



**PIQUA CITY COMMISSION MEETING
TUESDAY, JUNE 4, 2024
6 PM
COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION

Monthly Report from the Commissioners Committee on the Fire Training Facility

Main Street Piqua recap by Staci

REGULAR PIQUA CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES

Approval of the Minutes from the May 21, 2024, Regular City Commission Meeting

2. RESOLUTION NO. R-79-24

A resolution appointing a member to the City Historic Review Commission

3. RESOLUTION NO. R-80-24

A resolution appointing a member to the City Historic Review Commission

4. RESOLUTION NO. R-81-24

A resolution appointing a member to the City Historic Review Commission

5. RESOLUTION NO. R-82-24

A resolution appointing a member to the City Historic Review Commission

6. RESOLUTION NO. R-83-24

A resolution appointing a City Commissioner to the City Historic Review Commission

7. RESOLUTION NO. R-84-24

A resolution appointing a representative from the Piqua-Caldwell Historic District to the City Historic Review Commission

8. RESOLUTION NO. R-85-24

A resolution appointing a member to the Planning Commission

OLD BUSINESS

9. ORDINANCE NO. O-7-24 (3rd Reading)

An ordinance repealing and replacing Piqua Municipal Code Section 30.01

NEW BUSINESS

10. RESOLUTION NO. R-86-24

A resolution to authorize replat of in-lots 6956 and 6597 and dedication of new easements

11. RESOLUTION NO. R-87-24

A resolution authorizing the sale and lease of city-owned real estate (Water Street)

12. RESOLUTION NO. R-88-24

A resolution authorizing the rezoning of 1121 West Water Street

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)

**REGULAR PIQUA CITY COMMISSION MEETING MINUTES
TUESDAY, MAY 21, 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 Simmons, DeBrosse and Vetter were present.

A motion was made by Commissioner Simmons to excuse Commissioner Hohman and seconded by Commissioner Vetter. All were in favor and the motion was carried unanimously.

ADJOURN TO EXECUTIVE SESSION at 5:32 p.m.

A motion was made by Commissioner DeBrosse to adjourn to Executive Session and seconded by Commissioner Simmons. All were in favor and the motion was carried unanimously.

ROLL CALL

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

EXECUTIVE SESSION

The Executive Session was to consider pending or imminent litigation and to prepare for and review negotiations on compensation or other terms and conditions of employment for City personnel.

ADJOURN FROM EXECUTIVE SESSION at 6:10 p.m.

A motion was made by Commissioner Vetter to adjourn from Executive Session and seconded by Commissioner Simmons. All were in favor and the motion was carried unanimously.

PROCLAMATION

Mayor Lee read a proclamation recognizing all teachers in the City of Piqua and their significant contributions to our community.

Commissioner Hohman made a motion to amend the Regular Commission Meeting Agenda to include a work session regarding the First Amendment in relation to City Commission Meetings, along with the addition of Resolution No. R-78-24. Commissioner DeBrosse seconded the motion. All were in favor and the motion was carried unanimously.

Commissioner Hohman then made a motion to approve the amended Regular Commission Meeting Agenda, and Commissioner DeBrosse seconded it. All were in favor and the motion was carried unanimously.

WORK SESSION

Law Director Frank Patrizio gave a presentation regarding the First Amendment and City Commission Meetings. He said that lewd, obscene language, profanity, and libelous and insulting speech are not protected by the First Amendment in a limited public forum such as Piqua City Commission Meetings. The First Amendment does allow for the Commission to restrict the manner, place, and time if reasonable. Mr. Patrizio recommended that some, if not all, of allowable restrictions be adopted by Commission, such as separating the business meeting from the public forum, requiring a sign up for public comment prior to the meeting, having public comment take place at the beginning of the agenda, and restricting public comment to agenda items only.

Mayor Lee stated his desire for effective Rules of Conduct so that citizens behave properly in the business meetings. He is neutral on the sign-up recommendation.

Commissioner Simmons said he does not want to separate the business meeting from the public forum and does not want to restrict public comment in content.

Commissioner Hohman said he is open to new Code of Conduct rules, but he is opposed to a time limit on public comment of 3 minutes and is opposed to requiring a sign-up ahead of time for public comment.

Commissioner DeBrosse said he is aware of the behavior and conduct issues at recent meetings, but he does not want to make changes to the rules now. He said that the 5-minute limit is good, and that public comment should not be eliminated.

Commissioner Vetter inquired about the process to amend the rules for Commission meetings. Mr. Patrizio responded that he would draft an ordinance for the Commission to consider.

PRESENTATION

Engineering Manager Kenton Kiser provided information on the Piqua Pavement Program. Initiated by City Manager Paul Oberdorfer, this newer program ensures a thorough and efficient means to maintain and improve the streets in Piqua. The program includes minor rehabilitation, such as resurfacing, preventative maintenance, such as crack sealing and Microsurfacing, and routine maintenance, such as Durapatching and pothole patching. The city is now using a better Street Treatment Cycle that leads to a longer pavement life. Mr. Kiser shared that more information on the Piqua Pavement Program will be available on the city GIS webpage by the end of this year.

REGULAR PIQUA CITY COMMISSION MEETING

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes from the May 7, 2024, Regular City Commission Meeting

A Resolution of Appreciation for recent retiree Jason Preston was presented by Mayor Lee to Mr. Preston. The mayor thanked him, Larry Wiles, and Tammy Wright for their many years of faithful service to the City of Piqua.

A motion was made by Commissioner Hohman 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-3-24 (3rd Reading)

An ordinance to adopt Chapter 99: Piqua Historic Preservation Ordinance

Introduction: Community Services Director Kyle Hinkelman stated that he made some small changes to this ordinance due to requirements by the State Historic Preservation Office.

Commissioners Comments: Commissioner Vetter complimented Mr. Hinkelman for his recent presentation to the Hance Pavilion Committee; he was very thorough and informative.

Commissioner Hohman said he appreciated the process that Mr. Hinkelman has went through to establish the Piqua Historic District and create the City Historic Review Commission.

Public Comment: None

A motion was made by Commissioner Vetter to approve the ordinance, and Commissioner Simmons seconded the motion. All were in favor and the motion was carried unanimously.

ORDINANCE NO. O-4-24 (3rd Reading)

An ordinance to amend Chapter 32: Boards and Commissions

Introduction: Mr. Hinkelman reiterated the purpose of this amended ordinance to include two new boards formally: the Board of Zoning Appeals and the City Historic Review Commission. He stated that the CHRC would consist of 6 members, including a member of the Board of the Piqua-Caldwell Historic District and a City Commission member. Mr. Hinkelman stressed that members should have architectural and archaeology knowledge, and the city will begin taking applications tomorrow for this new board.

Commissioners Comments: Mayor Lee said he would like to nominate Commissioner Simmons to the CHRC.

Commissioner DeBrosse asked for clarification regarding the appointment of members, to which Mr. Hinkelman responded that it will be the same process as for other boards and committees. The City Commission will decide on the members after recommendations are provided.

Public Comment: Don Smith stated his appreciation for Mr. Hinkelman, as he is a member of the Piqua-Caldwell Historic District and happy to be a part of this process.

A motion was made by Commissioner Hohman to approve the ordinance, and Mayor Lee seconded the motion. All were in favor and the motion was carried unanimously.

ORDINANCE NO. O-5-24 (3rd Reading)

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

Introduction: Mr. Hinkelman stated that this ordinance allows for changes to the Piqua Development Code to accommodate Ordinance No. O-3-24 and Ordinance No. O-4-24. He said there are no changes from the 1st Reading.

Commissioners Comments: None

Public Comment: None

A motion was made by Commissioner Hohman to approve the ordinance, and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

ORDINANCE NO. O-6-24 (2nd Reading)

An ordinance to regulate burning activities

Introduction: Commissioner DeBrosse stated that he would like to make a motion for an amendment to this ordinance, noting that this amendment regarding Section 8 was offered by Commissioner Simmons at the last meeting. The addition to Section 8 would be "and violators shall be responsible for the cost of all contamination testing and the cost of all remediation of any environmental injury or damage as a result of the violation."

Commissioners Comments: Commissioner Simmons commented that the monetary penalty amount should be increased, but Mr. Patrizio replied that the penalty amount must be reasonable.

A motion was made by Commissioner Simmons to adopt the amendment to this ordinance, and Commissioner Hohman seconded the motion. All were in favor and the motion was carried unanimously.

Public Comment: Kim Heisler said that the penalty amount should be increased to deter a burning event from happening again in Piqua.

Melanie Walker expressed concern for having enough Certified Firefighters in Piqua to manage burns; Commissioner Hohman explained that it can be any Ohio Certified Firefighter, not just Piqua's Certified Firefighters.

Nancy Roof asked if it is possible for the City of Piqua itself to be a violator of this ordinance.

Commissioner Hohman said that it would be possible, but that private entities will not desire to sublet city property now that this ordinance will be in place.

Jeff Grimes asked if this ordinance pertains to the entire city, to which Commissioner Hohman replied that this ordinance applies to all city-owned property, not private property.

A motion was then made by Commissioner DeBrosse to waive the 3-Reading Rule on this ordinance, and Mayor Lee seconded the motion. Mayor Lee and Commissioners Hohman, Vetter, and DeBrosse were in favor of the motion; Commissioner Simmons was not in favor. The motion was carried.

Finally, a motion was made by Commissioner Vetter to approve the amended suspended ordinance, and Commissioner DeBrosse seconded the motion. All were in favor and the motion was carried unanimously.

ORDINANCE NO. O-7-24 (2nd Reading)

An ordinance repealing and replacing Piqua Municipal Code Section 30.01

Introduction: Finance Director Jerry O'Brien said this will serve as a second reading for this ordinance, which would provide the City Manager with the authority to approve claims against the city up to the legal amount for non-bidding contracts without prior approval from the Commission. The increase in the legal amount would go from \$2,500 to \$75,000.

Commissioners Comments: None

Public Comment: Kim Heisler expressed her concern of the large increase from \$2,500 to \$75,000, stating the need for more oversight and that she would like to know where the city funds are going.

Commissioner Vetter commented that the City Manager will continue to make Commission aware of larger monetary claims as a courtesy.

Commissioner Hohman said that based on the form of government for the City of Piqua, the City Manager has the latitude to make these types of decisions for claim settlements.

Mr. Oberdorfer commented that \$75,000 is the current legal limit established by the Ohio Revised Code. He offered that a policy be established with the Finance Department that Commission be informed of any settlements.

