550	\$0	\$334,550
SEC. 15: That there be appropriated from the C.H.I.P. PROGRAM INCOME FUND (119)			
Operation and Maintenance	\$156,500		\$156,500
TOTAL	\$156,500	\$0	\$156,500
SEC. 16: That there be appropriated from the COMMUNITY DEVELOPMENT BLOCK GRANT FUND (122)			
Operation and Maintenance	\$140,000		\$140,000
TOTAL	\$140,000	\$0	\$140,000
SEC. 17: That there be appropriated from the WORKER'S COMP FUND (124)			
Personal Services/Administrative Support	\$300,000	\$89,760	\$389,760 Workers Comp Ins Rate Increase
TOTAL	\$300,000	\$89,760	\$389,760
SEC. 18: That there be appropriated from the INSURANCE RESERVE FUND (125)			
Operation & Maintenance	\$518,325		\$518,325
TOTAL	\$518,325	\$0	\$518,325
SEC. 19: That there be appropriated from the DEMOLITION DEFENSE FUND (126)			
Operation & Maintenance	\$75,000	\$25,000	\$100,000 Demolition Defense Funds
TOTAL	\$75,000	\$25,000	\$100,000
SEC. 20: That there be appropriated from the SMALL BUSINESS GRANT FUND (127)			
Operation and Maintenance	\$159,860		\$159,860
TOTAL	\$159,860	\$0	\$159,860
SEC. 21: That there be appropriated from the PRO PIQUA (128)			
Operation and Maintenance	\$60,000		\$60,000
TOTAL	\$60,000	\$0	\$60,000
SEC. 22: That there be appropriated from the REVOLVING LOAN FUND (130)			
Operation and Maintenance	\$13,200		\$13,200
TOTAL	\$13,200	\$0	\$13,200

	2024 BUDGET	2024 REVISED BUDGET
SEC. 23: That there be appropriated from the COMMUNITY DEVELOPMENT FUND (135)		
Personal Services/Administrative Support	\$420,854	\$420,854
Operation and Maintenance	\$115,965	\$115,965
Allocated Expenses	(\$536,819)	(\$536,819)
TOTAL	\$0	\$0
SEC. 24: That there be appropriated from the AGRICULTURAL REVOLVING LOAN FUND (142)		
Personal Services/Administrative Support	\$500	\$500
Operation and Maintenance	\$45,000	\$45,000
TOTAL	\$45,500	\$45,500
SEC. 25: That there be appropriated from the ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (144)		
Operation and Maintenance	\$200,000	\$200,000
TOTAL	\$200,000	\$200,000
SEC. 26: That there be appropriated from the SPECIAL ASSESSMENT DEBT SERVICE FUND (202)		
Operation and Maintenance	\$2,000	\$2,000
TOTAL	\$2,000	\$2,000
SEC. 27: That there be appropriated from the OPWC WASTEWATER LIFT STATIONS DEBT SERVICE FUND (210)		
Non Government/Transfers/Refunds	\$33,419	\$33,419
TOTAL	\$33,419	\$33,419
SEC. 28: That there be appropriated from the OFFSITE PIPELINE (OWDA) DEBT SERVICE FUND (250)		
Non Government/Transfers/Refunds	\$184,126	\$184,126
TOTAL	\$184,126	\$184,126
SEC. 29: That there be appropriated from the EQUALIZATION TANK '08 NOTE (OWDA) DEBT SERVICE FUND (254)		
Non Government/Transfers/Refunds	\$295,246	\$295,246
TOTAL	\$295,246	\$295,246
SEC. 30: That there be appropriated from the WATER PLANT OWDA DEBT SERVICE FUND (256)		
Non Government/Transfers/Refunds	\$2,303,440	\$2,303,440
TOTAL	\$2,303,440	\$2,303,440
SEC. 31: That there be appropriated from the WASTEWATER PLANT ENGINEERING DEBT SERVICE FUND (257)		
Non Government/Transfers/Refunds	\$2,233,450	\$2,233,450
TOTAL	\$2,233,450	\$2,233,450
SEC. 32: That there be appropriated from the OWDA WATER TOWER DEBT SERVICE FUND (258)		
Non Government/Transfers/Refunds	\$177,568	\$177,568
TOTAL	\$177,568	\$177,568
SEC. 33: That there be appropriated from the SHAWNEE STORMWATER PROJECT DEBT SERVICE FUND (261)		
Non Government/Transfers/Refunds	\$3,278	\$3,278
TOTAL	\$3,278	\$3,278
SEC. 34: That there be appropriated from the NONTAX REVENUE BONDS '23 DEBT SERVICE FUND (263)		
Non Government/Transfers/Refunds	\$146,157	\$146,157
TOTAL	\$146,157	\$146,157

2024
BUDGET

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BUDGET

SEC. 35: That there be appropriated from the LOCK 9 PARK IMPROVEMENTS FUND (342)

Operation and Maintenance	\$20,000		\$20,000	
Capital Outlay (including labor)	\$6,900	\$327,337	\$334,237	Change Orders to Lock 9 Project (Restrooms, Railings, Wall Removal)
Non Government/Transfers/Refunds	\$226,729		\$226,729	
TOTAL	\$253,629	\$327,337	\$580,966	

SEC. 36: That there be appropriated from the SCOTT DR REDEVELOPMENT FUND (343)

Operation and Maintenance	\$22,152	\$580,000	\$602,152	10,000 Utilities	550,000 Demo	20,000 Legal Fees
TOTAL	\$22,152	\$580,000	\$602,152			

SEC. 37: That there be appropriated from the POWER SYSTEM FUND (401)

Personal Services/Administrative Support	\$2,561,459		\$2,561,459	
Operation and Maintenance	\$31,624,879		\$31,624,879	
Capital Outlay (including labor)	\$2,161,075		\$2,161,075	Artisan Alley
Overhead Transfers	(\$175,000)		(\$175,000)	
TOTAL	\$36,172,413	\$0	\$36,172,413	

SEC. 38: That there be appropriated from the WATER SYSTEM FUND (403)

Personal Services/Administrative Support	\$1,573,923		\$1,573,923	
Operation and Maintenance	\$3,212,592		\$3,212,592	
Capital Outlay (including labor)	\$910,833		\$910,833	
Non Government/Transfers/Refunds	\$2,665,134		\$2,665,134	
TOTAL	\$8,362,482	\$0	\$8,362,482	

SEC. 39: That there be appropriated from the WASTEWATER SYSTEM FUND (404)

Personal Services/Administrative Support	\$1,717,308		\$1,717,308	
Operation and Maintenance	\$1,924,959		\$1,924,959	
Capital Outlay (including labor)	\$747,500		\$747,500	
Non Government/Transfers/Refunds	\$2,562,115		\$2,562,115	
TOTAL	\$6,951,882	\$0	\$6,951,882	

SEC. 40: That there be appropriated from the GARBAGE AND REFUSE FUND (405)

Personal Services/Administrative Support	\$860,048		\$860,048	
Operation and Maintenance	\$1,391,251		\$1,391,251	
TOTAL	\$2,251,299	\$0	\$2,251,299	

SEC. 41: That there be appropriated from the CITY INCOME TAX ADMINISTRATION FUND (407)

Non Government/Transfers/Refunds	\$14,800,000		\$14,800,000	
TOTAL	\$14,800,000	\$0	\$14,800,000	

SEC. 42: That there be appropriated from the INFORMATION TECHNOLOGY FUND (408)

Personal Services/Administrative Support	\$291,166	(\$40,545)	\$250,621	Chris J.	
Operation and Maintenance	\$757,211	\$167,000	\$924,211	117,000 Avero	50,000 Debt Book and Civic Plus
TOTAL	\$1,048,377	\$126,455	\$1,174,832		

SEC. 43: That there be appropriated from the GOLF COURSE FUND (409)

Operation and Maintenance	\$1,002,655	(\$14,000)	\$988,655	Golf Carts Capitalized instead of Expensed
Capital Outlay (including labor)	\$23,000	\$14,000	\$37,000	
TOTAL	\$1,025,655	\$0	\$1,025,655	

