City of PIQUA

PIQUA CITY COMMISSION REGULAR MEETING
TUESDAY, AUGUST 18, 2026
6:00 PM
COMMISSION CHAMBER - 2ND FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

MOTION TO APPROVE BUSINESS AGENDA

1) Rules of Conduct

APPROVAL OF THE MINUTES

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

2) **Approval of the Minutes from the July 27, 2026, Executive Session**
Approval of the Minutes from the July 27, 2026, Executive Session

3) **Approval of the Minutes from the July 28, 2026, Executive Session**
Approval of the Minutes from the July 28, 2026, Executive Session

4) **Approval of Minutes from the August 3, 2026 Regular City Commission Meeting**
Approval of the Minutes from the August 3, 2026, Regular City Commission Meeting

5) **Approval of the Minutes from August 11, 2026, Public Hearing**
Approval of the minutes from the August 11, 2026, Public Hearing to discuss the Franchise between theCity of Piqua and AES.

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 30 years, automatically renewing for successive 1 year terms thereafter.

2) **Ordinance No. O-10-26 (Second 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.

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

NEW BUSINESS

1) **Ordinance No. O-11-26 (First Reading)**
An ordinance to submit a Petition for Submission of Proposed Amendment to Charter Section 138 Prohibition of Construction of a Data Center

2) **Resolution No. R-94-26**
A Resolution to Levy Assessments to pay for the Cost of Nuisance Abatements

3) **Resolution No. R-95-26**
A resolution to transfer ownership shares of an issued liquor permit from Turnkey Holding LLC, Sunset Drive Thru located at 122 N. Sunset Dr., N End, Piqua, OH 45356 to OM Anjaneyam of MotorInn DineIn LLC located at 122 N. Sunset Dr., Piqua, OH 45356

4) **Resolution No. R-96-26**
A resolution to approve the application for a new liquor permit to be issued to Piqua Oil LLC, Piqua Shell 1935 Covington Ave., Piqua, OH 45356

5) **Resolution No. R-97-26**
A resolution to authorize the City Manager to execute an amendment to a contract with Hutton Piqua OH ST, LLC for the purchase / sale of real property

6) **Resolution No. R-98-26**
A resolution authorizing the Interim City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required for the Boone, Garbry, Hemm & Lenox Water Improvements Project

7) **Resolution No. R-99-26**
A resolution vacating a utility easement for Parcel ID #N44-076556

8) **Resolution No. R-100-26**
A Resolution amending Resolution No. R-82-26 and 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

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.

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

City of
PIQUA

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, 2026, 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) **Ordinance No. O-7-26 (Second 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.

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 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 as to the attachment. The attachment in this packet was from the first reading.

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) Ordinance No. O-9-26 (Second Reading)
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) 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

Commissioner DeBrosse made the motion to untable the resolution. Seconded by Mayor Vetter. Commissioner Simmons voted against. Motion to untable 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 Graydon 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 DeBrosse 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, how 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 asked 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) **<u>Resolution No. R-66-26</u>**
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, recused himself from making any decisions 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 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 said 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, it's much easier. Sidney uses 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 Byron 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 DeBrosse made a motion to approve. Seconded by Commissioner Walker. Commissioners Simmons and Wead voted in favor. Mayor Vetter voted against. Motion carried.

6) <u>Resolution No. R-86-26</u>
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) <u>Resolution No. R-87-26</u>
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) <u>Resolution No. R-88-26 (Tabled)</u>
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) Resolution No. R-89-26

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) Resolution No. R-90-26

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

PIQUA CITY COMMISSION EXECUTIVE SESSION MINUTES
MONDAY, JULY 27, 2026

CALL TO ORDER

The meeting was called to order at 11:00 AM

THE PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance

ROLL CALL

Mayor Vetter asked the clerk for a roll call. Commissioner Simmons made a motion to excuse Commissioner Walker. Seconded by Commissioner DeBrosse. All in favor. Motion carried.

ADJOURNMENT TO EXECUTIVE SESSION

Commissioner DeBrosse made a motion to adjourn to Executive Session.Seconded by Commissioner Simmons. Roll was called. All in favor. Motion carried.

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

EXECUTIVE SESSION

Commission meeting adjourned to Executive Session at 11:01 AM.

ADJOURNMENT FROM EXECUTIVE SESSION

Commissioner Simmons made a motion to adjourn from Executive Session. Seconded by Commissioner DeBrosse. All in favor. Adjourned from Executive Session at 12:47 PM.

ROLL CALL

The clerk called the roll.

ADJOURNMENT

Commissioner DeBrosse made a motion to adjourn the meeting. Seconded by Commissioner Wead. Meeting adjourned at 12:48 PM.

JIM VETTER, MAYOR

PASSED:

ATTEST: ______________________________

COMMISSION CLERK

PIQUA CITY COMMISSION EXECUTIVE SESSION MINUTES
TUESDAY, JULY 28, 2026

CALL TO ORDER

The meeting was called to order at 1:00 PM.

THE PLEDGE OF ALLEGIANCE

All rose for the Pledge of Allegiance.

ROLL CALL

The clerk called the roll. All commissioners were present.

ADJOURNMENT TO EXECUTIVE SESSION

Commissioner Walker made a motion to adjourn to Executive Session. Seconded by Commissioner Wead. Roll called. 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 meeting was adjourned to Executive Session at 1:02 PM.

ADJOURNMENT FROM EXECUTIVE SESSION

Commissioner Simmons made a motion to adjourn from Executive Session. Seconded by Commissioner Walker. All in favor. Motion carried. Adjourned from Executive Session at 3:21 PM.

ROLL CALL

The clerk called the roll.

ADJOURNMENT

Commissioner Wead made a motion to adjourn the meeting. Seconded by Commissioner DeBrosse. All in favor. Motion carried. Meeting adjourned at 3:22 PM.

JIM VETTER, MAYOR

PASSED: ______________________

ATTEST: ______________________

COMMISSION CLERK

City of PIQUA

PIQUA CITY COMMISSION REGULAR MEETING MINUTES
MONDAY, AUGUST 3, 2026

CALL TO ORDER

The meeting was called to order at 5:30

THE PLEDGE OF ALLEGIANCE

All rose for the Pledge of Allegiance.

