City of PIQUA

PIQUA CITY COMMISSION REGULAR MEETING
MONDAY, AUGUST 3, 2026
5:30 PM
COMMISSION CHAMBER - 2ND FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

ADJOURNMENT TO EXECUTIVE SESSION

1) To consider the appointment, employment, dismissal, discipline or compensation of the City Manager or City Clerk;

EXECUTIVE SESSION

ADJOURNMENT FROM EXECUTIVE SESSION

ROLL CALL

MOTION TO APPROVE BUSINESS AGENDA

1) Rules of Conduct

MOTION TO APPROVE MINUTES

1) **Approval of Minutes from July 7, 2026 City Commission Meeting and July 8, 2026 Executive Session (Tabled)**
Approval of the Minutes from the July 7, 2026, Regular City Commission Meeting and the July 8, 2026 Executive Session

2) **Approval of Minutes from the July 21, 2026, Executive Session and Regular City Commission Meeting**
Approval of the Minutes from the July 21, 2026, Executive Session and the Regular City Commission Meeting

OLD BUSINESS

1) **Ordinance No. O-7-26 (Third Reading)**
An Ordinance approving a franchise between the Dayton Power and Light Company d/b/a AES Ohio, and the City of Piqua to permit AES Ohio to construct, maintain, and operate electric utility facilities within the City of Piqua, Ohio, for the provision of electric utility service to J5 LLC, for a period of 40 years, automatically renewing for successive 1

year terms thereafter.

2) **Ordinance No. O-09-26 (Third Reading)**
An Amended Ordinance to make appropriations for the City of Piqua, Ohio, for the year 2026

3) **Resolution No. R-81-26 (Tabled)**
A resolution authorizing the City Manager to modify an existing agreement with Bricker Graydon for economic development legal services

4) **Resolution No. R-88-26 (Tabled)**
Pursuant to Section 135 of the Charter. A resolution to initiate the Charter Review Committee

NEW BUSINESS

1) **Ordinance No. O-10-26 (First Reading)**
An ordinance authorizing the issuance of not to exceed the sum of two million eight hundred thirty thousand dollars ($2,830,000) 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 previously issued in anticipation of such bonds and paying the related costs of issuance thereof.

2) **Resolution No. R-91-26**
A resolution appointing Jonathan Wessel to the Board of Zoning Appeals

3) **Resolution No. R-92-26**
A resolution appointing __________________ to the Civil Service Commission

4) **Resolution No. R-93-26**
A resolution approving a parcel split with utility easement for Parcel ID #N44-100820

CITY MANAGER'S REPORT

COMMISSIONERS COMMENTS

ADJOURNMENT

NON-AGENDA PUBLIC COMMENT
(This is an opportunity for citizens to address the City Commission on Non-agenda items after the adjournment of the Business Agenda. Comments will be limited to seven (7) minutes.)

PROCEDURAL RULES AND RULES OF CONDUCT FOR CITY COMMISSION MEETINGS

BUSINESS AGENDA

1. Commission meetings shall be called to order by the mayor or presiding officer of the meeting. The clerk shall call the roll of the Commissioners.

2. The mayor or presiding officer shall thereafter lead the Commission in the Pledge of Allegiance.

3. Upon roll call being completed, the Business Meeting of the Commission shall commence.

4. The Commission shall, if necessary, add or remove items to the Business Agenda and approve the agenda once it is established.

5. After approval of the agenda, the Commission shall vote on approval of the minutes of prior meetings.

6. After the establishment of the agenda, the Commission shall permit public comment by the citizens of Piqua as required by Section 4 of the Piqua Charter on any approved agenda item. Any person providing public comment shall provide his or her name and street address prior to making any comments.

7. Any non-citizen may also participate in public comment if an ordinance or resolution made part of the agenda affects his or her business located within the city of Piqua or utility service they receive within the city of Piqua. Any non-citizen shall state his or her name and either what business he or she operates that is being affected by an ordinance or resolution, or what property address inside the city limits that he or she is receiving utility service.

8. Any person providing public comment may speak once for up to a total of five minutes on each resolution and ordinance made part of the agenda. No person shall be permitted to comment twice on an agenda item.

9. Once public comment is completed, the Commission shall immediately begin debate and deliberate on each agenda item. No public comments from the public shall be permitted during the debate and/or deliberation of ordinances and resolutions by the commission.

10. After deliberation on ordinances and resolutions, votes on ordinances shall be recorded by roll call and votes on resolutions may be recorded by voice vote; if a commissioner wishes to have a roll call vote on a resolution, any commissioner may request the clerk to call the roll to record the vote. The Clerk of Commission shall record the vote tally for each ordinance and resolution.

11. During the Business Agenda, only city employees including department heads and guests of department heads to discuss matters affecting the city, the Piqua Chamber Director, the Main Street Piqua Director, may make presentations during the Business Agenda part of the meeting.

12. At the completion of the Business Agenda, the mayor may or may not permit commissioners to address the community for the good of the city. Afterwards, the commissioners shall call the business meeting of the commission to a close and city staff may be excused.

NON-AGENDA PUBLIC COMMENT

13. Non-agenda public comment sessions may, upon the discretion of the Commission, commence after the regular business meeting of the commission adjourns.

14. Any non-agenda public comment shall not begin after 9 p.m. and shall not continue after 9 p.m.

15. Comments by the public shall be addressed to the Commission and mayor and shall be limited to a seven-minute period per person. Under no circumstances should the Commission or mayor interrupt any person's seven-minute time period unless the individual violates the Rules of Conduct or the individual commenting requests interactive dialogue. If a Commission member or the mayor comment during an individual's allotted time, the time taken for any comment by Commission members or the mayor shall not be deducted from the individual's allotted seven minutes so that they receive their full allotted time to speak. No person may speak more than one time during any non-agenda public comment session.

16. All comments shall be related to city business or activities.

17. The Clerk of Commission shall not be under any obligation to keep minutes of the non-agenda public comment session.

18. Public comment time shall be only afforded to persons who live within the City of Piqua city limits, Springcreek Township, Washington Township and/or Miami County or own property within the city or own a business within the city limits.

19. Any person providing public comment shall provide his or her name and street address prior to making any comments.

20. Any individual attending the Non-Agenda Public Comment period of the City Commission meeting may have signs that do not exceed 8 ½ x 11 in size. Such signs shall not be displayed in a way that obstructs the view of any other individual attending the meeting or any camera recording the meeting.

RULES OF CONDUCT

Recognizing that the city has a compelling and significant interest in conducting its meetings in an efficient manner, the following Rules of Conduct shall be enforced during the Commission Business Meeting and the Non-Agenda Public Comment session:

1. Obscene comments, physically threatening remarks, and disruptive conduct are prohibited;

2. Profanity that is disruptive is prohibited;

3. Racist and hate-filled epithets are prohibited;

4. Loud and boisterous conduct or comments are prohibited;

5. Cheering, jeering or clapping, unless for ceremonial purposes as determined by the mayor, are prohibited;

6. Noisemakers are prohibited;

7. All persons shall remain seated during commission meetings unless they are leaving the Commission Chambers or are addressing the Commission from the podium;

8. Any person desiring to make a public comment shall complete a public comment request card provided by the Clerk of Commission and shall deposit the card in the public comment request box. The box will be monitored throughout public comment

sessions and cards will be given to the mayor or presiding officer by the commission's designee during public comment sessions;

9. The mayor shall call the persons requesting to make public comment during the appropriate public comment periods;
10. When called by the mayor to address the Commission, the individual called shall address the Commission from the commission podium unless the person so called has a medical condition that prevents the individual from doing so; in such case, the mayor will make every attempt to accommodate the individual so his or her comments are heard by the public;
11. If during the non-agenda public comment session, the public comment cards have not all been called prior to the end of the meeting, the individuals not called will be placed at the top of the list for presenting comments at the next scheduled meeting;
12. If during the non-agenda public comment session, the public comment cards have been exhausted and the meeting has not been concluded, individuals who have not spoken may request to do so until the conclusion of the meeting.

Any individual violating a commission rule shall be warned by the mayor or presiding officer of the violation, and if such individual does not cease the activity so warned, he or she shall be asked to leave city hall. If an individual refuses to comply with the mayor or presiding officer's directive to leave city hall, the individual may be charged criminally for his or her conduct.

PIQUA CITY COMMISSION REGULAR MEETING W/ EXECUTIVE SESSION MINUTES
TUESDAY, JULY 7, 2026

CALL TO ORDER

The meeting was called to order at 5:01.

THE PLEDGE OF ALLEGIANCE

ROLL CALL

Roll was called by the clerk. Commissioner Simmons made a motion to excuse Commissioner Wead. Seconded by Commissioner Walker. All in favor. Motion carried.

ADJOURNMENT TO EXECUTIVE SESSION

Commissioner Walker made a motion to adjourn to Executive Session. Seconded by Commissioner DeBrosse. All in favor. Motion carried.

1) To consider the appointment, employment, dismissal, discipline or compensation of the City Manager or City Clerk;

2) To consider pending or imminent litigation.

3) To consider confidential information related to economic development as further defined by Ohio Revised Code Section 121.22(G)(8) or as amended;

EXECUTIVE SESSION

Commission adjourned to Executive Session at 5:03.

ADJOURNMENT FROM EXECUTIVE SESSION

Commissioner Simmons made a motion to adjourn from Executive Session. Seconded by Commissioner Walker. All in favor. Motion carried. The meeting reconvened at 6:40.

ROLL CALL

MOTION TO APPROVE BUSINESS AGENDA

Interim City Manager Rick Byron requested the Commission remove Resolution No. R-85-26 related to the DORA from the Business Agenda as there were some questions as to the boundaries and how they were established. Commissioner Wead was interested in this information and, with his inability to be here tonight, asked it be removed from the Agenda. Commissioner Walker made a motion to remove Resolution No. R-85-26 from the Agenda. Seconded by Commissioner DeBrosse. All in favor. Motion carried. Commissioner DeBrosse made a motion to approve the Business Agenda. Seconded by Commissioner Simmons. All in favor. Motion carried.

1) Rules of Conduct

PRESENTATION

A presentation on the status of the Low Level Dam Removal, Dam Modification, and River Restoration Project

Presented by Kevin Krejny and Dave Heilman from Flatland Resources. They have partnered with the US Fish and Wildlife Service, the Ohio EPA, and the H20 Ohio program to remove the power dam and to fortify the water intake dam. There was a slide-show presentation offering the project's progress and anticipated outcome. The engineers estimate is currently at around $3.5 million dollars for the dam removal, modification and the riverbank restoration, including water scapes. Kevin Krejny stated that the project looks to be funded about 90% by three grants and then 10% by local power and water funds. There were no questions or comments from the commission. The slideshow will be printed and added to the agenda packet.

MOTION TO APPROVE MINUTES

1) **Approval of Minutes from June 16, 2026**
Approval of the Minutes from the June 16, 2026, Regular City Commission Meeting

Commissioner DeBrosse made a motion to approve the minutes. Seconded by Commissioner Walker. All in favor. Motion carried.

OLD BUSINESS

1) **Ordinance No. O-8-26 (Second Reading)**
An ordinance to amend Chapter 32: Boards and Commissions

Law Director Jessica Stiltner reintroduced this ordinance as there was a slight change from the first reading. Under Planning Commission Section A1, the Planning Commission shall have seven members, consisting of the city manager and the city engineer. That language has been changed to stay consistent with the Charter. Jonathan Wessel wanted to reiterate his comments from the June

16, 2026, meeting. Mr. Wessel does not believe the threshold should be changed for the Planning Commission or the BZA as they are unique from other boards in that they can take action. He asks that the commission reconsider those two. If it's an attendance issue, he does not feel this is the solution. Kim Heisler again wants to point out that lowering the standard is not the answer; BZA and the Planning Commission are already a small group of people and to make it so only two can pass an outcome that will change the entire city is not right. Also, Ms. Heisler wanted to mention the records board is the only one where the one public person voted on is by the city manager. She finds that confusing, as that is more control from the city to look at or get rid of records that maybe should be kept. When will we start seeing non-agenda items on YouTube? Ms. Heisler asked if Mayor Vetter could have Ms. Stiltner read the changes again. Mayor Vetter asked Jessica to repeat what she had read. Jessica repeated that the original language as it related to the Planning Commission and the BZA, the titles city manager and city engineer were changed. In this one, it goes back to the original language from before the change was made because it's consistent with the language in the Charter. Those two members will be ex-officio members of the board. Ms. Heisler asked about the seven members. Ms. Stiltner replied that the language is, and will remain, seven members. Two of those are ex-officio, city manager and city engineer. There were no commissioner comments. This is a second reading. No vote.

2) **<u>Resolution No. R-72-26 (Tabled)</u>**
A resolution authorizing the Interim City Manager to enter into an agreement with Thai 9 Store 2, LLC dba Thai 9 Piqua.

Commissioner Walker made a motion to untable. Seconded by Commissioner Simmons. All in favor. Motion to untable Resolution No. R-72-26 was carried. Law Director Jessica Stiltner allowed Commissioner Walker to confirm that he felt he did not have a conflict of interest in debating this resolution. Chris Schmiesing presented this resolution to the commission for a second time. Mr. Schmiesing gave a brief history of the space in question, beginning with the Scottish Thistle not renewing their lease in April 2024. At that time, the Scottish Thistle vacated the space with all kitchen equipment operational. From June until December 2024, the city actively sought out a number of restaurant operators with a proven track record. Those fell through. In January 2025, Mr. Schmiesing received a request from Tom Lillicrap of Double T's, expressing interest in the Fort Piqua Plaza space. Chris put Mr. Lillicrap in touch with Kyle Hinkleman, the former Community Services Director. After sight visits and some back and forth, a proposal was presented in June 2025. The numbers were, however, below the market rate of $14.00 per sf. For some time after that, there wasn't much interest and subsequently the conversation stalled. Conversation resumed in the fall, which led to three counteroffers being provided. In November, a fourth counteroffer was made and that too was rejected and discussion discontinued. In March 2026, Kyle had seen an article in the Dayton Business Journal highlighting Tony Clark, his experiences and what he had been successful in doing with his ownership of Thai 9 in Dayton and Main Street Deli in Lima. Chris reached out to Tony Clark and proceeded to give him a tour of all the local spaces available. Mr. Clark expressed interest in the restaurant space at Fort Piqua Plaza so Mr. Schmiesing put Mr. Clark in touch with Kyle Hinkleman to work out the particulars. Ultimately, the terms agreed upon were that the lessee would pay $12.00 per sf in years one and two, then $14.00 per sf. in years three through five. The lessee would be responsible for the utilities. Don Smith thanked the commission for the work they do. The library board has been rumored to be planning to move from the plaza. He would strongly encourage the city to work with the library so that doesn't happen.

Mr. Smith feels Fort Piqua Plaza is the city's claim to fame, but the restaurant space has been mishandled since the beginning. Numerous parties have shown interest in going into business in the plaza. Mr. Smith has great difficulty understanding how, as commissioners, they have not been made aware. Mr. Smith wanted to be clear, he is not opposed to Thai 9. Mr. Smith thinks there are other options that could be better suited to their needs, the Elks, for instance.

Richard Price asked if either lease could take over the library space? Could they push them out if the library has no lease? Commissioner DeBrosse clarified with Mr. Schmiesing that the library lease expires November 1, 2027. It is also Commissioner DeBrosse's understanding that there was never a lease drawn up with Double T., only the proposal. Commissioner Walker clarified that the first right of refusal has been updated with the library. Mr. Schmiesing stated that yes, there is nothing that will supersede the lease with the library. If the library is leasing the space, it's their space.

Troy Ouhl came to support Chris Schmiesing. Has been to the Thai 9 in Dayton and feels like a location in Piqua would be a great idea. Mr. Oul thinks an established restaurant would be a great opportunity for Piqua to bring other people into our town. He had nothing to gain, just wanted to offer his opinion and would leave the decision up to the officials elected to do so.

Skip Murray, if you look at both proposals, it seems simple. Mr. Murray pointed out Mr. Lillicrap has a successful business and Thai 9 does as well. Mr. Murray pointed out Troy was also interested in getting Thai 9 to come there. Local family restaurants historically haven't worked in the plaza. Thai 9 offers a unique dining experience. If it makes sense and can subsidize the cost as well as people spend money elsewhere in the city, he does not see any downside. Mr. Murray does agree with Mr. Smith that the city needs to be more transparent, communication has been lacking.

Kim Heisler asked who is the "we" that Chris Schmiesing was referring to. Who is making these decisions? Why was it published before the commission voted? Ms. Heisler stated she has no issue with which business goes into the space, her concern is the process in which the choice was made. Since the announcement was made before the vote was cast, who decided? This isn't the first time this has happened. Ms, Heisler went on to reference sanitation and the data center. Ms. Heisler commented on the number of key department heads that have left, but the city is moving as if none of that happened. She also wanted to note the maintenance on the building needs to be improved. Can we fix the process before moving forward? Ms. Heisler also asked that the city do what they can to keep the library here.

Tom Lillicrap asked that he and Tony Clark have more than 5 minutes. His comments tonight are not about either business but about the decision-making process. He received a letter in February 2025 on city letterhead, then in May 2025 he received a second letter outlining the procedure to place an offer for the space. Mr. Lillicrap highlighted his figures and read from the email thread he had with city officials. He did a walkthrough with Chris Schmiesing and Paul Oberdorfer. That is how he arrived at the $100,000.

Tony Clark wanted to take his time to thank everyone involved in the decision-making process. He knows this is not easy. He is impressed with the city's vision for the future. He then wanted to thank the city staff for all their time and cooperation. Lastly, he wanted to thank the Piqua community for their support after the last meeting.

Commissioner Simmons asked about the proposals from Mr. Lillicrap, who's was a year old. If he votes no, it would be only to ask that both proposals be brought up side by side using 2026 figures.

Commissioner Walker asked if the only equipment the city would be responsible for was the ice maker. Tony Clark said to his knowledge yes.

Commissioner DeBrosse asked Chris Schmiesing about the proposal and the counterproposal for Double T's. Can Chris please clear that up? Did conversations continue after the final proposal was submitted? Chris could not find any. Commissioner DeBrosse asked Mr. Lillicrap if, after seeing the lease proposal offered to Tony Clark, would he accept that? He said absolutely not because the utility costs are unknown. One of the terms was an offer of a two-year lease and that is not good business. Mr. Lillicrap said if those two issues were addressed, then yes, he would sign that lease. His real issue is with the process and procedure. Commissioner DeBrosse asked Mr. Clark how many pieces of paper were exchanged between them and the city? After the Letter of Intent, there was some back and forth regarding the lease. The utility costs were not known to them either. Commissioner DeBrosse asked if the utility costs were known. Chris provided the utility cost of $26,808.00 annually as provided by the Utilities Department. That includes gas, refuse, electricity and water. Commissioner DeBrosse made a motion to approve. Seconded by Mayor Vetter. Commissioner Walker voted in favor. Commissioner Simmons voted against. Motion carried.