SEC. 44: That there be appropriated from the FORT PIQUA PLAZA FUND (410)

Operation & Maintenance	\$544,416	\$125,000	\$669,416	Library Basement
Capital (including labor)	\$1,370,000		\$1,370,000	
TOTAL	\$1,914,416	\$125,000	\$2,039,416	

SEC. 45: That there be appropriated from the STORMWATER UTILITY FUND (411)

Personal Services/Administrative Support	\$289,812		\$289,812	
Operation and Maintenance	\$619,548		\$619,548	
Capital Outlay (including labor)	\$417,250		\$417,250	Artisan Alley
Non Government/Transfers/Refunds	\$3,278		\$3,278	
TOTAL	\$1,329,888	\$0	\$1,329,888	

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BUDGET

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BUDGET

SEC. 46:	That there be appropriated from the UTILITIES BUSINESS OFFICE FUND (413)			
	Personal Services/Administrative Support	\$672,623		\$672,623
	Operation and Maintenance	\$590,558		\$590,558
	Allocated Expenses	(\$1,263,181)		(\$1,263,181)
TOTAL		\$0	\$0	\$0
SEC. 47:	That there be appropriated from the UNCLAIMED TRUST (606)			
	Non Government/Transfers/Refunds	\$2,000		\$2,000
TOTAL		\$2,000	\$0	\$2,000
SEC. 48:	That there be appropriated from the LAW ENFORCEMENT TRUST (609)			
	Operation and Maintenance	\$50,000		\$50,000
TOTAL		\$50,000	\$0	\$50,000
SEC. 49:	That there be appropriated from the CONSERVANCY FUND (611)			
	Operation and Maintenance	\$58,505		\$58,505
TOTAL		\$58,505	\$0	\$58,505
SEC. 50:	That there be appropriated from the CITY HEALTH INSURANCE FUND (614)			
	Operation and Maintenance	\$155,000		\$155,000
TOTAL		\$155,000	\$0	\$155,000
SEC. 51:	That there be appropriated from the EMPLOYEE FLEXIBLE SPENDING FUND (615)			
	Administrative Support	\$250,000		\$250,000
TOTAL		\$250,000	\$0	\$250,000

General Fund	\$25,682,034
Streets	\$7,993,516
Electric	\$36,174,413
Water	\$8,362,482
WW	\$6,951,882
SW	\$1,329,888
Sanitation	\$2,251,299
Golf	\$1,025,655
Debt Service Funds	\$5,343,265
Internal Service	\$2,237,917
Special Revenue Fund	\$130,055
Capital Project Fund	\$1,183,118
Income Tax	\$14,800,000
Grants	\$1,423,809
Net of Transfers	(\$25,282,108)
	\$89,607,225

\$20.4
\$4.9
\$6.80
\$9.80
\$1.50
\$2.40
\$12.20
\$0.90
\$5.20
\$2.00
\$101.5

SEC. 52: That the sum appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2024. Future commitments representing encumbrances of fund balance or future receipts will be appropriated in the future year when those services or goods are rendered to the city.

SEC. 53: That the sums expended from the appropriations and which are proper charges against any other department or against any person, firm or corporation which are repaid with the period covered by such appropriations shall be considered reappropriated for such original purposes; provided, that the net total of expenditures under any item of said appropriations shall not exceed the amount of the item.

SEC. 54: That the Director of Finance is hereby authorized and directed to draw her warrant upon the City Treasury for the amounts appropriated in this order when claims are properly presented and approved, the same to be chargeable to the appropriations for the year 2024 when passed and legally contracted for in conformity by law.

SEC. 55: That the Finance Director at the discretion of the City Manager make temporary advances from the General Fund to any Fund to cover temporary shortages of cash until revenues or permanent transfers become available to repay that temporary advance. That these advances may not exceed \$1,000,000 in the aggregate nor extend past December 31, 2024; except those that are to be reimbursed by federal, state or other grant programs that were previously approved by this Commission.

SEC. 56: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

The Motion to adopt the foregoing Ordinance was offered by _____

seconded by _____, and on roll call the following vote ensued:

Mayor Kris Lee _____
Commissioner Thomas Hohman _____
Commissioner James Vetter _____
Commissioner Paul Simmons _____
Commissioner Frank DeBrosse _____

Commission Agenda Staff Report

MEETING DATE	April 16, 2024		
REPORT TITLE	An ordinance to adopt Chapter 99: Piqua Historic Preservation Ordinance		
SUBMITTED BY	Name & Title: Kyle Hinkelman, Community Services Director		
	Department: Community Services Department		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND	<p>This Ordinance creates a new Ordinance – Chapter 99: Piqua Historic Preservation Ordinance. The Planning Commission recommend approval in a 5-0 vote on April 10, 2024.</p> <p>The creation of this Ordinance furthers the goal of the City of Piqua to become a Certified Local Government (CLG). Working with the State Historic Preservation Office (SHPO), this language was crafted to meet the requirements from SHPO to become a CLG. The Ordinance does three main things – 1. Creates a new consolidated boundary line for the Piqua Historic District, 2. Creates a process and procedures for review of landmark designations and Certificates of Appropriateness within the District and for landmarked structures, and 3. Creates a separate City Historic Review Commission (CHRC).</p>		
BUDGETING AND FINANCIAL IMPACT	Budgeted \$:	N/A	
	Expenditure \$:	N/A	
	Source of Funds:	N/A	
	Narrative:	N/A	
OPTIONS	1.	Approve of the adoption of the ordinance.	
	2.	Disapprove of the adoption of the ordinance.	
PROJECT TIMELINE	<p>April 16th – 1st Reading</p> <p>May 7th – 2nd Reading</p> <p>May 21st – 3rd Reading / Approval</p>		
STAFF RECOMMENDATION	Approve the proposed Ordinance.		
REASON FOR SELECTING CONSULTANT/COMPANY	N/A		

ATTACHMENTS

Chapter 99: Piqua Historic Preservation Ordinance, Exhibit A: Boundary Map, Exhibit B: Piqua Historic Registry

ORDINANCE NO. O-3-24

AN ORDINANCE TO ADOPT CHAPTER 99: PIQUA HISTORIC PRESERVATION ORDINANCE

WHEREAS, the City of Piqua, Ohio, has a desire to protect and preserve the historical character of the city and to become a Certified Local Government (CLG) as designated by the State Historic Preservation Office (SHPO); and,

WHEREAS, the Planning Commission has recommended in a 5-0 vote to adopt Chapter 99: Piqua Historic Preservation Ordinance, including all content described within Exhibit A; and,

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

SEC. 1: Chapter 99: Piqua Historic Preservation Ordinance is hereby adopted, to include all content described within Exhibit A.

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

1st Reading – 4/16/2024

2nd Reading – 5/7/2024

3rd Reading – 5/21/2024

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
MELISSA KINNEY
CLERK OF COMMISSION

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

Mayor Kris Lee _____
Commissioner James Vetter _____
Commissioner Frank DeBrosse _____
Commissioner Thomas Hohman _____
Commissioner Paul Simmons _____

CHAPTER 99: PIQUA HISTORIC PRESERVATION ORDINANCE

Section 99.01	Introduction
Section 99.02	Purpose
Section 99.03	Definitions
Section 99.04	District Boundaries / Current Landmarks
Section 99.05	Commission
Section 99.06	Process
Section 99.07	Criteria for demolition or relocation of a structure
Section 99.08	Modifications
Section 99.09	Demolition by Neglect
Section 99.10	Accidental Damage
Section 99.11	Enforcement and Penalties
Section 99.12	Severability

§ 99.01 INTRODUCTION

The City of Piqua has a rich history dating back to its Native American roots. The name Piqua is derived from a Native American word meaning “man who arose from the ashes” or “ashes to ashes”. The area was inhabited by various indigenous tribes, including the Shawnee, Miami, and Delaware.

Fort Piqua was established in 1793 by General Anthony Wayne during the Northwest Indian War, and the City of Piqua was founded in 1807 and incorporated in 1823. Piqua's early industry was successful due to its location along the Miami River, which provided power for mills and other industries. The city became known for its manufacturing, including paper mills, foundries, and agricultural equipment.