Jonathan Wessel inquired about the typical amount of claims and said that it makes sense to do an increase in the amount for auto damage claims. He asked if employee settlements would be included, to which Mr. Patrizio answered that personnel matters always go before the Commission.

NEW BUSINESS

ORDINANCE NO. O-8-24 (1st Reading)

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

Introduction: Mr. O'Brien explained that two line items would be amended in this ordinance: Section 1-General Government would increase appropriations by \$10,000 for the Trap Neuter Release and Farm Sanctuary programs, and Section 7-Fire Department would increase appropriations by \$320,000 for the purchase and repairs of a used ladder truck.

Commissioners Comments: Commissioner Vetter wanted clarification on changes made to the contract with the Humane Society of Dayton for the TNR program. Mr. Oberdorfer said that due to grant funding drying up, the Human Society needs extra funding, and that the TNR program helps with rehoming efforts and the proper care of stray cats.

Public Comment: Nicholas Mahrt expressed his concern with the lack of funding. He recommended that the city partner with BGSU and Edison State Community College to build a new facility behind ESCC that would be tailored to First Responder needs. He said that this would remove any conflict of interest for the city, get everyone away from contaminated grounds, and serve as a more centralized location.

A motion was made by Commissioner Hohman to waive the 3-Reading Rule on this ordinance, and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

A motion was then made by Commissioner Hohman to adopt this ordinance, and Commissioner Simmons seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-73-24

A resolution awarding a contract to Walls Bros. Asphalt Co. for the 2024 Pavement Preservation Program – Mill and Overlay Project

Introduction: Mr. Hinkelman started by saying that in January of 2024, the city regrouped the Engineering Department under Community Services. The City of Piqua is finding ways to better explain its programs to tell our story. A good example is the Pavement Preservation Program. The city has done \$3.3 million dollars of pavement projects in the last 4 years. This resolution will award a contract to Walls Bros. Asphalt Co. for the 2024 pavement program with a total cost of \$783,000.

Commissioners Comments: Commissioner Hohman asked if the city was selecting the best company to ensure that quality was not sacrificed. Mr. Hinkelman replied that the bid specs were very thorough, and the bids were very competitive. He is confident that the best contractor was chosen.

Public Comment: None

A motion was made by Commissioner Vetter to approve the resolution, and Commissioner Hohman seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-74-24

A resolution awarding a contract to Grissom Construction, LLC, for the 2024 ADA Curb Ramp Program

Introduction: Mr. Hinkelman stated that the city intends to be more transparent in the future with the ADA Curb Ramp Program and will include it in the CIP. For 2024, the portion allocated will be \$189,000.

Commissioners Comments: Commissioner Hohman asked how many curb ramps this would cover, to which Mr. Hinkelman responded approximately 37-40 curb ramps.

Commissioner Simmons had a question about the curb ramp bump plates, as he heard about a mobility cart tipping over due to the raised bumps. Mr. Hinkelman replied that the bump plates are required, as these are Federal standard specs for the ADA.

Public Comment: None

A motion was made by Commissioner Simmons to approve the resolution, and Commissioner Hohman seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-75-24

A resolution awarding a contract to Performance Site Development for the Robinson to Maple Alley Sanitary Sewer Replacement Project

Introduction: Utilities Director Kevin Krejny explained that this project involves replacement of the sewer pipe in the alley between Robinson and Maple Street east of Madison Avenue, replacement of a stormwater pipe on South Street near the Shell Gas Station, and replacement of manholes on Ellerman and Orr Street. He reported that the bids came in under budget, and the total will be \$422,000.

Commissioners Comments: None

Public Comment: None

A motion was made by Commissioner Hohman to approve the resolution, and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-76-24

A resolution authorizing a purchase order to the Board of Trustees, Clearcreek Township, Warren County, Ohio, for a used aerial ladder truck and upfitting costs

Introduction: Fire Chief Lee Adams explained that the Piqua Fire Department would like to purchase a 2001 rear-mount Aerial Ladder Truck similar to the previously owned 1986 model. Clearcreek Township has agreed to sell it for \$250,000, and an additional \$70,000 would be allotted for repair and upfitting costs. Chief Adams said the ladder truck would have a limited lifespan of 5-6 years, and the mechanic's evaluation said it could be ready for operation in 6-8 weeks. Because a new apparatus has a timespan of 3-5 years, this would serve as a stopgap measure.

Commissioners Comments: Mayor Lee asked if the ladder truck would fit inside the current fire station, to which Chief Adams replied yes.

Commissioner Hohman inquired as to what kind of training would be needed to use this truck; Chief Adams said that he anticipates funds to train his crew and that there would be a learning curve.

Commissioner Vetter said that the city should begin setting aside funds annually for new apparatus, such as a ladder truck, so that debt service would not have to be used.

Public Comment: Nancy Roof suggested utilizing our contract with BGSU for training the Piqua staff. Chief Adams said that he was unaware of ladder training offered by BGSU and that there would still be a cost involved for training with BGSU.

Valerie Mullikin expressed her gratitude to Chief Adams for the new ladder truck.

Josh Blackshire gave his support for approval of this resolution.

Jonathan Wessel asked if the city really needs a ladder truck; Commissioner Hohman said that the ladder truck would help with rescue to higher floors, especially to business buildings downtown. Chief Adams' response was that having a ladder truck also helps the city's Insurance Services Office (ISO) rating, which

has financial benefits regarding insurance costs to the city, its residents, and particularly to the businesses.

A motion was made by Commissioner Hohman to approve the resolution, and Commissioner DeBrosse seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-77-24

A resolution requesting authorization of an agreement with Stantec Consulting Services, Inc., for continued engineering support regarding Piqua's Hydraulic Canal and Dam System

Introduction: Mr. Krejny explained this resolution would continue an existing relationship with Stantec Consulting Services, Inc., who the city started working with in 2018. Stantec Consulting Services, Inc. has been evaluating the city's 3 dams and providing potential solutions to get the city in compliance with ODNR's guidelines. Mr. Krejny reported that the 2019 HHPD Grant has been depleted, so the city will start using the 2022 HHPD Grant soon.

Commissioners Comments: Commissioner Hohman wanted to ensure that this does not involve the draining of any lakes in Piqua, to which Mr. Krejny confirmed that Stantec Consulting Services, Inc., is just evaluating the dam systems.

Mayor Lee asked about the grant match requirement; Mr. Krejny responded that the city is required to match 35% and this money will come from the Water fund.

Commissioner Vetter informed everyone that there will be another meeting this fall for anyone interested or to learn more about the hydraulic canal and dam system of Piqua.

Commissioner DeBrosse asked Mr. Krejny if he was satisfied with Stantec Consulting Services, Inc. Mr. Krejny replied that he is pleased with their services over the past 5 years.

Public Comment: Nicholas Mahrt expressed concerns with Stantec Consulting Services, Inc., and suggested that the Commission table this resolution so that citizens can educate themselves on this company. Mr. Krejny responded that Stantec Consulting Services, Inc., has done a great job, as they are following the guidelines set by ODNR; he also said that 2 public forums have been held to inform and educate citizens.

Commissioner Simmons asked if Mr. Krejny has received any negative feedback from citizens regarding this company, to which Mr. Krejny replied that there was 1 citizen at a meeting who was unhappy with Stantec Consulting Services, Inc., but Mr. Krejny believes that was because the citizen did not get the answers he wanted.

Commissioner DeBrosse added that Stantec Consulting Services, Inc., has provided several scenarios that would get the city in compliance with ODNR, presenting what would be required.

Kim Heisler suggested that this resolution be tabled so that citizens can do more research. Mr. Krejny said that the city must come into compliance with ODNR for the 3 dams, as they are each 100 years old.

Jeff Grimes inquired about the city fighting ODNR on this issue; Commissioner DeBrosse responded that this is an unfunded mandate by the government and the city is working with State officials to try to get it

changed. In the meantime, however, if Piqua does nothing, ODNR as the regulating authority could drain all 3 waterways as the cheapest option to force the city into compliance.

A motion was made by Commissioner Hohman to approve the resolution, and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-78-24

A resolution amending the City Manager's contract

Introduction: Human Resources Director Catherine Bogan explained that the existing contract for the City Manager has no term limit. This resolution would amend the contract to include a specific term of May 2024 to May 2026, along with additional provisions to allow for a contribution by the city to OPERS in the event of the Commission terminating the employment of the City Manager.

Commissioners Comments: Mayor Lee asked what would happen if the City Manager chose to leave the position. Ms. Bogan said that OPERS contributions would stop immediately if he obtained another OPERS job.

Commissioner DeBrosse asked if the OPERS contribution would exclude criminal conduct, to which Ms. Bogan replied yes, if he was charged and convicted.

Commissioner Simmons inquired about the OPERS contribution in the event the City Manager would be terminated for other reasons besides criminal. Ms. Bogan said that an OPERS contribution would still occur in this case.

Public Comment: Nicholas Mahrt said he respects Mr. Oberdorfer, as they recently cleaned up the bike path together. He also noted that the city needs to be mended, citing distrust of city government by citizens.

Kim Heisler asked for clarification on OPERS and the contractual term.

Jeff Grimes expressed his disapproval of Mr. Oberdorfer.

Melanie Walker, as both a resident and business owner in Piqua, provided her support for Mr. Oberdorfer.

Don Smith expressed his approval of Mr. Oberdorfer.

Roland Sourmail expressed his disapproval of Mr. Oberdorfer.

Cindy Pearson, a citizen and previous mayor for 2 years, provided her endorsement of Mr. Oberdorfer.

Greg Neves expressed his disapproval of Mr. Oberdorfer.

Tim Peltier expressed his support for Mr. Oberdorfer as a great leader in the city.

A motion was made by Commissioner Hohman to approve Resolution No. R-78-24, and Mayor Lee seconded the motion. Mayor Lee and Commissioners Hohman and DeBrosse were in favor; Commissioners Vetter and Simmons were not in favor. The motion was carried.

CITY MANAGER'S REPORT

Mr. Oberdorfer had nothing to report to the Commission.

COMMISSIONERS COMMENTS

Commissioner Vetter announced that there will be a Celtic Heritage Festival at Johnston Farm this coming weekend.

Commissioner Simmons wished everyone a safe Memorial Day weekend.

Commissioner Hohman encouraged citizens to remember why we celebrate Memorial Day.

Mayor Lee thanked the recent retirees, and he also thanked Chief Byron and Chief Adams for their work in acquiring the ladder truck.