NEW BUSINESS

1) **Ordinance No. O-9-26 (First Reading)**
An ordinance to make appropriations for the City of Piqua, Ohio, for the year 2026

Presented by Amy Welker due to the changes in the Finance Department. Ms. Welker then read each item. Solei Larkin was first to speak regarding Section 44 of the Charter. Ms. Larkin asked if former Finance Director, Jerry O'Brien, asked for an audit to be completed before he left. Especially given Jerry, Janelle, Paul and Kyle have left and the new interim Finance Director has started. Ms. Larkin said she had made a public records request for a purchase order. First, she was treated poorly by a staff member. Secondly, there were two copies of the same purchase order provided one with the Interim Finance Director's signature dated 3.25.25. Then a second with Jerry O'Brien's signature dated 3.25.25. Commissioner Simmons asked how as a commission they could request the audit Ms. Larkin was referring to. Interim City Manager Rick Byron replied that part of the resolution for the appropriations is to pay for the audit. This is a first reading. No vote.

2) **Ordinance No. O-7-26 (First Reading)**
An ordinance approving a franchise between the Dayton Power and Light Company D/B/A AES Ohio, and the City of Piqua to Permit AES Ohio to construct, maintain, operate electric utility facilities within the City of Piqua, Ohio for the provision of electric utility service to J5, LLC for a period of 40 years, automatically renewing for successive 1 years terms thereafter

Presented by Chris Schmiesing and RJ Monnier. Representatives from AES, Ohio were also present to answer questions. RJ highlighted this is for a forty-year term, renewing annually thereafter. The agreement prohibits AES from doing business within the city limits. The agreement protects Rob Bueller from AES, Ohio. The City of Piqua receives power from AES. This service agreement will allow AES to provide power to this customer and this customer only (J5, LLC). This agreement is not related to the rates or the capacity available to the City of Piqua customers. The Agreement specifically states there will not be increased transmission costs for the residents and businesses served by the City of Piqua.

Jonathan Wessel has read the ordinance and feels that Piqua has "gambled away our winning hand", in other words, the city's own power supply. We have now given up our exclusive right in exchange for a power line. Then in section one, when AES comes back wanting more, the city "shall" sell more land. That is not a might but a "shall". We have given away our land for a generation that hasn't been born yet. Please reconsider.
Richard Price asked how many residents received an Emminent Domain letter from AES? He did. His neighbors did. Mr. Price said he asked about this when the land was rezoned. AES has torn up his neighbor's yard months ago and is still not repaired. A substation will now be 100 feet away from his home. The wildflower field has been ruined. AES is going to be running high-tension wires through all his neighbor's yards. The city once offered to buy two houses on his street. Why don't you offer to buy his house now? It's not worth anything.
Kim Heisler asks when/if the data center pulls out, who will be footing the bill for what is left behind. Does there exist a 40-year contract? Will it be on the citizens? Because they are the ones left. Will the citizens be the ones left to suffer when there is a heatwave and power is restricted? Will it be the data center or the public who has to cut back? Ms. Heisler stated she still has an outstanding public records request. Please put this on hold.
Steve Yenney asked why had this taken so long? Everything else was passed in November 2025. Mr. Yenney commented about the size of the agenda packet. He said if this is passed tonight, he has a referendum ready to go.
Katie Wagner, a local politician who lives in Troy, asked if her rates would go up. Why aren't the county commissioners here? Was the $14.00 sq. ft. rent before or after the data center? Ms. Wagner commented the city is lowering property values. Please stop or pause this.
Alisha Lange thinks that tonight we have seen a pattern. There are people who love this place, grew up here, who want this to stay small town America. The commission seems to be more concerned with what is outside here. Alisha also commented on the 300+ page agenda packet. Please look into the sound and air quality of these data centers. Please table this. There were no commission comments. This is the first reading.

3) **Resolution No. R-80-26**
Authorizing the execution and delivery of an Electric Services Agreement Between the City and J5, LLC D/B/A Shaytura LLC

Presented by Chris Schmiesing. This is the companion to Ordinance No. O-7-26. RJ Monnier then spoke for J5, LLC to purchase power from the City of Piqua during the construction phase of the data center. The customer will be responsible for 100% of the costs of the infrastructure and will pay the city monthly for delivery in accordance with the Transmission Access Service Schedule. The customer will transfer ownership of the land and power plant to the city at the conclusion of the agreement for $1.00.
Matt McQuade of the Piqua Land Co. This project is not drilling any onsite wells. The water is coming from the city treatment plant. It will not be discharged into the river. Commissioner Simmons asked about the people working here potentially living in Piqua. Mr. McQuade thought that would be the hope, but there are no guarantees. Mr.McQuade addressed the income tax generated from those working in Piqua. Commissioner Walker asked what the average salary is for an employee and approximately how many employees. Mr. McQuade answered a base salary of around $100,000.00 and 300 employees.
Mike Settineri, attorney for J5, LLC. asked that the resolution be approved.

Jonathan Wessel pointed out the similarity in the text between the previous ordinance and this resolution. There is never deliberation on any topic. When will we hear any deliberation? If this is to pass tonight, he wants to hear some deliberation. Mr. Wessel then played a recording of Commissioners Kris Lee, Tom Homan and Jim Vetter from the November 3, 2025, commission meeting when the data center ordinance was passed. Mr. Wessel asked when it changed from a gas-powered generator to a non-emergency onsite power plant? How will noise and emissions be handled?

Richard Price asked where the water go? Into the river? That is the reason for the dam removal. Mr. Price feels like there have been a lot of lies.

Kim Heisler claims Bricker Graydon is working both sides of the table. New Albany is connected to Les Wexner. What happens when, in 10 years, the data center leaves? Is there anything to protect the city from being responsible for these expenses? Ms. Heisler hopes that the commission will vote their conscience, not what Bricker Graydon tells them to do.

Steve Yenney asked why we cannot just get an answer about the backup generators?

Devon Parmount from Bricker Graydon emphasized they represent the City of Piqua, not the data center, J5.

Alisha Lange asked how many gallons of water would be used daily? Ms. Lange asked if the commissioners received any benefit from their approval of the data center ordinance. She asked them please not pass this.

Katie Wagner pointed out that the data center jobs will not support kids. Did someone say there will be 300 jobs? Ms. Wagner tied the Piqua Land Company to the New Albany Group and Les Wexner to Epstein. Ms. Wagner challenged the commissioner's to vote this resolution down.

Matt McQuade came back up to try addressing some of the questions. There will be two buildings. It is a dry-cooled system and most of the water usage is domestic. The City of Piqua will have control of the water usage as it will be metered.

Mr. Settineri came back up to answer the question about the generator. The project plans to use fewer than four backup generators.

Commissioner DeBrosse asked RJ if he had anything he would like to respond to. He said he wanted to address Ms. Heisler's question about what happens when they leave. There is a clause built in that there are funds that stay in the escrow account to cover existing obligations. The Agreement is temporary in nature, so at the conclusion the infrastructure goes to the power system. Commissioner DeBrosse asked if there was the possibility of a conflict between servicing the public or the project. RJ responded that there have been studies, and it has been concluded there should be no interruption to the public as the city has the capability to serve 10 megawatts at 69kV. As to the city getting "their cut." As to the money, is it already in the escrow account? RJ answered no to the infrastructure costs. The resolution will need to pass first. Commissioner DeBrosse asked if the commission would have to approve the winning bid. RJ answered yes. It will be sent out to bid as the cost will be over $75,000.00. Commissioner DeBrosse asked if the discrepancy about the number of jobs could be explained. Mr. McQuade responded that the job number was for fifty permanent full-time jobs on the campus that are direct employees of the company at an annual estimated payroll of $6 million. Then there will be subcontractors with an annual estimated payroll of $14 million. During the peak of construction, 1,800 jobs an annual payroll of $100 million. Commissioner DeBrosse made a motion to approve. Seconded by Commissioner Walker. Mayor Vetter voted in favor. Commissioner Simmons voted against. Motion carried.

4) Resolution No. R-81-26

A resolution authorizing the City Manager to modify an existing agreement with Bricker Graydon for economic development legal services

Presented by Chris Schmiesing. The city has been reimbursed $200,000.00 for legal services so far. The project will continue to reimburse funds into the escrow account, but the city is expected to incur about $13,000.00 of the total legal fees.
Kim Heisler asked why, since November 3, 2025, everything has just breezed by. There is no debate. Asked for accountability.
Jonathan Wessel pointed out this is for work that has already been completed. This is backwards. The staff was required to come to commission ahead of time.
Solei Larkin pointed out that she has brought it to the commission's attention a number of times, but they wouldn't listen. Fraud happens when there is a lack of internal control. How did the Interim Finance Director's signature get on a purchase order from last year? Lack of internal control.
Steffanie Davey finds it unfair that it's almost 10 pm, we are still here, tired and this agenda is so long people are leaving. She would like to know what the protocol is to adjourn this meeting as we are only on the fourth item out of twelve. Everyone has worked very hard on Whittail Bend item, and she would like it to be heard when the commission is fresh.
Steve Yenney wanted to correct something Chris said. He would like to know exactly what they, Bricker Gaydon, have been doing.
Alisha Lange concurred with what everyone else has said. She has asked the commissioners to think for themselves. She has worked very hard to recreate her farm the way her great-grandfather had it. Please listen and show the citizens you care.
Commissioner Simmons read two purchase orders with Interim Finance Director Ginger and former Finance Director Jerry O' Brien's names on the signature line, both with the same date. Commissioner Simmons agreed with Ms, Davey that it is late and we should adjourn and come back and finished the agenda another time.
Commissioner DeBrosse asked if Chris or RJ wanted to address the discrepancy. Chris answered that $285,000.00 was what had already been allocated. This is an increase on that purchase order. There is approximately $72,000.00 left of that purchase order. The majority of the funds have been reimbursed to the escrow account. As to the work being done before coming to commission for the increase, that is only because the work has been ongoing.
After some deliberation, and asking Interim City Manager, Rick Byron, if he could explain what had happened with the signature line on the purchase order. Mr. Byron explained he felt it could possibly be a software issue, but that would be speculation until he could further investigate the matter in the morning. Commissioner DeBrosse did not want to go on an assumption and made a motion to table this resolution. Seconded by Commissioner Simmons. All in favor. Motion carried.

5) Resolution No. R-82-26

A Resolution authorizing the Interim City Manager to enter into a contract with Fishbeck Engineers for I-75 Exit Development Area Master Planning & Engineering Services — Phase III

At this point in the meeting it was after 10 pm. Mayor Vetter deferred to the law director for guidance regarding adjourning the meeting. Ms. Stiltner, suggested postponing the rest of the meeting and selecting a date and time to continue the rest of the meeting. Mayor Vetter suggested the next City Commission meeting date of July 21st, while Commissioner Simmons suggested later this week. The concern came down to giving notice and potential conflicts. Commissioner Simmons made a motion to adjourn the meeting for the night. Seconded by Commissioner DeBrosse. The meeting was adjourned at 10:06 pm and the remainder of the Business Agenda will be continued to the July 21, 2026, City Commission Meeting.

6) **Resolution No. R-83-26**
A resolution authorizing the Interim City Manager to modify a contract with ClearGov, Inc., to add to the Scope of Services

Due to the meeting being adjourned, this item has been moved to the July 21, 2026, City Commission Meeting.

7) **Resolution No. R-66-26**
A resolution to approve a final plat with dedication for Whitetail Bend, Section 1 & 2

Due to the meeting being adjourned, this item has been moved to the July 21, 2026, City Commission Meeting.

8) **Resolution No. R-84-26**
A resolution to approve a Final Development Plan for Shaw Farm, Section 1

Due to the meeting being adjourned, this item has been moved to the July 21, 2026, City Commission Meeting.

9) **Resolution No. R-85-26**
A resolution continuing the downtown Piqua designated outdoor refreshment area and approving a boundary amendment pursuant to Ohio Revised Code 4301.82(I)

Due to the meeting being adjourned, this item has been moved to the July 21, 2026, City Commission Meeting.

10) **Resolution No. R-86-26**
A resolution to renew and change ownership shares of an issued liquor permit for Lemon Meringue, LLC, Floral Boutique, located at 120 N. Main St., Piqua, OH 45356 to Jessica Drapp 51 shares and Matthew Drapp 49 shares.

Due to the meeting being adjourned, this item has been moved to the July 21, 2026, City Commission Meeting.

11) **Resolution No. R-87-26**
A Resolution Amending the Approved Calendar of Meetings for the 2026 Piqua City Commission

Due to the meeting being adjourned, this item has been moved to the July 21, 2026, City Commission Meeting.

12) **Resolution No. R-88-26**

Pursuant to Section 135 of the Charter. A resolution to initiate the Charter Review Committee

Due to the meeting being adjourned, this item has been moved to the July 21, 2026, City Commission Meeting.

CITY MANAGER'S REPORT

COMMISSIONERS COMMENTS

ADJOURNMENT

Commissioner Simmons made a motion to adjourn the meeting for the night. Seconded by Commissioner DeBrosse. The meeting was adjourned at 10:06 pm and the remainder of the Business Agenda will be continued to the July 21, 2026, City Commission Meeting.

NON-AGENDA PUBLIC COMMENT

(This is an opportunity for citizens to address the City Commission on Non-agenda items after the adjournment of the Business Agenda. Comments will be limited to seven (7) minutes.)

The meeting was adjourned before non-agenda public comment due to the late hour.

JIM VETTER, MAYOR

PASSED:

ATTEST:

COMMISSION CLERK

City of PIQUA

PIQUA CITY COMMISSION EXECUTIVE SESSION MINUTES
WEDNESDAY, JULY 8, 2026

CALL TO ORDER

The Executive Session was called to order at 5:00

THE PLEDGE OF ALLEGIANCE

ROLL CALL

Roll was called and all members of the commission were present.

ADJOURNMENT TO EXECUTIVE SESSION

Commissioner DeBrosse made a motion to adjourn to Executive Session. Seconded by Commissioner Walker. All in favor. Motion carried.

1) To prepare for and review negotiations on compensation or other terms and conditions of employment for City personnel;To consider the appointment, employment, dismissal, discipline or compensation of the City Manager or City Clerk;

EXECUTIVE SESSION

Commission adjourned to Executive Session at 5:01

ADJOURNMENT FROM EXECUTIVE SESSION

Commissioner Simmons made a motion to adjourn from Executive Session at 7:09. Seconded by Commissioner Walker. All in favor. Motion carried.

ROLL CALL

All commission members were back in attendance from the Executive Session.

ADJOURNMENT

Commissioner DeBrosse made a motion to adjourn. Seconded by Commissioner Walker. All in favor. Motion carried. The meeting was adjourned at 7:10.

JIM VETTER, MAYOR

PASSED:

ATTEST:

COMMISSION CLERK

City of PIQUA

PIQUA CITY COMMISSION EXECUTIVE SESSION MINUTES
TUESDAY, JULY 21, 2026

CALL TO ORDER

The City Commission Executive Session was called to order at 1:00 pm.

THE PLEDGE OF ALLEGIANCE

All stood and recited the Pledge of Allegiance.

ROLL CALL

Mayor Vetter asked for a roll call. All Commissioners were in attendence.

ADJOURNMENT TO EXECUTIVE SESSION

A motion to adjourn to Executive Session was made by Commissioner Simmons. Seconded by Commissioner Walker. All in favor. Motion carried.

1) To consider the appointment, employment, dismissal, discipline or compensation of the City Manager or City Clerk;

EXECUTIVE SESSION

The Commission adjourned to Executive Session at 1:01.

ADJOURNMENT FROM EXECUTIVE SESSION

A motion to adjourn from Executive Session was made by Commissioner DeBrosse. Seconded by Commissioner DeBrosse. All in favor. Motion carried. The meeting was adjourned from Executive Session at 3:19.

ROLL CALL

Mayor Vetter asked for a roll call. All commissioners were present.

ADJOURNMENT

Commissioner Walker made a motion to adjourn the meeting at 3:20. Seconded by Commissioner Simmons. The meeting is adjourned and will re-convene this evening at 6:00 pm.

JIM VETTER, MAYOR

PASSED: ______________________

ATTEST: ______________________________

COMMISSION CLERK

PIQUA CITY COMMISSION REGULAR MEETING MINUTES
TUESDAY, JULY 21, 2026

CALL TO ORDER

The meeting was called to order at 6:00 pm.

THE PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

ROLL CALL

Mayor Vetter asked the clerk to call the roll. All commissioners were present.

MOTION TO APPROVE BUSINESS AGENDA

Commissioner DeBrosse made a motion to amend resolution No. R-90-26 to reflect the typo in the word Disaster. Seconded by Commissioner Walker. All in favor. Motion carried. Then, Commissioner Simmons commented on the size of the agenda packet. If the agenda packets continue to be this large he will vote no on the Business Agenda. Commissioner DeBrosse understood the frustration, but was not sure if he had a solution or wanted the comments on the record. Commissioner Simmons then suggested starting with New Business R-66-26 and working down items 1–8 and then returning to Old Business as those items were from the July 7 meeting. Commissioner DeBrosse seconded that motion. All in favor. Motion carried.

1) Rules of Conduct

MOTION TO APPROVE MINUTES

1) **<u>Approval of Minutes from July 7, 2026 City Commission Meeting and July 8, 2026 Executive Session (Tabled)</u>**
Approval of the Minutes from the July 7, 2026, Regular City Commission Meeting and the July 8, 2026 Executive Session

Commissioner Simmons received a letter this afternoon from a concerned citizen that says, "Please be advised that the draft minutes from the July 7th, 2026 city commission meeting included in tonight's agenda packet do not accurately reflect the substance of my public comments across the three separate agenda items on which I spoke. Additionally, the same is true for a number of other citizens who made public comments that evening. Approval of these minutes as currently written fails to maintain an accurate public record. Should the commission vote to approve these minutes without correcting them to accurately reflect my actual comments, I am fully prepared to take formal legal action against the city to enforce public records and meeting accuracy requirements. I strongly urge you to table approval of these minutes until they are amended to accurately represent the record." Commissioner Simmons then moved that the minutes be tabled. Commissioner DeBrosse asked the law director, Jessica Stiltner, to clarify. Ms. Stiltner said that the minutes are not required to be verbatim. Ms. Stiltner read from the Piqua Charter Chapter 10.18:

(3) Full and accurate minutes shall contain sufficient facts and information to permit the public to understand the discussion of matters brought before the commission or board.

(a) ***SUFFICIENT*** is defined as “as much as is needed; enough.”

(b) ***INFORMATION*** is defined as informing or being informed of something told or facts learned, news or knowledge; data stored in or retrieved from a computer.

(4) Full and accurate minutes shall contain sufficient facts and information to permit the public to understand and appreciate the rationale behind the commissions or board's decisions on all matters indicated on the agenda for all public meetings.

Ms. Stiltner then stated that if the commission should decide to table the minutes for further consideration, it would help not only for the clerk to be able to amend those minutes, which one of them is that you think that is missing or not sufficient in the summary that was given. Commissioner DeBrosse thanked Ms. Stiltner and said he, too, received an email from Mr. Yenney and had not yet been able to go back and see the distinctions between the two, sees no reason not to second Commissioner Simmons motion at this time, to see if those inaccuracies do exist.
Commissioner Simmons made his motion to table the minutes from the July 7, 2021, City Commission Meeting. Seconded by Commissioner DeBrosse. Mayor Vetter asked for a roll call. All were in favor. Motion to table was carried.

OLD BUSINESS

1) <u>Ordinance No. O-7-26 (Second Reading)</u>
An Ordinance approving a franchise between the Dayton Power and Light Company d/b/a AES Ohio, and the City of Piqua to permit AES Ohio to construct, maintain, and operate electric utility facilities within the City of Piqua, Ohio, for the provision of electric utility service to J5 LLC, for a period of 40 years, automatically renewing for successive 1 year terms thereafter.