The construction of the Miami and Erie Canal in the 1830's further stimulated Piqua's economy by providing a transportation route for goods and people. The canal connected Piqua to other major cities in Ohio and beyond.

Piqua was a center of abolitionist activity in the mid-19th century. The town was a stop on the Underground Railroad, and many residents were involved in the anti-slavery movement.

Piqua boasts several historic structures and landmarks that are still standing today, including the Fort Piqua Plaza, which now houses a library and meeting spaces. The Johnston Farm & Indian Agency provides insight into the area's early history and the interactions between Native Americans and European settlers, as well as many others on the National Register of Historic Places.

The Caldwell Historic District was listed on the National Register of Historic Places in 1985 and includes portions of North Main Street, Wayne Street, Downing Street, Caldwell Street, West Ash Street, Greene Street, North Street, Mound Street, and Park Avenue.

These areas contribute tremendously to the vibrancy of the downtown area, which is why the City has made significant efforts to preserve their historical character, including applying to be a Certified Local Government (CLG) with the State of Ohio, and establishing these local guidelines and standards for renovation, rehabilitation, and demolition.

The CLG program is a federal, state, and local partnership that promotes the preservation of local historic resources by providing assistance to local communities including funding (i.e., matching grants program) that can be used for a variety of preservation projects. To become a CLG, the city must have the following:

- A qualified commission of at least five members who designate historic properties and review proposed changes to the historic environment;
- An ordinance designed to protect historic resources and offer guidance to those wishing to make changes to historic buildings, sites, and districts;
- A procedure for identifying historic properties by which they can be surveyed and recorded, designated locally, and nominated to the National Register of Historic Places; and
- A public participation program which invites and encourages citizens to participate in the community's historic preservation program.

§ 99.02 PURPOSE

The Piqua Historic Registry (“Registry”) and the Piqua Historic District (the “District”) shall be established by ordinance of the City Commission. The District shall include two primary area designations – the Piqua-Caldwell Historic District, a previously designated and authorized place on the National Historic Register and the Downtown Piqua Historic District. The Registry shall include the District and locally designated landmarks.

New construction, renovation, rehabilitation, and even maintenance of a structure within a historic district have so many variables that it is almost impossible to apply a strict set of standards to all structures. Each structure may have been built for a different purpose, in a different era, and/or with a different architectural style or theme that may vary greatly from an adjacent structure or one that is in the same neighborhood but just

down the street. The purpose of this document is to provide a framework of design guidelines that the City Historic Review Commission (CHRC) and staff can use when reviewing an application for a Certificate of Appropriateness (COA), discussed later in this document. These guidelines are not a substitute for any standards found in applicable building or fire codes, or for those standards found in the City of Piqua Development Code (Title XV).

Landmark Structures may also be subsequently added to the District registry by the CHRC and this document creates an approval process and standards for authorization.

§ 99.03 DEFINITIONS

1. **Archaeology / Archaeological site** - is a location that contains physical evidence of past human behavior that allows for its interpretation.
2. **Alteration** - Any act or process that changes one or more of the exterior architecture features of a building or structure, including but not limited to the erection, construction, reconstruction, or removal of the building or structure
3. **Addition** - Any act or process that changes one or more of the exterior architectural features of a building or structure by adding to, joining with or increasing the size or capacity of the building or structure.
4. **Building** - Any structure created for the support, shelter or enclosure of persons, animals, or property of any kind and which is permanently affixed to the land.
5. **Certificate of Appropriateness** - A certificate issued by the CHRC indicating that a proposed change, alteration or demolition of a historic building or structure or within a historic site or district, is in accordance with the provisions of this chapter and local design guidelines.
6. **Change** - Any alteration, demolition, removal or construction involving any property subject to the provisions of this chapter.
7. **CHRC** – City Historic Review Commission. The body who is empowered to review and approve landmark designations and certificates of appropriateness for historic structures and sites within designated boundaries in the City of Piqua.
8. **Construction** - The act of constructing an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.
9. **Demolition** - Any act or process that destroys in part or in whole any building or structure.
10. **Demolition by Neglect** - Any failure in the maintenance and repair of any site or structure within any historic district that results in any of the following conditions:
 - a. The deterioration of the foundation, exterior wall, roof, chimney, door or window, to an extent that creates or permits a hazardous condition to exist; or

- b. The deterioration of the foundation, exterior wall, roof, chimney, door or window, the lack of adequate waterproofing, or the deterioration of interior features which will or could result in permanent damage, injury, or loss of the foundations, exterior wall, roof, chimney, door or window of the structure.
11. **Historic District** - Any area designated by ordinance of the City which may contain within definable geographic boundaries, buildings, structures or sites of historic, architectural or archaeological significance
12. **Historic Structure** - Any building or structure which has historic, architectural or archaeological significance and has been so designated according to the provisions of this chapter. The significance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation. It may be achieved in several ways:
- Association with broad pattern of our history, events, activities, or patterns
 - Association with important persons
 - Distinctive physical characteristics of design, construction, or form
 - Potential to yield information important in history or prehistory (archaeology)
13. **Landmark** - Any building, structure or archaeological site that has been designated as a "landmark" by the City of Piqua or the CHRC, pursuant to procedures proscribed herein, that is worthy of preservation, restoration or rehabilitation because of its historic, architectural or archaeological significance. This may or may not be recorded within the National Register of Historic Places.
14. **Owner** - the owner or owners of record
15. **Preservation** - The act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property.
16. **Reconstruction** - The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.
17. **Rehabilitation** - The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.
18. **Restoration** - The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code required work to make properties functional is appropriate within a restoration project.
19. **State Historic Preservation Office (SHPO)** –The official historic preservation agency of the State of Ohio.

§ 99.04 DISTRICT BOUNDARIES / CURRENT LANDMARKS

- A. The boundary of the Piqua Historic District shall consist of two separate sub-areas – the Caldwell Historic District and the Downtown Historic District. A map of said boundaries shall be attached to the approved Ordinance as Exhibit A. These boundaries shall be considered and documented as a zoning overlay district with additional regulations as noted within Chapter 99. Those boundaries generally include the following roadways:
- N. Main Street – Wood Street to Riverside Drive;
 - N. Wayne Street – Water Street to Riverside Drive;
 - N. Downing Street – Water Street to Park Avenue;
 - Caldwell Street – High Street to Camp Street.
- B. Current designated areas and landmarks on the National Register of Historic Places or are designed as local landmarks approved by the CHRC within the City of Piqua which may or may not be located within the Piqua Historic District but are regulated by Chapter 99 are noted below. Additional local landmarks may be added by the CHRC per the process noted in § 99.06 and will be added to Exhibit B attached to this Ordinance.

Buildings / Structures

1. **Fort Piqua Plaza.** 114 W. Main Street, Piqua, OH 45356
 - Added 2/15/1974
 - National Historic Register - Reference #74001576
2. **Arrowston.** 1220 Park Avenue, Piqua, OH 45356
 - Added 2/8/1980
 - National Historic Register - Reference #8003162
3. **Old Piqua High School.** 316 N. College Street, Piqua, OH 45356
 - Added 8/22/1996
 - National Historic Register - Reference #96000927
4. **Zollinger Building.** 101 S. Wayne Street, Piqua, OH 45356
 - Added 12/15/2015
 - National Historic Register - Reference #15000903

Historic Districts

5. **Piqua – Caldwell Historic District.** Defined Boundary.
 - Added 1/11/1985
 - National Historic Register - Reference #71000646

§ 99.05 COMMISSION

- A. **Established / Membership.** The City Historic Review Commission (CHRC) is established and membership is defined under § 32.110, and shall follow all requirements of that section of this Code.
- B. **Powers.** The CHRC shall determine the appropriateness of the application of any property owner regarding the demolition, construction, preservation, restoration, rehabilitation of any home, commercial establishment or other structure, or new construction within the Piqua Historical District and to ensure that work conforms to the City's historic preservation goals and the guidance provided by the *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving Rehabilitating, Restoring & Reconstructing Historic Buildings, 2017* (see <https://www.nps.gov/tps/standards.htm>). Minor work, as delegated by the CHRC, is approved by the Community Services Director following the policy guidance of the CHRC. The CHRC shall also be empowered to designate local landmarks within the City of Piqua.