ROLL CALL

Roll was called and all commissioners were present.

ADJOURNMENT TO EXECUTIVE SESSION

Commissioner Simmons made a motion to adjourn to Executive Session. 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 5:31 PM.

ADJOURNMENT FROM EXECUTIVE SESSION

Commissioner Walker made a motion to adjourn from Executive Session at 6:01. Seconded by Commissioner DeBrosse. All in favor. Motion carried.

ROLL CALL

Roll called. The meeting was back in session.

MOTION TO APPROVE BUSINESS AGENDA

Commissioner DeBrosse made a motion to table Ordinance No. O-7-26 based on Charter Section 106: No ordinance granting, amending or renewing a franchise shall be adopted by the commission until a public written report containing recommendations thereon shall have been made to the commission by, or under the direction of, the city manager; until adequate public hearings shall have been held on such ordinance by the commission as a whole, or a committee thereof; and until at least one week after its publication in final form in the manner required for the publication of other ordinances following their passage. Commissioner DeBrosse followed up by recommending a public hearing take place next week, suggesting August 11. This public hearing will deal solely with this ordinance. The hope will be to continue to get feedback and clear up any confusion and issues that are had with this ordinance. Then, at the August 18 meeting, it could be untabled

and a possible vote. Commissioner Simmons asked for a discussion before voting. It is his understanding that once the ordinance has its third reading there cannot be any amendments, so if these hearings come up with an amendment or something to amend, can it be amended and then brought to commission for the third reading then? Law Director Jessica Stiltner responded that, yes, it could be amended for the third hearing as long as there are ten days after the passage of the ordinance. The ordinance just has to be published ten days for everybody to review in its final form. Commissioner DeBrosse wanted to clarify the question by asking if the public hearing would result in amending the ordinance. Would that be able to be done at the third reading? Ms. Stiltner answered no. We would need to amend it, then have another hearing after that. The motion to table O-7-26 was seconded by Commissioner Wead. All in favor. Motion carried.
Commissioner DeBrosse made a motion to approve the Business Agenda as amended above. Seconded by Commissioner Walker. 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</u>**
Approval of the Minutes from the July 7, 2026, Regular City Commission Meeting and the July 8, 2026, Executive Session

Commissioner Walker made a motion to untable the minutes from July 7, 2026, and July 8, 2026. Seconded by Commissioner Simmons. Commissioner Wead abstained as he had not been present for the July 7 meeting. Commissioner Simmons then made a motion to approve the minutes with the proposed amendments prepared by the clerk and emailed to the commissioners prior to the meeting for review. Seconded by Commissioner DeBrosse. Commissioner Wead abstained. Motion carried.

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

Jonathan Wessel pointed out that resolution No. R-82-26 had a heading but had no operative clauses. In the minutes, it was recorded that the resolution had passed. Mayor Vetter asked if there was support for a motion to table the minutes while the question about the resolution is addressed. Commissioner Simmons made the motion to table the minutes. Seconded by Commissioner Walker. All in favor. Motion carried.

OLD BUSINESS

1) **<u>Ordinance No. O-7-26</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.

There was a motion to table this ordinance made during the approval of the Business Agenda portion of the meeting. A Public Hearing was proposed for August 11, 2026.

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

Read by Amy Welker. This is an amended ordinance to make appropriations to the 2026 budget. Valerie Mulliken is concerned and wants to know why the city is making appropriations for a project being funded by the data center. Also, why is the low level dam being funded when we have other expenses coming up? We should do whatever we can to save Hance Pavillion.
William Wheelock said the city manager wouldn't order an audit because it costs $30,000.00. Mr. Wheelock said Section 44, subsection (b) of the Charter says otherwise. The house is out of order.
Solei Larkson read Section 44, subsection (b) of the Piqua City Charter regarding the resignation of the finance director and the legal obligation of the city to do an audit. On July 7 through a public records request, Ms. Larkson learned that the Springbrook software allowed purchase orders to inappropriately insert electronic signatures as designated by city officials. At the July 7th meeting, Commissioner Simmons asked how the commission could request the audit. He was told one had been requested. At the July 21st meeting, they were told the audit would be postponed until a new finance director is hired. The people are demanding an audit.
Kim Heisler says shut the city down, get some education, get the audits, start over. Suggested the commissioners get their own lawyer. The city should not be spending money. We have an interim city manager, an interim finance director. To the commissioners, please start doing your own research, please start answering their questions. We need to do what we can to save the Hance Pavilion.
Steve Yenney asked that this be tabled as they put in an extensive public records request, and did not receive all documents. One of the things requested was the explanation for the power. The ordinance was introduced at the July 7th meeting, but the letter was dated the 15th from Sawvel to RJ Monnier. Eight days after the ordinance was introduced. One million more than we paid last year is for AES to transmit power for us. It has been going up since 2020 at a rate of 25% compounded. They say $400,000.00 for an extreme weather event, it was actually $500,000.00 and $600,000.00 for grid insurance. In summary of the 2.1 million, 1 million they just raised the price. This is the third supplemental appropriation this year. Mr. Yenney wanted to know why none of the commissioners asked any questions because they would get answers.
Commissioner Simmons commented about the AES franchise agreement that was just tabled. Let's go back to the negotiating table. The finance department is doing an audit of the finance department. Commissioner Simmons will never, in this form, vote for this ordinance.
Commissioner Wead asked Ms. Welker if the Washington Rd appropriation is part of the data center project and would it be reimbursed through the escrow account. Ms. Welker answered yes, it will go into the escrow account. Commissioner Wead then asked if the audit was being conducted by our finance department. The interim City Manager answered yes, that is true, and the commissioners were provided with the procedure by email last week. When asked if it is for all the department heads that have left, Interim City Manager Byron replied yes and followed up with that

once the interim roles are filled, there will be audits of their positions as well. Finally, about the hearing next week, will the people coming next week be able to speak? Commissioner DeBrosse answered yes, that was his intent. The meeting will solely focus on one issue. Commissioner DeBrosse also encouraged those that are in attendance to stay for public comment and be heard tonight as well.
Commissioner Simmons asked Kayla about the accounting firm she consulted with regarding the internal audit. Kayle replied it was Julian and Group. They provide advisory services to the city and other municipalities in Ohio. Commissioner Walker asked for an overview of the procedure. Kayla explained it aligns with our Charter. Commissioner DeBrosse asked RJ about the memo from Sawvel and Assoc. RJ replied that the memo highlights some of the charges that were higher than expected. RJ referenced the storm in January. RJ explained that these charges occurred after the budgets were set at the end of last year. Commissioner DeBrosse asked what the memo was. RJ explained they are AES charges. They fluctuate based on events.
Commissioner Wead made a motion to approve. Seconded by Commissioner Walker. Roll was called. Mayor Vetter and Commissioners Wead, Walker and Debrosse voted yes. Commissioner Simmons voted no. Motion passed.