Presented by Chris Schmiesing. There are three changes to the ordinance that Mr. Schmiesing pointed out. Should AES ever stop serving the site the city takes over. There is a note from the city manager. There is a correction to a sentence adding "to". RJ then read the staff report. This agreement prohibits AES from servicing any resident in the city with a monetary penalty for violations. AES does not believe there will be a cost increase to the customer due to this franchise agreement.
Matt Prichard from Bricker Graydon spoke. He is an energy and utility attorney. One question that has come up is the lack of a franchise. The next question was about the cost coming back to the customers and businesses of the City of Piqua. There is a clause in the agreement to prevent that from happening. Will the city lose its "authority" over the project? There is a provision in the agreement that, should there need to be a change, then AES and the city would come back to the table and renegotiate.

Commissioner Walker asked if there were negotiations about relocating that line?
Jonathan Wessel brought calculators to represent the amount of tax the city is giving away to Columbus with this franchise agreement. What is one benefit for the people of Piqua? Mr. Wessel still thinks the city is giving up too much and that every action this project requires is a fresh chance to fix it. In 1912, when it was written into the Ohio Constitution, "A city may own its own power and serve its own people to the exclusion of anyone else." That is the "crown jewel" of this city. That is why Piqua built its own power plant in the middle of the Great Depression and why this little city in the Midwest ran its first municipal nuclear reactor in the country. Mr. Wessel was cut short and upset due to the deference given to the representatives of AES and Bricker Graydon.
Richard Price AES promises they will clean up their mess. His neighbor had been waiting months for them to fix their yard. The city is giving away all their cards. Rumor is that AES is already planning a rate increase. AES has to buy power from the city of Piqua. Why are we giving it away?
Steve Yenney, electrical engineer, said the attorney is claiming we are getting a great deal, we're getting a million dollars. If that's the case, why isn't it in the packet? Why did the attorney from Bricker Graydon say they represent us? At the last meeting, Mr. Yenney suggested they are being reimbursed by J5, it goes through the city, but they're paying all the legal bills. At the last meeting, as soon as Mr. Yenney mentioned that the representative from Bricker Graydon said no, they represent the City of Piqua, that is all he hammered on. The man didn't contradict anything else Steve had to say, that was his main point the entire time. Also, Mr. Yenney said Jonathan Wessel looked it up and the commission cannot waive the three-reading rule on this. Not on a franchise agreement ordinance. It also cannot be passed as an emergency. That is why there is a letter in the packet from the city manager. Why is it if we have the finest lawyers money can buy to represent the City of Piqua, but they have to change the ordinance? On the electrical services agreement that was approved at the last meeting, how many mistakes were there? A bunch, three pages. The biggest one being right where it said above approved to form, it said ordinance, not resolution. Unbelievable, you guys voted for that. Approved to form by your city attorney. She didn't even catch that. Well, she put it in there. So 90% of what he saw was that the problems were integration problems caused by staff, not by Bricker Graydon or J5, but the commission still passed that. Here is the development agreement. All the things he was talking about, Mr. Yenney held up a sheet of paper, saying it included the errors he found, including illegal language about the public records act which he pointed out at the last meeting. So who is representing us? Seriously, Jon is completely correct, nobody gives away a franchise. If you have cable TV, you pay a franchise fee on the cable portion, not on the internet. Mr. Yenney said he didn't say much the last time, just asked why on that agenda, why it took so long. He has 750 signatures on a referendum petition to halt the data center. He did want to say he has not clearly been against the data center, but it's a trillion-dollar company, we can get more from this deal.
Katie Wagner doesn't know why this is even still a discussion. Was the question about how many generators would be needed ever answered? Yes one. She was at the PUCO last week and there is a proposed rate hike. At the PUCO meeting, one of the supporters was the Troy Chamber, who now has Paul Oberdorfer on it.
Valerie Mulliken asked if any of the commissioners attended the PUCO meetings? No. She did. There is still a deal on the table with Blackrock and AES. Blackrock is buying up utility companies, and you cannot get power off of their grid. There, representatives are going around trying to sign you up for their power company. That power company is owned by AES, which is in negotiations with Blackrock. The workers possibly coming into Piqua to build the data center will not be staying

there. Piqua does not have extended-stay hotels. They will stay in North Dayton, Troy and Sidney.
Kim Heisler suggested asking AI about the power agreement. It would blow your mind. The agreement is overly weighted toward AES, the data center and Thai 9. What happens when the data center backs out? The agreement is only 30 years. The AES agreement is 40 years. Nobody seems to know. Spend a little money and have another attorney look at it. Is it a good deal?
Solei Larkin continued to point out that in 2022 we had a finance director and city manager that were unauthorized to sign a contract. Jerry O' Brien openly admitted he did not take an oath. These are legal proceedings that happen in this room. The City Manager was breaking the law every time he signed a contract. By default, the commissioners knew.
Alisha Lange quoted Winston Churchill, "Never give in. Never give in. Never, never, never, never. In nothing, great or small, large or petty, never give in, except to convictions of honor and good sense."
Commissioner DeBrosse asked RJ if he had anything he would like to address. RJ responded as to Mr. Wessel's kilowatt calculations. He does not think that is accurate. As to Grid Growth Ventures, they are not affiliated with AES. As to Ms. Heislers question about what happens if the customer backs out. The data center is paying for that. The city is not.
Commissioner DeBrosse asked if the city has the ability to supply the data center. No it does not. Explain the kilowatt tax? Who gets it? Who made that determination? RJ answered that it goes to the Columbus and that is determined by ORC. Commissioner DeBrosse asked what protections we have as the deal is currently structured? AES only serves this customer on this piece of property. They are not able to serve or attempt to serve anyone coming into the area without a conversation with us. We would be leaving 1.4 billion on the table over the next 40 years. Do we have the ability to serve the customer at this time? RJ answered no not at this time. Commissioner DeBrosse asked if we had the money to provide the infrastructure needed to supply the necessary power? RJ answered not that he was aware of.
Commissioner Walker asked if we could get a ballpark figure of what the buildout would cost. A representative from AES, Rob Beiler responded. This will entail dozens of miles of high voltage lines across Ohio and will cost in the hundreds of millions, but the number is redacted.
This is a second reading. No vote.

2) **<u>Ordinance No. O-8-26 (Third Reading)</u>**
An ordinance to amend Chapter 32: Boards and Commissions

Presented by Jessica. Jonathan Wessel reminded the commission there should be a full hearing. This ordinance seems to just be a fix for the attendance problem. He didn't think this was really an attendance issue as, in two instances, we have been able to resolve the issue.
Richard Price doesn't think this is really a problem either. Why pass this?
Kim Heisler does not think this is the solution to an attendance problem. Ms. Heisler asks why the record retentions schedules for some things got shortened?
Steve Yenney pointed out when first on the agenda Kyle Hinkleman had already left. He had left on 6/5. He was Community Services Director. So if he was already gone, whose idea was this? Mr. Yenney asked the commission if it was their idea. He then asked why not put seven people on the Planning Commission? If you're going to make a change to Chapter 32, put seven people on the planning commission. That way you're likely to have enough people for a quorum all the time. It still supports democracy. Mr. Yenney asked whose lame brain idea was this? He can't believe it made it to the third reading, can't believe they didn't say take it off the agenda the first time it was

on there. Mr. Yenney got very upset when not receiving a response. Mayor Vetter explained this was Mr. Yenney's time to speak and Mr. Yenney replied he was yielding his time to them, deferring to Commissioner DeBrosse. Commissioner DeBrosse looked to the law director for a response, to which Mr. Yenney looked around the room and responded "Your idea", "Seriously?", "That's what I thought." Thank you.
Commissioner DeBrosse asked Ms. Stiltner how this ordinance came about. Ms. Stiltner responded that former Community Services Director, Kyle Hinkleman, brought this to the city's attention. The ordinance was then put together to ask if this was something that the commission wanted to consider.
Solei Larkin said that when asking for public records she found that Paul Oberdorfer destroyed his calendar when he was done as he didn't find it of administrative value. Who made that determination? Interim City Manager Rick Byron keeps all of his. Now the quandary becomes: What is the law? What is of administrative value? When these public records requests are being made and conflicting information is received, the citizens are not trusting anything going on in the city. Further, if a request does not require redaction, it should be available for review or pickup right away, not days later. Please do not do this.
Law Director Stiltner addressed there was an error in the packet about
Commissioner Simmons relayed an article he read about how a school in Seattle decided they were going to take some of the requirements off the table, like science, technology, engineering. Why? Because some of their students might fail. So instead of teaching the kids, they just take the requirements and move them away. This doesn't work for him. Commissioner Simmons asked the commission to vote no on this ordinance. Mayor Vetter clarified this was Commissioner Simmons making a motion. He said yes. Commissioner Walker seconded the motion. On a roll call Commissioners Simmons, Walker, Wead and DeBrosse voted no. Mayor Vetter voted yes. The motion to defeat this ordinance has been passed.

3) <u>Ordinance No. O-9-26 (Second Reading)</u>
An ordinance to make appropriations for the City of Piqua, Ohio, for the year 2026

Kim Heisler asked for the changes to be read or, if no changes, the ordinance to be read for those that may not have been in attendance at the prior meeting. Amy read the appropriations into the record.
Valerie Mulliken cannot believe this was before them before an audit has even been done. Interim City Manager Byron responded that Kayla White, who is the finance manager, has been appointed as the interim finance director. When a finance director is hired, they will order a third party or outside audit firm to do the audit back to when Jerry left, as each costs $20,000.-$30,000 a piece. There were no additional comments. This was a second reading.

4) <u>Resolution No. R-81-26 (Tabled)</u>
A resolution authorizing the City Manager to modify an existing agreement with Bricker Graydon for economic development legal services

Commissioner DeBrosse made the motion to untable the resolution. Seconded by Mayor Vetter. Commissioner Simmons voted against. Motion to unable carried.
Chris Schmiesing spoke on this resolution. He addressed the purchase order with the interim finance director's signature.

Richard Price: if you have software that prints out papers with signatures, we have a problem.
Steve Yenney disputes the amount of money left on the purchase order based on what Chris said. If they go back and watch the video Chris said there was 72k left on the purchase order at 285k. Chris said it multiple times, but there was only $1,114. Mr. Yenney got an email, he did the work. He had a copy with him, he could provide. Nothing Chris just said was in the packet tonight. No staff report. The only reason the commission tabled the resolution is because he gave Paul (Simmons) those two documents. Said the commission wasn't going to table based on what Mr. Yenney had said before, which he felt was totally legitimate. Everything else was correct. The only thing Mr. Yenney said he did get wrong was that we were given the wrong information. They were told the p.o. was cut on 3/6/2025 at the full amount of $285,000. That is not what happened. There were four different change orders. This is what he received from Bev Yount. He still has a problem with Bricker Grayson work. They are not doing a very good job representing the city. Believe him, don't believe him, he can show proof. He has found problems with the electric services agreement that was passed last week. A lot of that was due to staff, but one error there was from Bricker Graydon. The development agreement has way bigger problems and they are Bricker Graydon. He doesn't understand why things are always this way. He had asked for a town hall before this meeting, so everyone could all sit down and go over these things. He said to Commissioner DeBosse he received no response from him. Mr. Yenney doesn't think they really care if things are accurate. All they care about is what's easiest. They allow the staff to waste money and present things that are inaccurate. Mr. Yenney feels that nobody really cares. They just want to get through this, whatever is easiest. Called out Mayor Vetter for picking up his packet and if he has questions, he will ask them a half hour before the meeting. Mr. Yenney said the mayor told him that before the data center meeting. He said Mayor Vetter told him he could not answer questions because he was representing the company. The company told him not to say anything. Mr. Yenney said he had that conversation recorded. So why are we paying them? The work has already been done, referring to Jonathan Wessel's comments. Check the staff report. This is rotten. Go back and watch the last video and see what the guy tried to defend after Mr. Yenney spoke. He just said they were representing the city. He didn't contradict anything Mr. Yenney claimed. Nothing about the development agreement. Can we get some decent representation? Do we let Bricker Graydon do a poor job of representing us? He asked if the commission received a copy of an analysis of the developer agreement. It shows how lopsided it is in favor of J5. He emailed a copy to each of them. Did they look at it? He doesn't know what else to say, ho to get through to them. This is a bad deal. We'll probably have to pay the bill because it's Bricker Graydon, but the work isn't very good. Mr. Yenney ended his time disappointed because he said he never gets an answer, just a blank stare. This has got to change.
Kim Heisler is not a fan of Bricker Graydon. Going back to November 3, 2025, in regard to the data center being passed as an emergency. Ms. Heisler read the letter from Bricker Graydon that was included in the packet encouraging the passing of Resolution No. R-114-25 and Ordinance No. O-18-25 as emergencies in order to support the immediate preservation of public peace, property, health and public safety. In her mind, that could have been interpreted as a threat. Also, since the passing there has been anything but peace. She does not feel they are of any help, quite the opposite.
Jonathan Wessel placed a public records request on July 9 for purchase orders, invoices and payments. To date, he has not received a response. What he has learned is if he follows the proper channels to make a request, he gets no response, but if he takes it to a very public forum, a

response would be received. Mr. Wessel did provide the commissioners with a ledger he obtained showing what had been paid to Bricker Graydon. He believes that what has happened is the vendor was authorized to do work beyond the purchase order amount. He doesn't think we are in a position not to approve as the work has already been done. So now we ask how did we get here, and what can be done to fix it? Mr. Wessel asked that this be voted down but instead ask for a meeting with one of Bricker Graydons competitors and get the city a better power deal.
Valerie Mulliken was at the meeting on November 3, 2025. She also read the letter from Mr. Bell. We are using a firm with the same lineage that got into the battery burn situation.
Solei Larkin said the reason for tabling this was to give the commission more time to research. Did they look at it? Why are they listening to the city law director that they cannot talk because of a lawsuit over trespassing? That is insane. You have good people coming to these meetings, telling you the truth with evidence, and you trespass them. All levels of government have been alerted to the corruption in the City of Piqua. She implored the commission to please get this tonight that all these little mistakes are breaking the law. They need to start getting it right.
Alisha Lange quoted Einstein that "Everybody is a genius. But if you judge a fish by its ability to climb a tree, it will live its whole life believing it's stupid." Ms. Lange pointed out there are people in attendance with a lot of varied education and talent who love the town. Winston Churchill: "We shall defend our island. We shall fight on the beaches. We shall fight on the landing grounds. We shall fight in the fields and in the streets. And we shall fight in the hills. And we shall never surrender." She pointed out the size of the agenda packet and that they were not even reading it. She specifically called out the mayor for not reading it through. Ms. Lange implored the commission to do the right thing, to do better.
Commissioner Simmons said that he would have fired them as a vendor for recommending getting rid of the three-reading rule to protect public peace, essentially taking away the citizens' ability to fight what was shoved down their throats. He will be voting no tonight. Commissioner Walker then, based on what he sees as inconsistencies in the numbers that do not make sense to him, Commissioner Walker then made a motion to retable the resolution. Seconded by Commissioner Simmons. Roll was called with Commissioners Simmons, Walker, Wead and DeBrosse voting to table. Mayor Vetter voted no to tabling. Motion carried.

NEW BUSINESS

1) **Resolution No. R-66-26**
A resolution to approve a final plat with dedication for Whitetail Bend, Section 1 & 2

Kenton Kiser made this presentation with slides. Enclosed in the agenda packet are the site plans, including the retention pond and stormwater plan. The plan was presented for final approval to the Planning Commission at the June 30, 2026, meeting. Rob Smith from D.R. Horton then came up to speak and remind the commission this is the final step in an ongoing process that began in 2024. The retention pond issue has been addressed. It was designed by Choice One and reviewed by the city's third party engineer and goes beyond EPA standards. The water will be emptying into the public storm infrastructure that is already in place.
Valerie Mulliken asked about a rumored annexation plan for just past Spiker Rd. She has made a FOIA request but has not received an answer yet. Ms. Mulliken spoke as to the inefficiency of this

plan. The proposed plan is one mile from her property. The land holds water and it just sits. The roads and surrounding property flooded in April. Without changes, it is not fair to the established people to build these homes. She has had many revisions made to her property to aid her handicapped husband, upgrades she cannot afford to make elsewhere if forced to move. Why are people stopping and asking their neighbors about buying their property? Please do not push forward.

Greg Brookhart thanked the commission for their service and was appalled by the behavior from the last commission meeting. He is a former Miami County Assistant Engineer. We have heard comments from his friends and neighbors. His comments will be a little different, lighter. Mr. Brookhart quoted a saying from his mom: "Never take the easy way out. Do not be satisfied with getting by doing the minimum in life." Back to the topic at hand, there are things in this proposal that are not making sense. The streets have been narrowed, there is not enough parking for the town houses. He has been disheartened by empty promises from the staff. They were told after the last meeting by one of the elected officials, "Take heart. You will have an opportunity. This is only the preliminary plan. There will be ample opportunity for you to voice objections to this plan." Those promises were not kept. Mr. Brookhart then asked the commissioners if they should just meet minimum standards.

Katie Hamilton will be three houses away from this development. Adding 70 homes to 13 acres will increase the water, because whether built on slabs or basements, the water has to go somewhere. They are still waiting on the results of the soil samples. Next, she wants to ask about home values. Her home has tripled in value in the past six years. Who will give her that equity back?

Tom Lillicrap is here to show support for friends in the Eagles Nest neighborhood. His concern is that the overflow of water will dump on 185 and in Eagles Nest, creating a huge mess.

Andy Burner wanted to address meeting minimum quality requirements. It's time to recognize the city manager and staff have put the neighborhood in a real bind. City Manager Paul Oberdorfer with D.R. Horton, has failed and destroyed trust. City staff and D.R. Horton only meet minimum standards. Piqua wants more than to be minimum.

Greg Neves asked how they plan to service these homes when AES cannot service the data center. Are they going to franchise? He sees a discrimination situation. If the city doesn't allow them to franchise, the data center shouldn't be allowed to franchise.

Michael Yannucci spoke about the new jobs. This will create a need for new homes. Those homes will use utilities. Pay for roads to be developed. Bring support businesses. That is going to include the widening of I-75. Mr. Yannucci thinks we should try to capture this potential growth. It's Piqua's turn. He is optimistic about Piqua. Thinks staff can figure this water issue out.

Brenda Allenbaugh represents herself and others to the west of the plat. Ms. Allenbaugh did include an attachment to her comment card and asked it be entered into the record/minutes. In the Choice One report, it notes that there is no water flowing from the west. Ms. Allenbaugh stated that there is water. It flows from the west onto the property, all the farm fields flow from the west onto this site. She wants all of this documented. She asks anyone living in the area to please take pictures.