§ 99.06 PROCESS

- A. The CHRC shall review and have final approval authority over two types of applications – Landmark Designation Requests and Certificates of Appropriateness. Reviews for designation as a local landmark may occur outside of the boundaries of the Piqua Historic District, but once approved, all applicable regulations within Chapter 99 will become effective on the property.
- B. **Application Initiation.** Any person, firm, corporation or agency may submit an application to the CHRC, provided they are the owner or the owner's representative of the property for which the application is being submitted.
- C. **Landmark / District Designation.**
 - 1. **Designation General Review Criteria.** To consider the designation of any area, property, or site as a historic district or local landmark in the Piqua Historic registry, the CHRC shall apply the criteria below. A property is not required to be located within the boundaries of the Piqua Historic District to be considered for local landmark designation.
 - a. Its character, interest or value as part of the development, heritage or cultural characteristics of the city, state or nation;
 - b. Its location as a site of a significant historic event;
 - c. Its identification with a person significant in our past;
 - d. Its exemplification of the cultural, economic or social heritage of the city, state or nation;

- e. It portrayal of a group of people in an era of history, characterized by a distinctive architectural style;
 - f. Its embodiment of distinguishing characteristics of a building type or architectural style;
 - g. Its embodiment of elements of architectural design, detail, materials or craftsmanship, which represent a significant architectural innovation;
 - h. Its identification as the work of an architect or master builder who work has influenced the city, state or nation; and/or
 - i. Its potential to yield information important in prehistory or history (archaeology).
2. **Registry.** A digital registry of structures and locations will be managed by the Community Services Department, which will be publicly available for review through the City of Piqua GIS portal.
- a. A. The CHRC shall work to conduct a continuing survey of cultural resources in the community according to guidelines established by SHPO.
 - b. Properties listed on the Piqua Historic Registry and designated as local landmarks are required to meet all obligations, standards, and requirements of this Ordinance, even if they are not within the boundaries of the Piqua Historic District.

D. **Certificate of Appropriateness**

1. **General Review Criteria.** Proposals must be approved where the applicant is found to have made a good-faith effort to match historic features with suitable materials and has achieved the stated goals of the CHRC and the spirit and intent of the *Secretary of the Interior's Standards and Guidelines*.
- a. Materials that would have been used in historic construction are encouraged and may be required to preserve significant features. In some cases, modern materials exist which are able to perform better in the weather and area not noticeably different viewed from public right-of-way. These modern equivalents may also be approved where the CHRC has found their use appropriate and in fulfillment of preservation goals.
 - b. The CHRC and Community Services Director or his/her designee have the authority to make minor adjustments to the design standards of the City of Piqua Development Code (Title XV) for any Piqua Historic District property where the adjustment will achieve goals of historic preservation as

outlined by the Secretary of the Interior's Standards and Guidelines.

2. **Certificate of Appropriateness** is required before any change of any property within the district, including any demolition, construction, reconstruction, or restoration of the exterior of a building; placement of new landscaping; erection of new signs; and any material alteration in landscaping, signage, exterior color, or external architectural features, may occur on any property registered within the Piqua Historic District. Any gradual change of a structure constituting a significant modification must also receive a Certificate of Appropriateness to achieve compliance.
3. A Certificate of Appropriateness is not required for the following:
 - a. The ordinary maintenance or repair of any property that does not involve a change in design, material, color, signage or outer appearance. This includes in-kind replacement of existing windows or doors;
 - b. Any change that the Miami County Building Official determines to be required for public safety because of an unsafe condition;
 - c. Interior arrangements within a building; and
 - d. Where a building has been compromised and must be temporarily secured. For example, a broken window must be boarded or patched, or a temporary door installed until a compliant door may be found. A Certificate of Appropriateness for changes made for temporary security must be sought within 30 days of any modification.
4. The Community Services Director or his/her designee has the authority to review and approve minor work in the Piqua Historic District. Minor work approvals will be reported to the CHRC and includes:
 - a. Any modification to an existing structure, previously designated as not historically significant by the CHRC, that the Community Services Director or his/her designee deems to have no impact on any surrounding historically significant structure. Modifications must be found by the Community Services Director to be reasonably fitting with the character of the Piqua Historic District.
 - b. The construction of a new structure on a property within the Piqua Historic District. To qualify as minor work, the new construction must meet all standards of the City of Piqua Development Code without any variance.
 - c. Repainting of previously painted surfaces. Applicants are encouraged to select from historic color palettes appropriate

to the era of the Historic District. Applicants are required to use their painting choices to highlight architectural features of a building with use of accent colors and to avoid using the same color over all surfaces of a facade. Applicants are encouraged to select paint colors that do not match those of neighboring structures. The Development Director may not approve any fluorescent paint color as minor work;

- d. In-kind repair or replacement of existing siding, doors, windows, roofs, gutters and downspouts. The Community Services Director may not approve any deviation from the materials or appearance of any significant architectural feature;
 - e. Installation of, or changes to, off-street parking and loading, including curb cuts;
 - f. Repair of exterior surfaces such as caulking, masonry repainting, and nonabrasive cleaning;
 - g. Replacement, removal or installation of fencing;
 - h. The removal of structures or additions previously designated by the CHRC as not historically significant;
 - i. The installation of signs that meet all standards of the City of Piqua Development Code (Title XV) without any variance unless otherwise stated to require CHRC review; and
 - j. Temporary installation of lights, art displays, signs or decorations for a period of less than 60 consecutive days.
5. It is recommended that applicants within the Piqua Historic District contact the City to verify a Certificate of Appropriateness is not required before proceeding with any work.
 6. **Certificate Revisions.** Minor revisions to an approved Certificate of Appropriateness may be approved by the Community Services Director following review consistent with this Ordinance.
 7. **Certificate Expiration.** An application submitted for a Certificate of Appropriateness will expire if there is no activity within 60 days of the issuance of the Certificate.
 8. **Validity.** A Certificate of Appropriateness remains valid for 180 calendar days. Construction of the change must be completed before the expiration of the issued Certificate of Appropriateness. The Community Services Director is authorized to grant, in writing, an extension of a Certificate of Appropriateness for a period not more than 180 calendar days. When requesting an extension of a Certificate of Appropriateness, the applicant must provide the Department with a letter stating the reason for the delay of project completion. In no case will a Certificate of Appropriateness remain valid for more than 12 months. Projects associated with expired

certificates must submit a new Certificate of Appropriateness application and may be subject to denial.

- E. **Alternative Equivalent Compliance.** Alternative equivalent compliance is a procedure that allows an applicant for a COA, and other limited applications, to propose unique design options, new materials, or new technologies, as an alternative to a standard or guideline established in the City of Piqua Development Code provided it meets or exceeds the intent of the design-related provisions. It is not a variance, waiver or weakening of regulations; rather, this procedure permits an applicant to suggest an alternative approach that is very specific to the project and that is equal to or better than the strict application of a specific standard or guideline. An approval of an alternative equivalent compliance shall apply only to the specific site for which it is requested and does not establish a precedent for assured approval of other requests.

An alternative equivalent compliance application can be obtained at the Community Services Department. The application shall be reviewed simultaneously with the COA application with the CHRC having the authority to make a decision on both applications.

Decisions on an alternative equivalent compliance application shall be based on consideration of the review criteria summarized as follows:

1. The proposed alternative achieves the intent of the subject standard or guideline to the same or better degree than the subject standard or guideline;
2. The proposed alternative achieves the goals and policies of the comprehensive plan to the same or better degree than the subject standard or guideline;
3. The proposed alternative results in benefits to the community that are equivalent to or better than compliance with the subject standard or guideline; and
4. The proposed alternative imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Historic Preservation Ordinance or the standards of Title XV – Development Code.

