

**PIQUA CITY SPECIAL COMMISSION MEETING
TUESDAY, JULY 30, 2024
6 PM
COMMISSION CHAMBERS – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER at 6:01 PM

ROLL CALL

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

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes from the July 16, 2024, Regular City Commission Meeting

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

OLD BUSINESS

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

An ordinance allocating adult use cannabis marijuana excise tax revenue

Introduction: Law Director Frank Patrizio said that this new revenue stream will be generated from an excise sales tax of ten (10) percent put in place by the State of Ohio on the sale of marijuana for recreational use. The statute provides that thirty-six (36) percent of this excise tax will be given to the City of Piqua as the host community. The city has decided to allocate this revenue to the Park System if this ordinance is approved.

Commissioners Comments: None

Public Comment: None

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

ORDINANCE NO. O-11-24 (3rd Reading)

An ordinance permitting the Commission to remove appointed representatives from boards created by the Commission

Introduction: Mr. Patrizio said that this ordinance is the result of a request by the City Commission to

create a mechanism in which the Commission can remove a board or committee member due to various reasons and with a majority vote. Mr. Patrizio recommended that Section 1, paragraph 1 be amended to add at the end of the sentence, "or fill pursuant to the Charter."

Commissioners Comments: Commissioner Simmons said he was uncomfortable with the language of the ordinance and was not in support of it, as the ordinance did not list specific reasons for removal of a board/committee member. He suggested an addition of language at the end of Section 1 referencing reasons for removal due to evidence of criminal activity or malfeasance. Mr. Patrizio commented that this would limit the Commission.

Commissioner Hohman commented that Commissioners must use good judgement and that the ordinance language should remain open-ended. He also asked if there was a City of Piqua General Code of Conduct in place. Mr. Patrizio replied that there is a Code of Conduct established for employees and the Commission, but not specifically for board members. Commissioner Hohman recommended that a general Code of Conduct be created for boards and committees.

Commissioner DeBrosse inquired about the process of members being appointed to the Planning Commission. Mr. Patrizio stated that the City Commission appoints each member with a majority vote. Commissioner DeBrosse expressed concern that there is nothing in the code currently to remove a member of any board or committee if convicted of a crime. He then proposed an amendment to Section 1, paragraph 2: "Any member of any board may be removed upon a majority vote of the Piqua City Commission for reasons such as, but not limited to, the conviction of a crime, malfeasance, or conduct detrimental to the City of Piqua."

Public Comment: Nicholas Mahrt asked if this ordinance was only for city boards and committees, to which Mayor Lee responded yes.

Kim Heisler wanted clarification on this ordinance being applicable for a group or for an individual, and Commissioner Hohman replied that Commission already has the power to dissolve groups. Mayor Lee reiterated that this ordinance refers to the removal of individuals, stating that this ordinance will create a mechanism for the Commission to be able to remove an individual board member from a board or committee if deemed necessary.

A motion was made by Commissioner Simmons to table the ordinance, but there was no second motion.

A motion was made by Commissioner DeBrosse to amend Section 1, paragraph 2 of the ordinance, and Commissioner Simmons seconded the motion. Mayor Lee, along with Commissioners Simmons, Vetter, and DeBrosse were in favor. Commissioner Hohman was not in favor. The motion was carried.

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

ORDINANCE NO. O-12-24 (2nd Reading)

An ordinance to repeal Piqua Code 30.15 in its entirety and to adopt new rules for Commission

Introduction: Mr. Patrizio explained that this ordinance would change how meetings of the City Commission would operate; Commission meetings would be divided into two parts, a business agenda

then a public comment session. The ordinance would also update and amend the Rules of Conduct for Commission meetings. He said that all amendments previously recommended by Commissioner Hohman have been added.

Commissioners Comments: Mayor Lee asked that a five-minute break be established between the two parts of the meeting. Mr. Patrizio replied that it is unnecessary to write that into the ordinance.

Public Comment: Kim Heisler expressed her disapproval, as she feels that this ordinance will limit citizens even more. She also is not in favor of public comment cards being filled out by citizens who wish to speak and a meeting time limit of 9 pm.

Commissioner Hohman responded that Section 12 of the Rules of Conduct was specifically added to allow citizens to speak during the public comment period even if no card is filled out ahead of time. He explained that the comment cards allow people to obtain priority when speaking and provide structure to the meetings.

Mayor Lee added that citizens have multiple avenues to voice their concerns and opinions to the Commission, such as an appointment with any of the five Commissioners, attending a Mayor Commissioners Corner meeting held weekly, and emailing or calling any time.

Danielle Drieling voiced her concern with public comments not being recorded when citizens contact a commissioner outside of a City Commission Meeting. Mayor Lee assured her that questions from citizens are being answered and followed up on, citing the Q & A document created after each Commission Meeting, including questions he receives at the weekly Mayor Commissioners Corner meetings. He said that the City Manager does answer questions and address concerns, and provides information requested in a timely manner.

Nicholas Mahrt said that the public relies on the public comment portion of the meeting to be broadcast, so he wants the current format to remain as is. He also stated that he is unable to attend the Mayor Commissioner Corner meetings on Wednesdays due to work, and Mayor Lee offered to meet with him any time convenient for Mr. Mahrt.

ORDINANCE NO. O-13-24 (2nd Reading)

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

Introduction: Finance Director Jerry O'Brien stated that there have been no changes to this ordinance since the previous meeting.

Commissioners Comments: Commissioner DeBrosse thanked Mr. O'Brien for his clarification of the changes made in the 2024 budget.

Public Comment: None

NEW BUSINESS

RESOLUTION NO. R-99-24

A resolution authorizing a purchase order to Strawser Construction, Inc., for a portion of the 2024 Pavement Preservation Program

Introduction: Community Services Director Kyle Hinkelman announced that this is the final component of the Pavement Preservation Program, which will include crack sealing and micro surfacing to extend the life of 4 roads: Peters, Jean, Janet, and Edge. He reported that the total expenditure is based on the ODOT Cooperative bid process and will be \$106,500 with a ten percent contingency.

Commissioners Comments: Mayor Lee asked how long the crack sealing would last, and Mr. Oberdorfer responded 5-10 years.

Commissioner Hohman inquired about the length of time until a complete redo would be needed with this treatment versus without the treatment. Mr. Hinkelman said this would be difficult to determine, but that the city is trying to be more transparent with an immense effort to maintain its roadways. Mr. Oberdorfer added that the main and auxiliary roadways typically have a lifespan of 15 years due to the heavy traffic load, while residential roads experience a lifespan of 20-25 years.

Commissioner Simmons expressed thanks to the Street Department on behalf of resident Stephen Kinder for fixing his alleyway.

Public Comment: Kim Heisler asked if the lower part of West High Street had been fixed; Mr. Hinkelman said that it is part of the "Mill and Fill" project that is slated to begin in September. Ms. Heisler also mentioned a problem with a "drop off" on Maplewood Drive, to which Mr. Hinkelman said was an Underground Utilities project.

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.

ADJOURNMENT at 7:03 p.m.

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

Approved at 8-14-2024 meeting

KRIS LEE, MAYOR

8-14-2024

Passed: _____

Attest: *Diana L. Tanplin*

COMMISSION CLERK