TJ Manson, who is co-chair of the homeowners' association, reports today that two inches of rain have fallen in about an hour today. Eagles Lake raised two feet. Kenton and Rob Smith gave conflicting information. Kenton said it would not run to the lake, yet Mr. Smith said it would. Mr. Manson then read an article from the agenda packet the recommendations of the planning commission. Page 119 from the July 7 Agenda packet states the R-66-26 pass with stipulations. Of course, the city staff does not agree with any of them. For those commissioners that came to the planning commission on June 30th, you are well aware that whoever wrote the packet is skewing the planning commission's words. The planning commission was very hesitant to pass and only did so with the recommendations of 12 different topics that they saw and wanted to be addressed. If you were not present during this meeting reading this packet, you would believe it was a no-brainer to go ahead and pass this. They still have not been contacted by the developer like the packet states. Mr. Manson gave a brief history. In November 2024, a few volunteers drafted a petition, and in a few short days they received 294 from Deerfield and Eagles Nest opposing the development. They were presented to the commission at the following meeting. They also hosted a meeting with both neighborhoods where the vast majority of the people were against the city allowing this to happen. Their top concerns are water problems, property values by not keeping the RE10 existing style homes like the Planet Piqua handbook states, with rezoning and allowing D.R. Horton to move forward with their small streets, there will not be enough room for delivery drivers and/or emergency vehicles to all be there at one time. On April 12, 2026, Eagles Nest, like Deerfield, met and voted that they did not want D.R. Hortons water to run into their lake. The alternate solution was to have the overflow run down High St., but the city doesn't want to do that. So rather, it will flow to Eagles Lake and what it can't hold will spill over the top. That means flooded yards and basements.

Steffanie Davey offered an apology to the commissioners and their families who have faced ridicule just for serving. Ms. Davey mentioned that her husband Wayne Davey, who had been appointed to the planning commission by a city staff member, recuse himself from making any relating to this resolution, stating it was a conflict of interest. She would argue he has an interest in the conflict and those are two very different things. Ms. Davey noted that missing from this packet that had been in the previous packet was the list of twelve recommendations. It is her understanding that one of those recommendations the city agreed to, which left eleven opposed. She brought up the atmosphere that has been created in the meetings has discouraged many of the respectful residents from participating. When these meetings repeatedly become platforms for grandstanding and personal attacks, often by individuals who do not live in the city, it becomes harder for the voices of the citizens of the citizens who do live here and have genuine concerns to be heard. That is a loss for everyone. While struggling for a solution, the right to freedom of speech. However, freedom of speech was never intended to become a license for any one individual or small number of individuals to dominate meeting after meeting, consume public comment on nearly every agenda item, and prevent the people's business from moving forward.

Yvonne Wion read a statement that when building, a good foundation is needed. Water issues do not make for a good foundation. D.R. Horton does not have a good reputation. Why were the residents only notified two weeks before going to the planning commission? If this had been a collaborative effort, there could have been senior housing, cul-de-sacs, wider streets, wider lots. Vote against.

Jonathan Wessel asked about the stormwater fees. He, in fact, doesn't think the developer did anything wrong. They followed the guidelines. What are the downstream impacts? That answer lies within the city. The most immediate impact seems to be to the pond is neighbors are talking about. Can we hear from the city, specifically, about those conditions that were on the approval of the planning commission? At this point, can the staff answer some of the questions to avoid future comments?

Amanda Piascik at the planning commission meeting expressed there had been more information

when the water reached 185. She has the first property after the pond and is concerned about well contamination. She has farm animals. Please think about the future of our kids and the planet.
Adam Seas is not optimistic about this project. He does not have a problem with the project. He sent Commissioner DeBrosse a video after visiting the property today. He has proposed an alternative route for the water by using the utility easement. If there is no alternative for the water overrun, they should vote no. If the utility easement is an option, then passing it could be a consideration.
Nicholas Mahrt Miami Valley Conservancy District. This land sits on an Aquaphor. Mr. Marht discussed an increase in chemical runoff getting into drinking water. You can't change the increase in volume of water. You can't change the topography. Pointed out Commissioner DeBrosse ran on a clean water platform. Mentioned the moving of graves at Forest Hill Cemetery.
Kim Heisler we have a compromised city. There is zero transparency. Where are the soil samples? The Planning Commission has been put in a box. The Planning Commission only approved this resolution with stipulations. Where is the deliberation? Ms. Heisler has attended plenty of Planning Commission meetings and there is participation, deliberation, and you leave feeling good.
Rich Price when you put in these developments you change the topography. He has waterproofed his basement, but his neighbor has standing water and crawfish in his yard. Maybe the developer should hire an outside study to see where the water will go.
Steve Yenney mentioned to the guys from Choice One and D.R. Horton at the last meeting that they could submit their stuff under in-camera review to the city. It would be exempt from the public records act. The city actually hired a professional engineer, an outside engineer. She was at the planning commission meeting, so Mr. Yenney doesn't know why that hasn't happened.
Commissioner Simmons asked Kenton about the retention pond and the overflow going to Eagles Lake and Deerfield. Mr. Kiser deferred to Nancy. She stated they are directing the storm water to the retention pond. Anything that goes over and above the 100-year storm event, they still have another 1.8 ft above that. If there is a 500-year storm event, it will overflow the basin. Commissioner Simmons clarified that if it overflows it will go to the retention ponds. Nancy said that is correct, from the spillway it would go to Eagles Lake. Commissioner Simmons pointed out that TJ brought out a map of property lines and the owners would not have a say in the water overflowing into their yards.
Commissioner DeBrosse made a motion to add Ms. Allenbaugh photos to the minutes for the next meeting. Seconded by Commissioner Walker. All in favor. Motion carried. Commissioner DeBrosse then asked Kenton about the Planning Commission having made twelve recommendations and they are only presented one. Kenton responded that the one was what the preliminary plan had set out to do. A lot of the additional conditions are studies, evaluations, field investigations that are not part of the subdivision approval process. Commissioner DeBrosse revisited the slide for the stormwater network. Commissioner DeBrosse then addressed Mr. Smith from DR. Horton and let him know that he would be voting no tonight as they have continually failed to address where the water goes when it leaves the site. He couldn't in conscience see development, let alone route water west toward the hydraulic canal when there had been no decision made on what we were going to do with the hydraulic canal.
Commissioner Walker was at the Planning Commission meeting as well, and it only passed because of the stipulations. Unless those are in place, he will also vote no.
Commissioner DeBrosse made a motion to oppose. Seconded by Commissioner Walker. All in favor. Motion to defeat carried.

2) Resolution No. R-82-26

A Resolution authorizing the Interim City Manager to enter into a contract with Fishbeck Engineers for I-75 Exit Development Area Master Planning & Engineering Services — Phase III

Presented by Kevin Krejny, 2.678 million dollars has already been deposited in the escrow account by J5, LLC.
Kim Heisler asked if that money was in the account. Can it be viewed? Why is it being kept a secret? Kevin responded that, with the changeover in finance director, he would like to see the account too and asked the commissioners for direction as to how often they would like to see those statements.
Chris Wheelock has seen a unity in the community about the data center and asked that the commission put the data center ban petition on their agenda. Waive the three readings, sit down and have a conversation.
Alisha Lange felt that an Interim City Manager should not be making these decisions. Nothing against the Interim City Manager but leave this for the new manager. Alisha wanted to dispel any notions that she was not Piqua enough. Ms. Lange has a business in Piqua, a home in Piqua. She loves Piqua. Ms. Lange read a quote that to be prepared for war is the most effective means of preserving peace. She then quoted Evelyn Beatrice Hall, "I disapprove of what you say, but I will defend to the death your right to say it."
Commissioner Simmons proclaimed he did not give up his legislative right to vote no on this.
Commissioner Walker made a motion to approve. Seconded by Commissioner Wead. Mayor Vetter and Commissioner DeBrosse voted in favor. Commissioner Simmons voted against. Motion carried.

3) Resolution No. R-83-26

A resolution authorizing the Interim City Manager to modify a contract with ClearGov, Inc., to add to the Scope of Services

Presented by Amy Welker. This is to allow the finance department to add additional modules to our software. All departments are now using this software.
Kim Heisler getting a product to make your job easier is great. Getting a product to make your job right is different. Once again, Ms. Heisler brought up the Youtube broadcast of the meetings and carried the broadcast all the way through public comment.
Steve Yenney said he had to get information from Bev Yount and, while he was on the phone, she had to go from screen to screen, then had to email it, she couldn't just send him a report. This was regarding that one purchase order for Bricker Graydon for $285,000. There was only $1,114.00 left on that purchase order. Mr. Yenney then emailed it to the commissioners. His question is will this fix that problem? That was ridiculous, he couldn't believe she had to do all that. She was super helpful, but to put together an email, Mr. Yenney then held up the email. he received. Mr. Yenney then asked how many times he has been up here about Civic Plus. Going back to February, almost every meeting he has given them how much expenditures were versus what the actual contracts were. Troy runs Civic Plus, Sidney runs Civic Plus, but if you try to find an agenda on their sites, its much easier. Sidney ses it like a third party service because they don't like Civic Plus for that particular function. Troy has an interface that lets you just go and look at a year and just pull it right up. He doesn't think spending money on software is going to solve the problem. There is an IT problem, there has always been an IT problem. They know there is an IT problem. There was one

meeting where the encoder completely failed when on Civic Plus video. He came down here, especially that one night. They are not addressing the problem. The problem is a lousy IT staff, and that's a problem they need to fix. So don't spend more money until they fix the real problem. Commissioner DeBrosse made a motion to approve. Seconded by Commissioner Wead. All in favor. Motion carried.

4) **Resolution No. R-84-26**
A resolution to approve a Final Development Plan for Shaw Farm, Section 1

Presented by Kenton Kiser. This is a development of single family homes located on the south side of 25A, SE of Indian Ridge Drive. This went to Planning Commission and passed with zero conditions.
Commissioner DeBrosse asked Kenton how many homes there would be. He said 138 homes. Kenton then referred to the packet page 195 sheet 451 of original plan. Then Commissioner DeBrosse asked where the stormwater goes. To a retention pond on the north-west corner of the proposed subdivision. Commissioner DeBrosse asked where the water would go from there and Kenton replied it will connect to the original stormwater infrastructure on County Rd 25A and head west. Commissioner DeBrosse asked if this is a creek, ditch or a pipe in the ground? Kenton replied it is piping. There were no further questions.
Commissioner Wead made a motion to approve. Seconded by Commissioner Walker. All in favor. Motion carried.

5) **Resolution No. R-85-26**
A resolution continuing the downtown Piqua designated outdoor refreshment area and approving a boundary amendment pursuant to Ohio Revised Code 4301.82(I)

Kenton Kiser presented this as a renewal for the DORA Program. The DORA program has helped support downtown revitalization efforts, community events, patronage of local businesses and tourism. The K of C has reached out and asked to be included, and, with a small boundary change, they could be included. This keeps Piqua well within the limit for a city of this size.
Staci Roth from Main Street Piqua asked Chief Byron if there were any police complaints due to DORA. Chief Byron responded that there have no complaints of any nature related to DORA. Ms. Roth has had these observations. Taste of Arts has seen a 17.4% increase in fundraising over the past five years. Can't Stop Running. reports that their group will grab a DORA drink and then either socialize or shop downtown, many of the retailers regularly see customers with DORA drinks, not just during events but also on a random Saturday. Crooked Handle reports that DORA sales account for nearly 70% of their summer revenue. This in turn trickles down to the waitstaff and bartenders.
Valerie Mulliken was happy to hear about the growth seen by DORA. Ms. Mulliken enjoys Lighthouse at Lock 9. However, she is troubled by the outdoor seating area being built. They have blocked the handicap accessibility. She asks that the city look at seeing that one handicapped parking spot in the quadrant at Quint Signs, where there are currently none, and reconfigure the parking lot at the Lighthouse at Lock 9.
Commissioner Simmons asked if there have been significant DUIs in the area. Chief Byron said there is no way to associate that with DORA as it could be people traveling through the area, frequenting the area or leaving their homes.

Kim Heisler asked if there is Geofencing around the DORA. Chief Byron responded that the Miami County Visitors Bureau might be doing that to track concerts or the like. Staci Roth also responded that there is a program called Placer AI on your phone that is used for statistical purposes. It is actually a program like Flock? Chief Cyron said there are no Flock cameras in Piqua.
Commissioner Wead was initially against this in 2021 due to litter or drunkenness but he has since changed his mind. Commissioner Walker shared Commissioner Wead's sentiment but also has seen none of those concerns.
Commissioner DeBroasse made a motion to approve. Seconded by Commissioner Walker. Commissioners Simmons and Wead voted in favor. Mayor Vetter voted against. Motion carried.

6) **Resolution No. R-86-26**
An amended resolution to renew and change ownership shares of an issued liquor permit for Lemon Meringue, LLC, Floral Boutique, located at 120 N. Main St., Piqua, OH 45356 to Jerica Drapp 51 shares and Matthew Drapp 49 shares.

Law Director Jessica Stiltner read the changes noted on the liquor permit transfer.
Alisha Lange came up for this one as she had missed the Clear Gov. resolution. She thinks we can do it better.
Commissioner Simmons made a motion to approve. Seconded by Commissioner Walker. Roll was called and Commissioners DeBrosse and Wead voted in favor. Mayor Vetter voted against. Motion carried.

7) **Resolution No. R-87-26**
A Resolution Amending the Approved Calendar of Meetings for the 2026 Piqua City Commission

Presented by Law Director Jessica Stiltner. This is due to the National Night Out falling on August 4, 2026 a scheduled City Commission meeting night. This will add a meeting on August 3, 2026.
Kim Heisler said this calendar was approved in January. Why not change all the meeting start times while we are at it?
Steve Yenney asked about fiscal updates. He thought there were only three. Why are there only three and why are we not keeping on schedule? He thought we were supposed to have one tonight. Mr. Yenney said one was missed in December 2025 and never made up. Again, why only three when there are four quarters in a year?
Commissioner Walker made a motion to approve changing the date to August 3rd. Seconded by Commissioner Simmons. All in favor. Motion carried.

8) **Resolution No. R-88-26 (Tabled)**
Pursuant to Section 135 of the Charter. A resolution to initiate the Charter Review Committee

Kim Heisler thinks this is great and thinks there should be nine members.
Alisha Lange feels this should be a more frequent thing. It couldn't hurt to have more engagement.
Steve Yenney: There are already people on the website that are committed until 2031. It doesn't say what happens to those people. It doesn't say when this takes effect. No schedule. Doesn't say when it will be done. This resolution has many problems. It says they wrote it, submitted it. He doesn't think that is true. If you look back at 2023 they had a charter review and the report had

issues, said crazy things like recall information. It said it went from like 50 to 2,000 and then back to 1,250. It was never 50. It was 1,000 in 2010 when the first recall was made. The head of the Charter Review was an 18-year-old guy named Nolan something, he has disappeared. There were only four members on the charter review at that time. He didn't even know if that was legal, since there are supposed to be five. Most of the things that got implemented are things the city staff wanted, not citizens. He doesn't feel the charter review has ever been successful. Why bother? There are major problems in the charter. For instance, charter section 135, which deals with charter amendments by initiative, and it says you have to have 1250 signatures. The Ohio Constitution has its own charter amendment process and that trumps our charter. It's never been taken out, and our law director still thinks that the process you have to follow, but it's not. The Ohio Constitution trumps our charter when it comes to state law versus a charter; Our charter trumps Title 7 of the Ohio Revised Code. At the last election, only 1,802 people voted. So, it's only going to take 181 qualified signatures turned into the Board of Elections that are verifiable.
Solei Larkin, the Charter Review Committee is only effective if the commissioners care. The commission should use an attorney versed in constitutional law. Has the audit been conducted? Asked about a fleet audit. There are many procedural errors.
Commissioner Simmons said the resolution is missing too many details. Commissioner Simmons made a motion to table this resolution. Seconded by Commissioner Wead. All in favor. Motion to table is carried.

9) <u>Resolution No. R-89-26</u>

A resolution amending R-103-25, increasing the Purchase Order to Flatlands Resources, LLC, not to exceed $850,000, for continued engineering support of the Great Miami River Low Dam Removal and Modification Project

Presented by Kevin Krejny, this project started in 2023. This is the final increase.
Steve Yenney: Today some appropriation info came back and there was a breakdown on this and the expenses are incredible in this thing, and he would like to know if they've ever looked at it. It's a crazy amount of money being spent. $252,000.00 on one study for mussels? The project is $530,000 over budget, but he didn't really have much time to look at it. Mr. Yenney noted the public WI-FI is down. Requests this be tabled until they have a chance to look at it. Over 3 million dollars to remove a low river dam. Kevin responded that when this project began there was no way to know what the cost would be. They entered into this cautiously. The initial purchase order was only to get started. There is 3 million in grant funding. The projection is 3.5 million. This project entails more that just the removal of a dam.
Commissioner Wead made a motion to approve. Seconded by Commissioner Walker. All in favor. Motion carried.

10) <u>Resolution No. R-90-26</u>

A resolution authorizing the Interim City Manager to award a contract to Rapid Response Disaster Services LLC for demolition services for 204 & 206 N. Wayne Street

Kenton Kiser presented There will be efforts made to salvage those architectural pieces of value. Abatement and demo are included.
Alisha Lange found the name of the demolition company being proposed to be very triggering.
No commissioner comments.

A motion to approve was made by Commissioner Wead. Seconded by Commissioner DeBrosse. All in favor. Motion carried.

CITY MANAGER'S REPORT

It was decided due to the late hour to suspend the City Manager Report.

COMMISSIONERS COMMENTS

ADJOURNMENT

Commissioner Simmons made a motion to adjourn. Seconded by Commissioner Walker. All in favor. The meeting was adjourned at 11:38.

NON-AGENDA PUBLIC COMMENT

(This is an opportunity for citizens to address the City Commission on Non-agenda items after the adjournment of the Business Agenda. Comments will be limited to seven (7) minutes.)

Commissioner Walker mentioned Joe Wilson had wanted to come up and speak about the plans for the August 4, 2026, National Night Out events. Mayor Vetter invited Mr. Wilson up to speak on behalf of the Piqua Caldwell Historic District. The evening's event will be on Greene and Downing Streets from 6–8 pm. There will be a picnic meal, cowboy circus, aerial fire act, fire-eater, fire contortionist, chair massage, kid zone and drone demo.
Remainder of non-agenda public comment was suspended due the late hour.

JIM VETTER, MAYOR

PASSED:

ATTEST:

COMMISSION CLERK

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026		
REPORT TITLE	**Ordinance No. O-7-26 (Third Reading)** An Ordinance approving a franchise between the Dayton Power and Light Company d/b/a AES Ohio, and the City of Piqua to permit AES Ohio to construct, maintain, and operate electric utility facilities within the City of Piqua, Ohio, for the provision of electric utility service to J5 LLC, for a period of 40 years, automatically renewing for successive 1 year terms thereafter.		
SUBMITTED BY	Chris Schmiesing, Director Economic Development		
AGENDA CLASSIFICATION	Ordinance		
BACKGROUND	J5 LLC is a hyperscale data center operator that intends to construct a facility that will be located on 607.656 acres of land located at the northeast corner of the intersection of Farrington Road and Washington Road, in Piqua, Ohio. This agreement will meet the unique electric service needs and load characteristic of the facility by allowing the customer to directly connect the data center to the interstate transmission grid.		
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	0	
	Expenditure $:	0	
	Source of Funds:	N/A	
	Narrative:	The terms of the agreement allow the community to realize the economic benefits of the project , while protecting the broader electric service interests of the community. Additionally, as part of the agreement terms, AES has agreed to relocate an existing transmission line at no cost to the City, which will enable other industrial development to occur north of the Farrington Road and Experiment Farm Road intersection.	
ATTACHMENTS	1. City - AES - Service Agreement - Final 6-21-2026 - Exhibit A 2. City Manager Report and Recommendation pursuant to Section 106		

<u>**Ordinance No. O-7-26 (Third Reading)**</u>

An Ordinance approving a franchise between the Dayton Power and Light Company d/b/a AES Ohio, and the City of Piqua to permit AES Ohio to construct, maintain, and operate electric utility facilities within the City of Piqua, Ohio, for the provision of electric utility service to J5 LLC, for a period of 40 years, automatically renewing for successive 1 year terms thereafter.