- F. **Public Hearing.** The CHRC shall set a date and time for a public hearing once an application is filed and fees are paid, which shall not be less than ten (10) days nor more than sixty (60) days from the filing date.

1. Written notice of the hearing shall be given at least ten (10) days prior to the hearing date to the owners of property within and

contiguous to and directly across the street from the applicant's property.

2. In addition, public notice of such hearings as to the time, place, date, and subject of the hearing, shall be placed on the City of Piqua website. Any party in interest may appear and be heard at the hearing in person, by agent, or by attorney.
- G. **Historical Significance.** For buildings and structures within the boundaries of the Piqua Historic District, the CHRC shall determine if a building is historically significant based on the criteria defined in §99.03.12. If a structure is not determined to be historically significant by a majority of the CHRC by vote, the property may be permitted to have reduced requirements or have alternative equivalent compliance as defined in §99.06.E.
- H. **Decision.** Minutes of each meeting shall be kept and shared publicly after they are formally approved. The CHRC shall render a written decision of a majority of the members of the Commission without any unreasonable delay after the close of a hearing, and in all cases, within forty-five (45) days after the close of the hearing. A copy of the decision and findings shall be sent to the owner, applicant, Planning Commission, and City Commission.
- I. **Appeal.** In the event that the CHRC does not approve an application, the applicant has the right to appeal that decision to the City of Piqua Board of Zoning Appeals, pursuant to the City of Piqua Development Code (Title XV).

§ 99.07 CRITERIA FOR DEMOLITION OR RELOCATION OF A STRUCTURE

- A. The demolition or relocation of a structure may only be considered if the CHRC finds that the following conditions prevail:
1. There is no viable economic use of the structure as it exists; and
 2. A written report by a contractor acceptable to the CHRC demonstrates it is not feasible to restore the structure.
- B. The CHRC may also take into consideration the following criteria when making their decision:
1. The historic, scenic, cultural, aesthetic or architectural significance of the building, structure, site or object;
 2. The importance of the historic structure, building, site or object to the ambiance of a district;
 3. The difficulty or the impossibility of reproducing such a structure, building, site or object because of its design, texture, material, detail or unique location;

4. Whether the historic structure, building, site or object is one of the last remaining examples of its kind in the City;
 5. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be;
 6. Whether the structure would be more appropriate in the proposed new location;
 7. Whether the property owner has listed the property for sale to attempt to save the structure;
 8. Whether reasonable measures can be taken to save the historic structure, building, site or object from collapse; and
 9. Whether the historic structure, building, site or object is capable of earning reasonable economic return on its value.
- C. Issuance of a Certificate of Appropriateness for demolition must be followed by a demolition permit, as outlined within the Piqua Development Code – Title XV - Article 7 (Administration). Demolition adjacent to sensitive historic structures must present liability insurance sufficient to cover unintentional damage to adjacent historic structures. A plan must be submitted to demonstrate how loss of adjacent historic property will be prevented.

§ 99.08 MODIFICATIONS

Exterior modifications of a historic structure within the Piqua Historic District or to a structure that is on the Registry requires a Certificate of Appropriateness (§ 99.06.D)

§ 99.09 DEMOLITION BY NEGLIGENCE

Demolition by neglect is prohibited. Demolition by neglect means any failure in the maintenance and repair of any designated site or structure within the District that results in any of the following conditions:

- A. The deterioration of the foundation, exterior wall, roof, chimney, door or window, to an extent that creates or permits a hazardous condition to exist; or
- B. The deterioration of the foundation, exterior wall, roof, chimney, door or window, the lack of adequate waterproofing, or the deterioration of interior features which will or could result in permanent damage, injury, or loss of the foundations, exterior wall, roof, chimney, door or window of the structure.

§ 99.10 ACCIDENTAL DAMAGE

An owner of a designated landmark property will be responsible for maintaining adequate insurance coverage of an amount to cover any damage to the exterior of the structure, including the total reproduction of the building and any historically significant accessory buildings should any damage occur, or demolition be necessary due to fire, flood, or other accidental cause. If insurance coverage is not maintained, the owner will be responsible for the cost of repairs.

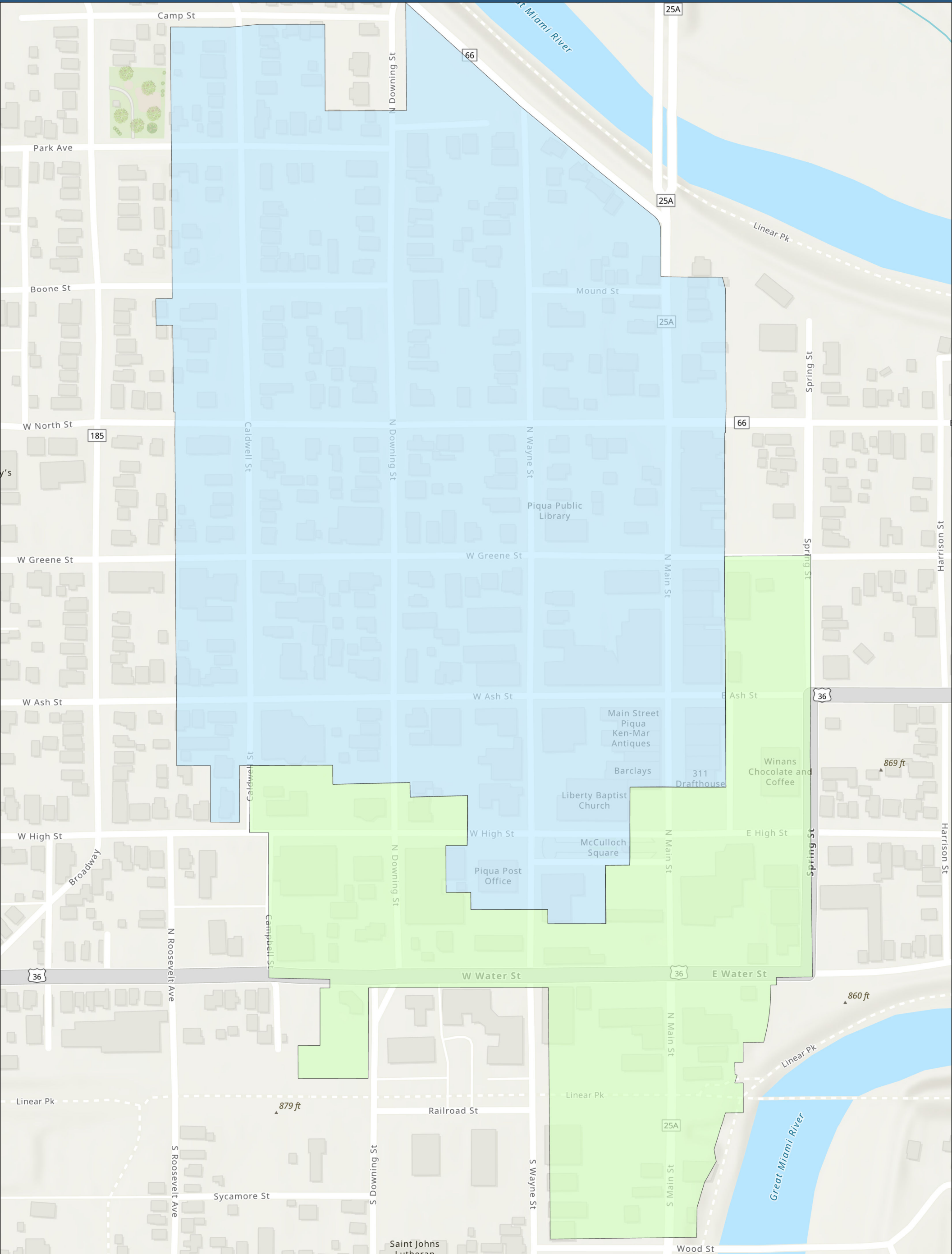
§ 99.11 ENFORCEMENT AND PENALTIES

- A. If it is found that any of the provisions of these standards are being violated, the person responsible for such violations shall cease all work upon notification and no work shall be performed except to correct the violations. All work shall be corrected within a reasonable period and any violations not corrected within the specified time may be prosecuted.
- B. Whoever constructs, reconstructs, or alters any exterior architectural feature or demolishes a substantial part or all of any building within the District without a Certificate of Appropriateness shall be fined not more than one hundred dollars (\$100.00). Each day of violation shall be considered a separate offense. Whoever violates this section shall be required to restore and reconstruct such features in full detail.