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

Commissioner DeBrosse made a motion to untable the resolution. Seconded by Commissioner Walker. All in favor. Motion carried. Presented by Chris Schmiesing. William Wheelock, you are paying Bricker Graydon to spy on us. Jonathan Wessel does appreciate the candor Mr. Schmiesing brought tonight, he understands how we got here. However, going back to last May when the resolution was passed. That was in anticipation of the next day. The city manager had already signed an agreement nine months earlier. That agreement was not to exceed $140,000.00. What had happened by then was we had already spent $76,000.00. In future conversations look into how to prevent this from happening again. Valerie Mulliken did the work, they knew they had overspent. Now they are up here begging for more money. Kim Heisler said to recap that they helped us with the firefighter agreement. It turned into a big debacle. They got us into a 25-year agreement for that. Along comes the data center, then we chose them again. Now it has become a 30-year debacle. Now a 40-year agreement with AES. There is an NDA out there with the wrong date. We need to get somebody else. They are not for us. Tyler Barhorst quoted Kobe Bryant about the importance of foundation. Take a step back and maybe reinvest in our foundation. We need different things to do. The young people are depressed. They are addicted to social media and this will increase. Richard Price said the city in 1905 decided to have their own power. Why did our attorney come to us and recommend giving it away? The data center is going to use as much power as the whole City of Piqua. You want to give away all the profit.
Steve Yenney the story changed again. There is a video on YouTube based on public record requests. Mr. Yenney had a copy of the development agreement and wanted to look at Section 11.16, saying it violates the Ohio Revised Code regarding public records requests, giving the data center five days advanced notice on any requests and then the company gets to participate in the response. That is not legal. He has found a lot of mistakes in the development and power agreements. Table this again or vote it down. Bricker Graydon is also representing Piqua Land Co. which should be a conflict of interest as they represented the sale of the land to the data center.

Aiden Spencer sees a dark pattern in the ordinances and resolutions. This is wrecking their homes. Animals will die. This is important to the citizens. Solei Larkson said if there were actually audits in place this wouldn't have happened. Mr. Schmiesing wants you to believe this is a one-off but there will be more. Tom Lillicrap said before we start modifying agreements we need to read them. We had someone here who was a big advocate of Farm to Table. How are we going to do that when we are giving away all our farm land? Commissioner Simmon said a few weeks ago he would fire Bricker Graydon if it were in his power. Commissioner Wead addressed Mr. Schmiesing regarding the bills in front of him and asked if they were only incurred from the data center. Mr. Schmiesing answered that the number he was asking for was the number from Bricker Graydon to finish the work on the data center. Commissioner Wead then asked if we had paid any penalties. No penalties have been paid. He then asked if they had signed anything on our behalf. Chris said no. Items were brought to the city manager. With Paul gone, now it falls to Chris to approve. Commissioner DeBrosse asked Rick Byron to explain the process for approving the issuance of a purchase order. Last, was the initial scope of work including the monitoring of social media? Chris answered no. Commissioner DeBrosse then asked that the resolution be amended to strike monitoring of social media lines. Commissioner Walker seconded. All in favor. Motion carried. Commissioner Walker then asked if we could look at another outside firm for representation. Commissioner DeBrosse made a motion to approve the resolution as amended. Seconded by Commissioner Wead. Mayor Vetter, Commissioners DeBrosse, Wead and Walker voted in favor. Commissioner Simmons voted against. Commissioner Walker voted in favor with the stipulation that we look at another firm. Motion carried.

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

Commissioner Wead made a motion to untable. Seconded by Commissioner Walker. Commissioner Wead asked the following provisions be added to the resolution: A committee be formed as soon as possible. Once formed, they are to get started by reviewing Sections 3, 39, 43, 65, 94 and 135. Section 3 is to be completed by November 2026. Sections 39, 43, 65, 93 and 135 to be completed by December 2026. The remainder of the Charter by November 2027. Kim Heisler asked who was still on the Charter Review Committee. Can we add to the number of members? The Charter Review Committee last time did not actually represent the citizens. Commissioner Simmons explained to Ms. Heisler that only one of the former members has agreed to remain on the committee. Steve Yenney came up and asked what happened to the people already on the committee? The ones still on the website? Mr. Yenney asked who was going to lead this? Commissioner DeBrosse stated again that there was only one member that chose to remain on the committee. Rick Byron answered that the website had been updated to reflect the vacancies. Commissioner DeBrosse then asked the Law Director to go over the rules of the Charter Review Committee. While the current resolution allows for five members, they can go up to nine. Who will oversee the committee? Commissioner Simmons made the motion to amend the term to be every five years. Second, make the total members be nine. The five would be Ward representation and four at-large. Each commissioner makes a selection for their respective ward. Commissioner Wead seconded the motion. We will need to post the openings to the website. Open for two weeks. Commissioner DeBrosse asked if they could suggest specific sections of the charter. Ms. Stiltner answered yes. For further clarification there will be an attachment provided by

Jonathan Wessel.

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.

Presented by Kayla. An annual bond until paid off. Valerie Mulliken asked how this affects the wastewater enterprise fund? Sunset and High Street have a lot of problems. There was just a water main break in the summer. We have shuffled too much money, and it's now costing us money. Jerrie Harlwell asked what these bonds are? Where do these bonds come from? Asked about city income tax for schools. Shouldn't the data center land be reassessed? Is the land included in the CRA abatement? Is there any thought about rescinding the city income tax? Mayor Vetter asked if this is just a matter of paying us back, no issuance of new bonds. Kayla clarified that is true.
This is a first reading. There was no vote.