WHEREAS, as an Ohio municipality, the City of Piqua (the “City”) has the right under the Ohio Constitution, Art. XVIII, § 4 to provide electric utility service to its residents to the exclusion of other electric utility providers;

WHEREAS, pursuant to the Ohio Constitution, Art. XVIII, § 4, the City may contract with electric utility providers for the provision of electric utility service to the City’s residents;

WHEREAS, pursuant to the Ohio Constitution, Art. XVIII, § 4, the City may limit the scope of authority granted to electric utility service providers, such as limiting their ability to serve in only certain locations within the City and/or certain residents of the City;

WHEREAS, J5 LLC (the “Customer”) is a hyperscale data center operator that intends to construct a facility that will be located on 607.656 acres of land located at the northeast corner of the intersection of Farrington Road and Washington Road, in Piqua, Ohio (“Facility”), which is more fully described in Exhibit A attached hereto;

WHEREAS, to adequately meet the unique electric service needs and load characteristic of the Facility, the Customer seeks to directly connect the Facility to the interstate transmission grid;

WHEREAS, the Customer and the City agree to The Dayton Power and Light Company d/b/a AES Ohio (“AES Ohio”), its successors and assigns, providing electric utility service to the Customer to achieve the direct interconnection of the Facility with the interstate transmission grid; and AES Ohio agrees to provide such retail electric distribution service to the Customer subject to the terms of a limited utility service franchise agreement (the “Agreement”) granted to AES Ohio pursuant to the Ohio Constitution, Art. XVIII, § 4;

WHEREAS, in exchange for the City granting this limited franchise right to AES Ohio, AES Ohio agrees to certain terms and conditions described more fully below that prohibit AES Ohio from serving in the future any customers now served by the City or any future homeowner or business located within the City, except as otherwise set forth herein;

WHEREAS, in exchange for the City granting this limited franchise right to AES Ohio, AES Ohio agrees to pay the City due and valid consideration, which are described more fully below;

WHEREAS, AES Ohio has confirmed to the City that the transmission investment necessary to serve the Customer will not result in an increase in transmission costs for the residents and businesses served by the City of Piqua; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF PIQUA, STATE OF OHIO.

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

Section 1. AES Ohio, and its successors and assigns, are hereby granted the limited right, privilege, franchise, and authority to acquire, construct, maintain, and operate lines for the distribution and transmission of electric energy, either by means of overhead or underground conductors, and the provision of public utility service to the Facility. Should the Customer seek to expand Facility through the acquisition of contiguous property that also will be utilized for data center activities, the City shall upon request by the Customer or AES Ohio approve that additional property to be served by AES Ohio under this Agreement, which if expanded the original and expanded property would be considered part of the Facility for purposes of this Agreement. A property shall be considered contiguous to the Facility if it is contiguous to a property where any portion of the Facility is located regardless of any easements, public thoroughfares, transportation rights-of-way, or utility rights-of-way that may separate such properties. AES Ohio shall have no right to serve electric load even at the Facility if (i) it is not the electric load of the Customer, or an affiliate of the Customer or (ii) the load is unrelated to data center activities. Nothing in this Agreement conveys a right to AES Ohio to own, construct, or operate any generation within City limits to provide electrical energy to the Customer or any other end users wherever located, and AES Ohio explicitly agrees that it will not seek to own, construct, or operate any generation within City limits without first obtaining the express written consent of the City, which City may withhold for any reason.

The initial term of the Agreement (the “Initial Term”) shall commence on the Effective Date of this Ordinance (the “Effective Date”) and, unless otherwise terminated as provided herein, end on the date that is forty (40) years after the Effective Date; provided, however, if not sooner terminated, the Agreement shall renew at the end of the Initial Term and thereafter continue for successive one-year (1) terms (each a “Renewal Term”) unless (i) AES Ohio or City notifies the other in writing that it objects to the Renewal Term at least one hundred eighty (180) days in advance of the start of that Renewal Term in which case this Agreement shall not renew, or (ii) this Agreement is otherwise terminated as provided herein (collectively, the “Term”).

Section 2. Except for the express terms discussed in this Ordinance with respect to AES Ohio and its limited right to provide electric utility service to the Facility during the term of this electric utility service agreement, the City is not establishing competition for any component of retail electric service in any other areas of the City or for other residents or businesses of the City. Through this Ordinance, the City is providing a limited exception to its right under the Ohio Constitution to provide exclusive electric utility service to all its residents and businesses due to the unique service needs of the Facility, which includes, in part, the need to interconnect the Facility with the interstate transmission grid and the anticipated size of the electrical demand. This Ordinance does not provide AES Ohio the right to provide electric utility service to any other residents or businesses of the City, nor does this Ordinance provide any other residents or businesses of the City the right to service from AES Ohio. AES Ohio agrees that, unless it receives prior consent from the City, it will not serve any resident or business currently served by City and will not serve any future resident or business within the City's municipal boundary. AES Ohio acknowledges that service to the Customer is based on very unique circumstances and that City does not intend to allow current or future customers within the City limits to be served by AES Ohio or any other retail electric utility. AES Ohio further agrees not to solicit current or future customers of the City or otherwise interfere in the City's provision of electric service to such current and future customers of the City.

Section 3. Nothing in this Ordinance shall be construed as the City waiving its rights under the Ohio Constitution, Art. XVIII, § 4 to provide electric utility service to its residents to the exclusion of other electric utility service providers. The City hereby expressly states that it intends to provide retail electric utility service to all residents and businesses within the City's boundary except for the Customer's Facility which shall be served by AES Ohio in accordance with this limited franchise agreement while such agreement is in effect. Upon the expiration or termination of this agreement, the City will file an application for abandonment under R.C. 4905.20 and R.C. 4905.21 with the Public Utilities Commission of Ohio ("PUCO") to initiate electric service for the Customer. After the filing of any such application, AES Ohio shall be permitted to continue providing electric service to the Customer until such time that the PUCO issues a decision approving the abandonment and City is able to provide electric service to the Customer. AES Ohio hereby agrees not to oppose or challenge such application at the PUCO or any other forum in any manner.

Section 4. If AES Ohio violates its obligations of this ordinance, and subject to the cure provision set forth in Section 5, then AES Ohio shall be subject to a penalty of $50,000 associated with each violation related to the Facility. AES Ohio shall not actively pursue any customer within the current or future municipal limits of the City to provide retail electric service to that customer, and AES Ohio shall be subject to a penalty of $1,000,000 for violating this obligation for each such customer, provided that, and for the avoidance of doubt, AES Ohio shall not be subject to this penalty for any inadvertent or accidental violations of this obligation, but ongoing pursuit and conversations with the customer when AES Ohio knows, or has a reasonable opportunity to find out, that the customer is in the then-existing municipal boundary and not already served by AES Ohio shall trigger the penalty. If AES Ohio violates this agreement with respect to providing retail electric service to other customers of the other party (unless AES Ohio is serving the customer at either the time of this agreement or providing service to the customer when the City's municipal limits expands), then AES Ohio shall be subject to a penalty of $1,000,000 for each customer it serves, and AES Ohio and the City both recognize that in addition to this fine AES Ohio shall be obligated to cease serving such customer and the customer will be returned to the other party to be provided with retail electric service. This remedy is in addition to any other remedies available to the City under this Agreement or law. By accepting this ordinance, AES Ohio expressly acknowledge that this penalty structure is reasonable and agrees to waive any right it might have to challenge the penalty structure.

Section 5. This limited franchise grant by the City to AES Ohio for the provision of electric utility service to the Customer shall continue to be in effect for the Initial Term and any Renewal Term, however, in the event of (i) a material intentional breach of this Agreement, or (ii) repeated violations of this Agreement, in addition to assessment of penalties under Section 4, the City may terminate this Agreement. Should the City elect to terminate the Agreement under this Section, AES Ohio agrees it will not contest the termination of this Agreement and City's right to provide electric service to the Customer following such termination.

Section 6. As consideration for the City granting AES Ohio the right to provide electric utility service to the Facility, and in recognition of the City's costs to administer and monitor this franchise and the forgone utility revenue and taxes from granting the franchise, AES Ohio agrees, without cost to the City, to relocate its existing 69kV transmission line beginning at a location near Experiment Farm Road and Farrington Road and extending north and east approximately 5,000 feet to a point near County Road 25-A south of Fox Drive to facilitate the City's efforts to develop the land over which AES Ohio's existing transmission line is located, with AES Ohio using reasonable efforts to facilitate a timely relocation of the line. The City and AES Ohio agree to work in good faith to discuss the specifics of a reasonable alternate route to relocate the existing transmission line and AES Ohio agrees to have good faith conversations about the City underbuilding on AES Ohio's lines for the relocated lines consistent with existing practices between the City and AES Ohio. Further, should there be a change in law, or a material change in regulation from the PUCO or PJM, that allows a municipality serving large industrial or data center load to receive a financial benefit for serving such load, then AES Ohio agrees to engage with the City in good faith discussions to see if a change to this Agreement is feasible to enable such benefits to flow to the City and/or to identify and pursue other alternatives where benefits in said amount could be received by the City.

Section 7. AES Ohio shall hold the City harmless from any and all liability arising in any way from AES Ohio's erection, maintenance, or operation of said lines for the distribution and transmission of electric energy. Further, whenever AES Ohio erects or installs any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges, and public places where such work is done in as good condition of repair as before such work was commenced. AES Ohio shall also comply with all applicable City permitting requirements, and shall share its construction plans in advance of construction and otherwise work in good faith with the City to alleviate any City concerns regarding construction issues. AES Ohio shall seek City's approval for the construction and installation of anything beyond the facilities strictly necessary for the provision of distribution and/or transmission service to the Customer.

Section 8. All rights, privileges, franchises, and obligations herein conferred to AES Ohio by or on behalf of the City shall be binding upon, and inure to the benefit and obligation of the respective successors or assigns of AES Ohio, whether so expressed or not.

Section 9. In the event the City acquires the property of AES Ohio, whether by purchase, condemnation, or otherwise, the price to be paid for such property shall exclude any and all value attributable to this franchise, any renewal hereof. In determining the fair value of the AES Ohio's property for the purpose of permitting a reasonable return thereon, no allowance shall be made for the value of this franchise or any renewal thereof.

Section 10. This Ordinance shall be accepted by AES Ohio in writing within 60 days from its passage, with the date of that acceptance being the Acceptance Date. This notice shall be communicated to the City based on notice information provided by the City and updated from time to time. If AES Ohio fails to accept the terms and conditions of this ordinance within 60 days, then this ordinance shall be considered null and void.

Section 11. The City Manager is hereby authorized to enter into any agreements or to sign any documents necessary to effectuate this Ordinance and the franchise granted under it.

Section 12. It is hereby found and determined that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were adopted in an open meeting of this City Commission and that all deliberations of this City Commission and of any other committees that result in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. This Ordinance shall take effect and be in force from and after the earliest date allowed by law.

____
JAMES D. VETTER, MAYOR

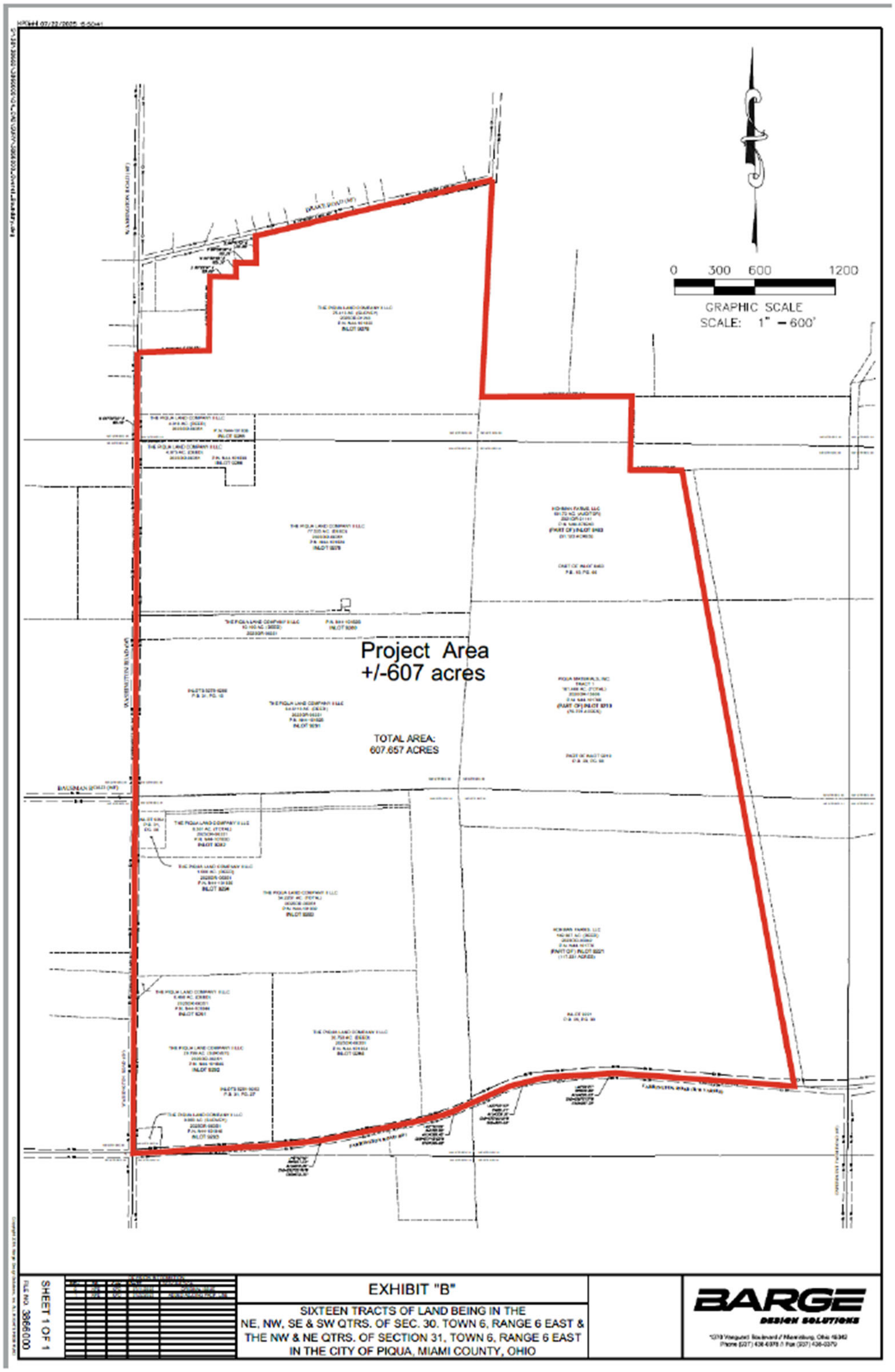
PASSED: ______________________

ATTEST: ______________________
CLERK OF COMMISSION

The Motion to adopt the foregoing Ordinance was offered by None, seconded by None, and on roll call the following vote ensued:

Mayor James D. Vetter __________
Commissioner Frank DeBrosse __________
Commissioner Paul Simmons __________
Commissioner Rick Walker __________
Commissioner Philip Wead __________

Exhibit A



110061618v1

City of PIQUA

City Manager's Office

Rick Byron – Interim City Manager
201 West Water Street, Piqua, Ohio 45356
rbyron@piquaoh.gov
(937) 778-8300

REPORT AND RECOMMENDATION REGARDING ORDINANCE NO. O-7-26

Pursuant to Section 106 of the Charter of the City of Piqua, proposed Ordinance No. O-7-26, granting a franchise to Dayton Power & Light Company d/b/a AES Ohio, has been reviewed. Section 106 requires a public written report containing recommendations regarding a proposed franchise ordinance prior to its adoption.

The proposed franchise ordinance is intended to facilitate electric service to a specific development site within the City that requires direct access to transmission-level electric service. The franchise is limited to the property described in the ordinance and does not authorize AES Ohio to provide general electric service throughout the City.

The proposed franchise ordinance contains provisions designed to protect the City's municipal electric system and service territory, including restrictions on AES Ohio's ability to serve other customers within the City, remedies for unauthorized service, and provisions preserving the City's future service rights.

The ordinance further provides consideration and benefits to the City in connection with the franchise arrangement, including commitments related to infrastructure improvements and economic development objectives.

Collectively, the provisions of the proposed franchise ordinance are intended to ensure that the franchise remains limited in scope, protects the City's municipal electric system and service territory, preserves future service options, and provides meaningful consideration to the City through infrastructure commitments that support future economic development opportunities. The ordinance is structured to accommodate the unique circumstances of a transmission-served development while maintaining safeguards designed to protect the interests of the City and its residents. Accordingly, the proposed ordinance represents a balanced approach that advances economic development objectives while preserving important municipal rights and protections.

Based upon the foregoing, it is recommended that the City Commission approve Ordinance No. O-7-26. The proposed ordinance serves a valid municipal purpose and is in the best interests of the City and its residents.

Accordingly, this Report and Recommendation is submitted to the City Commission for its consideration in connection with the public hearing process required by Section 106 of the Charter.