§ 99.12 SEVERABILITY

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or application of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared severable.

Exhibit A Piqua Historic District Boundary



- Downtown Historic District
- Piqua-Caldwell Historic District



Piqua Historic Registry

As authorized under § 99.04.B and first adopted 05.21.2024. This registry includes those registered on the National Register of Historic Places as well as those which are registered only to this local Historic Registry.

Updated: N/A

Buildings / Structures

Name	Address/Location	Date Added	National Reg. #	Local Reg. #
Fort Piqua Plaza	114 W. Main Street	2/15/1974	74001576	001
Arrowston	1220 Park Avenue	2/8/1980	80003162	002
Old Piqua High School	316 N. College Street	8/22/1996	96000927	003
Zollinger Building	101 S. Wayne Street	12/15/2015	15000903	004

Historic District

Name	Address/Location	Date Added	National Reg. #	Local Reg. #
Piqua-Caldwell	Defined Boundaries	1/11/1985	71000646	005

RESOLUTION No. PC 9-24

WHEREAS, an amendment has been proposed to adopt "Chapter 99: City of Piqua Historic Preservation," to the Code of Ordinances as shown in Exhibit A, attached; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established findings that indicate the proposed code amendment:

- Will not threaten the general health, safety, and welfare of the community; and
- Conforms to all applicable plans and policies of the city.

NOW THEREFORE BE IT RESOLVED, board member **Brad Bulp** hereby moves to recommend approval of the ordinance change, as described by "Exhibit A," the motion is seconded by board member **Eddie Harvey** and the voting record on this motion is hereby recorded as follows.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Gary Koenig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Eddie Harvey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Terry Wright	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Bradley Bulp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Adam Seas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Commission Agenda Staff Report

MEETING DATE	April 16, 2024		
REPORT TITLE	An ordinance to amend Chapter 32: Boards and Commissions		
SUBMITTED BY	Name & Title: Kyle Hinkelman, Community Services Director		
	Department: Community Services Department		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND	<p>This Ordinance modifies Chapter 32: Boards and Commissions. The Planning Commission recommended approval in a 5-0 vote on April 10, 2024.</p> <p>This Ordinance would amend Chapter 32 to include two new boards formally: 32.095-32.098 Board of Zoning Appeals, and 32.110-32.112 City Historic Review Commission.</p>		
BUDGETING AND FINANCIAL IMPACT	Budgeted \$:	N/A	
	Expenditure \$:	N/A	
	Source of Funds:	N/A	
	Narrative:	N/A	
OPTIONS	1.	Approve of the adoption of the ordinance.	
	2.	Disapprove of the adoption of the ordinance.	
PROJECT TIMELINE	<p>April 16th – 1st Reading</p> <p>May 7th – 2nd Reading</p> <p>May 21st – 3rd Reading / Approval</p>		
STAFF RECOMMENDATION	Approve the proposed Ordinance.		
REASON FOR SELECTING CONSULTANT/COMPANY	N/A		
ATTACHMENTS	Chapter 32: Boards and Commissions modifications.		

ORDINANCE NO. O-4-24

AN ORDINANCE TO AMEND CHAPTER 32: BOARDS AND COMMISSIONS

WHEREAS, the Piqua Code of Ordinances Chapter 32 establishes Boards and Commissions; and,

WHEREAS, the Planning Commission has recommended in a 5-0 vote to amend Chapter 32 as listed below; and,

WHEREAS, the Planning Commission has recommended amending the Sections below to state the following:

Board of Zoning Appeals

- § 32.095 ESTABLISHMENT; MEMBERSHIP.

There is hereby established a Board of Zoning Appeals (BZA). The board shall have the duties and powers imposed by ordinance and this code. The board shall hear appeals from decisions and adjudications under the city's zoning regulations made by the Community Services Director, City Planner, Code Compliance Coordinator, and other persons or administrative bodies authorized to administer and enforce the city's zoning regulations.

 - *(a) The Board shall consist of five (5) members, who shall be residents of the city and serve five-year terms.*
 - *(b) The City Commission shall appoint members of the BZA and may remove any member of the Board for cause upon written charges after a public hearing.*
 - *(c) The City Commission shall remove any member of the Board who during his or her term changes his or her residence to outside the city.*
 - *(d) Vacancies shall be filled by the City Commission for the unexpired term of the member affected.*
 - *(e) One member of the Planning Commission shall be a member of the BZA and will be appointed by the chair of the Planning Commission annually.*
 - *(f) There shall not be any limit to the number of terms for a BZA member.*
 - *(g) The City Planner shall be a nonvoting ex-officio member of the Board of Appeals.*
- § 32.096 ORGANIZATION.
 - *The BZA shall annually elect its own officers as well as adopt rules as necessary to allow for the efficient and effective management of meetings.*
 - *(a) Officers shall be the Chair and Vice-Chair.*

- *(b) Meetings shall be held at the call of the Chair and at any other times as the Board may determine.*
 - *(c) Three members of the BZA shall constitute a quorum for the conducting of business.*
 - *(d) The Chair, or in his or her absence, the Vice-Chair may administer oaths and compel the attendance of witnesses.*
 - *(e) All meetings and records shall be open to the public, with public meeting minutes being adopted formally.*
- **§ 32.097 JURISDICTION.**
 - *(a) Any person, property owner, tenant, or any governmental officer, department, board, or bureau may apply for exception or variance from the strict applications of terms of the City of Piqua Development Code (Title XV), or appeal a decision of the enforcing officer to the Board of Appeals as defined within this Code.*
 - *(b) Any appeal of a ruling of the enforcing officer shall stay all proceedings unless the enforcing officer certifies that, by reason of acts pertaining to the matter in question, a stay may jeopardize the health, safety or welfare of the community thereof. When the certification is made, proceedings shall not be stayed except by a restraining order granted by the court of common pleas.*
- **§ 32.098 POWERS.**
 - *The Board of Zoning Appeals shall have the powers and duties expressly identified in the Development Code (Title XV), specifically under Article 7.1.3.*

City Historic Review Commission

- **§ 32.110 ESTABLISHMENT; MEMBERSHIP.**

There is hereby established a City Historic Review Commission (CHRC) of five (5) members. The board shall have the duties and powers imposed by ordinance and this code .

 - *(a) Members shall be residents of the City of Piqua.*
 - *(b) No member shall be an official or employee of the city.*
 - *(c) Members shall serve without compensation and shall be appointed for a term of five (5) years, except that of the members first appointed, one shall be for a term of one (1) year, one for two (2) years, one shall be for three (3) years, one for four (4) years, and one for five (5) years.*
 - *(d) To the extent possible, the CHRC shall include professional members in the fields of architecture, architectural history, history, archaeology, planning, or related disciplines.*
 - *(h) The City Commission shall appoint members of the CHRC and may remove any member of the Commission for cause upon written charges after a public hearing.*

- (i) *The City Commission shall remove any member of the Commission who during his or her term changes his or her residence to outside the city.*
- (j) *Vacancies on the CHRC shall be filled within 60 days by the City Commission unless extenuating circumstances require a longer period.*

- **§ 32.111 ORGANIZATION.**
The CHRC shall annually elect its own officers as well as adopt rules as necessary to allow for the efficient and effective management of meetings.
 - (a) *Officers shall be the Chair and Vice-Chair.*
 - (b) *Meetings shall be held at the call of the Chair and at any other times as the Commission may determine, but at least quarterly (four times per year).*
 - (c) *Three members of the CHRC shall constitute a quorum for the conducting of business.*
 - (d) *All meetings and records shall be open to the public, with public meeting minutes being adopted formally.*
 - (e) *Staff in the Community Services Department shall produce an annual report in conjunction with the CHRC that is published annually and available for public inspection.*

- **§ 32.112 POWERS.**
The CHRC shall have the powers and duties expressly identified in Chapter 99 Piqua Preservation Ordinance, specifically § 99.05.B.