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

Presented by Kenton Kiser. Steve Yenney wanted to say Mr. Wessel would do a good job. In 2024, BZA meetings were streamed on YouTube.The Planning Commission went a whole year without posting any videos until Mr. Yenney spoke to Kyle Hinkleman in February. Then it was another three months before he actually got some videos online, but they were all on Civic plus. Why can't we get back to what we were doing in 2024? Commissioner Wead made the motion to approve. Seconded by Commissioner Walker. All in favor. Motion carried. .

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

There were two applicants for this board, John Graham and Jean Franz as read by Commissioner Wead. The commissioners voted to table this resolution as they were not prepared to discuss and make a decision at this meeting. There were no public comment cards. Commissioner Wead made the motion to table. Seconded by Commissioner Simmons. All in favor. Motion to table carried.

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

Presented by Kenton Kiser. This is brought at the property owners' request to split 8.5 acres into two parcels, one being 3.5 acres and the other 5.0 with a 25 ft access easement and a 20 ft storm sewer easement. This was passed by a vote of 5-0 at the Planning Commission meeting on July 14, 2026. There were no public comment cards. Commissioner DeBrosse asked Mr. Kiser to clarify the location of the parcel. One lot has a tool rental shop and the other a church. The motion to approve was made by Commissioner DeBrosse. Seconded by Commissioner Wead. All in favor. Motion carried.

CITY MANAGER'S REPORT

Staff has been hosting community events, including the Lock 9 series, which continues every weekend. For a full schedule, see the website piquaoh.gov/lock9
National Night Out is tomorrow night in Troy at Troy Park. There is also a local one in the 200 block of W. Greene St. 6-9
There is Shakespear in the Park coming up on Saturday, August 8th, and Movie in the Park Sunday, August 9th and The Longest Table Community Picnic is Saturday, August 29th in front of the library.
Washington Road closure for utility improvements starts tomorrow through the end of October. The work will be completed in two phases to minimize disruption. Local traffic will continue to have access to homes and businesses within the work zone. The detour map can be found on the website
Community members are invited to participate in the mussel relocation program between August 12 and 14th. See Kevin Krejny.
Piqua Fire Department recently launched the youth fire setting prevention and intervention program. See the website piquaoh.gov/fire.
Recognize Police Lieutenant Chris Yingst. He was recently honored as the first responder of the game during the Dayton Dragons annual police night. Lieutenant Yingst was selected in recognition of his life-saving actions during an emergency response involving a juvenile who had stopped breathing.

COMMISSIONERS COMMENTS

Commissioner Simmons relocated his mussels above his beltline. He can now move pain free.
Commissioner Walker thanked Joe Wilson for putting together National Night Out. Rick Byron wanted to point out that all the cities were asked to participate in the Troy National Night Out.
Commissioner DeBrosse announced the power project is doing a back-to-school bash August 20th 1–4 at Lock 9. It includes backpacks, haircuts, Second a dirty soda fundraiser for Piqua Cheerleaders at O'Reilly's.
Commissioner Wead wanted to point out Public Comment will be on YouTube.
Mayor Vetter shared that Elen Electronic Recycling has acquired the former OrrFelt building and has announced plans to transform the property into one of the largest, most innovative, environmentally friendly electronic recycling hubs in the nation. The project will create new employment opportunities for the community and will result in significant investment in the building to ready it for operations expected to begin in 2028. Piqua has been awarded a grant of $190,000 from the Ohio Department of Development building demolition and site revitalization program to support demolition of the commercial building located at 204 N. Wayne St.

ADJOURNMENT

Commissioner Simmons made a motion to adjourn the business portion of the meeting.

Commissioner Walker seconded. The meeting was adjourned at 8:29.

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.)

____
JIM VETTER, MAYOR

PASSED: ____________________________________

ATTEST: ____________________________________
COMMISSION CLERK

City of PIQUA

PIQUA CITY COMMISSION PUBLIC HEARING MINUTES
TUESDAY, AUGUST 11, 2026

CALL TO ORDER

The Public Hearing was called to order at 6:00 PM.

THE PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

ROLL CALL

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

MAYOR OPENS PUBLIC HEARING

1) Review meeting procedures to be followed.

Mayor Vetter explained the procedure for this evening's meeting:
Persons wishing to speak during the public comment period must register in-person at the start of the meeting.
All present and requesting to speak will be required to swear-in at the beginning of the meeting.
The hearing will provide an opportunity for the city commission to receive information from and ask questions of the presenters and speakers.

2) Mass swearing-in by Mayor Vetter

Mayor Vetter gave an explanation of the oath before the mass swearing in:

Typically, zoning, employment, investigatory, or other "public hearings" swear in those who will discuss/present/comment.
The City is keeping a record of tonight's public hearing given the City's Charter requirements for a Franchise.
Everyone who is providing information, regardless of whether it is proponent or opponent information – including city staff, developer representatives, and individuals who sign up for public comment – will be sworn in.

Now, I am going to swear in all individuals who plan to provide a proponent's or opponent's testimony through the presentation or public comment periods.

Please stand, raise your right hand, and repeat after me, "I solemnly affirm and swear to tell the truth, the whole truth, and nothing but the truth."

Mayor Vetter asked all wishing to speak this evening to stand, and please raise their right hand.

The language is from R.C. 2317.30 and Evidence Rule 603.

3) Rules of Conduct

Mayor Vetter explained that the usual Rules of Conduct will apply to this hearing.

PUBLIC HEARING

1) The Public Hearing is to discuss Ordinance No. O-7-26. A Franchise between 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.

Mayor Vetter read Ordinance No. O-7-26, a franchise between Dayton Power and Light d/b/a AES Ohio and the City of Piqua to construct, maintain and operate city electric facilities within the city and stated this is the purpose of the meeting.