R Byron

Rick Byron, Interim City Manager

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026
REPORT TITLE	**Ordinance No. O-9-26 (Third Reading)** An ordinance to make appropriations for the City of Piqua, Ohio, for the year 2026
SUBMITTED BY	Amy Welker, Asst. City Manager Finance
AGENDA CLASSIFICATION	Ordinance
BACKGROUND	The changes to the appropriations are due to changes in plans, unexpected costs, or updates to the scope of work on projects after the 2026 Budget was completed. Further details include: Sec 1: The architect is recommending additional structural analysis of the Hance Pavilion. Sec 2: Additional IT needs including the addition of security cameras in the MGC parking lot, data back-up needs for police department records, and training needs. Sec 3: Increased electric transmission costs within the Dayton RTO region, along with a January winter storm event that caused power costs to come in approx. $400K over budget for that month alone. We have no control over the transmission costs. Sec 4: Fire department unexpected vehicle repair needs. Sec 5: Police department vehicle repairs that will be reimbursed by insurance. Sec 6: To cover updated cost projections of the Roosevelt sanitary sewer replacement and upgrades project. Sec 7: To cover updated cost projections for the stormwater manhole replacement and rehabilitation project. Sec 8: To cover the updated cost projections and changes to scope of work for the Washington Road reconstruction project and projected costs for construction and inspection services. These costs will be

	fully reimbursed by the project. Sec 9: To cover costs for water treatment plant generator repairs and back-up generator rental to be reimbursed by insurance. Also, to cover the updated cost projections for the low level dam removal and restoration project to be reimbursed by grants. Sec 10: Costs associated with the resignation of the Finance Director to include a contract for interim services and a special audit which is required with the turn-over of the finance director position.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	
	Expenditure $:	
	Source of Funds:	
	Narrative:	$4,854,100 net increase to the budget for the reasons listed.
ATTACHMENTS	1. 2026 Supplemental Appropriations 7/7/2026	

ORDINANCE NO. O-9-26
AN AMENDED ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CITY OF PIQUA, OHIO, FOR THE YEAR 2026

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

	2026 BUDGET	INCREASE (DECREASE)	2026 REVISED BUDGET
SEC. 1: That there be appropriated from the PARK AND RECREATION FUND (105)			
Personal Services/Administrative Support	$ 921,121		$ 921,121
Operation & Maintenance	1,158,816	$ 7,000	$ 1,165,816
Capital Outlay (including labor)	-		-
Transfer Out	167,835		$ 167,835
TOTAL	$ 2,247,772	$ 7,000	$ 2,254,772
SEC. 2: That there be appropriated from the IT FUND (408)			
Personal Services/Administrative Support	$ 676,838		$ 676,838
Operation & Maintenance	$ 713,653	$ 59,000	$ 772,653
Capital Outlay (including labor)	$ 79,220	$ 8,100	$ 87,320
TOTAL	$ 1,469,711	$ 67,100	$ 1,536,811
SEC. 3: That there be appropriated from the POWER FUND (401)			
Personal Services/Administrative Support	$ 3,848,685		$ 3,848,685
Operation & Maintenance	$ 34,634,582	$ 2,000,000	$ 36,634,582
Capital Outlay (including labor)	$ 7,225,003		$ 7,225,003
Overhead transfers	$ (427,829)		$ (427,829)
TOTAL	$ 45,280,441	$ 2,000,000	$ 47,280,441
SEC. 4: That there be appropriated from the PUBLIC SAFETY FUND (106)			
009 Fire Department			
Personal Services/Administrative Support	$ 4,994,162		$ 4,994,162
Operation & Maintenance	$ 1,330,024	$ 50,000	$ 1,380,024
Capital Outlay (including labor)	$ 33,482		$ 33,482
Transfer Out	$ 300,000		$ 300,000
TOTAL	$ 6,657,668	$ 50,000	$ 6,707,668
SEC. 5: That there be appropriated from the PUBLIC SAFETY FUND (106)			
014 Police Department			
Personal Services/Administrative Support	$ 5,941,893		$ 5,941,893
Operation & Maintenance	$ 1,197,006	$ 72,556	$ 1,269,562
Capital Outlay (including labor)	$ 185,934	$ (22,556)	$ 163,378
TOTAL	$ 7,324,833	$ 50,000	$ 7,374,833
SEC. 6: That there be appropriated from the WASTEWATER SYSTEM FUND (404)			
Personal Services/Administrative Support	$ 1,560,964		$ 1,560,964
Operation & Maintenance	$ 2,884,252		$ 2,884,252
Capital Outlay (including labor)	$ 13,789,688	$ 600,000	$ 14,389,688
Transfer Out	$ 2,564,766		$ 2,564,766
TOTAL	$ 20,799,670	$ 600,000	$ 21,399,670
SEC. 7: That there be appropriated from the STORMWATER UTILITY FUND (411)			
Personal Services/Administrative Support	$ 244,913		$ 244,913
Operation & Maintenance	$ 646,971		$ 646,971
Capital Outlay (including labor)	$ 1,589,079	$ 250,000	$ 1,839,079
TOTAL	$ 2,480,963	$ 250,000	$ 2,730,963
SEC. 8: That there be appropriated from the STREET INCOME TAX FUND (103)			
Operation & Maintenance	$ 2,086,954		$ 2,086,954

Capital Outlay (including labor)	$ 5,444,070	$ 700,000	$ 6,144,070
TOTAL	$ 7,531,024	$ 700,000	$ 8,231,024

SEC. 9: **That there be appropriated from the WATER SYSTEM FUND (403)**

Personal Services/Administrative Support	$ 1,849,678		$ 1,849,678
Operation & Maintenance	$ 5,930,876	$ 1,100,000	$ 7,030,876
Capital Outlay (including labor)	$ 25,232,229		$ 25,232,229
Transfer Out	$ 2,665,135		$ 2,665,135
TOTAL	$ 35,677,918	$ 1,100,000	$ 36,777,918

SEC. 10: **That there be appropriated from the GENERAL FUND (001)**

Finance			
Personal Services/Administrative Support	$ 857,196	$ (53,000)	$ 804,196
Operation & Maintenance	$ 133,486	$ 83,000	$ 216,486
Allocated Expenses	$ (650,815)		$ (650,815)
TOTAL	$ 339,867	$ 30,000	$ 369,867

SEC. 11: That the sum appropriated are actual expenditures for goods and services or other government functions performed in the calendar year 2026. Future commitments representing encumbrances of fund balance or future receipts will be appropriated in the future year when those services or goods are rendered to the city.

SEC. 12: That the sums expended from the appropriations and which are proper charges against any other department or against any person, firm or corporation which are repaid with the period covered by such appropriations shall be considered reappropriated for such original purposes; provided, that the net total of expenditures under any item of said appropriations shall not exceed the amount of the item.

SEC. 13: That the Director of Finance is hereby authorized and directed to draw her warrant upon the City Treasury for the amounts appropriated in this order when claims are properly presented and approved, the same to be chargeable to the appropriations for the year 2026 when passed and legally contracted for in conformity by law.

SEC. 14: That the Finance Director at the discretion of the City Manager make temporary advances from the General Fund to any Fund to cover temporary shortages of cash until revenues or permanent transfers become available to repay that temporary advance. That these advances may not exceed $1,000,000 in the aggregate nor extend past December 31, 2026; except those that are to be reimbursed by federal, state or other grant programs that were previously approved by this Commission.

SEC. 15: That all ordinances, or parts of ordinances, inconsistent with this ordinance be and they are hereby repealed.

____
James D. Vetter, MAYOR

PASSED: ______________________________

ATTEST: ______________________________
CLERK OF COMMISSION

The Motion to adopt the foregoing Ordinance was offered by ____________________

seconded by ____________________ and on roll call the following vote ensued:

Mayor James D. Vetter __________
Commissioner Rick Walker __________
Commissioner Paul Simmons __________
Commissioner Frank DeBrosse __________
Commissioner Philip Wead __________

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026	
REPORT TITLE	**Resolution No. R-81-26 (Tabled)** A resolution authorizing the City Manager to modify an existing agreement with Bricker Graydon for economic development legal services	
SUBMITTED BY	Chris Schmiesing, Director Economic Development	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	Legal services necessary to negotiate terms, and prepare agreements and other legal documents necessary to the J5 LLC data center project.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	285,000
	Expenditure $:	370,000
	Source of Funds:	Economic Development $213,636.25, Power System $156,363.75
	Narrative:	J5 LLC, the data center company, has reimbursed the City $200,000 of the $213,636.25 in total legal expenses expected to be incurred by the City associated with the negotiation and preparation of the Development Agreement, Water/Sewer Agreement and Tax Increment Financing legal instruments; and, J5 LLC, the data center company, will reimburse the City 100% of the total legal expenses expected to be incurred by the City related to the negotiation and preparation of the AES Franchise Agreement and the Electric Services Agreement.
ATTACHMENTS	1. BG-Piqua Engagement	

<u>Resolution No. R-81-26 (Tabled)</u>

A resolution authorizing the City Manager to modify an existing agreement with Bricker Graydon for economic development legal services

WHEREAS, the City of Piqua secures legal services in support of economic development interests when necessary; and

WHEREAS, Bricker Graydon is an accomplished law firm that provides public sector and economic development legal services; and

WHEREAS, the Piqua City Commission previously authorized securing legal services from Bricker Graydon, as necessary, to prepare legislation and legal documents enabling the economic development interests of the City of Piqua; and

WHEREAS, the Piqua City Commission desires to modify the existing agreement to increase the previously authorized total expenditure amount.

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:

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: Authorize the City Manager to modify the existing agreement with Bricker Graydon for economic development legal services to increase the not-to-exceed total expenditure amount to $370,000;

SEC. 2: The Finance Director is hereby authorized to draw their warrants on the appropriate account of the City treasury in payment for said services;

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

JAMES D. VETTER, MAYOR

PASSED: ______________________

ATTEST: ______________________
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by None, seconded by None, and on roll call the following vote ensued:

Mayor James D. Vetter	____________
Commissioner Frank DeBrosse	____________
Commissioner Paul Simmons	____________
Commissioner Rick Walker	____________
Commissioner Philip Wead	____________

Bricker Graydon

City of Piqua, Ohio

Proposal for Services Related to Economic Development Projects

August 1, 2024

Submitted by:

Caleb Bell, Partner
Bricker Graydon LLP
100 S. Third St.
Columbus, OH 43215

Introduction & Qualifications

Bricker Graydon is pleased to submit information regarding our qualifications and the services we can offer to assist the City of Piqua, OH with economic development projects. Serving public sector entities is the cornerstone of our legal practice, and we are well known for helping governmental organizations leverage opportunities to enhance and improve communities. A unique and exceptional community like the City of Piqua deserves an extraordinary partner. The depth and breadth of our experience, our enthusiasm for the work we perform, and the relationships we forge with our clients, distinguishes the Bricker Graydon legal team from our competitors.

About Bricker Graydon

Bricker Graydon is a leading law firm, comprised of nearly 200 attorneys spread across ten offices located in Ohio, Kentucky and Indiana. Our firm is large enough to provide effective and sophisticated counsel across a wide variety of industries and practice areas, while also delivering highly personalized service and access to our most experienced attorneys. Providing innovative legal services to public entities throughout the state is a key component of our firm's foundation with 76 of our attorneys focusing the majority of their practice in public law.

We employ a cross-disciplinary approach to client service. Our depth and breadth of knowledge is a direct reflection of our attorneys' variety of backgrounds and experience. For example, many Bricker Graydon attorneys have formerly held positions within state and local government, corporations and nonprofit entities. The diversity of our collective experience ensures that the services we provide are relevant and effective.

Economic Development

Economic development has the power to transform communities. Whether embarking on a signature, multi-million-dollar mixed-use project, siting a new production-oriented facility, or rebuilding a treasured historic business district, businesses and government entities can achieve optimal results using many economic development tools. Our team helps communities and businesses flourish, working with them to understand and take advantage of these programs.

We partner with government entities, developers, and businesses to achieve their unique development objectives. Utilizing the economic development tools that best suit our clients' strategic goals, we structure and layer resources, connecting our clients with the available financial incentives they need for growth. Our team is poised to assist both public and private sector entities by providing cutting-edge financial, regulatory, and other consultative solutions.

We provide economic development consulting services for projects involving:

- Creative application of public and private financing
- Regulatory compliance
- Site selection and development support
- State and local permitting
- Financial forecasts
- Public Finance tools
- Tax incentives
- Zoning
- Zoning post-issuance compliance services

Our team has the experience and acumen to objectively review sites and apply criteria to determine whether a site is likely to be attractive for primary industrial development. We have the technical skills to review real estate reports such as market studies, commercial real estate appraisals, title commitments, zoning codes, comprehensive plans, environmental studies/audits, broker's opinion of value, traffic studies, conceptual site development plans, infrastructure plans, tax policy, incentives, etc.

Bricker Graydon has experience assisting communities with the following projects (to name only a few):

- **Warren County Port Authority:** Bricker Graydon has assisted in the acquisition and development by the Warren County Port Authority of a 400-acre industrial park in Warren County, OH. The development required multiple rounds of bond financing as well as state legislation to cause the transfer of the property from one government to another. This project is decade-long work that will continue for various industrial park uses.

- **Erie County Port Authority:** Bricker Graydon represented the port authority in a bond issuance and lease agreement for the siting of a large data center project.

- **Private Developer:** Bricker Graydon represented a large central Ohio private developer in the development and sale of sites to two of the largest data center operators in the country.

- **Union Township (Clermont County), OH:** Bricker Graydon assisted Union Township, OH with the acquisition of multiple sites now being developed. Sites include Ivy Point area where TQL's headquarters and expansion projects are located, and where a new Cincinnati Children's Hospital facility is located. Related income tax and property tax incentives supported job creation activity for several thousand jobs.

- **City of Middletown, OH:** Bricker Graydon assisted the client in the acquisition of dozens of specific sites now being developed as a sports arena, hotel, and multifamily project. Acquisition strategy included multiple layers of incentives, including special assessment financing, TIF financing, tax abatement, and revenue bond financing.

Scope of Work

Bricker Graydon’s Economic Development team understands that the City of Piqua has an opportunity to land a large capital investment project, but that doing so will require infrastructure improvements and the provision of reasonable incentives.

Not only do the prospect’s site requirements need to be met, but the work must be done expeditiously and efficiently. Accordingly, Bricker Graydon is pleased the offer legal and consulting services for:

- Strategies and legal support to finance public water, sewer, and road improvements through tax increment financing and/or other tools that allow new developments to pay for the infrastructure improvements they require;
- Obtaining any easements required for public infrastructure improvements;
- Representation on any real estate transaction to which the City will be a party;
- The extension of a community reinvestment area to the project site;
- Any annexation or zoning actions required for the project;
- The negotiation of a development agreement with the site end-user;
- Negotiation support, financial projections and legal documents for incentives to support the project;
- Any desired follow-up support to ensure incentives are properly used, reporting and compliance; and
- Should the City of Piqua Development Department need bench strength support through this large project, Bricker Graydon can provide project management and coordination services among the various parties.

Throughout this effort, our attorneys and consultants will work closely with the City of Piqua, the developer, the end-user prospect and any integral vendors to drive the project to a successful completion.

Meet the Team

Upon selection of our firm to provide legal counsel and economic development consulting, **Caleb Bell** will serve as the primary contact for this engagement. Caleb will coordinate the additional team members identified below to ensure that all services are provided according to the mutually agreed upon timeline and budget.

Key Contact

Caleb Bell is partner and chair of Bricker Graydon's Public Finance practice group with a regional practice that emphasizes public finance and economic development matters. He has served as bond counsel in a wide variety of transactions. His clients include municipalities, counties, townships, school districts, and public universities, as well as private developers and property owners across Ohio, Kentucky, and the Midwest. Caleb is well known for his representation of special purpose financing entities such as port authorities, new community authorities (NCAs), special improvement districts (SIDs), energy special improvement districts (ESIDs), and energy project assessment districts (EPADs).

Caleb has diverse economic development experience and is sought after for his knowledge of development tools such as tax increment financing (TIF), special assessments, community reinvestment area (CRA) abatements, enterprise zone (EZ) abatements, joint economic development districts (JEDD), and local tax credits.

Caleb has been instrumental in advancing energy financing across the Midwest. He is a national thought leader in Property Assessed Clean Energy (PACE) financing. He is a Board Member of PACENation, a member of the C-PACE Alliance, and has been appointed by the U.S. Department of Energy as a C-PACE Advisor. In 2023, Caleb was named "PACE Champion of the Year" by PACE Nation, a national energy efficiency finance trade association. He was retained by clients to author Ohio's PACE financing statute, he served as bond counsel for Ohio's first issue of PACE-secured bonds, and he has financed over $500 million of PACE financing for over 200 PACE projects. Caleb has structured PACE financing into a variety of transactions, including retrofit projects, new construction projects, redevelopment projects, and tax credit projects in the Ohio, Kentucky, Michigan, and Pennsylvania markets. In addition, he advised the State of Hawaii on its commercial PACE legislation, which was enacted into law in 2022. Caleb has served as bond counsel and underwriters' counsel in more than $4 billion of natural gas and electricity prepayment bonds, including Ohio's only tax-exempt refunding of energy prepayment bonds.

Caleb is an experienced negotiator, regularly advising his clients on complex projects involving multiple aspects of public finance and economic development law. He advises both public entities and private developers, and he brings a broad-based perspective to every transaction.

Caleb Bell can be contacted at 614.227.2384 or jbell@brickergraydon.com.

Additional Team Members

Adam Seeley is a public finance attorney at Bricker Graydon. His practice focuses on economic development and local government counseling, as well as administrative, environmental and energy law. Adam's experience covers TIF, CRA, enterprise zone administration, appraisal, real estate transactions, contract negotiation and drafting, civil litigation, and administrative compliance.

Prior to joining Bricker Graydon, Adam served as in-house staff counsel for the Franklin County Auditor's Office, Real Estate Division. He has also worked as a policy and legal aide for the Public Utilities Commission of Ohio (PUCO) and in private practice representing clients facing consumer protection matters.

Adam can be contacted at 614.227.4840 or aseeley@brickergraydon.com.

Mike Jacoby, Director of Economic Development, is a seasoned economic development consultant with 30 years of experience in the field. He has worked at the state, local, and regional levels, including serving as the executive director of Zanesville-Muskingum County Port Authority where he helped attract Halliburton to the port authority's East Pointe Business Park.

Prior to joining Argus Growth Consultants, Mike served as the president of Ohio Southeast Economic Development (OhioSE), the JobsOhio Regional Network Partner serving a 25-countyregion of over 1 million in population. Under Mike's leadership, the team successfully undertook expansion and attraction projects that created over 5,800 jobs. Additionally, he worked closely with JobsOhio, the state's private economic development corporation. He actively engaged with business, government, and economic development leaders across the region and the state, representing southeastern Ohio and leading site development, workforce, and planning initiatives.

Mike specializes in creative problem-solving to get deals done, grant writing, communications, marketing, real estate development, incentives, and team building. His ability to build consensus while balancing the interests of multiple constituencies has proven his prowess as a first-class leader in his field. Mike holds a Masters Degree in Public Administration from Ohio University and is a Certified Economic Developer (CEcD) as designated by the International Economic Development Council and an Economic Development Finance Professional as certified by the National Development Association. *Note: Mike Jacoby is not an attorney and does not provide legal advice or services.*

Mike can be contacted 614.227.2353 or mjacoby@brickergraydon.com.

Fees

For the provision of the services described above, Bricker Graydon will charge a fee based on the actual time required to perform legal and professional services at hourly rates based on the experience levels of the professionals providing the services, plus all reasonable out-of-pocket expenses. We believe our billing rates for attorneys, consultants and legal assistants are competitive with other major firms in the Ohio market. Depending upon the special expertise and amount of experience involved, our hourly billing rates range from $250/hour for our most junior lawyers to $675/hour for senior partners. Our billing rates for legal assistants currently range from $100 to $250 per hour. Currently, Caleb's standard rate is $650/hour. Adam Seeley's standard rate is $350/hour, and Mike Jacoby's standard rate is $275/hour.

In situations where a large company's project incurs legal fees for a small community, we recommend negotiating for the company to pay or reimburse these expenses. Our firm has extensive experience in facilitating such negotiations and can provide valuable assistance to ensure successful outcomes.

We will diligently manage our work on this project, consistently seeking your direction to ensure our work product aligns with your expectations.

References

Below are three clients for whom we have provided similar legal services. We are happy to provide additional references or detailed client experience information upon request.

City of Independence
5409 Madison Pike
Independence, Kentucky 41051

Chris Reinersman
Mayor
859.363.2940
creinersman@cityofindependence.org

Bricker Graydon provided the City of Independence with a site assessment and development recommendations for four particular properties/areas in October, 2019.

Fayette County
215 W Short St., Suite 210
Lexington, KY 40507

Jamie Gentry
Enterprise Advisory Group LLC
Consultant
614.499.7066
jgentry@eagohio.com

Bricker Graydon represented Fayette County, the Jefferson Township - Washington Court House Joint Economic Development District, and the West Central Ohio Port Authority in various aspects of the proposed Honda-LG Energy Solution $3.5 billion battery plant joint venture to be located in northwest Fayette County. This work included negotiation of a development agreement, implementation of tax increment financing, use of a joint economic development district to support the project, and negotiation and documentation of direct incentives including property tax exemptions and sales and use tax exemptions with respect to building materials for the proposed plant.

Warren County Port Authority
406 Justice Dr., Suite 301
Lebanon, Ohio 45036

Martin Russell
Deputy County Administrator/
Executive Director
513.695.2690
martin.russell@co.warren.oh.us

Bricker Graydon assisted Warren County in acquiring 400 acres to convert to an industrial park being developed by Core5.

Conclusion

The Bricker Graydon public sector practice is one of the largest and most reputable in the Midwest. Our team has extensive experience supporting public entities with large capital investment projects, which often require significant infrastructure improvements and reasonable incentives. Our deep expertise in public finance, regulatory compliance, and municipal law equips us to navigate these complexities effectively. With a proven track record and a comprehensive approach, we are a trusted partner in securing and implementing large-scale investment projects.

Thank you for the opportunity to present our qualifications to assist the City of Piqua leadership team with your economic development projects. Our unparalleled experience will provide the City of Piqua with highly skilled, accessible, and responsive assistance. We look forward to continuing our discussions and partnering with you to advance your project opportunities.

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026	
REPORT TITLE	**<u>Resolution No. R-88-26 (Tabled)</u>** Pursuant to Section 135 of the Charter. A resolution to initiate the Charter Review Committee	
SUBMITTED BY	City Commission	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	Pursuant to Section 135 of the Charter of the City of Piqua, the city commission, by resolution, shall appoint a charter review committee not less than very ten years commencing in 1979 for the purpose of reviewing and/or recommending amendments to the charter.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	N/A
	Expenditure $:	N/A
	Source of Funds:	N/A
	Narrative:	N/A
ATTACHMENTS	None	

<u>Resolution No. R-88-26 (Tabled)</u>

Pursuant to Section 135 of the Charter. A resolution to initiate the Charter Review Committee

WHEREAS, the Charter Review Committee last met over the course of several months in 2022 and 2023; and

WHEREAS, the City Commission has requested the Charter be reviewed by the Charter Review Committee as required by Section 135 of the Piqua; and

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

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: Each Commissioner will select a representative from their respective ward to review the Charter requirements as requested by Commission and those that the committee feels are appropriate with the Law Director acting as the liaison.

SEC. 2 The Charter Review Committee will then forward their recommendations to the Law Director and the Department Heads for review.

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

____
JAMES D. VETTER, MAYOR

PASSED: ________________________

ATTEST: ________________________
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by None, seconded by None, and on roll call the following vote ensued:

Mayor Jim Vetter __________

Commissioner Rick Walker

Commissioner Paul Simmons ______________

Commissioner Philip Wead ______________

Commissioner Frank DeBrosse ______________

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026
REPORT TITLE	**Ordinance No. O-10-26 (First Reading)** An ordinance authorizing the issuance of not to exceed the sum of two million eight hundred thirty thousand dollars ($2,830,000) 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 previously issued in anticipation of such bonds and paying the related costs of issuance thereof.
SUBMITTED BY	Kayla White, Interim Finance Manager Finance
AGENDA CLASSIFICATION	Ordinance
BACKGROUND	Ordinance O-9-23 passed by Commission September 5, 2023, authorized the issuance of a note in anticipation of the issuance of bonds for the purpose of financing the construction of park improvements in Lock 9 Park. This note was an internal borrowing of funds in which the Lock 9 Capital Improvement Fund borrowed $5.8 million from the Wastewater Fund. The note was a one-year note and matured on September 26, 2024. The note was refunded as a new note in the amount of $3,800,000 with a principal payment of $2,000,000 and an interest payment of $226,738.44 to the Wastewater Fund. The note was a one-year note and matured on September 25, 2025. The note was refunded as a new note in the amount of $2,830,000 with a principal payment of $970,000 principal and an interest payment of $132,630.56 to the Wastewater Fund. The note will mature on September 23, 2026, and will be refunded as a new note with an outstanding principal balance of $2,830,000. We will pay an interest payment in the amount of $91,719.51 to the Wastewater Fund.

BUDGET/FINANCIAL IMPACT (Project costs and	Budgeted $:	$91,719.51
	Expenditure $:	

funding sources)	Source of Funds:	Lock 9 Capital Project Fund
	Narrative:	
ATTACHMENTS	1. City of Piqua - 2026 Refunding Notes - Renewal Ordinance	

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The Commission of the
City of Piqua, Ohio

The undersigned Finance Director of the City of Piqua, Ohio (the "City") as the fiscal officer of the City, hereby certifies as follows:

1. The estimated life or period of usefulness of the permanent improvements described as follows (the "Improvements") exceeds five (5) years:

> Financing the construction, acquisition and equipping of park improvements, facilities and appurtenances related thereto; and refunding outstanding notes previously issued for such purposes

The maximum maturity of the bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Ohio Revised Code Section 133.20 is twenty-six (26) years; provided that if notes are issued in anticipation of the issuance of such bonds, the maximum maturity of such notes being seventeen (17) years.

Dated: __________, 2026

____
Interim Finance Director
City of Piqua, Ohio

ORDINANCE NO. O-__-26

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED THE SUM OF TWO MILLION EIGHT HUNDRED THIRTY THOUSAND DOLLARS ($2,830,000) 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 PREVIOUSLY ISSUED IN ANTICIPATION OF SUCH BONDS AND PAYING THE RELATED COSTS OF ISSUANCE THEREOF.

WHEREAS, the City Commission (the "Commission") of the City of Piqua, Ohio (the "City") issued its "Park Improvement Notes, Series 2023" dated September 27, 2023, in the amount of $5,800,000 (the "2023 Notes") in anticipation of the issuance of the Bonds described and defined herein, which 2023 Outstanding Notes matured on September 26, 2024; and

WHEREAS, the Commission of the City issued its "Park Improvement Refunding Notes, Series 2024" dated September 26, 2024, in the amount of $3,800,000 (the "2024 Notes") in anticipation of the issuance of the Bonds described and defined herein, which 2024 Notes refunded the 2023 Outstanding Notes and matured on September 25, 2025; and

WHEREAS, the Commission of the City issues its "Part Improvement Refunding Notes, Series 2025" dated September 24, 2025, in the amount of $2,830,000 (the "Outstanding 2025 Notes"), in anticipation of the issuance of the Bonds described and defined herein, which Outstanding Series 2025 Notes refunded the 2024 Notes and which will mature on September 23, 2026; and

WHEREAS, it is advisable in lieu of issuing the Bonds at this time to issue new notes in anticipation of the issuance of said Bonds and to retire the Outstanding Notes; and

WHEREAS, the Interim Finance Director of the City (the "Finance Director") has certified to this Commission that the estimated life of the improvements stated in the title of this Ordinance that are to be financed with the proceeds of bonds and notes hereinafter referred to exceeds 5 years, the maximum maturity of bonds being twenty-six (26) years and notes being seventeen (17) years;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF PIQUA, STATE OF OHIO, THAT:

SEC. 1**:** It is hereby declared necessary to issue bonds (the "Bonds") of the City in the amount of not to exceed the sum of $2,830,000, for the purpose described in the title of this Ordinance.

SEC. 2: The Bonds shall be dated prior to the maturity date of the Notes (as defined in Section 3 hereof), shall bear interest at the maximum average annual interest rate presently estimated to be five per centum (5.00%) per annum, payable semiannually until the principal sum is paid or provision for payment has been duly made therefor. The Bonds shall mature in twenty-six (26) annual installments. Debt service payments on the Bonds in years in which principal of the Bonds is payable shall be substantially equal.

SEC. 3**:** It is necessary to issue and this Commission hereby determines that notes (the "Notes") in the principal amount of not to exceed the sum of $2,830,000 shall be issued in anticipation of such Bonds. Such anticipatory note shall bear interest at a rate not to exceed four percent, 4.0%, per annum, payable annually. Such Note shall be dated September 22, 2026, or such other date as determined by the Finance Director, and shall mature September 21, 2027, or such date as determined by the Finance Director. The Notes shall be designated as "Park Improvement Refunding Notes, Series 2026" or as otherwise determined by the Finance Director, along with other terms that are not inconsistent with this Ordinance, that may be provided in a Certificate of Fiscal Officer Relating to Terms of Notes ("Certificate of Fiscal Officer") executed by the Finance Director.

SEC. 4: The Finance Director is hereby authorized and directed to execute the Certificate of Fiscal Officer setting forth and determining such final terms and other matters pertaining to the Notes, including, but not limited to, the principal amount of the Notes, as required by, and is consistent with, the terms of this Ordinance.

SEC. 5: Such Note shall be executed by the City Manager and Finance Director and shall bear the seal of the City, if any. It shall be payable at Piqua, Ohio and shall express upon its face the purpose for which it is issued and that it is issued pursuant to this Ordinance.

SEC. 6: Said Note shall be offered to the officer in charge of the Bond Retirement Fund for investment in such fund and if not taken by said fund shall be offered to the officers in charge of the treasury investment account for purchase, and if said Note is not so taken, it shall be sold by the treasurer at private sale for not less than par and accrued interest and at the interest rate specified in the offer of the purchaser which shall not exceed the rate mentioned in section three hereof. Proceeds of said sale shall be paid into the Park Improvements Project Fund.

SEC. 7: The City of Piqua hereby covenants that it will restrict the use of the proceeds of the Note in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under section 103(c) of the Internal Revenue Code and the regulations prescribed under that section. The fiscal officer or any other officer including the Clerk of Commission having responsibility with respect to the issuance of these Notes is authorized and directed to give an appropriate certificate on behalf of the City of Piqua, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said section 103(c) and regulations thereunder.

SEC. 8: Said Note shall be the full general obligation of the City and the full faith, credit and revenue of said City are hereby pledged for the prompt payment of same. The par value to be received from the sale of the bonds anticipated by said Note and any excess funds resulting from the issuance of said Note shall to the extent necessary be used only for the retirement of said Note at maturity, together with interest thereon and is hereby pledged for such purpose.

SEC. 9: During the year or years while such Note runs there shall be levied on all taxable property in said City in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued therefore without the prior issue of said Note. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be place before and in preference to all other items and shall be for the full amount thereof.

The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of said Notes or Bonds in anticipation of which they are issued when and as the same falls due.

SEC. 10: It is hereby determined and recited that all acts, conditions and things necessary to be done, precedent to and in the issuing of said Note in order to make it legal, valid and binding obligation of the City of Piqua have happened, been done and performed in regular and due form and as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

SEC. 11: It is found and determined that all formal actions of this Commission concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Commission and that all deliberation of this Commission and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Revised Code Section 121.22

SEC. 12: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

____
Mayor

PASSED:____________________________

ATTEST:____________________________
CLERK OF THE COMMISSION

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

Mayor Jim Vetter ______
Commissioner Frank DeBrose ______
Commissioner William Walker, Jr. ______
Commissioner Paul Simmons ______
Commissioner Phillip Wead ______

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026	
REPORT TITLE	**Resolution No. R-91-26** A resolution appointing Jonathan Wessel to the Board of Zoning Appeals	
SUBMITTED BY	Kenton Kiser, Engineering Manager Community Services	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	There is currently an opening on the Board of Zoning Appeals. Jonathan Wessel, has expressed an interest in the position. Mr. Wessel has submitted an application with a resume that was provided to the Community Services staff and City Commissioners on June 16, 2026. It is in the interest of the City of Piqua to assure that the Board of Zoning Appeals have five members, to assure that all applicants have a fair review of their case. This would be to fulfill the Board of Zoning Appeals seat with a term ending on March 1, 2029.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	N/A
	Expenditure $:	N/A
	Source of Funds:	N/A
	Narrative:	N/A
ATTACHMENTS	1. BoardCommitteeApplication Jonathan Wessel BZA_Redacted 2. Jonathan Wessel Resume BZA_Redacted	

<u>Resolution No. R-91-26</u>

A resolution appointing Jonathan Wessel to the Board of Zoning Appeals

WHEREAS, there is currently a vacancy on the Board of Zoning Appeals that needs to be fulfilled through March 1, 2029; and

WHEREAS, Jonathan Wessel submitted an application and has stated he has interest in serving on the Board of Zoning Appeals; and

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

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: Jonathan Wessel is hereby appointed as a member to the Board of Zoning Appeals. His term will expire on March 1, 2029, or until his successor is confirmed and qualified;

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

____
JAMES D. VETTER, MAYOR

PASSED: ________________________

ATTEST: ________________________
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by None, seconded by None, and on roll call the following vote ensued:

Mayor Jim Vetter __________
Commissioner Rick Walker __________
Commissioner Paul Simmons __________
Commissioner Philip Wead __________
Commissioner Frank DeBrosse __________

Form Name: Board/Committee Application (Newest)
Submission Time: June 12, 2026 7:08 am
Browser: [redacted]
IP Address:
Unique ID:
Location:

Board and Committee Application

Name:	Jonathan Wessel
Address:	[redacted] Eagles Lake Drive Piqua, OH 45356
Home Phone:	[redacted]
Work Phone:	[redacted]
Email:	[redacted]
Board or Committee Applying for: (Please apply for one board only)	Board of Zoning Appeals
Length of Residence in City of Piqua-City Limits:	17
Registered Voter:	Yes
Have you ever been convicted of a felony?	No
Education Background:	Master of Science, Data Analytics - Franklin University Bachelor of Science, Business Administration - Franklin University
Civic and Professional Activities:	I currently serve on the Board of Directors of the Troy Development Council, a public-private partnership focused on economic development, business retention, and workforce development in the Troy community. From 2009 to 2013 I served on the Board of Directors of the Piqua Area Chamber of Commerce. Professionally, I am Director of Manufacturing Applications at Clopay Corporation, with prior leadership roles spanning Production, Quality, Continuous Improvement, Operations, Human Resources, and Safety across more than twenty years in manufacturing.

Background, Experience and Interest relative to the appointment to a City Board/Committee:	am a long-time Piqua resident whose professional career began here in 2004, and I am interested in contributing my background and judgment to the City through service on a Board or Commission. If appointed, I commit to thorough preparation, consistent attendance, fair deliberation, and decisions based on the standards before the body rather than personal preference. My career has spanned more than twenty years in multi-site manufacturing operations across multiple disciplines - work consistently grounded in applying established standards to specific situations within structured regulatory frameworks. I
I certify that I am a U.S. citizen, permanent resident, or a foreign national with authorization to work in the United States:	Yes
How did you find out about this position?	Social Media
Upload your Resume:	https://www.formstack.com/admin/download/file/19688879773

JONATHAN WESSEL

Piqua, OH • [redacted]

CIVIC & COMMUNITY SERVICE

Board of Directors, Troy Development Council 2024 – Present

Board of Directors, Piqua Area Chamber of Commerce 2009 – 2013

CIVIC EDUCATION & LEADERSHIP PROGRAMS

Leadership Troy — Troy Area Chamber of Commerce 2025

Piqua Government Academy — City of Piqua 2012

Leadership Piqua — Piqua Area Chamber of Commerce 2010

PROFESSIONAL EXPERIENCE

Director, Manufacturing Applications July 2025 – Present
Clopay Corporation — Mason, OH
Lead the manufacturing systems portfolio supporting Clopay's multi-plant operations across Ohio, Pennsylvania, and Arizona, with direct accountability for capital project planning, vendor selection, and infrastructure integration. Recently led the design and implementation of a centralized Production Control Room for the 1.7-million-square-foot Troy, OH plant — a capital project coordinating engineering, IT, operations, and external contractors.

Director, Quality & Continuous Improvement Feb 2022 – July 2025
Clopay Corporation — Mason, OH
End-to-end responsibility for Supplier Quality, Manufacturing Quality, Regulatory Compliance, Claims Management, and Continuous Improvement across four manufacturing plants and fifty-seven distribution centers, including jurisdictions with rigorous standards such as the Texas Department of Insurance and Miami-Dade County. Led post-acquisition operational integration following the acquisition of Cornell Cookson.

Manager, Quality & Continuous Improvement Sept 2018 – Feb 2022
Clopay Corporation — Troy, OH
Led Quality Assurance and Continuous Improvement activities for two Ohio manufacturing locations. Served as a member of the Executive Sales and Operations Planning team, contributing to enterprise-level planning decisions.

Production Manager Feb 2013 – Sept 2018
Clopay Corporation — Troy, OH
Direct production responsibility for multiple lines running 3-shift, 24/7 operations with more than 400 personnel. Full accountability for safety, quality, on-time delivery, productivity, and inventory accuracy.

Production Manager June 2004 – Feb 2013
P&R Specialty, Inc. — Piqua, OH
Nine years of operations leadership at a Piqua-based manufacturer. Owned the company's Safety program, BWC policy, and OSHA inspection process from opening conference through abatement — including IC hearings and direct interaction with regulators — and led the implementation of ISO 9001 certification.

EDUCATION & CERTIFICATION

Master of Science, Data Analytics — Franklin University
Bachelor of Science, Business Administration — Franklin University
Lean Six Sigma Green Belt — Purdue University

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026	
REPORT TITLE	**Resolution No. R-92-26** A resolution appointing ________________ to the Civil Service Commission	
SUBMITTED BY	Catherine Bogan, Director City Commission	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	The Civil Service Commission has had a vacancy since March 1st, 2026. The vacancy was first posted in January 2026. There are two applicants and their applications are attached.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	
	Expenditure $:	
	Source of Funds:	
	Narrative:	
ATTACHMENTS	1. BoardCommitteeApplication John Graham Civil Service 2. Jean Franz Boards and Committees Application Redacted	

Resolution No. R-92-26

A resolution appointing ________________ to the Civil Service Commission

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: ______________ is hereby appointed as a member of the Civil Service Commission to fill an opening with a term ending on March 1, 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.

____
JAMES D. VETTER, MAYOR

PASSED: ____________________________________

ATTEST: ____________________________________
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by None, seconded by None, and on roll call the following vote ensued:

Mayor James D. Vetter	____________
Commissioner Paul Simmons	____________
Commissioner William Walker	____________
Commissioner Philip Wead	____________
Commissioner Frank DeBrosse	____________

Form Name:	Board/Committee Application (Newest)
Submission Time:	June 11, 2026 9:42 am
Browser:	Mobile Safari 26.5 / iOS
IP Address:	12.37.117.226
Unique ID:	1469740792
Location:	37.751, -97.822

Board and Committee Application

Name:	John Graham
Address:	919 Wilson Ave Piqua, OH 45356
Home Phone:	(937) 606-0704
Email:	megadeth8265@gmail.com
Board or Committee Applying for: (Please apply for one board only)	Civil Service Commission
Length of Residence in City of Piqua-City Limits:	Piqua
Registered Voter:	Yes
Have you ever been convicted of a felony?	No
Education Background:	I'm a high school graduate I went to the upper valley jvs in Piqua Ohio
Civic and Professional Activities:	I have been to pitsenburger park and I personally cleaned up some of the mess on the ground. I would really like to get a chance to work with the commission and continue their vision of making Piqua a place where everyone wants to live.
Background, Experience and Interest relative to the appointment to a City Board/Committee:	I have a deep interest in working with the commission to make Piqua as great as possible.
I certify that I am a U.S. citizen, permanent resident, or a foreign national with authorization to work in the United States:	Yes
How did you find out about this position?	Newspaper or Other Media Channel

Board or Committee Applying for: (Please apply for one board only)*

- (●) Board of Zoning Appeals
- ( ) Charter Review Committee - Ward 1
- ( ) City Historic Review Commission
- ( ) Civil Service Commission

[redacted]
Piqua, OH 45356

Length of Residence in City of Piqua-City Limits:*

82 yr

Registered Voter:*

(●) Yes ( ) No

Land Phone line

[redacted]

[redacted]

Have you ever been convicted of a felony?*

( ) Yes (●) No

Education Background:*

12 yr

Civic and Professional Activities:*

Main St
Southview org
Farmers Mkt
Historic Comm
Museum Comm

Background, Experience and Interest relative to the appointment to a City Board/Committee:*

been on this board

ask me about Piqua
I remember many things

[redacted]
Piqua, OH 45356

Civic and Professional Activities:*

Required field

I am signing up to fill the vacate you may have to help me

Background, Experience and Interest relative to the appointment to a City Board/Committee:*

I have been active financially and with ask Mayor this time

I certify that I am a U.S. citizen, permanent resident, or a foreign national with authorization to work in the United States:*

Land Phone Line

[redacted]

- [x] Yes
- [ ] No

How did you find out about this position?

- [ ] Word of Mouth
- [ ] City Website
- [ ] Social Media
- [x] Newspaper or Other Media Channel
- [ ] Other

Upload your Resume:

Drag and drop here or Browse files
Max file size: 10 MB

Upload a cover letter (Optional):

Drag and drop here or Browse files
Max file size: 10 MB

Additional Information

I have a
medical
reason for
having
trouble
writing it is
called
bennign
Essientinal
tremors

Jean

inherited

I have a
medical
conditionn
called benign
essial tremmors
~~cause~~ causes
shaking of
mouth and
hands no
cure but
medicine
helps

Jean

inherited
from my mom

Learn more about the Lakota (Sioux) culture at stjo.org/culture.

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 3, 2026	
REPORT TITLE	**Resolution No. R-93-26** A resolution approving a parcel split with utility easement for Parcel ID #N44-100820	
SUBMITTED BY	Kenton Kiser, Engineering Manager Community Services	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	1726 W. High Street, or Inlot 8935 is currently a single parcel of approximately 8. existing rights-of-way) owned by Daymatt Investment, LLC. The property has exis public streets: High Street and Sunset Drive. The applicant has submitted a replat prepared by Choice One Engineering (dated the inlot along a new division line into two lots: • One lot approximately 3.515 acres total (0.165 acres in existing R/W). • One lot approximately 4.942 acres total (0.303 acres in existing R/W). The replat references multiple prior surveys and adjacent properties. It propose easement for the benefit of the 4.942-acre tract and a new 20-foot storm sewer benefit of the same tract. Existing easements are noted and respected. The plat review and includes standard consent-to-replat language from the owner, as we City of Piqua approvals (Planning Commission and City Commission). This replat is intended to create two separate, buildable parcels for future devel while maintaining compliance with City standards. City staff recommends appro	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	N/A
	Expenditure $:	N/A
	Source of Funds:	N/A
	Narrative:	N/A
ATTACHMENTS	1. Exhibit A - 1726 W. High Street	

<u>Resolution No. R-93-26</u>

A resolution approving a parcel split with utility easement for Parcel ID #N44-100820

WHEREAS, pursuant to the City of Piqua Development Code, the Planning Commission has taken action on the parcel split with utility easement for Parcel #N44-100820, as shown in Exhibit "A" attached ; and

WHEREAS, the Planning Commission met in open session and took public comment regarding the proposed parcel split with utility easement; and
WHEREAS, the Piqua Planning Commission reviewed the application, and heard public comment at their July 14, 2026 meeting and voted to recommend approval with a 5-0 vote.

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 Commission hereby takes the action necessary to authorize and approve the parcel split with utility easement, as shown in Exhibit "A" attached.

SEC. 2: The Interim City Manager shall cause the parcel split with a utility easement 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.

____
JAMES D. VETTER, MAYOR

PASSED: ________________________

ATTEST: ________________________
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by None, seconded by None, and on roll call the following vote ensued:

Mayor James D. Vetter __________
Commissioner Frank DeBrosse __________

Commissioner Paul Simmons	________________
Commissioner Rick Walker	________________
Commissioner Philip Wead	________________

Exhibit A

RESOLUTION No. PC 10-26

A RESOLUTION RECOMMENDING APPROVAL OF A PARCEL SPLIT WITH UTILITY EASEMENT FOR PARCEL N44-100820, CITY OF PIQUA, OHIO

WHEREAS, the property identified as Parcel #N44-100820, Piqua, Ohio, is subject to the City of Piqua Development Code; and

WHEREAS, the applicant has requested approval of a parcel split for the aforementioned property, which includes the dedication of a utility easement to the City for the provision, maintenance, and future expansion of public utilities serving the site and surrounding properties; and

WHEREAS, the proposed parcel split and utility easement comply with the applicable provisions of the City of Piqua Development Code, including the subdivision review procedures in §7.2.4; and

WHEREAS, the Piqua Planning Commission has reviewed the application and finds that the proposed parcel split with utility easement is consistent with the City's zoning and subdivision regulations, promotes orderly development and utility access, and serves the public interest; and

NOW THEREFORE BE IT RESOLVED, board member Micah Underwood hereby moves to recommend approval of the parcel split, as described by this resolution, the testimony and documents provided, with the motion seconded by board member Adam Seas and the voting record on this motion is hereby recorded as follows.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Eddie Harvey	☑	☐	☐	☐
Mr. Terry Wright	☑	☐	☐	☐
Mr. Adam Seas	☑	☐	☐	☐
Mr. Micah Underwood	☑	☐	☐	☐
Mr. Wayne Davey	☑	☐	☐	☐

Adopted this 14 day of July, 2026.

Chairman, Planning Commission

Eddie Harvey

Eddie Harvey

Clerk, Planning Commission

Emily McCulla

REPLAT OF INLOT 8935

8935 INLOT | PIQUA CITY | MIAMI COUNTY | OHIO STATE

SURVEY REFERENCE

LOT SURVEY 9, PG. 57
LOT SURVEY 22, PG. 65
LOT SURVEY 23, PG. 71
REC. P.B. 9, PG. 66
REC. P.B. 11, PG. 104
REC. P.B. 12, PG. 148
REC. P.B. 22, PG. 51

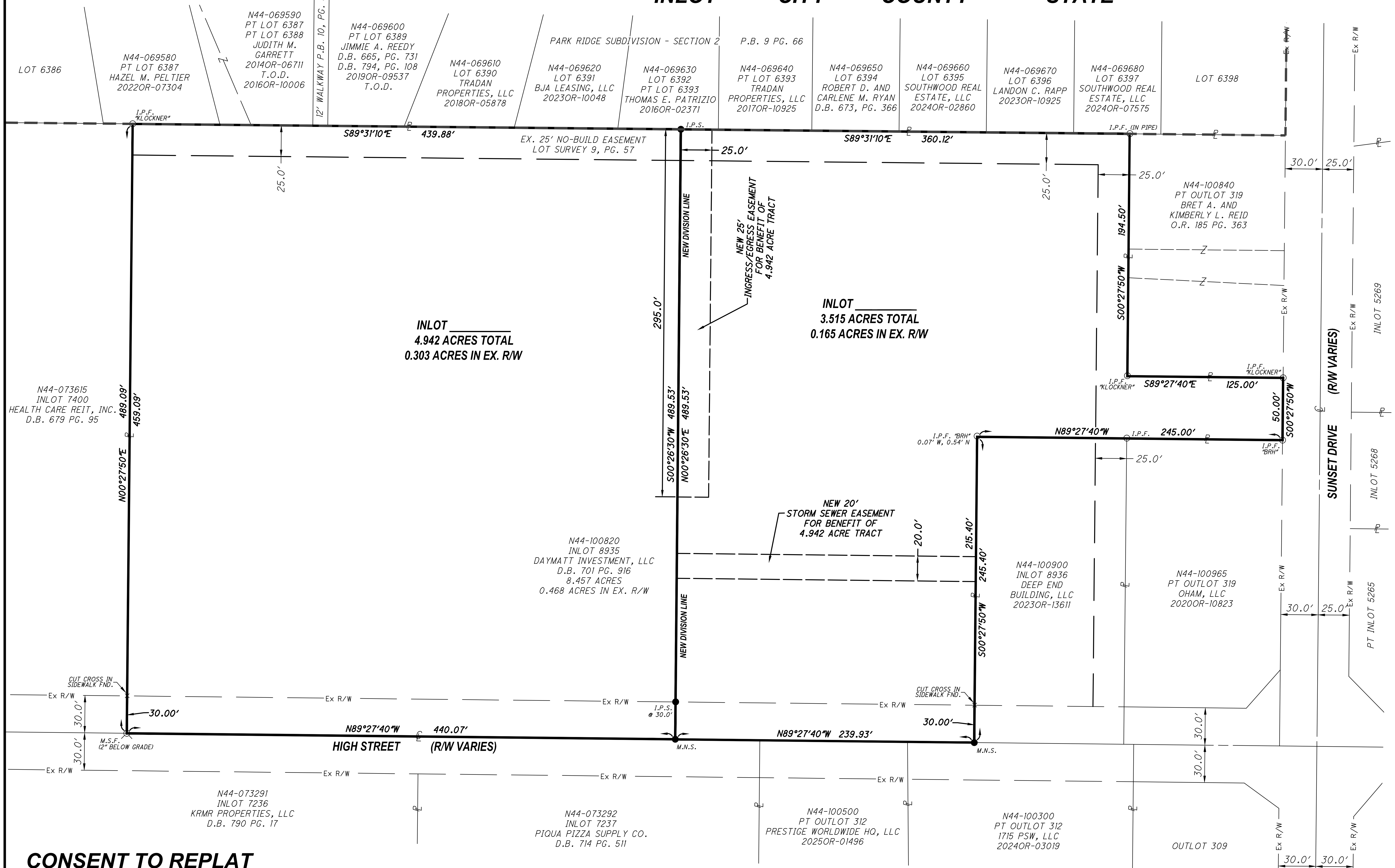
VOLUME _____, PAGE ______
MIAMI COUNTY RECORDER'S RECORD OF PLATS

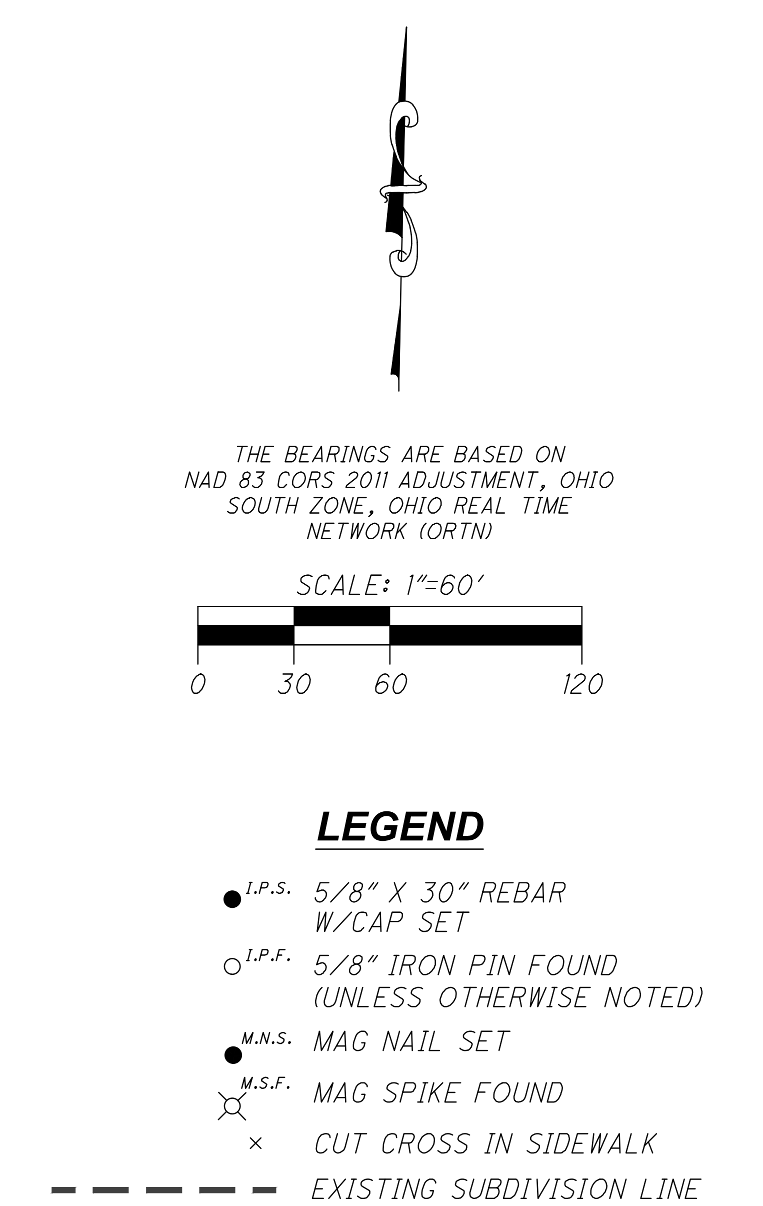
FEE $_____

MIAMI COUNTY RECORDER ____ BY DEPUTY RECORDER ____

MIAMI COUNTY AUDITOR
APPROVED AND TRANSFERRED __________, 20___.

MIAMI COUNTY AUDITOR ____ BY DEPUTY AUDITOR ____





BEING A REPLAT INLOT 8935 AND BEING OWNED BY DAYMATT INVESTMENT, LLC IN DEED BOOK 701, PAGE 916.

CONSENT TO REPLAT

I, THE UNDERSIGNED, BEING THE OWNER OF THE LAND HEREIN REPLATED, DO HEREBY ACCEPT AND APPROVE THIS REPLAT AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID REPLAT.

OWNER: DAYMATT INVESTMENT, LLC

AUTHORIZED SIGNATURE

STATE OF OHIO, ________ COUNTY, S.S.
BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE STATE OF OHIO, PERSONALLY APPEARED ______________________ ON BEHALF OF DAYMATT INVESTMENT, LLC, WHO EXECUTED THE FOREGOING PLAT, WHO ACKNOWLEDGED THAT HE DID SIGN SUCH INSTRUMENT IS HIS FREE ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT ________, OHIO, THIS ____ DAY OF ______________, 20___.

NOTARY PUBLIC____________________________

MY COMMISSION EXPIRES:____________________

CITY OF PIQUA APPROVAL

THIS REPLAT WAS REVIEWED AND APPROVED BY ME THIS _____ DAY OF _______________, 20_____.

CHAD HENRY
CITY OF PIQUA PLANNER

CITY OF PIQUA PLANNING COMMISSION

AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF PIQUA, OHIO, HELD THIS _____ DAY OF _______________, 20___, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIR ____ CLERK ____

THE CITY COMMISSION OF THE CITY OF PIQUA

AT A MEETING OF THE CITY COMMISSION OF THE CITY OF PIQUA, OHIO, HELD THIS _____ DAY OF _________________, 20___, THIS PLAT WAS APPROVED BY RESOLUTION NO. ___________.

MAYOR ____ CLERK ____

SURVEY CERTIFICATION

I HEREBY CERTIFY THAT THIS REPLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37.

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

STATE OF OHIO ALLEN J. BERTKE 8629 REGISTERED PROFESSIONAL SURVEYOR

SUBMITTED FOR REVIEW

THIS INSTRUMENT WAS PREPARED BY:
ChoiceOne Engineering
SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554
www.CHOICEONEENGINEERING.com

DATE:	07-08-2026
DRAWN BY:	CJK2
JOB NUMBER:	MIAPIQ2602
SHEET NUMBER	1 OF 1

STAFF REPORT

Planning Commission

Date: July 14, 2026
Re: PC 10-26 – Final Plat with Dedication

Applicant: Caleb Kaiser, Choice One Engineering
Owner: Daymatt Investment, LLC

Address: 1726 W. High Street
Parcel #: N44-100820

Zoning: NX – Neighborhood Mixed Use

Request: Approval of the Replat of Inlot 8935, dividing the existing parcel into two separate lots.

Background:

Inlot 8935 is currently a single parcel of approximately 8.457 acres (net of existing rights-of-way) owned by Daymatt Investment, LLC. The property has existing frontage

City of PIQUA

on two public streets: High Street and Sunset Drive.

The applicant has submitted a replat prepared by Choice One Engineering (dated 07-08-2026) to divide the inlot along a new division line into two lots:

- One lot approximately 3.515 acres total (0.165 acres in existing R/W).
- One lot approximately 4.942 acres total (0.303 acres in existing R/W).

The replat references multiple prior surveys and adjacent properties. It proposes a new 25-foot access easement for the benefit of the 4.942-acre tract and a new 20-foot storm sewer easement for the benefit of the same tract. Existing easements are noted and respected. The plat has been submitted for review and includes standard consent-to-replat language from the owner, as well as signature blocks for City of Piqua approvals (Planning Commission and City Commission).

This replat is intended to create two separate, buildable parcels for future development or disposition while maintaining compliance with City standards.

Analysis:

Compliance w/ Development Code
The proposed replat has been reviewed for consistency with the City of Piqua Development Code (effective May 18, 2023), particularly:

- **Article 6 – Subdivisions & Streets** (Div. 6.3 Subdivision standards, including lot design, access, and easements).
- **§7.2.4 – Subdivision and Replat Review** procedures.

The replat meets or exceeds minimum lot area and dimension requirements. Both resulting lots have adequate frontage and direct access to public rights-of-way (High Street and/or Sunset Drive). A new division line is clearly shown, and no access to adjoining parcels is eliminated.

Easements and Infrastructure

- A new 25-foot access easement is dedicated to serve the interior 4.942-acre tract.
- A new 20-foot storm sewer easement is dedicated for the benefit of the 4.942-acre tract. These easements support proper utility access, stormwater management, and circulation. Existing easements (including a 25-foot no-build easement and others referenced on the plat) are preserved. The design is consistent with City standards for utility expansion and maintenance.

STAFF REPORT

Zoning and Land Use Compatibility
The replat itself does not change the underlying zoning of the property. Any future development on the resulting lots will be subject to the standards of the current zoning district (including permitted uses, setbacks, parking, landscaping, stormwater, and site plan review where applicable). The division supports orderly development and is compatible with surrounding land uses and the established pattern in the area. No variances or modifications to subdivision standards are requested.

Other Considerations

- No known zoning violations or code conflicts exist on the property.
- The replat aligns with the City's goals for efficient land division, infrastructure provision, and predictable development outcomes as outlined in the Development Code and Plan It Piqua Comprehensive Plan.
- The plat was prepared in accordance with Ohio Administrative Code Chapter 4733-37 and includes proper survey certification.

Recommendation:
Staff recommends that the Planning Commission **approve** the Replat of Inlot 8935 as submitted (dated 07-08-2026).

Conditions of Approval (recommended):
1. The final plat shall be recorded with the Miami County Recorder's Office in accordance with the timeframes and procedures in the Development Code.
2. All easements shown on the plat shall be properly dedicated via the plat or separate instruments as required.
3. Any future development on the resulting lots shall comply with all applicable provisions of the Piqua Development Code, including but not limited to stormwater management (Article 5), development standards (Article 4), and administration/permitting requirements (Article 7).
4. The applicant shall address any minor technical comments from City staff or the County Engineer prior to recording, if applicable.

This action would allow the replat to proceed to final City Commission approval and recording.

Staff is available to answer questions or provide additional information at the Planning Commission meeting.

City of
PIQUA