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

- SEC. 1: The Ordinance referencing Chapter 32: Boards and Commissions is hereby amended as described herein.

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

1st Reading – 4/16/2024

2nd Reading – 5/7/2024

3rd Reading – 5/21/2024

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
 MELISSA KINNEY
 CLERK OF COMMISSION

The Motion to adopt the foregoing ordinance was offered by _____,
seconded by _____, and on roll call the following vote ensued:

Mayor Kris Lee _____

Commissioner James Vetter _____

Commissioner Frank DeBrosse _____

Commissioner Thomas Hohman _____

Commissioner Paul Simmons _____

MODIFICATIONS TO CHAPTER 32 – BOARDS AND COMMISSIONS

Board of Zoning Appeals

§ 32.095 ESTABLISHMENT; MEMBERSHIP.

There is hereby established a Board of Zoning Appeals (BZA). The board shall have the duties and powers imposed by ordinance and this code. The board shall hear appeals from decisions and adjudications under the city's zoning regulations made by the Community Services Director, City Planner, Code Compliance Coordinator, and other persons or administrative bodies authorized to administer and enforce the city's zoning regulations.

- (a) The Board shall consist of five (5) members, who shall be residents of the city and serve five-year terms.
- (b) The City Commission shall appoint members of the BZA and may remove any member of the Board for cause upon written charges after a public hearing.
- (c) The City Commission shall remove any member of the Board who during his or her term changes his or her residence to outside the city.
- (d) Vacancies shall be filled by the City Commission for the unexpired term of the member affected.
- (e) One member of the Planning Commission shall be a member of the BZA, and will be appointed by the chair of the Planning Commission annually.
- (f) There shall not be any limit to the number of terms for a BZA member.
- (g) The City Planner shall be a nonvoting ex-officio member of the Board of Appeals.

§ 32.096 ORGANIZATION.

The BZA shall annually elect its own officers as well as adopt rules as necessary to allow for the efficient and effective management of meetings.

- (a) Officers shall be the Chair and Vice-Chair.
- (b) Meetings shall be held at the call of the Chair and at any other times as the Board may determine.
- (c) Three members of the BZA shall constitute a quorum for the conducting of business.
- (d) The Chair, or in his or her absence, the Vice-Chair may administer oaths and compel the attendance of witnesses.
- (e) All meetings and records shall be open to the public, with public meeting minutes being adopted formally.

§ 32.097 JURISDICTION.

- (a) Any person, property owner, tenant, or any governmental officer, department, board, or bureau may apply for exception or variance from the strict applications of terms of the City of Piqua Development Code (Title XV), or appeal a decision of the enforcing officer to the Board of Appeals as defined within this Code.
- (b) Any appeal of a ruling of the enforcing officer shall stay all proceedings unless the enforcing officer certifies that, by reason of acts pertaining to the matter in question, a stay may jeopardize the health, safety or welfare of the community thereof. When the certification is made, proceedings shall not be stayed except by a restraining order granted by the court of common pleas.

§ 32.098 POWERS.

The Board of Zoning Appeals shall have the powers and duties expressly identified in the Development Code (Title XV), specifically under Article 7.1.3.

City Historic Review Commission

§ 32.110 ESTABLISHMENT; MEMBERSHIP.

There is hereby established a City Historic Review Commission (CHRC) of five (5) members. The board shall have the duties and powers imposed by ordinance and this code .

- (a) Members shall be residents of the city of Piqua.
- (b) No member shall be an official or employee of the city.
- (c) Members shall serve without compensation and shall be appointed for a term of five (5) years, except that of the members first appointed, one shall be for a term of one (1) year, one for two (2) years, one shall be for three (3) years, one for four (4) years, and one for five (5) years.
- (d) To the extent possible, the CHRC shall include professional members in the fields of architecture, architectural history, history, archaeology, planning, or related disciplines.
- (h) The City Commission shall appoint members of the CHRC and may remove any member of the Commission for cause upon written charges after a public hearing.
- (i) The City Commission shall remove any member of the Commission who during his or her term changes his or her residence to outside the city.
- (j) Vacancies on the CHRC shall be filled within 60 days by the City Commission, unless extenuating circumstances require a longer period.

§ 32.111 ORGANIZATION.

The CHRC shall annually elect its own officers as well as adopt rules as necessary to allow for the efficient and effective management of meetings.

- (a) Officers shall be the Chair and Vice-Chair.
- (b) Meetings shall be held at the call of the Chair and at any other times as the Commission may determine, but at least quarterly (four times per year).
- (c) Three members of the CHRC shall constitute a quorum for the conducting of business.
- (d) All meetings and records shall be open to the public, with public meeting minutes being adopted formally.
- (e) Staff in the Community Services Department shall produce an annual report in conjunction with the CHRC that is published annually and available for public inspection.

§ 32.112 POWERS.

The CHRC shall have the powers and duties expressly identified in Chapter 99 Piqua Historic Preservation Ordinance, specifically § 99.05.B.

RESOLUTION No. PC 10-24

WHEREAS, an amendment has been proposed to amend “Chapter 32: Boards and Commissions” to the Code of Ordinances as shown in Exhibit B, attached; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established findings that indicate the proposed code amendment:

- Will not threaten the general health, safety, and welfare of the community; and
- Conforms to all applicable plans and policies of the city.

NOW THEREFORE BE IT RESOLVED, board member **Brad Bubp** hereby moves to recommend approval of the ordinance change, as described by “Exhibit B,” the motion is seconded by board member **Adam Seas** and the voting record on this motion is hereby recorded as follows.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Gary Koenig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Eddie Harvey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Terry Wright	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Bradley Bubp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Adam Seas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Commission Agenda Staff Report

MEETING DATE	April 16, 2024		
REPORT TITLE	An Ordinance to amend Title XV: Land Usage, Piqua Development Code		
SUBMITTED BY	Name & Title: Kyle Hinkelman, Community Services Director		
	Department: Community Services Department		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND	<p>This Ordinance modifies Title XV: Land Usage, Piqua Development Code in multiple sections.</p> <p>The Planning Commission recommended approval in a 5-0 vote on April 10, 2024.</p> <p>This Ordinance modifies the following sections:</p> <ul style="list-style-type: none"> • Modify Primary Use Table – To add Data Center • 3.6.3.A.1 – Correct error • 3.6.9 – Add Data Center definition • 7.1.1 – Remove Historic Preservation Section from table • 7.1.2 – Clarify “Development Director” title. • 7.1.3 – Clarify establishment of BZA • 7.1.4 – Remove C. Historic Preservation entirely • 7.2.3 – Clarify the CHRC reviews • 7.2.5 – Provides additional flexibility in administrative approvals • 7.2.10 – Replaces text with CHRC review language • 7.4 – Increases Zoning Verification letter fees to \$30 / parcel 		
BUDGETING AND FINANCIAL IMPACT	Budgeted \$:	N/A	
	Expenditure \$:	N/A	
	Source of Funds:	N/A	
	Narrative:	N/A	
	1.	Approve of the adoption of the ordinance.	

OPTIONS	2.	Disapprove of the adoption of the ordinance.
PROJECT TIMELINE	April 16 th – 1 st Reading May 7 th – 2 nd Reading May 21 st – 3 rd Reading / Approval	
STAFF RECOMMENDATION	Approve the proposed Ordinance.	
REASON FOR SELECTING CONSULTANT/COMPANY	N/A	
ATTACHMENTS	Title XV: Land Usage, Development Code Modifications	

ORDINANCE NO. O-5-24

AN ORDINANCE TO AMEND TITLE XV: LAND USAGE, PIQUA DEVELOPMENT CODE

WHEREAS, the Piqua Development Code adopted by Piqua Code of Ordinances Title XV establishes districts and standards pertaining to the development and use of land; and,

WHEREAS, the Planning Commission has recommended in a 5-0 vote to amend the Sections listed below of the Piqua Development Code; and,

WHEREAS, the Planning Commission has recommended amending the Sections below to state the following:

- *The Addition of Data Center to Industrial Uses, with it being a Special use in the IL District, and Permitted in the IH District;*
- *Section 3.6.3.A.1
In T-FX districts, all moderate-impact industrial uses must take place within a fully-enclosed building.*
- *Section 3.6.9
Data Center means real and personal property consisting of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including, without limitation, power and cooling equipment, used primarily to provide, as a serve to person other than the company operating the data center, data and transaction processing services, outsource information technology services and computer equipment co-location services, or, used primarily to provide to a single user, including the user's affiliates, customers, lessees, vendors and other persons authorized by the user, data and transaction processing services.
A. Use Standards
 1. *Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Moderate-Impact Common Lot Line Screen (§4.3.7) along all common lot lines except for an abutting warehouse and distribution or industrial use.*
 2. *Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a High-Impact Frontage Screen (§4.3.7) along all lot lines abutting a public right-of-way.**
- *7.1.1 – Removal of Historic Preservation Section completely*
- *7.1.2 – Development Director*

The title “Development Director” shall reference the Director of the Community Services Department or other titled department that has management authority over the Planning and Zoning Division and has those powers and duties expressly identified in this Article, including but not limited to:

...

B. Decision

To review and decide on applications for:

- 1. development and sign permits;*
- 2. temporary use permits;*
- 3. final plats without dedication;*
- 4. administrative adjustments; and*
- 5. Certificates of Appropriateness where allowed in this Development Code and Chapter 99 – Piqua Historical Preservation Ordinance.*

- *7.1.3 – Board of Zoning Appeals*

The Board of Zoning Appeals (BZA) is established and organized under § 32.095 and § 32.096 of the City of Piqua Codified Ordinances. The Board of Zoning Appeals has those powers and duties expressly identified in this Article, including but not limited to:

- *7.1.4 – Planning Commission*

Remove “C. Historic Preservation” in its entirety.

- *7.2.3 – Special Use Permit*

K.5 Preservation of Exterior Architectural Features

Proposals for adaptive reuse must preserve the exterior appearance of the church or other place of worship structure. Additions or alterations to sites must receive a Certificate of Appropriateness from the City Historic Review Commission (Chapter 99 of the City of Piqua Codified Ordinances).

- *7.2.5 – Development Permit*

H. Administrative Adjustment

2. Approval Criteria

b. In addition, the adjustment may not exceed a change of more than 15% to any numerically described standard, unless a separate standard on the same site is improved by an equal or greater amount. For example, if the maximum width allowed for a building is 150 feet, an administrative adjustment may be allowed up to 172.5 total feet. Beyond this cap on adjustments, the Development Director may require an additional 15% landscape screening or other equivalent standard in replacement, or require a variance must be sought. The Development Director may not create more restrictive standards through adjustments, unless agreed to by the developer, builder, or permit application requestor.

- *7.2.10 – Certificate of Appropriateness*

Certificates of Appropriateness are reviewed and approved by the City Historic Review Commission (CHRC) per Chapter 99.06.D.

- *7.4 – Review Fees and Registration
Update Zoning Verification Letter - \$30 per parcel*

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

SEC. 1: The Piqua Development Code adopted by Piqua Code of Ordinances Title XV is hereby amended as described herein.

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

1st Reading – 4/16/2024

2nd Reading – 5/7/2024

3rd Reading – 5/21/2024

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____

MELISSA KINNEY
CLERK OF COMMISSION

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

Mayor Kris Lee _____

Commissioner James Vetter _____

Commissioner Frank DeBrosse _____

Commissioner Thomas Hohman _____

Commissioner Paul Simmons _____

MODIFICATIONS TO TITLE XV – Development Code

Modify the Primary Use Table (Page 3-7)

- Add Data Center to Industrial uses, above Self-Service Storage, with it being a special use in the IL District, and Permitted in the IH District.

Modify 3.6.3A.1

3.6.3 A.1.

In T-FX districts, all moderate-impact industrial uses must take place within a fully-enclosed building. ~~The scale of these operations are limited to~~

Add 3.6.9.

3.6.9. Data Center

Data Center means real and personal property consisting of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including, without limitation, power and cooling equipment, used primarily to provide, as a serve to person other than the company operating the data center, data and transaction processing services, outsource information technology services and computer equipment co-location services, or, used primarily to provide to a single user, including the user's affiliates, customers, lessees, vendors and other persons authorized by the user, data and transaction processing services.

A. Use Standards

1. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Moderate-Impact Common Lot Line Screen (§4.3.7) along all common lot lines except for an abutting warehouse and distribution or industrial use.
2. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a High-Impact Frontage Screen (§4.3.7) along all lot lines abutting a public right-of-way.

Modify 7.1.1 Summary of Review Authority

Remove Historic Preservation section completely.

Historic Preservation									
Certificate of Appropriateness	§7.2.12	R	--	D	--		•	•	--

Modify 7.1.2 – Development Director

7.1.2 – Development Director

The title “Development Director” shall reference the Director of the Community Services Department or other titled department that has management authority over the Planning and Zoning Division and has those powers and duties expressly identified in this Article, including but not limited to:

...

B. Decision

To review and decide on applications for:

1. development and sign permits;
2. temporary use permits;
3. final plats without dedication;
4. administrative adjustments; and
5. Certificates of Appropriateness where allowed in this Development Code and Chapter 99 – Piqua Historical Preservation Ordinance.

Modify 7.1.3. Board of Zoning Appeals

The Board of Zoning Appeals (BZA) is established and organized under § 32.095 and § 32.096 of the City of Piqua Codified Ordinances. The Board of Zoning Appeals has those powers and duties expressly identified in this Article, including but not limited to:

A. Decision

To review and decide on applications for:

1. appeals of administrative decisions;
2. appeals of interpretation of this Development Code;
3. variances; and
4. appeals of action by the Development Department to enforce this Development Code.

Modify 7.1.4. Planning Commission

Remove “C. Historic Preservation” in its entirety.

Modify 7.2.3 Special Use Permit

K.5 Preservation of Exterior Architectural Features

Proposals for adaptive reuse must preserve the exterior appearance of the church or other place of worship structure. Additions or alterations to sites must receive a Certificate of Appropriateness from the City Historic Review Commission (Chapter 99 of the City of Piqua Codified Ordinances).

Modify section 7.2.5 – Development Permit

...

H. Administrative Adjustment

2. Approval Criteria

- b. In addition, the adjustment may not exceed a change of more than 15% to any numerically described standard, unless a separate standard on the same site is improved by an equal or greater amount. For example, if the maximum width allowed for a building is 150 feet, an administrative adjustment may be allowed up to 172.5 total feet. Beyond this cap on adjustments, the Development Director may require an additional 15% landscape screening or other equivalent standard in replacement, or require a variance ~~must~~ be sought. The Development Director may not create more restrictive standards through adjustments, unless agreed to by the developer, builder, or permit application requestor.

7.2.10. Certificate of Appropriateness

Remove Section in its entirety.

Certificates of Appropriateness are reviewed and approved by the City Historic Review Commission (CHRC) per Chapter 99.06.D.

Modify section 7.4 – Review Fees and Registration

Zoning Verification Letter - \$30 per parcel

RESOLUTION No. PC 11-24

WHEREAS, an amendment has been proposed to amend "Title XV-Development Code" to the Code of Piqua as shown in Exhibit C, attached; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established findings that indicate the proposed code amendment:

- Will not threaten the general health, safety, and welfare of the community; and
- Conforms to all applicable plans and policies of the city.

NOW THEREFORE BE IT RESOLVED, board member **Brad Bubp** hereby moves to recommend approval of the ordinance change, as described by "Exhibit C," the motion is seconded by board member **Eddie Harvey** and the voting record on this motion is hereby recorded as follows.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Gary Koenig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Eddie Harvey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Terry Wright	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Bradley Bubp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Adam Seas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>