PRESENTATION

1) Staff Report

Presented by RJ Monnier, who wanted to note before starting that the ordinance has been amended in two significant ways after the project team and AES heard concerns from the public and commission. First, the term has been reduced from 40 years to 30 years and second, the amended ordinance includes a $1 million per year franchise fee payable to the city as consideration for granting the franchise agreement. AES specifically with whom this agreement is with is investing more than $100 million in infrastructure improvements to its network to serve this customer. The book life of those assets is up to 40 years and AES will use tools and cash to build that infrastructure. Both entities require assurance that their investments will be available to utilize in the future and the term provides that assurance and aligns the terms of the agreement with the useful life and expect a recovery period of the infrastructure.
Questions that have come up: Can Piqua be the provider of record for the project? No, the city does not have the capability to provide that amount of power. The data center requires a transmission connection at 138 kilovolts which the city does not have. Various options were explored, but none were considered viable.
What revenue was Piqua actually giving up? Roughly $500 dollars a month. The primary financial benefit to Piqua being the provider of record will be the kilowatt-hour tax, not significant utility revenue from the customer's operational load. Piqua currently peaks at 66 megawatts. The project is requesting 1400 megawatts for their operational load. On the construction side, 10 megawatts can fit in our existing network. We can serve it on our poles and wires and that is why we are able to add that load to the customer base as the provider and charge a demand component as revenue to the power system. But that distinction becomes particularly important when

considering what would happen if a 1400 megawatt operational load were treated as a PCA customer. That load will be figured into Piqua's contribution to the Dayton transmission peak and the PJM 5CPS from which a large portion of our power bill is figured. Their load, being approximately 20 times the size of the cities, would drastically increase the obligations to those entities and pickle's power costs as a result. Now the customer would pay for those costs while operational. But consider a scenario in which a 1400 megawatt load became part of Pickle's system behind Piqua's meter and subsequently left. I estimate the potential exposure in that scenario to be approximately $1585 million at the low end and as much as $220 million in stranded transmission and capacity cost associated with that load which will be payable within one year of the load leaving the system as in a deposit or other adequate security mechanism. That obligation would ultimately be borne by Piqua's power system and, therefore, its existing rate payers. The risk is entirely disproportionate to the size of our utility.
Chris Schmiesing spoke about the economic benefits. Forecasted community revenue sources include reinvestment area pilot payments in lieu of taxes, often referred to as pilots, tax increment financing payments in lieu of taxes, and income taxes on wages and salaries. The development agreement requires the data center company to make annual pilot payments to the city of Piqua, Piqua City Schools, and Upper Valley Career Center during the period each building improvement is receiving a community reinvestment area tax exemption. The estimated new revenue amounts that will be received from the pilots the company will pay during the exemption period include $1.8 million annually to the City of Piqua, $300,000 to the Piqua City Schools and $39,000 to the Upper Valley Career Center. The tax increment financing designation placed on the subject parcel will allow the new tax amounts generated by the increase in the valuations to be captured into a TIFF fund. The first 50% of the TIFF revenues collected go to the city of Piqua, Piqua City Schools, and Upper Valley Career Center with the school districts receiving 100% of the new revenues captured off of the increase in the land valuation. The second 50% of the TIFF revenues uh will go to the data center company for eligible cost it will incur to install the public infrastructure at no cost to the city. The estimated annual tiff amounts to be received include $1.9 million to the city of Piqua, $1.2 million to the Piqua City Schools, and over 170,000 to the Upper Valley Career Center. related to income taxes. The construction of the data center and the ongoing operations will result in a significant number of jobs and income taxes on wages and salaries and business earnings. With the estimated new revenue amounts from the income taxes, including an annual average amount of 2.9 million to the city of Piqua, an annual average of over $200,000 to Piqua City Schools.

2) Representative from entity seeking franchise agreement

Rob Beeler AES Ohio is here to address the questions and comments from the commission meetings of July 7 and July 21. The City of Piqua currently receives a transmission of 69 volts, whereas the project will require 345-volt transmission. Mr. Beeler presented three bullet points.
1) AES Ohio ability to serve the customer. The franchise agreement is permission from the City of Piqua to serve only this customer.
2) The terms of the franchise agreement. The utility investments are intended to be in place for a long time. These assets are often depreciated over 40 years and the terms of this agreement were initially set to closely align with the life of the assets. This franchise agreement offers the ability to continue this customer only to reduce the risk of changing service terms and;
3) Consideration of granting the franchise agreement. The city will receive several benefits with the approval of the franchise agreement. First, the relocation of the 69 KV line at no cost to the city and

second, an annual franchise fee that was mentioned previously.

3) Representative from project necessitating franchise agreement

Mike Sutinary, attorney for J5, LLC on energy matters. In order to be served reliably, the project will require an interconnect to a high voltage transmission system. This type of interconnection requires significant labor and construction activity on high voltage transmission systems that large utilities like AES Ohio are accustomed to doing. The franchise agreement will allow J5 to contract directly with AES Ohio, not only for service but also for the buildout for the of the necessary transmission infrastructure. With the negotiated changes to the franchise agreement in which J5 was involved, the city will directly benefit through the payment of a significant franchise fee by AES Ohio to be reimbursed by J5 and that payment goes to the city. Now, in addition to labor and construction activity, the interconnection process requires coordinating with various state and federal agencies, including the Federal Energy Regulatory Commission, the Ohio Power Signing Board, which has jurisdiction over large transmission facilities. And this coordination requires significant involvement from legal project team members and other internal external shareholders. Large transmission and distribution utilities like AES Ohio have extensive experience coordinating with these agencies and J5 is a counterparty to the AES Ohio agreements and will be involved with that coordination. Now, given the complexities associated with interconnecting large data center loads, we believe that it's important to have this franchise agreement in place. Further, having this franchise agreement in place, which was as was mentioned earlier, ensures that the project has a framework in place that allows the project to source power from the broader transmission grid and the retail supply market and that's a very important point and that'll happen when the facilities are constructed and become operational.

4) Representative from data center industry

Ken McDonald independent consultant. Specializes in data centers in NC, SC and OH going back 20 years, those were primarily cloud-based and are thriving. The data centers have been a boom in the areas they were built. Especially for schools, small business and infrastructure. He states property values and school performance go up due to the reinvestment into the community.

PUBLIC COMMENTS

1) Citizens and interested parties registered to speak will be called to present comments; the time limit is 5 minutes per speaker

Stu Shear has lived in many different places and negotiated many contracts within the government at many levels. Mr. Shear came back to Piqua to retire. Over the last six years, Piqua has had a bit of a mess. If the contract was renegotiated to 30 years and 1 million, why not 20 and 5 million? He feels it can be done. Suggests the whole contract be renegotiated professionally from "stem to stern." Commissioner DeBrosse asked the questions Mr.Shear had to RJ, so they could be answered. Why not 20 years and $5 million dollars? Second question. In the deal before us, are we giving away control of the utilities? Mr. Beeler from AES came back up to explain that he does not represent the contract but said the typical life of this agreement is 40 years but was reduced to 30 to benefit the customers. As to the control of the utilities, the city cannot service the data center's

operation load needs.
Scott Phillips expressed his appreciation to Commissioner DeBrosse for trying to have an open dialog this evening. The citizens feel like they have been kept in the dark. It doesn't seem like we are getting a fair deal. We want to know who we are really signing a contract with? AES is potentially selling, so are we protected? Commissioner Walker was pro business when running but wanted responsible growth. Mr. Phillips said he liked that. Mr. Phillips read a statement releasing Mayor Vetters' from service to the Piqua Governor's Council. Effective immediately, all duties are void, no voting rights and this is from Save Piqua voters.
Kathy Hostetter read a statement believes it's important to look at the whole picture a data center's investment can bring to the community in the form of high-paying jobs and the spending on local businesses. Look not just at the number of jobs but at the future for Piqua.
Richard Price read a prepared statement. When the AES substation was built. Not one letter was sent to the residents. In the Ohio Supreme Court Case Boggs vs, Cleveland, the city could be sued as a foreign municipality. Placing a humming high voltage substation 10 feet from his home is unconstitutional. From the beginning, Paul Oberdorfer did not take an oath of office, so, without having done so, anything he did for the data center, according to Article 15, Section 7 of the Ohio Constitution explicitly states that every person chosen to appointed office under the state shall before entering upon discharging their duties taking oath to support the Constitution and faithfully discharge the office.There's a statutory duty Ohio Revised Codes 323. All officers and appointees must take the oath of office before performing any official functions.Without completing these prerequisite legal steps, the individual Paul Oberdorfer lacks the dour authority to bind the city, meaning any official acts or contract executions attempted beforehand are legally vulnerable or invalid. Under Ohio law and standard municipal governance, a contract signed by city manager prior to a city commission vote and by an individual who never took an oath of office is considered legally void or unenforceable from its inception. There's Bricker Graydon municipal contracts are bound by strict statutory local charter restrictions. These exact facts trigger three major legal deficiencies that can invalidate the agreement. Again, article 15, section 7, he's got to sign his oath of office. Because a city manager never completed the basic legal qualifications for office, he doesn't possess the legal capacity to execute a binding contract on behalf of the taxpayers of Piqua. Ohio municipal law, city manager cannot independently contract for professional legal services unless explicitly authorized by the charter or a resolution passed by the commission first. Also, under Ohio municipal law, a contract before the legislative body votes to approve it is an impermissible act and all this makes it void. Ohio courts upheld public entering into a contract without prior authorizing vote or appropriation of funds from the city.
Rich Spraggs wanted to say first, I'm so proud to be a part of the passionate, dedicated people who are here tonight with So just the two brief things I have to say is, you've made some progress on amending this agreement, but we've got something that AES wants. We've got to take advantage of that demand. So, I'd urge more work be done to get a better deal.
Michael Sherry asked Paul Simmons to act out a scenario where AES came and asked to buy his property for significantly less than its value, but when he said no because he knew the value. Please reconsider this is a "crown jewel". Don't give it away.
Susan Spidel spoke about the environmental impact of a massive data center. This is a complicated issue and, due to past issues, there is a lack of trust. She thought she would be living out her days here, but more conversations are about where are we going to go now? Commissioner Walker asked if someone would speak about the noise and environmental impacts. The data center expert

came up and said that while you hear construction noise, you don't hear the hum as referenced. Jonathan Wessel thinks the automatic renewal of the franchise is a violation of our charter. Mr. Wessel read section 104 of the city charter. "No franchise shall be granted, amended or renewed except by ordinance." The ordinance before us renews automatically, in conflict with our charter. The section continues, "Any such ordinance shall clearly specify the streets, alleys, public ways, places, and grounds of the city in, over, upon, or under which the privilege is granted." There is no list. How will this affect folks like Mr. Price? Can AES run transmission lines in any right-of-way? Should the customer seek to expand the facility through the acquisition of contiguous property that will also be utilized for data center activities, the city shall approve, upon request. That should go. If it is a foregone conclusion that the city could never serve this data center load or any future one, then we don't need that promise because it will be just as apparent when the next request comes around. Next, AES explicitly agrees it will not seek to own, construct, or operate any generation within city limits without first obtaining the express written consent of the city. The city is not defined. So, is that R.J.'s signature? Is that the city manager's signature? Or does that require a vote of this commission? Section four, if AES Ohio violates its obligations of this ordinance and is subject to the cure provision set forth in section five. So, hopefully you've got a copy of the ordinance in front of you. If you turn to section five, what you will find is that there is no cure provision. The million dollars AES gave us in this agreement is just enough to break even as power costs went up a million this year. Proposed dollar for dollar as our rates go up, we get a dollar back from J5. Commissioner DeBrosse asked Ryan Spitzer from Isaac Wiles to explain the charter provision regarding the automatic renewal of the franchise. Ryan answered that is Who is "The City"? Ryan answered it was The City of Piqua. Commissioner DeBrosse followed up by clarifying who would be signing? Ryan answered, as it's an ordinance, it would be the commission. Commissioner DeBrosse asked if that could be specified in the franchise. Ryan responded he would make any revisions they ask of him. Also, section 6 of the agreement foregone taxes.
Jerrie Hartzell thinks we need to get a different attorney. Ms. Hartzell gave an example of a divorced couple with no assets who you use as an attorney really doesn't matter, but if you are talking about one party has billions of dollars and the other has a mountain of debt, the attorney you have representing you means everything. A new attorney could bring a fresh perspective, and we could maybe remove some of the bias. Has a question about the city's ability to expand, and doesn't believe this will be contained to 600 acres. Commissioner Walker asked about potential expansion. Mr. Beeler responded that there are no plans. Any expansion would have to go before all the usual processes.
Alexander Hessler utility revenue calculated using AI. The city only stands to receive 1/400th of what AES stands to make on this deal. There is no other franchise agreement like this one in Ohio, maybe in the United States. This agreement has no safeguards. Commissioner DeBrosse asked if the city can manage this infrastructure. RJ answered no. Our equipment cannot, our employees cannot. Commissioner DeBrosse asked if there are any safeguards. RJ thinks the agreement is a safeguard as the project is taking on the expense. Commissioner DeBrosse asked Mr. Beeler if there are similar franchise agreements like this? The answer is no.
Alisha Lange a lot of people feel nothing they say means anything. She appreciates the dialog Commissioners DeBrosse and Walker have tried to bring tonight. She appreciates RJ. This is a start. It is highly irresponsible to make any decisions when we have an interim city manager, interim finance director and the mayor. Commissioners of ward three and ward five are being recalled. She hopes tonight is not because of the recall. The people here do not want this.

Emily Niederbach wants to know why the citizens' voices are not being heard. What is this project? What if this project does not work out? It is not too late to replant the trees. She left to go to school and came back as a mental health professional for children. This is her greatest fear: a data center.
Craig Mullenbrock has four questions which he submitted ahead of time. Commissioner DeBrosse asked if AES is privatized will it be regulated? Yes.
Karen Wessel read a statement. A public hearing is not a rubber stamp to approve an agreement. This agreement was only just rewritten yesterday.
Damon Wilson proposed a 20-year agreement, 20 million dollars. Mr. Wilson told a story about Motorolla coming into a small town Harvard pop. 5000. They made it successful but then they pulled out. Devastated the town.
Valerie Mulliken knows if AES comes into Piqua we lose. How do you build trust and confidence before you have a track record? You first have to ask why you took on this role.
Tom Hudson went back to November 2025 and Kris Lee, Tom Hohman, Jim Vetter and Frank DeBrosse waived the three reading rule. Mr. Hudson asked where the law director was. Rick Byron answered the law director on vacation. Mr. Hudson asked why the law director thought this was a good time to take a vacation.
Kim Heisler, Nobody seems to understand the agreement. Every question asked, everyone just looks at each other but doesn't seem to have the answer. Ms. Heisler showed a petition that kids signed who are against the data center.
Jim Heigel 30 years ago, he was at a meeting where it was disclosed the big 3 did not use the most power, but Cargill. It's now going to close in a year, and most of the auto plants are gone. Now AES is set to be sold to Black Rock. This agreement should benefit the City of Piqua. The site was only supposed to be a little over 300 acres. Now it's 600 acres.
Katie Koehler Wagner asked why the data center was passed as an emergency. What is the rush? If we know Black Rock is buying AES, why are we rushing? The schools do not need data center money, they need the state to properly fund the school as they should. The citizens do not want this. Kill the deal by killing the power. Commissioner Simmons asked Mayor Vetter to answer the question, what was the emergency?
Natalie Young asked the commission to continue to negotiate. The real question is what is the value of what we are giving them?
Solei Larkson comes before the commissioner today to slow down. The city is in turmoil. We have lost the city manager, finance director, purchasing manager, and economic development director. We need to slow down. The commission has the right to examine every document and

COMMISSIONER COMMENTS

Commissioner Simmons, we had 22 speakers tonight. Of that, 21 or 95.4% spoke against this data center.
Commissioner Walker thanked everyone for attending tonight.
Commissioner DeBrosse thanked the city staff for putting the meeting together. Obviously, negotiations are still active.
Commissioner Wead was here in November 2025. Said Paul Simmons was at the meeting and knew there was going to be an emergency.

ADJOURNMENT

The meeting was adjourned at 9:06 PM.

JIM VETTER, MAYOR

PASSED: ____________________

ATTEST: ____________________

COMMISSION CLERK

Ordinance No. O-7-26

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 30 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, 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 thirty (30) 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 (1) year 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. (A) 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. (B) If AES Ohio violates its obligation to make the annual payment by the date required described in Section 6, then the City shall notify AES Ohio and AES Ohio shall have sixty (60) days from receipt of such notification to cure such violation of this Agreement. If AES Ohio fails to cure such violation, then such failure to pay shall be considered a material intentional breach of this Agreement and the City may terminate this Agreement pursuant to Section 5. Regardless of any other provision of this ordinance, the City's sole remedy for AES Ohio failing to pay the annual payment is termination of the Agreement.

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 shall be required to make an annual payment of one-million dollars ($1,000,000.00) to the City, to be reimbursed by Customer, and the first payment shall be made by AES Ohio to City within thirty (30) days of the Acceptance Date, and the second payment, and each annual payment thereafter, shall be made by the annual anniversary of the Acceptance Date, provided that if the Acceptance Date is a weekend or banking holiday, the next business day; and, 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: ________________________

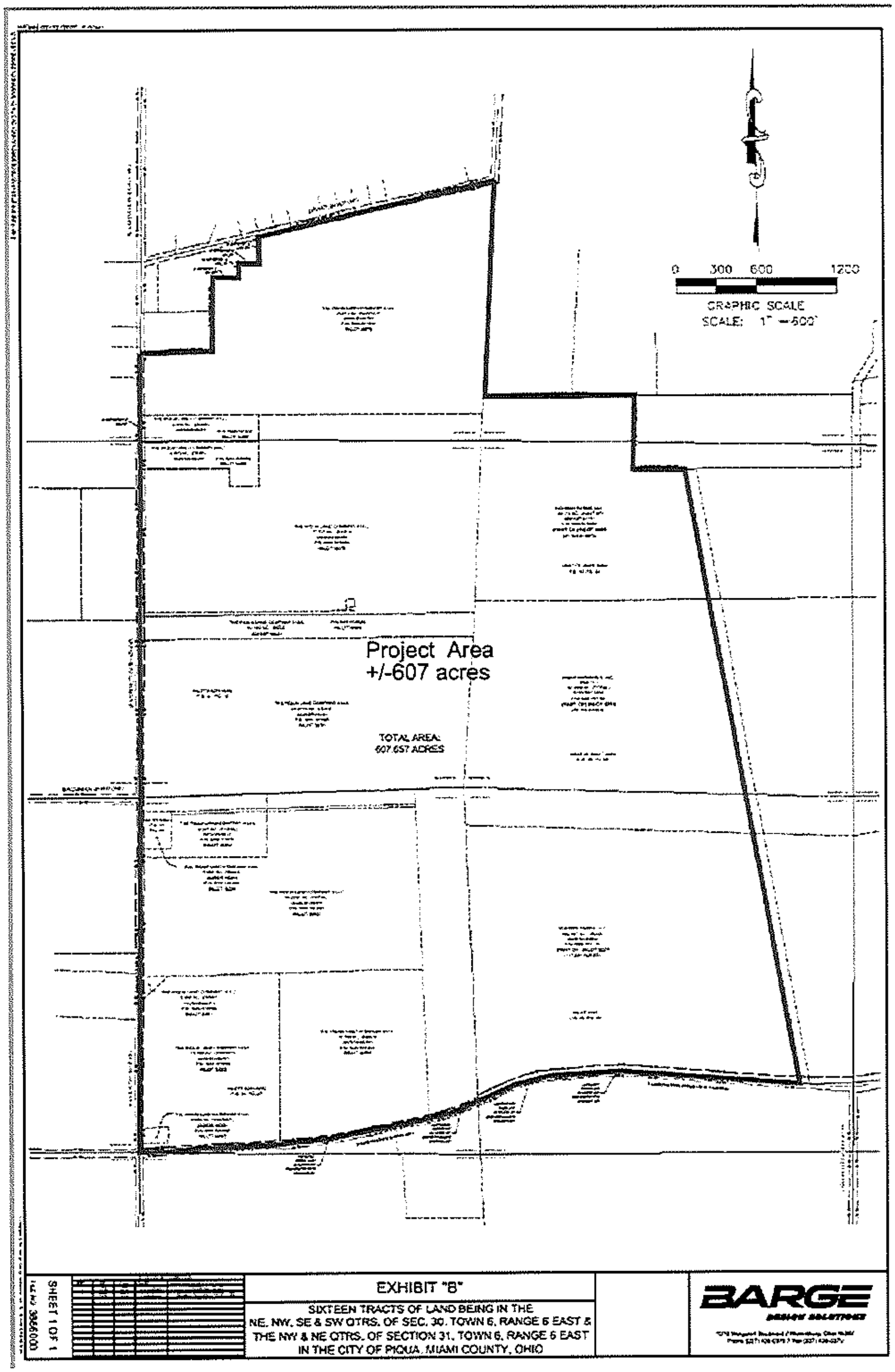
ATTEST: ________________________

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 Phillip Wead __________

Exhibit A



110061618v1

MEMO

To: City Commission
From: Rick Byron
Cc: Chris Schmiesing, RJ Monnier
Date: August 10, 2026

Re: Amendment to Franchise Agreement Ordinance

Commissioners:

City staff communicated to AES/J5 the City Commission's concerns pertaining to the duration of the franchise term and the absence of a franchise fee. AES/J5 acknowledged the concerns and noted their intent to be good community partners. The response from AES/J5 was to request the franchise agreement ordinance be amended to address the Commission's concerns, including the following modifications:

- An annual franchise fee payment to the City by the Customer in an amount of $1 million dollars each year.
- A 60-day cure period for failing to make an annual payment on time with a provision allowing City to terminate for failure to make payment.
- A reduction in the initial term of the franchise period to 30 years.

The amendment request letter and the amended version of the franchise agreement ordinance are included with this memo for your reference.

aes Ohio

August 7, 2026

Chris Schmiesing
City of Piqua
201 W Water St
Piqua, OH 45356

RE: Ordinance No. O-7-26

Dear Mr. Schmeising,

AES would like to request amendments to the ordinance [Ordinance No. O-7-26] for the City Commission's consideration at the public hearing on Aug 11.

If you require additional information, please contact me directly at robert.beeler@aes.com .

Sincerely,

Robert Beeler
AES Ohio

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 18, 2026
REPORT TITLE	**Ordinance No. O-10-26 (Second 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	

<u>CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY</u>

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-10-26

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 18, 2026
REPORT TITLE	**Resolution No. R-92-26** A resolution appointing Jean Franz 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. Jean Franz is my preferred candidate as she has served on a variety of boards.
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $: Expenditure $: Source of Funds: Narrative:
ATTACHMENTS	1. DH - Board Recommendation Civil Service 2. BoardCommitteeApplication John Graham Civil Service 3. Jean Franz Boards and Committees Application Redacted (1)

<u>Resolution No. R-92-26</u>

A resolution appointing Jean Franz 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: Jean Franz 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	__________

City of PIQUA

DATE: August 10, 2026

TO: Catherine Bogan

RE: Civil Service

Please submit your recommendation for the 1 openings

APPLICANT	RENEWAL	NEW	RECOMMENDED	REASON
Jean Frantz		X	YES ☒ NO ☐	Prior service on Boards
John Graham			YES ☐ NO ☐	
			YES ☐ NO ☐	

Sent to Commissioners ___________

Resolution prepared______________

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]

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 pay 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:*

(●) Yes ( ) No

Land Phone Line [redacted]

How did you find out about this position?

( ) Word of Mouth ( ) City Website ( ) Social Media (●) 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 Essiential tremors

Jean

inherited

I have a medical condition 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 18, 2026
REPORT TITLE	**Ordinance No. O-11-26 (First Reading)** An ordinance to submit a Petition for Submission of Proposed Amendment to Charter Section 138 Prohibition of Construction of a Data Center and declaring an emergency
SUBMITTED BY	Kimberly Hughes, Admin. Assistant City Commission
AGENDA CLASSIFICATION	Ordinance
BACKGROUND	On July 24, 2026, the clerk's office received a Petition for the Submission of Proposed Amendment to the Charter: Section 138 Prohibition of Construction of a Data Center. On August 6, 2026, a Certificate of Insufficiency was issued due to no affidavits attached pursuant to Section 27 of the Piqua City Charter. On August 10, 2026, the petitions were returned to the commission clerk, certified and taken to the Miami County Board of Elections with 440 signatures. The petition was received back to the commission clerk's office with 352 verified signatures. Pursuant to the Piqua City Charter Section 135, the petition shall be presented to the City Commissioners for placement in the next election.
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $: N/A Expenditure $: N/A Source of Funds: N/A Narrative: N/A
ATTACHMENTS	1. