



**REGULAR CITY COMMISSION MEETING MINUTES  
TUESDAY, SEPTEMBER 3, 2024**

**CALL TO ORDER**

Piqua City Commission met at 6 p.m. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street, Piqua, Ohio.

**ROLL CALL**

Mayor Lee and Commissioners DeBrosse, Hohman, and Vetter were present. A motion was made by Commissioner DeBrosse to excuse Commissioner Simmons. The motion was seconded by Commissioner Vetter, and all were in favor.

**PRESENTATION**

Monthly Report from the Commissioners Committee on the Fire Training Facility – Nancy Roof read a statement with a summary of what she felt has transpired. She stated the committee meets every Thursday at 5 pm and said they have met 13 times to date. David Roth, Co-Chair gave a timeline of what has transpired in June and July. He expressed the committee's disappointment with not being able to retain an attorney, as the one they were pursuing has withdrawn. Mr. Roth asked the commission if they wanted the committee to continue. He said the committee feels like the city dropped the ball in helping them retain Attorney Brown. Mayor Lee said he still would like the committee to finish. Joe Thompson talked and explained why they wanted an attorney separate from Frank Patrizio, saying Frank Patrizio was cc'd on a lot of the emails they have been reviewing. He added that they didn't want to put any names in their final report without an attorney reviewing their report. Jerrica Drapp said she believes an attorney would be helpful and will give an independent perspective.

Frank DeBrosse thanked the committee for all the time they've spent on this. He asked Frank Patrizio if he ever talked to Attorney Brown. Frank Patrizio said they exchanged calls but never connected. Mr. Brown left a message for Mr. Patrizio stating that he is an environmental attorney and that's not what they are looking for. He recommended a few other attorneys. Commissioner DeBrosse told the committee that the timeline they gave seems to be reasonable for how government works. He asked them to come up with an answer to the best of their ability of how the Fire Training Facility got from where it started to where it ended.

Frank Patrizio will provide a statement of work for David Roth to use when pursuing outside legal counsel. Nancy Roof asked the commission to assist with employee interviews and Mayor Lee said they can ask but cannot direct employees.

**PROCLAMATION**

National Adult Education & Family Literacy Week – Mayor Lee announced National Adult Education & Family Literacy week

Mayor Lee read the rules.

**REGULAR PIQUA CITY COMMISSION MEETING**

## **MOTION TO APPROVE BUSINESS AGENDA**

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

## **CONSENT AGENDA**

### **APPROVAL OF MINUTES**

Approval of the Minutes from the August 20, 2024, Piqua City Commission Meeting

### **RESOLUTION NO. R-105-24**

A resolution of appreciation for the public service of Rick R Beasley as a city employee. Mayor Lee presented the resolution to Rick Beasley.

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.

## **NEW BUSINESS**

### **ORDINANCE NO. O-15-24 (1<sup>st</sup> Reading)**

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

Introduction: The changes to the appropriations are due to changes in plans and unforeseen circumstances at the time the 2024 budget was completed. Jerry O'Brien went over each section that had an increase.

#### **SECTION 1:**

Finance Department – The increase of \$65,000 includes 2 items which are:

Item 1 - An increase of \$20,000 to purchase a software program for compiling the annual financial report (ACFR). The ACFR is a complex report that takes a significant amount of time and effort to compile over the first six months of the year for the previous year's report.

Item 2 - An increase of \$45,000 to hire a temporary employee through a temp agency. The critical position of accountant is vacant in the Department. We are trying to fill it, but it is proving to be a challenge. There is a shortage of accountants and especially in governmental accounting. In the meantime, we need to get someone to help keep work caught up until we can get someone on staff permanently. This amount assumes a contracted accountant through the remainder of the year.

#### **SECTION 3:**

The increase is to provide for an upgrade to our accounting system. The accounting system has never had a major upgrade since implementation. The system is severely out of date and is on a non-supported server at the end of its life. Currently, we are operating with an increased risk of losing financial data. The upgrade would move us from a hosted environment to a cloud environment with many significant changes that have been developed over the last several years. The upgrade will help us modernize and streamline processes as well as provide improved reporting.

Commissioners Comments: Commissioner Hohman thanked Jerry for going over these changes. Mayor Lee verified that one of the software requests was to upgrade Springbrook and the other was to

purchase reporting software. Frank DeBrosse asked if this is a one-time fee or if there is a yearly subscription and Jerry said there will be a yearly subscription fee. Jerry O'Brien said the amount request today is the onboarding cost.

Public Comment: Kim Heisler asked if the software being discussed is different than the Clear Gov subscription. She said it would be nice to see all the expenses associated with this software and not just the start up fee. Ms. Heisler asked if the Clear Gov software had a module that would do the reporting. Jerry said the ClearGov is a budgeting software, and he is seeking one for accruals and expenditures. He said he believes ClearGov is rolling out a new module, but he'd recommend using something that has been in use for a while.

### **ORDINANCE NO. O-16-24 (1<sup>st</sup> Reading)**

An ordinance authorizing the issuance of not to exceed five million eight hundred thousand dollars (\$5,800,000) of notes in anticipation of the issuance of bonds for the purpose of paying the costs of construction, acquisition, and equipping of park improvements, facilities and all appurtenances relating thereto, refunding outstanding notes issued in anticipation of such bonds and paying the related costs of issuance thereof, and declaring an emergency.

Introduction: Jerry O'Brien explained the note was a one year note and is due to mature on September 26, 2024. The note must either be refunded as a new note or replaced by bonds by that date. We chose to issue a new note so that we could pay down a portion of the loan internally in 2024.

Jerry O'Brien said we plan to pay the Wastewater Fund \$2,226,728.44 which includes \$226,738.44 interest. Issuance costs are \$12,000 which will be paid to bond council. The new note will have an outstanding balance of \$3.8 million. The funds for the 2024 payment will come from the Lock 9 CIP Fund.

Commissioners Comments: Mayor Lee verified that the money we are paying back is from the grant money we received. Commissioner Hohman restated that we borrowed from ourselves, and we are paying 2 million back. Commissioner Hohman asked where the additional 3.8 would come from. Jerry O'Brien said it will come out of the general fund although there is still 600 or 700 thousand more in grants we'll be receiving. Mayor Lee noted that the Lock 9 project cost the city approximately 5.8 million. Commissioner Hohman asked if Jerry could strategize how many years it will take to pay back. Jerry O'Brien said he will get that information, and it will be part of the budget meetings. Commissioner Vetter thanked Jerry for providing him with information and said it would be nice to have a report by the end of September. Commissioner Hohman said that Lock 9 park is a fantastic addition and is exactly what we needed. Commissioner DeBrosse asked Jerry O'Brien why the title of the ordinance said it was declared an emergency. Jerry explained that the 3<sup>rd</sup> reading will have to be declared an emergency, so it goes into effect immediately.

Public Comment: Jeff Grimes asked why we are not issuing bonds for Lock 9. He asked if the interest goes back to the sewer fund, which Jerry replied yes. Mr. Grimes asked if there were any other grants and Jerry replied that he is not aware of any. Jeff asked how we will pay back the 3.8 million. Jerry O'Brien said that if we issued bonds, we'd be paying investors. The best option is to try to pay the debt back from the general fund.

Kim Heisler said that in Sec 9 it says the debt could go on citizens taxes. Commissioner Hohman said he believes that is just boiler plate language and saying if the debt cannot be paid by general funds or bonds then the last option would be to tax citizens.

Deron Yingst asked what the total cost was, and Jerry said we have not received all the expenditures. Jerry said that we don't have to have a finished project before we start repaying. Deron asked where the money will come from. Deron asked why we weren't setting the note up for 19 years instead of coming back each year. Jerry said because of legal procedures you must roll it over for up to 5 years and then can look at longer periods. Commissioner Hohman said he would prefer to roll it over yearly.

#### **RESOLUTION NO. R-106-24**

A resolution authorizing the sale and lease of city-owned real estate

Introduction: Chris Schmiesing explained that this resolution allows the City Manager to transfer a portion of the former Miami & Erie Canal land owned by the City of Piqua to an adjoining property owner. The portion of the property to be transferred is occupied by parking lot improvements that have supported the adjoining property for decades.

An abutting strip of former Miami & Erie Canal land owned by the City of Piqua is occupied by public utilities serving an ongoing public interest. This area will be leased to the same adjoining property owner.

Commissioners Comments: Commissioner Hohman asked if BZA or PC reviewed this. Chris Schmiesing said they have not as this is an existing land use condition. Commissioner Hohman asked if there have been any other properties handled like this and Chris Schmiesing named several. He said it is usually a building encroachment, but this one is a parking lot. Commissioner DeBrosse confirmed that 2 parcels are being discussed and that one is a sale, and one is a lease. Chris Schmiesing said the parking lot has been in existence since 1945. Commissioner Hohman asked if this would fall under squatters' rights and Chris Schmiesing said he didn't think so since it's government land. Commissioner Vetter said he has heard multiple questions about land along the canal. Chris said it is very complicated.

Public Comment: Kim Heiser asked if the Miami Canal or the City owned the land. Chris Schmiesing said ODNR and the State of Ohio. He also mentioned a government deed.

A motion was made by Commissioner Vetter to approve Resolution R-106-24, and Mayor Lee seconded the motion. All were in favor and the motion was carried unanimously.

#### **RESOLUTION NO. R-107-24**

A resolution to levy assessments to pay for the cost of nuisance abatements

Introduction: Jerry O'Brien said the city code authorizes the abatement of nuisance conditions on properties when necessary and such activity includes mowing high grass, removing trash, trimming trees, and demolishing structures. When abatement occurs the cost of the abatement activity plus an administration fee is billed to the property owner. If the property owner fails to pay for the cost of the abatement, the costs incurred by the City are certified to the County Auditor and placed on the property as a special assessment. The County Auditor accepts special assessment request from local governments once each calendar year.

Commissioners Comments: Commissioner Vetter said the addresses are not shown but most are for a grass violation. Jerry O'Brien said he could put the addresses on the list if they wanted. Commissioner Hohman asked about the procedure which Chris Schmiesing explained that the property owner had a chance to remedy before it got to this step. Commissioner Hohman asked where the money from the taxes gets credited to, and Chris Schmiesing said the general fund. Commissioner DeBrosse said there are 42 properties with high grass violations and suggested that several of these might have the same owner.

Public Comment: Jeff Grimes asked what the difference between code violations and nuisances are. He asked why the owners we are assessing were not taken to court. Chris Schmiesing said because of the length of grass being a health nuisance, it is too long of a process to take them to court. Chris Schmiesing said if there is a health reason the resident can't mow the property the code enforcement officer gives them resources that may be able to help. Commissioner Vetter pointed out that some are so bad it takes heavy equipment to cut the yard.

A motion was made by Commissioner Hohman to approve Resolution R-107-24, and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

#### **RESOLUTION NO. R-108-24**

A resolution to execute an economic development revolving loan agreement with Asbury Jerky, LLC

Introduction: RLF loan request more than \$10,000 require prior approval of the City Commission. The Economic Development Incentive Committee has reviewed the subject loan request and recommend approval of the loan. He said that Robert Asbury has been in operation for 1 year and has developed a business plan. He has had success in identifying vendors.

Commissioners Comments: Mayor Lee asked how many kinds of jerky they make, and Chris Schmiesing said he believes there are 6 different kinds.

Public Comment: Robert Asbury, co-owner spoke and said he launched his business 1 year ago. They vacuum, marinate and smoke jerky. He said they use a natural sweetener called agave. The Circle K gas station reached out to Asbury Jerky and are interested in selling the jerky in all Ohio Stores and if successful they'll expand the supplies to their stores nationwide. Mayor Lee asked if they'll be at the Piqua Center and Mr. Asbury said they will be there, and Lock 9 for events. He confirmed they make 12 kinds.

A motion was made by Commissioner Hohman to approve Resolution R-108-24, and Mayor Lee seconded the motion. All were in favor and the motion was carried unanimously.

#### **RESOLUTION NO. R-109-24**

A resolution to execute an economic development revolving loan agreement with Chocolate Nation, LLC

Introduction: RLF loan request more than \$10,000 require prior approval of the City Commission. The Economic Development Incentive Committee has reviewed the subject loan request and recommend approval of the loan. The request is to help with finishing building out the food hall and with outside finishes. This will be a 7 year note with a balloon payment. Chris Schmiesing said this is a combination of two businesses coming together and they are anxious to get started.

Commissioners Comments: Commissioner Hohman said the revolving loan fund is great and is a good way to start new businesses. Chris Schmiesing said the businesses they've helped are very appreciative.

Public Comment: None

A motion was made by Commissioner Hohman to approve Resolution R-109-24, and Commissioner DeBrosse seconded the motion. All were in favor and the motion was carried unanimously.

**RESOLUTION NO. R-110-24**

A resolution to execute an economic development revolving loan agreement with Meal Prep Life, LLC

Introduction: RLF loan request more than \$10,000 require prior approval of the City Commission. The Economic Development Incentive Committee has reviewed the subject loan request and recommend approval of the loan. Chris Schmiesing said this one is for Smoothie Life who currently operates in Sidney. They have a lot of customers from Piqua visit their Sidney store, and they have requested that they open a Piqua location. This is for the purchase of kitchen equipment. The smoothies are more of a protein based. The owner is very eager.

Commissioners Comments: Commissioner Hohman said it is great to see this opening in Piqua. Mayor Lee said his kids go to Lehman in Sidney and Smoothie Life is generous to the school.

Public Comment: None

A motion was made by Commissioner Hohman to approve Resolution R-110-24, and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

**COMMISSIONERS COMMENT**

Commissioner DeBrosse has a desire to increase the Revolving Loan Fund. This is done right. Investments with friendly interest rates. He thanked Chris Schmiesing and said hopefully we can do more. He said he hoped all kids had as good as a start to school as his kids did.

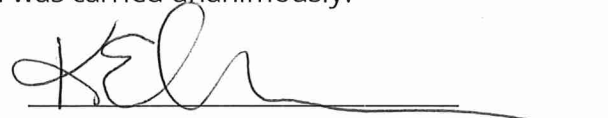
Commissioner Vetter thanked Amy for coming to the Southview neighborhood meeting. They talked about the Mote Park building and the concerns they have for it sitting empty. He reminded citizens of the Town Hall on the 12<sup>th</sup> of September. He said he's heard interest in taking a tour of Hance Pavilion and is looking into that. Commissioner Vetter thanked the electric system for doing a great job as survey results ranked the electric department high. He also pointed out that they received the diamond level award and won \$50,000 for tech training.

Commissioner Hohman did not have any comments.

Mayor Lee thanked everyone for coming out and bearing with us while we implement the new format. (the use of cards for questions). He said he hoped everyone had a good holiday and asked citizens to watch out for busses. Mayor Lee announced board openings.

**ADJOURNMENT AT 8:00 pm**

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

  
KRIS LEE, MAYOR

Passed: 9.9.2024

Attest: Melissa Kinney  
COMMISSION CLERK