Commissioner DeBrosse congratulated the Piqua Junior High School "Top 10 Awards" students and also Teacher of the Year Sara Jane Magoteaux.

PUBLIC COMMENT

Valerie Mullikin announced several upcoming events for Memorial Day weekend in Piqua.

Kim Heisler reiterated her suspicions regarding the high property evaluation at the old water plant on SR 66. Mr. Patrizio reiterated that the city does not control the Miami County Auditor and that the city does not pay property taxes. Commissioner DeBrosse requested that the city send a letter to the Auditor's office requesting a new evaluation.

Nicholas Mahrt talked more about his suggestion to move the current Fire Training Center to Edison State Community College, then to make the 9300 SR 66 area an educational area for youth.

Roland Sourmail commented that the city can call the County Auditor to get the property evaluation lowered at the old water plant.

Greg Neves presented some social media posts from a member of the Board of Zoning Appeals and said that this member should be removed from the board.

Jeff Grimes commented on several issues, including the waterways, the scenic river, the old Wilder School project, and stoplight suggestions.

Kay Neves spoke of a post on social media regarding the Benghazi Rabbit.

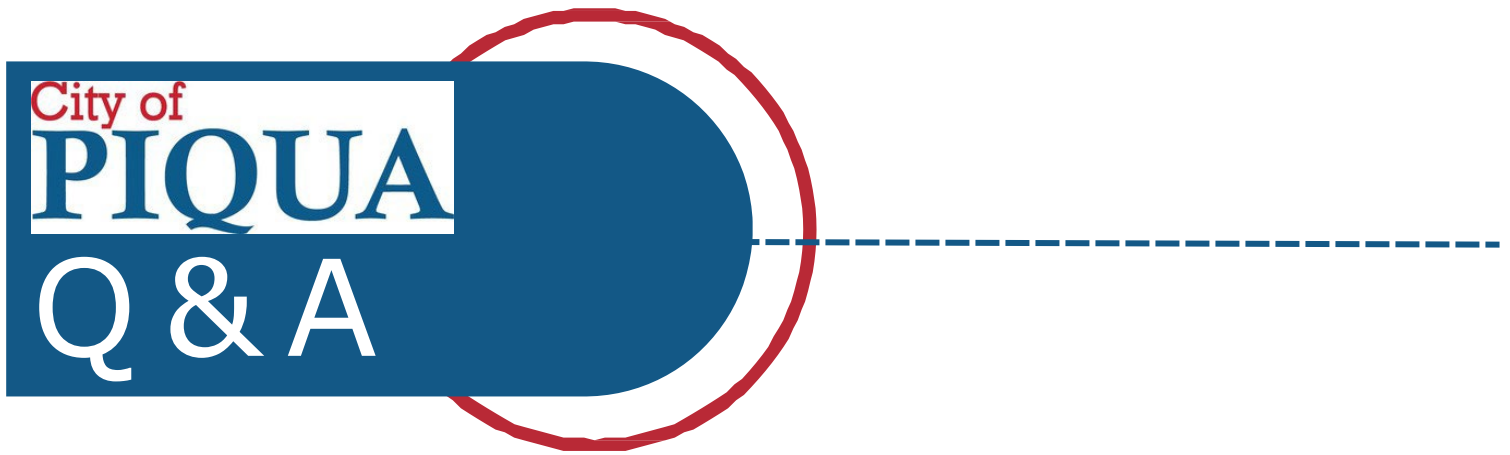
ADJOURNMENT at 9:54 p.m.

A motion was made by Commissioner Vetter to adjourn, and Commissioner Hohman seconded the motion. All approved and the motion was carried unanimously.

KRIS LEE, MAYOR

Passed: _____

Attest: _____
COMMISSION CLERK



At the City Commission Meeting on May 21, 2024, citizen Jeff Grimes asked for an update regarding the Power Project at the Mote Park Community Building.

Rebecca Sousek, Executive Director of the Piqua Compassion Network, provided an update on this subject at the February 6, 2024, City Commission Meeting. There are no further updates at this time.

At the Mayor and Commissioners Corner Meeting on May 22, 2024, citizens asked the following questions:

Russ Fashner asked: Can the city vehicles not drive down Main Steet?

City vehicles are considered local and are not required to follow the truck route. I can request the departments encourage commercial city vehicles to use the truck route when not working in the area.

Jeff Lange asked: Where are we at with the US Fisheries and Wildlife to remove the dams? What is the plan? Can we work with Piqua Steel and Piqua Materials to remove the dams as a donation from them.

- Bathymetric survey through Piqua of the GMR is complete. We have been working on modeling and will continue to press forward on the 30% design.
- Troy and Piqua were awarded 3 million dollars from the USFWS BIL fund for the dam removal projects. Donnie has more information about this, which he will share with us at our next meeting.
- City of Piqua has a desire to turn the power plant dam location into a destination spot along the river for various types of recreation. We will be working with the City to create some conceptual ideas on how to turn this place into a gathering space by the river. This work will go hand in hand with the dam removal project and will not interfere with any of the goals or objectives of the current project.
- We will get another schedule update to the group in our June meeting.

Kim Maniaci asked for improvements to the city phone directory and answering calls.

Phone tree improvements will be made in late summer or in the fall.



703 Blaine – Alley access and ADA:

Public Works will provide a temporary asphalt apron improvement (on top of the existing asphalt) to reduce the probability of the resident's van from bottoming out on the concrete apron. The alley will be placed on the alley resurfacing program for future improvements.

701 Blaine – Neighbor Complaint:

We received a complaint from the neighbor about this property and the shed earlier this spring about the condition of the property and the placement of the shed. We responded to the complaint and inspected the property. Upon inspection of the property, we found a pile of brush near the alley and looked at the location of the shed. There is an approved permit for the shed and its location. We spoke with the property owner, and they agreed to remove the brush pile and no official notice was issued. Later the neighbor contacted us and stated they were going to have the side property line surveyed and wanted to know if the shed was too close after the property line was found would they have to move it. I explained they would only have to move it to a minimum of 3 ft from the property line as the code requires. The neighbor explained that the shed is right outside her window, and she doesn't want to look at it. We have not heard anything further since that conversation. This is a civil matter.

RESOLUTION NO. R-79-24

**A RESOLUTION APPOINTING A MEMBER TO THE CITY HISTORIC
REVIEW COMMISSION**

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

SEC. 1: _____ is hereby appointed as a member of the City Historic Review Commission for a two-year term to expire on June 4, 2026 or until a successor is confirmed and qualified;

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

RESOLUTION NO. R-80-24

A RESOLUTION APPOINTING A MEMBER TO THE CITY HISTORIC REVIEW COMMISSION

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

SEC. 1: _____ is hereby appointed as a member of the City Historic Review Commission for a three-year term to expire on June 4, 2027, or until a successor is confirmed and qualified;

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

RESOLUTION NO. R-81-24

**A RESOLUTION APPOINTING A MEMBER TO THE CITY HISTORIC
REVIEW COMMISSION**

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

SEC. 1: _____ is hereby appointed as a member of the City Historic Review Commission for a four-year term to expire on June 4, 2028, or until a successor is confirmed and qualified;

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

RESOLUTION NO. R-82-24

A RESOLUTION APPOINTING A MEMBER TO THE CITY HISTORIC REVIEW COMMISSION

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

SEC. 1: _____ is hereby appointed as a member of the City Historic Review Commission for a five-year term to expire on June 4, 2029, or until a successor is confirmed and qualified;

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

RESOLUTION NO. R-83-24

A RESOLUTION APPOINTING A CITY COMMISSIONER TO THE CITY HISTORIC REVIEW COMMISSION

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

SEC. 1: _____ is hereby appointed as a member of the City Historic Review Commission for a one-year term to expire on June 4, 2025, or until a successor is confirmed and qualified;

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

RESOLUTION NO. R-84-24

A RESOLUTION APPOINTING A MEMBER TO THE CITY HISTORIC REVIEW COMMISSION

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

SEC. 1: Melanie Walker is hereby appointed as a representative of the Piqua-Caldwell Historic District of the City Historic Review Commission for a five-year term to expire on June 4, 2029, or until a successor is confirmed and qualified;

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

RESOLUTION NO. R-85-24

A RESOLUTION APPOINTING A MEMBER TO THE PLANNING COMMISSION

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

SEC. 1: _____ is hereby appointed as a member of the Planning Commission for a five-year term to expire on June 4, 2029, or until a successor is confirmed and qualified;

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

ORDINANCE NO. O-7-24

AN ORDINANCE REPEALING AND REPLACING PIQUA MUNICIPAL CODE SECTION 30.01

WHEREAS the Section 30.01 of the Piqua City Code authorizes the City Manager to settle various claims under \$2,500.00;

WHEREAS, the City receives numerous claims in a variety of departments over the years that exceed this amount;

WHEREAS, it is in the best interest of the City to have the amount increased.

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

SECTION I: The City of Piqua Section 30.01 is repealed and replaced with new Ordinance 30.01 attached as "Exhibit A"; and

SECTION II: This ordinance shall be effective at the earliest time permitted by law.

1st Reading – 5/7/2024

2nd Reading – 5/21/2024

3rd Reading – 6/4/2024

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____

DIANA L. TAMPLIN
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	_____

30.01 CITY MANAGER; CERTAIN PURCHASES AND EXPENDITURES.

(A) The City Manager is authorized to direct the Director of Finance to draw his or her warrant upon the appropriate fund of the city treasury for the payment of claims not exceeding the statutory amount for competitive bidding as set by state law (currently, ORC 9.17), and the City Manager is authorized to settle claims of the city against third persons not exceeding the above-stated statutory amount. The City Manager may require evidence that the amount claimed is justly due and is in conformity with law. For the purpose of such settlements, the City Manager is authorized to sign and accept releases or other contracts of settlement.

(B) The City Manager is authorized, at his or her discretion, to subscribe to trade magazines and newspapers, and to join various trade organizations on behalf of the city, providing that no individual membership and subscription shall exceed the sum of \$25,000 per annum without first obtaining the authorization of the City Commission.

(C) The City Manager is authorized, at his or her discretion to direct the Director of Finance to draw his or her warrant upon the appropriate funds of the city treasury for the purchase of memorabilia, not exceeding \$200 per item, as gifts in recognition of public services rendered in the best interest of the city or in recognition of events or achievements relevant to the public health, safety and welfare of the citizens of the city.

('97 Code, § 30.06) (Ord. 4-58, passed 2-3-58; Am. Ord. 66-80, passed 10-20-80; Am. Ord. 42-94, passed 9-6-94; Am. Ord. 21-95, passed 6-5-95; Am. Ord. 11-06, passed 5-1-06; Am. Ord. 22-12, passed 10-16-12)

Commission Agenda Staff Report

MEETING DATE	May 7, 2024		
REPORT TITLE	An Ordinance repealing and replacing Piqua Municipal Code Section 30.01		
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 an ordinance to amend City of Piqua Code Section 30.01 to raise the dollar limit authorization for the City Manager to approve claims against the City without prior approval from the City Commission. Currently, the limit is \$2,500. This ordinance proposes increasing the limit to the amount authorized by the Ohio Revised Code for competitive bidding. Currently that amount is \$75,000.		
BUDGETING AND FINANCIAL IMPACT	Appropriations \$:	0	
	Source of Funds:	Various	
	Narrative		
OPTIONS	1.	Approve Ordinance No. O-7-24 increasing the amount the City Manager is authorized to settle claims without City Commission approval to the legal limit for competitive bidding of contracts.	
	2.	Not approve Ordinance No. O-7-24 increasing the amount the City Manager is authorized to settle claims without City Commission approval to the legal limit for competitive bidding of contracts.	
PROJECT TIMELINE			
STAFF RECOMMENDATION	We are requesting approval of Ordinance No. O-7-24.		
REASON FOR SELECTING CONSULTANT/COMPANY	N/A		
ATTACHMENTS			

RESOLUTION NO. R-86-24

A RESOLUTION TO AUTHORIZE REPLAT OF INLOTS 6956 AND 6957 AND DEDICATION OF NEW EASEMENTS

WHEREAS, pursuant to the City of Piqua Code of Ordinances Section 151.34, the Planning Commission has taken action on the replat of Inlots 6956 and 6957 along Scott Drive and dedicate new easements, as shown in Exhibit "A" attached hereto; and,

WHEREAS, the Planning Commission met at in open sessions and took public comment regarding the proposed replat; and

WHEREAS, the Planning Commission after hearing the item and considering the public comments and information provided, recommended approving the replat, as shown in Exhibit "A" attached hereto; and

WHEREAS, when the Planning Commission recommends the approval of a final plat it shall be referred to the City Commission for final acceptance.

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

SEC. 1: This Commission hereby takes the action necessary to authorize and approve the final replat survey for the subject Inlots, more or less as shown in Exhibit "A" attached hereto.

SEC. 2: The City Manager shall cause the final replat survey and all appropriate and necessary legal instruments supporting such actions to be properly recorded.

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

MAYOR LEE

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

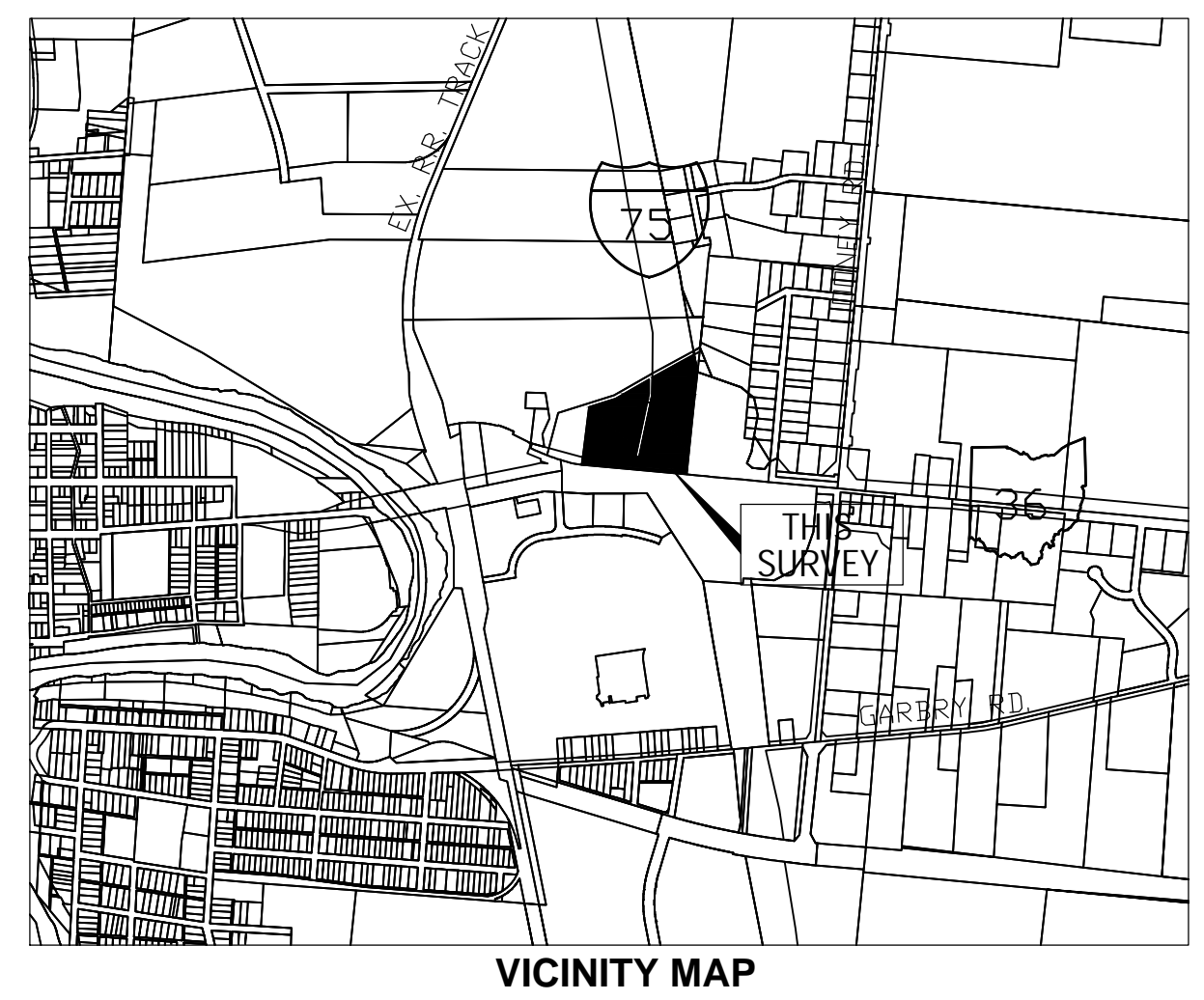
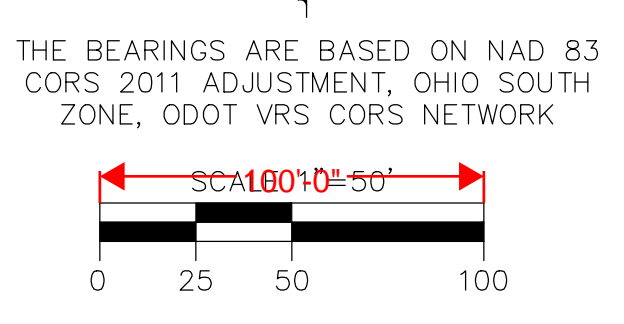
The Motion to adopt the foregoing Resolution was offered by _____
seconded by _____ and on roll call the following vote ensued:

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

Approximate parcel locations, sizes will vary based on actual survey

LEGEND

- | | |
|-------------------------------------|--|
| ● I.P.S. 5/8" X 30" REBAR W/CAP SET | □ PAD EXISTING ELECTRICAL TRANS. PAD |
| ○ I.P.F. IRON PIN FOUND | □ EXISTING ELECTRIC RISER |
| ● M.N.S. MAG NAIL SET | ⊕ EXISTING ELECTRIC MANHOLE |
| ○ M.N.F. MAG NAIL FOUND | ⊞ EXISTING ELECTRIC METER |
| ⊙ CONCRETE MONUMENT FOUND | —E— EXISTING ELECTRIC LINE |
| —U— EXISTING UTILITY POLE | —OVH E— EXISTING OVERHEAD ELECTRIC LINES |
| —L— EXISTING LIGHT POLE | —T— EXISTING TELEPHONE LINE |
| —G— EXISTING GUY ANCHOR | ⊞ EXISTING TELEPHONE METER |
| —F— EXISTING FIRE HYDRANT | ⊞ EXISTING CABLE RISER |
| —V— EXISTING WATER VALVE | —C— EXISTING UG TELEPHONE LINE |
| —FA— EXISTING WATER FAUCET | —CTV— EXISTING UG CABLE TV LINE |
| —W— EXISTING WATER MAIN | ⊞ EXISTING GAS REGULATOR |
| ⊙ EXISTING SANITARY CLEAN OUT | —G— EXISTING GAS LINE |
| ⊞ EXISTING SANITARY MANHOLE | ⊞ EXISTING GAS METER |
| ⊞ EXISTING ROUND CATCH BASIN | ⊞ EXISTING GAS VALVE |
| ⊞ EXISTING CATCH BASIN | —X— EXISTING FENCE |
| ⊞ EXISTING STORM MANHOLE | ⊙ CONIFEROUS SHRUBS |
| ⊞ EXISTING DOWNSPOUT | ⊙ DECIDUOUS TREE |



SURVEY NOTES

- AIR COMPRESSOR IS ON THE WEST PROPERTY LINES AS SHOWN
- OVERHEAD ELECTRIC SERVICES SUBJECT PROPERTY NOT SHOWN IN AN EASEMENT
- OVERHEAD ELECTRIC CROSSES INLOT 6955 NOT SHOWN IN AN EASEMENT
- UNDERGROUND ELECTRIC WAS NOT MARKED WITHIN THE MARATHON OIL EASEMENT
- SURVEY AND DEED LINES DO NOT MATCH THE ESTABLISHED L.A. RIGHT OF WAY LINES

EXISTING PARKING SPACES

131 PARKING SPACES BASED ON AN OLD AERIAL (STRIPES ARE CURRENTLY FADED AND WORN)

FLOOD ZONE

BY GRAPHIC PLOTTING ONLY THIS PROPERTY IS IN: ZONE X-AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

PANEL NO. 39109C0063F
EFFECTIVE DATE: JUNE 5, 2020

NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

LEGAL DESCRIPTION

SITUATED IN THE CITY OF PIQUA, COUNTY OF MIAMI AND STATE OF OHIO:

BEING LOTS NUMBERED SIX THOUSAND NINE HUNDRED FIFTY-SIX (6956) AND SIX THOUSAND NINE HUNDRED FIFTY-SEVEN (6957) IN THE CITY OF PIQUA, MIAMI COUNTY OHIO.

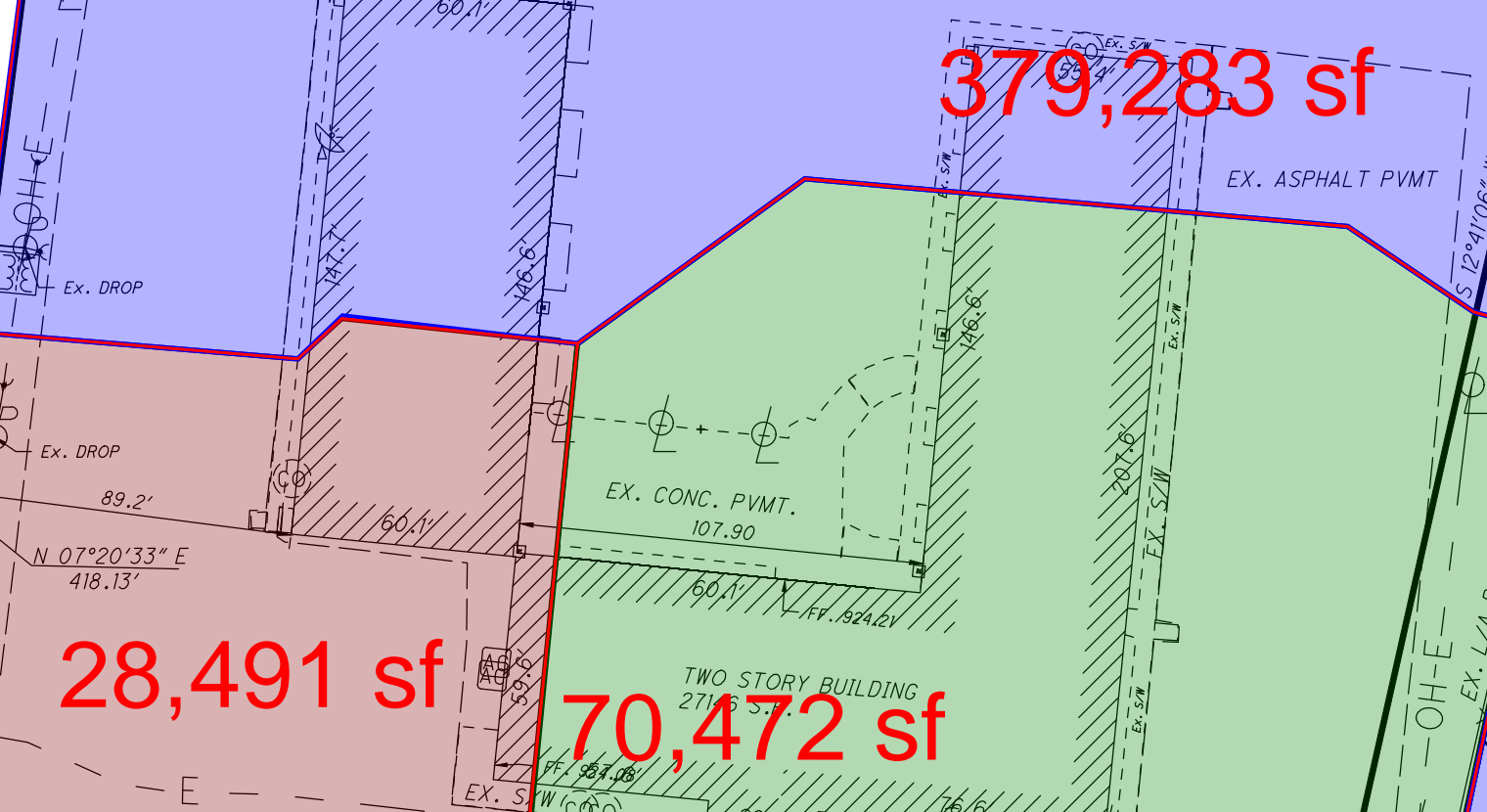
PPN: N44-072956 AND N44-072958

SCHEDULE B-SECTION II

COMMONWEALTH LAND TITLE INSURANCE COMPANY
COMMITMENT NO. GLC2300006, EFFECTIVE DATE JANUARY 3, 2023 AT 6:59 A.M.

13. EASEMENT FOR HIGHWAY PURPOSES TO THE STATE OF OHIO, FILED FOR RECORD JUNE 12, 1935, IN DEED VOLUME 216, PAGE 162, OF THE MIAMI COUNTY, OHIO RECORDS. (DOES NOT TOUCH PROPERTY)
14. EASEMENT FOR HIGHWAY PURPOSES TO THE STATE OF OHIO, FILED FOR RECORD NOVEMBER 1, 1935, IN DEED VOLUME 216, PAGE 480, OF THE MIAMI COUNTY, OHIO RECORDS. (DOES NOT TOUCH PROPERTY)
15. EASEMENT FOR HIGHWAY PURPOSES TO THE STATE OF OHIO, FILED FOR RECORD APRIL 23, 1956, IN DEED VOLUME 333, PAGE 291, OF THE MIAMI COUNTY, OHIO RECORDS. (LIMITED ACCESS RIGHT-OF-WAY OF INTERSTATE 75 AND U.S. ROUTE 36)
16. EASEMENT TO MARATHON OIL COMPANY, AN OHIO CORPORATION, FILED FOR RECORD JULY 3, 1968, IN DEED VOLUME 452, PAGE 539, OF THE MIAMI COUNTY, OHIO RECORDS. (AS SHOWN ON SURVEY)
17. RESERVATIONS, RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS, AND/OR CONDITIONS, AS ESTABLISHED IN INSTRUMENT, FILED FOR RECORD JANUARY 15, 1959, IN DEED VOLUME 358, PAGE 260, OF THE MIAMI COUNTY, OHIO RECORDS. (NO EASEMENTS TO PLOT; REFERENCES ITEM #13 AND #14 ABOVE)
18. RESERVATIONS, RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS, AND/OR CONDITIONS, AS ESTABLISHED IN INSTRUMENTS, FILED FOR RECORD JANUARY 31, 1964 IN DEED VOLUME 402, PAGE 55; JUNE 1, 1964 IN DEED VOLUME 405, PAGE 366, AND IN DEED VOLUME 405, PAGE 368, ALL OF THE MIAMI COUNTY, OHIO RECORDS. (AS SHOWN ON SURVEY)
19. EASEMENT FOR HIGHWAY PURPOSES TO THE STATE OF OHIO, FILED FOR RECORD MARCH 23, 1964, IN DEED VOLUME 403, PAGE 258, OF THE MIAMI COUNTY, OHIO RECORDS. (AS SHOWN ON SURVEY)
20. LIMITED EASEMENT FOR INGRESS AND EGRESS FILED JUNE 11, 1963, AND RECORDED IN BOOK 397, PAGE 330, OF THE MIAMI COUNTY RECORDS. (AS SHOWN ON SURVEY)

Z:\project\Miami\Piqua\PIQ-2302RedRoof\m\ALTA\MIPIQ2302_ALTA.dwg 13-Feb-23 12:44 PM

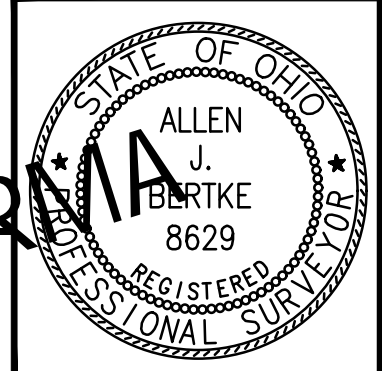


SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554
WWW.CHOICEONEENGINEERING.COM

ALTANSPS LAND TITLE SURVEY
902 SCOTT DRIVE
CITY OF PIQUA, MIAMI COUNTY, OHIO

REVISIONS:

FILE NAME	MIPIQ2302
DRAWN BY	AJB
CHECKED BY	WDG
PROJECT No.	MIPIQ2302
DATE	2-10-2023
SHEET NUMBER	1 OF 1



ALLEN J. BERTKE, P.S. #8629 DATE

PRO FORMA

Commission Agenda Staff Report

MEETING DATE	June 4, 2024		
REPORT TITLE	A RESOLUTION TO AUTHORIZE REPLAT OF INLOTS 6956 AND 6597 AND DEDICATION OF NEW EASEMENTS		
SUBMITTED BY	Name & Title: Chris Schmiesing, Economic Development Director		
	Department: Development		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Finance Director
	<input checked="" type="checkbox"/> Department Director		<input checked="" type="checkbox"/> Law Director
BACKGROUND	This resolution allows the City Manager to approve the final replat survey necessary to establish the new property boundaries and easements for the proposed redevelopment of the property.		
BUDGETING AND FINANCIAL IMPACT	Budgeted \$:	\$0	
	Expenditure \$:	\$0	
	Source of Funds:	Developer	
	Narrative:	The Planning Commission held a public hearing on this item on May 14, 2024 and recommended approval of this request.	
OPTIONS	1.	Adopt the Resolution.	
	2.	Defeat the Resolution.	
PROJECT TIMELINE	Replat and Construction Document Approvals - June 2024		
STAFF RECOMMENDATION	Adopt the resolution to authorize the replat survey to be recorded		
REASON FOR SELECTING CONSULTANT/COMPANY	N/A		
ATTACHMENTS	Replat Exhibit		

RESOLUTION NO. R-87-24

A RESOLUTION AUTHORIZING THE SALE OF REAL ESTATE

WHEREAS, the City of Piqua Code of Ordinances Section 34.36 describes the conditions to be satisfied for the sale of real estate belonging to the City of Piqua; and,

WHEREAS, the Prospective Purchaser, Kathy Martz-Facteua, desire to purchase parcel N44-250140; and,

WHEREAS, the Piqua Improvement Corporation and Prospective Purchaser have entered into an agreement to facilitate the purchase and conveyance of the subject parcel; and,

WHEREAS, in the sound judgment of the City Manager, the conveyance of the City-owned property in the manner described is in the Agreement to Purchase included herewith as "Exhibit A" is in the best interest of the City.

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

SEC. 1: The City Manager is hereby authorized to execute the contracts necessary to facilitate the purchase and conveyance of the City-owned parcel N44-250140 in the manner described in Exhibit A included herewith.

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

KRIS LEE, MAYOR

PASSED: _____

ATTEST: _____
DIANA TAMPLIN
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by_____,
seconded by_____, and on roll call the following vote ensued:

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

**AGREEMENT TO PURCHASE
BETWEEN PIQUA IMPROVEMENT CORPORATION
AND KATHY MARTZ-FACTEAU**

This Agreement is hereby entered into this _____ day of _____ 2024 between Kathy Martz-Facteau ("Buyer") and the Piqua Improvement Corporation, a community improvement corporation, ("PIC") for the purchase of the real estate and land ("Property") described in the attached legal description (Exhibit A) and identified as parcel N44-250140, Water St., Piqua, Miami County, Ohio 45356.

WHEREAS, the Piqua Improvement Corporation, on March 27, 2024 authorized accepting ownership of parcel N44-250140, Water St., Piqua, Miami County, Ohio 45356, from the City of Piqua Land Reutilization Program; and

WHEREAS, the acceptance of the Property is to facilitate reutilization of the vacant and nonproductive parcel; and,

WHEREAS, PIC agrees to convey, and the Buyer agrees to purchase the Property; and,

NOW, THEREFORE, the parties hereto have executed this Agreement, which is based on the terms and conditions as set forth below.

I. DESCRIPTION OF PROPERTY

Property includes of parcel N44-250140, Water St., Piqua, Miami County, Ohio 45356. (Legal Description attached as Exhibit A.)

The said Property being transferred shall include the real estate and land, all appurtenant rights, privileges, and easements together with all buildings and fixtures in their present condition. The Buyer agrees to accept the Property "as is" and has inspected the premises and all buildings standing thereon and is thoroughly acquainted with the condition of the same, their character, utility and size and is relying solely upon such examination with reference to said items, and the purchaser understands that sellers are making no implied warranties of merchantability or fitness for a particular purpose in connection with the sale of the above property, and purchaser accepts said property, the buildings and improvements "as is" with full knowledge and understanding that no such warranties exist.

II. CONVEYANCE

The Buyer and PIC acknowledge ten percent (10%) of the Miami County Auditor's current total valuation as the sale price and PIC agrees to sell the Property to the Buyer for One Thousand Eight Hundred and Seventy and 00/100 Dollars (\$1,870), an amount intended to cover the expenses likely to be incurred by PIC related to this transaction. Buyer further will be responsible for title search, closing costs, taxes, if any, recording costs, and auditor's transfer fee.

PIC and Buyer acknowledge the sale of the Property is contingent upon the City of Piqua approving the request that the Property to be conveyed into the City of Piqua Land Reutilization Program. If the Piqua City Commission does not approve the request to convey the Property to the City of Piqua Land Reutilization Program, this Agreement shall be null and void.

Both parties hereto agree that upon receipt of the purchase amount PIC will convey the Property to Buyer by Limited Warranty Deed. The Limited Warranty Deed will be held in escrow until the improvements indicated in the Buyers proposal area complete, and the Limited Warranty Deed will include a reversionary interest that may return ownership of the Property to PIC with no reimbursement of the purchase amount if Buyer fails to secure permit approvals and proceed with the Project within 180 days from the date of closing and/or fails to complete the project within 365 days after closing.

III. UTILITIES

At the time of closing the Property shall be free and clear of any previously incurred utility charges for City of Piqua electric, water, sewer, storm water or refuse charges.

IV. TAXES AND ASSESSMENTS

At the time of closing the Property shall be free and clear of any tax or assessment obligations accrued prior to the date of closing.

V. FAIR HOUSING LAW

This Contract shall be performed in accordance with the Ohio Fair Housing Law (Section 4112.02(H) of the Ohio Revised Code) and the Federal Fair Housing Law (42 U.S.C.A., Section 3601), pursuant to which it is illegal to refuse to sell, transfer, assign, rent, lease, sublease, or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, or otherwise deny or make unavailable housing accommodations because of race, color, religion, sex, familial status, ancestry,

disability or national origin; or to so discriminate in advertising the sale or rental of housing, in the finance of housing, or in the provision of real estate brokerage services. It is also illegal, for profit, to induce or attempt to induce a person to sell or rent a dwelling by representations regarding the entry into the neighborhood of a person or persons belonging to one of the protected classes.

VI. CLOSING AND POSSESSION


The closing will be at a time and place mutually agreeable to the parties with said date being within sixty (60) days of and contingent upon the Miami County Board of Revisions authorizing the conveyance of the Property described herein. PIC shall convey possession of the premises to the Buyer at closing by Limited Warranty Deed with any and all liens being released.

VII. ENTIRE AGREEMENT

This offer, upon acceptance, constitutes the entire agreement between the parties. Any amendment hereto must be agreed upon by both parties and confirmed in writing.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year set forth above.

BUYER:
Kathy Martz-Facteau



Kathy Martz-Facteau

5/23/2024

Date

SELLER:
Piqua Improvement Corporation

Jeanie Jordan Bates, President

Date

Witness

Exhibit A

Legal Description

Situated in the City of Piqua, County of Miami, and State of Ohio:

Being a portion of lot number One Thousand Three Hundred and Fifty-eight (1358), located in the Johnston and Jackson Addition to the City of Piqua, Ohio, and being One Hundred and Sixteen (116) feet front on the North side of Water Street and one Hundred and Thirty-two (132) and one-half ($\frac{1}{2}$) feet along the east side of Sherman Street in said City of Piqua, Ohio.

Commission Agenda Staff Report

MEETING DATE	June 4, 2024		
REPORT TITLE	A RESOLUTION AUTHORIZING THE SALE OF CITY OWNED REAL ESTATE		
SUBMITTED BY	Name & Title: Chris Schmiesing, Economic Development Director		
	Department: Development		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Finance Director
	<input checked="" type="checkbox"/> Department Director		<input checked="" type="checkbox"/> Law Director
BACKGROUND	<p>This resolution allows the City Manager to sell parcel N44-250140 owned by the City of Piqua to a prospective purchaser who desire to acquire the property and construct a new one-family home at this location.</p> <p>The subject property, the former location of a water tower and a public park, is located in a residential neighborhood and no longer needed for a public purpose.</p>		
BUDGETING AND FINANCIAL IMPACT	Budgeted \$:	\$1,000	
	Expenditure \$:	\$1,000	
	Source of Funds:	Engineering, Misc Surveying	
	Narrative:	Selling this property will allow the parcel to be restored to a productive use and eliminate the ongoing expense associated with maintenance of the property.	
OPTIONS	1.	Adopt the Resolution.	
	2.	Defeat the Resolution.	
PROJECT TIMELINE	Close on conveyance – June/July 2024		
STAFF RECOMMENDATION	Adopt the resolution to authorize the sale of the property		
REASON FOR SELECTING CONSULTANT/COMPANY	N/A		
ATTACHMENTS	Agreement to Purchase Exhibit		

RESOLUTION NO. R-88-24

**A RESOLUTION APPROVING THE REZONING OF PROPERTY
LOCATED AT 1121 WEST WATER STREET**

WHEREAS, the City of Piqua has received a request to rezone the property located at 1121 West Water Street, Parcel ID #N44-074370, from Neighborhood Mixed Use (NX) to Traditional Residential Low Density (T-RL); and

WHEREAS, the purpose of rezoning is to better align the property with the surrounding land uses and to facilitate its development in accordance with the T-RL zoning district standards; and

WHEREAS, the Planning Commission has reviewed the proposed rezoning, conducted a public hearing, and recommended approval of the rezoning request; and

WHEREAS, the City Commission finds that the proposed rezoning is consistent with the City's Comprehensive Plan, promotes orderly growth and development, and is in the best interest of the health, safety, and general welfare of the community.

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

SEC. 1: The property located at 1121 West Water Street, Parcel ID #N44-074370, is hereby rezoned from Neighborhood Mixed Use (NX) to Traditional Residential Low Density (T-RL).

SEC. 2: The City Zoning Map shall be amended to reflect this rezoning.

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

MAYOR LEE

PASSED: _____

ATTEST: _____
CLERK OF COMMISSION

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

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

RESOLUTION No. PC 12-24

WHEREAS, Tanya Blair, has applied for a Zoning Designation Request to authorize a current building to be rezoned for a residential home located at Parcel N44-074370, zoned T-RL Traditional Residential Low Density; and,

WHEREAS, the Development Code Section 7.2.3 provides the procedure for Planning Commission to approve a requested Special Use; and,

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

- Will be compatible with the intended use of the real property.
- Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
- Granting the Special Use does not consume critical land resources that are uniquely suited to facilitate the needs of the community for economic development or other important needs.
- Conforms to all other applicable plans, policies and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member **Eddie Harvey** hereby moves to approve the request made, as described by this resolution, the testimony provided, and the documents attached hereto, 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. Bradley Bubp	<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. Adam Seas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Applicant:	<p>Tanya Blair 17579 Kirkwood Road, Sidney, OH 45365 (937) 214-0427 tanyaleadingstars@gmail.com</p>
Request:	Zoning Designation Change from Neighborhood Mixed Use (NX) to Traditional Residential Low Density (T-RL)
Location:	1121 W. Water Street

Staff Analysis:	<p>The existing NX zoning is intended for neighborhood-scale commercial uses abutting residential districts. The design intent is to limit commercial structures and uses in scale and intensity to those that serve the surrounding neighborhood.</p> <p>The proposed T-RL zoning is intended to create or preserve a base of mixed-density residential neighborhoods on an alley grid network of streets.</p> <p>Rationale:</p> <ol style="list-style-type: none"> 1. Community Need: There is a growing demand for residential spaces in the area, reflecting shifting demographics and housing preferences. Residential zoning would better align with the community’s needs and aspirations. 2. Land Use Harmony: Residential zoning would create a more harmonious neighborhood environment by reducing commercial traffic and noise. Additionally, this zoning designation shares contiguous boundaries in all directions except for the south. 3. Economic Viability: Residential development can contribute positively to the local economy. It can attract new residents, potentially increase property values, and encourage small-scale local businesses to cater to the needs of the residents. 4. Infrastructure Impact: Shifting to residential zoning would likely lessen the strain on infrastructure like roads, parking, and utilities, as residential developments typically have lower traffic impact compared to commercial areas.
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	<p>5. Environmental Considerations: Residential developments tend to be more sustainable in terms of energy consumption and waste generation compared to commercial spaces. This transition could align with the community’s environmental goals.</p> <p>Conclusion: Rezoning from NX to T-RL would better serve the community’s needs, enhance the neighborhood’s character, and promote sustainable development. This transition can foster a more vibrant and cohesive residential environment.</p>
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<p>Staff Recommendations:</p>	<p>Staff recommends that Planning Commission recommends APPROVAL of the zoning designation, for reasons addressed in the analysis. We find this use to be compatible with the intended use of the property, does not threaten the general health, safety and welfare of the surrounding properties, does not consume critical land resources and conforms to all other applicable plans, policies and regulations of the City.</p>
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HOW TO APPLY FOR A ZONING DESIGNATION REQUEST

- To have an item placed on the agenda, site plans and application materials may be submitted to piquapermits@piquaoh.gov no later than 5:00 P.M. four weeks prior to the scheduled meeting date. Please include the following:
 - Completed application form with the name of person or persons requesting the Zoning Change, stating their legal interest in the property and names of all interested persons;
 - Site plan of the lot showing proposed use, drawn to accurate scale, showing all pertinent information pertaining to the Zoning Change;
 - \$100.00 Application Fee to be paid at time of submittal.
- Piqua Planning Commission will conduct a public hearing; and take final action at its regularly scheduled meeting, the second Tuesday of each month.
- All items must be received in the Planning & Zoning office no later than 5:00 P.M. four weeks prior to the scheduled meeting date.

SUBMITTAL REQUIREMENT CHECKLIST

<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Lot Plan (Show existing and proposed zoning)	<input checked="" type="checkbox"/> \$100 Fee (Cash or Check)
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APPLICANT INFORMATION	<input checked="" type="checkbox"/> Primary Contact	<input type="checkbox"/> Billing Contact
First Last Name: <i>Blair Tanya</i>		
Contact Person First Last Name:		
Mailing Address: <i>17579 Kirkwood Rd. Sidney Ohio 45365</i>		
Phone Number: <i>937-214-0427</i>	Email: <i>tanya.leadingstars@gmail.com</i>	
Type of legal interest held by applicant: <i>Owner</i>		
OWNER INFORMATION		
First Last Name: <i>Tanya Blair</i>		
Mailing Address: <i>17579 Kirkwood Rd Sidney Ohio 45365</i>		
Phone Number: <i>937-214-0427</i>	Email: <i>tanya.leadingstars@gmail.com</i>	

LOCATION DETAILS	
Street Address: <u>1121 W. Water</u>	Parcel ID Number: <u>N44-074370</u>
Existing Zoning District: <u>NX</u>	Proposed Zoning District: <u>T-RL</u>

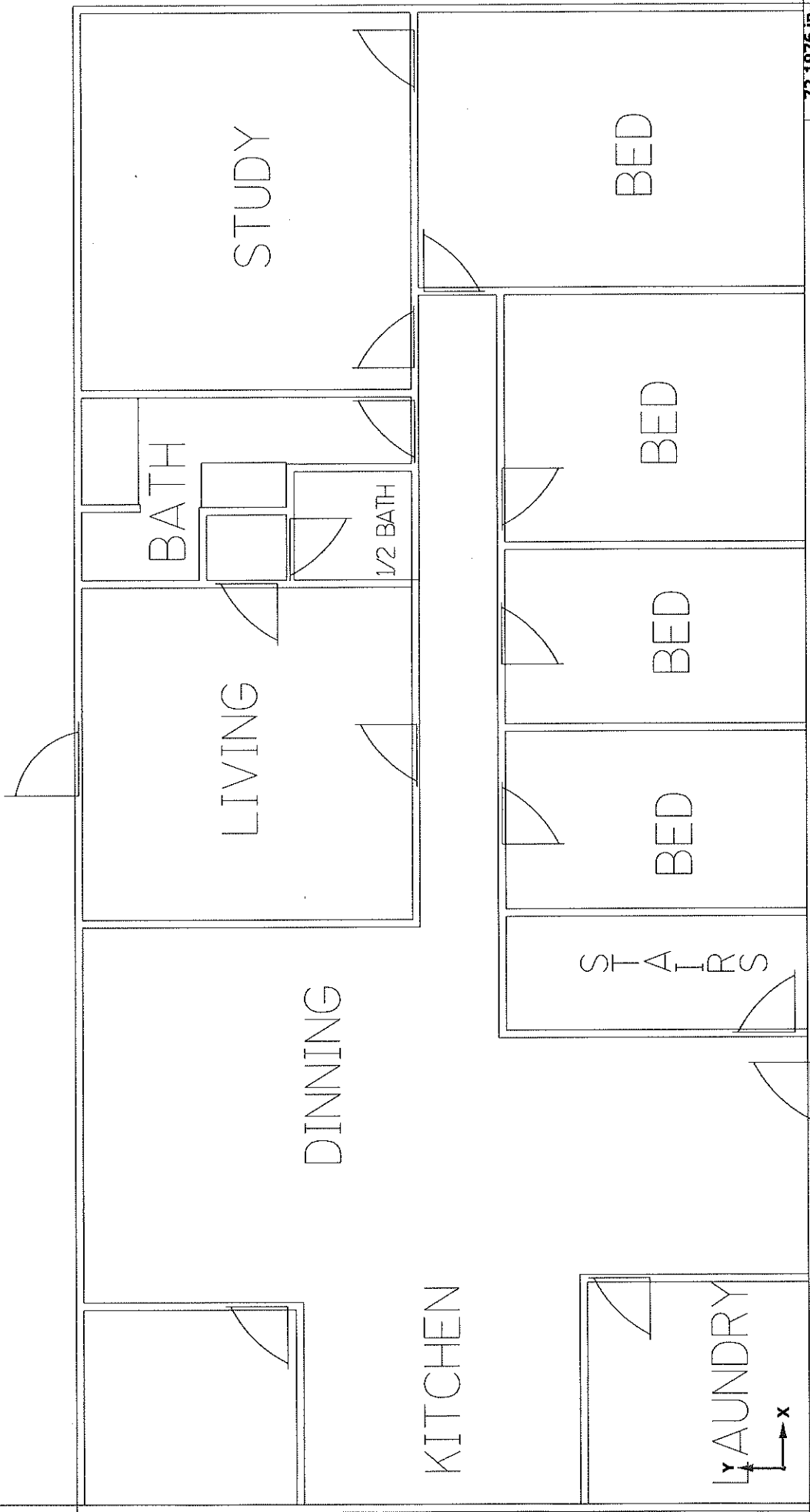
PROJECT INFORMATION - Attach additional page(s) if necessary.

Briefly describe the reason for the requested zoning change:
This was an office building that would like to change to residential.

ACKNOWLEDGMENT AND AUTHORIZATION

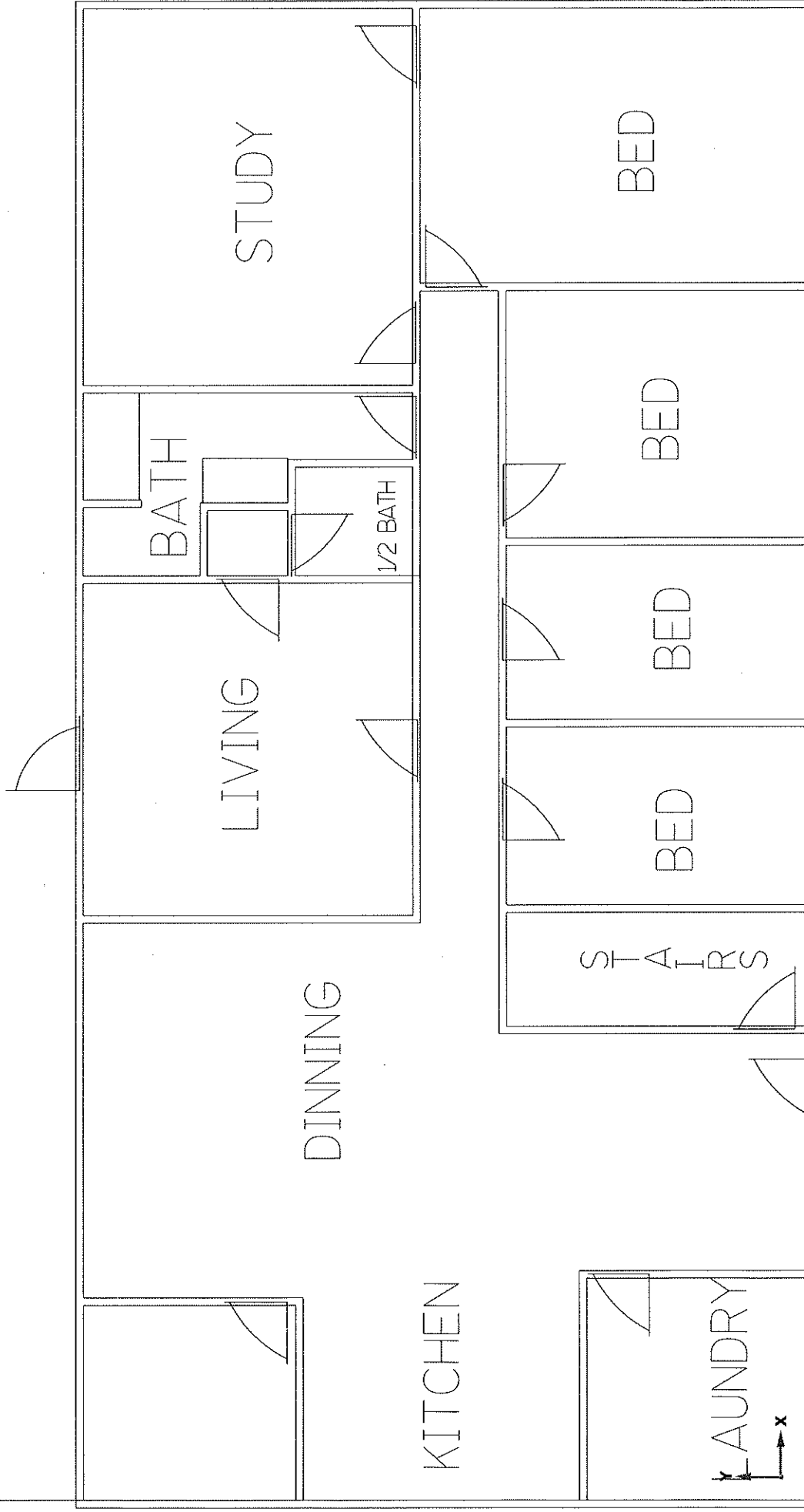
The undersigned acknowledges that the information provided herein is accurate to the fullest extent of their knowledge.

<u>Tanya J. Blair</u>	<u>4/15/24</u>
Applicant Name	Date
<u>Tanya J. Blair</u>	<u>owner</u>
Applicant Signature	Title



72.3976 in
Inch

Top



72.1976 in
Inch

Top

7.2.2. Text or Zoning Map Amendment

A. Application

1. Text Amendment

A request to amend the text of this Development Code.

2. Zoning Map Amendment (Rezoning)

A request to amend the Official Zoning Map from one zoning district to another, to change the boundaries of an existing zoning district, or to modify any existing condition of rezoning.

B. Application Initiation

1. The City Commission, Planning Commission, or Development Director may initiate an application for a text or map amendment.
2. Any person, firm, corporation or agency may initiate a zoning map amendment application, provided they are the owner of the subject property, the owner's representative or have received permission from the owner.

C. Submittal Process

1. Pre-Application Discussion

Before submitting an application, the applicant must schedule a pre-application discussion with the Development Director to discuss the procedures, standards and regulations required for approval. To schedule a pre-application discussion, email, call or visit the Development Department.

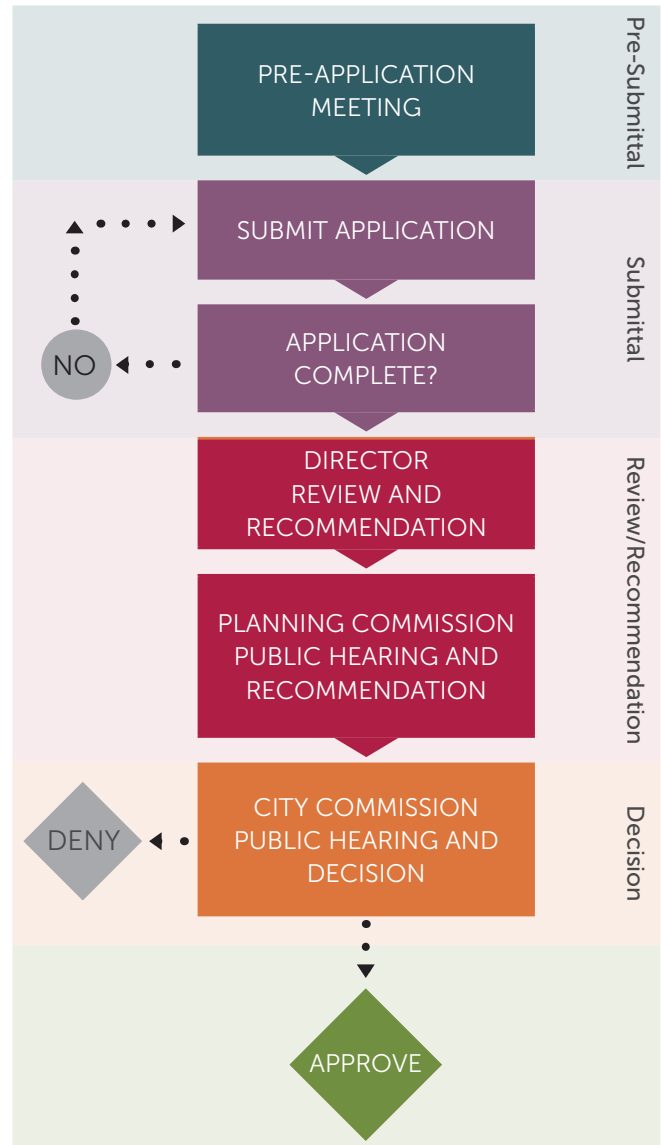
2. Submit Application

Following the pre-application meeting, the applicant may start the application process. To begin, submit a complete application form and any required attachments, along with the required review fee, to the Development Department.

3. Application Review

a. Initial Distribution of an Application

Upon determination of a complete application, the Development Director will distribute the application for review by the appropriate internal City departments.



Text or Zoning Map Amendment Procedure

b. **Public Hearing Notice**

A text or map amendment requires a public hearing before both the Planning Commission and the City Commission. Notice requirements for public hearings are specified in §7.1.1. and detailed in §7.2.1.

4. **Development Director Review**

- a. If, after departmental review, the Development Director finds that the application does not do well to satisfy a listed approval consideration, the Development Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the application.
- b. After the review of the proposal and the listed approval considerations, The Development Director may complete an analysis of the proposed amendment to provide to the Planning and City Commissions. After publication of required noticing materials, no changes to the application are permitted prior to the Planning Commission hearing.
- c. The applicant may proceed with the request for changes without the recommendation of the Development Director and have their request considered by the Planning and City Commission, but will be requested to provide an analysis of the proposal in accordance with the listed approval considerations. Other relevant planning documents may also be used to support the application.

5. **Recommendation of the Development Director**

a. **Text Amendment Analysis**

The Development Director must review the application and make a written recommendation to the Planning Commission, based on an analysis of the approval considerations.

b. **Zoning Map Impact Analysis**

The Development Director must review any application for a change to the Official Zoning Map and make a written recommendation to the Planning Commission, based on an analysis of the approval considerations and other criteria the Development Director judges is relevant to the application, including the Comprehensive Plan, relevant small area plans, the Transportation Plan, adopted policies and strategic planning of the City, and other considerations as they are determined to be relevant.

6. **Planning Commission Public Hearing**

- a. The Planning Commission will conduct a public hearing and receive public testimony.
- b. The Planning Commission will act to recommend approval, approval with conditions, or denial of the application.
- c. The Planning Commission may table an item to request changes or additional information from the applicant. A mutually agreed upon timeframe for completion will be proposed, and the applicant will return to provide additional information.

7. City Commission Public Hearing

- a. Following the recommendation of the Planning Commission, the City Commission will conduct a public hearing. The City Commission will take no final action on any amendment until it has received and studied the recommendation of the Planning Commission.
- b. The City Commission will act to approve, approve with conditions, deny, or return the application back to the Planning Commission for additional consideration.
- c. A text amendment will be approved by ordinance, and a map amendment will be approved as a resolution, following the City Commission's policies on procedure for noticing and recording.

D. Approval Considerations

The following approval criteria are not exhaustive, but provide guidance for making decisions on each type of approval.

1. For a Text Amendment

- a. The amendment corrects an error or meets the challenge of some changing condition, trend or fact.
- b. The amendment is in response to changes in State law, as established through amendments to the Ohio statutes or by court decision.
- c. The amendment is in response to revised City policies, newly adopted plans, or changes in other City ordinances.
- d. The amendment substantially conforms with the Comprehensive Plan, contemporary planning practices, and local, state and federal laws.
- e. The amendment substantially conforms with the stated purpose and intent of this Development Code.
- f. The amendment will not negatively impact the fiscal health of the City.
- g. The amendment constitutes a benefit to the community as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.
- h. The amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.
- i. The amendment will not significantly impact existing conforming development patterns.
- j. The amendment has been evaluated in its context within the code, and a plan for aligning policies to the change has been prepared.
- k. An evaluation of costs to administer the new or changed code standard has been conducted.

2. For a Zoning Map Amendment

- a. The amendment corrects an error or meets the challenge of some changing condition, trend or fact.
- b. The amendment substantially conforms with the Comprehensive Plan, relevant small area plans, the Transportation Plan, and all other relevant plans of the City.
- c. The amendment substantially conforms with the stated purpose and intent of this Development Code.
- d. The amendment will reinforce the existing or planned character of the area.
- e. The subject property is appropriate for the development allowed in the proposed district and the use and development of adjacent properties.
- f. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.
- g. The amendment will not have a significant adverse impact on property in the vicinity of the subject property.

E. Denied Application

Decisions of the City Commission are final. Anyone not satisfied with a decision may file an appeal to Miami County Court of Common Pleas within 30 calendar days of the decision. In the case of a map amendment, no application affecting the same or any portion of property that was denied by the City Commission will be accepted for filing within 6 months of the date the application was denied.

F. Expiration

When an application has been tabled, or the Development Director has notified the applicant of the need for additional information in the application prior to the Planning Commission hearing, the relevant commission or the Development Director will consider the application expired after 60 days. The responsible reviewing body or party may offer an extension of this time to prepare if necessary, but must consider absence of communication from the applicant during the 60 day period to cause the application's expiration.

G. Action Following Approval

Approval of an application for text or zoning map amendment allows applicants to move forward with additional approvals applicable to their development proposal.

1. If a subdivision of the property is proposed, see §7.2.4.
2. In all other cases, the applicant may seek a development permit (§7.2.5), if required, and a building permit (§7.2.6).

3. All reviews may run concurrently according to the availability of information needed to make sound decisions, as recommended by the Development Director.

H. **Modification of Conditions**

Any modification of a condition of approval following City Commission approval requires full review under this Section as though it were a rezoning.

Commission Agenda Staff Report

MEETING DATE	June 4, 2024		
REPORT TITLE	A Resolution requesting a Zoning Designation Change from Neighborhood Mixed Use (NX) to Traditional Residential Low Density (T-RL) at 1121 West Water Street		
SUBMITTED BY	Name & Title: Chad Henry, City Planner		
	Department: Community Services Department		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input 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 checked="" type="checkbox"/> Other: Planning Commission
BACKGROUND	<p>Planning Commission approved the Resolution to recommend a Zoning Designation Change at 1121 W. Water Street from NX to T-RL. The structure on this parcel is a real estate office that wishes to change to single family residential, and the proposed zoning of the parcel is contiguous to the T-RL district.</p> <p>A Primary Use Table is included to show potential uses for both NX & T-RL districts.</p>		
BUDGETING AND FINANCIAL IMPACT	Budgeted \$:	\$ 0	
	Expenditure \$:	\$ 0	
	Source of Funds:	N/A	
	Narrative:	N/A	
OPTIONS	1.	Approve the resolution to convert this parcel to T-RL and allow this building to operate as a single family home.	
	2.	Deny this resolution to keep this as a commercial structure.	
PROJECT TIMELINE	This zoning would take effect upon City Commission approval.		
STAFF RECOMMENDATION	Rezoning from NX to T-RL would better serve the community's needs, enhance the neighborhood's character, and promote sustainable development. This transition can foster a more vibrant and cohesive residential environment.		

REASON FOR SELECTING CONSULTANT/COMPANY	N/A
ATTACHMENTS	Application, PC 12-24 Rezoning Resolution, PC 12-24 Rezoning Staff Report, "7.2.2 Text or Zoning Map Amendment"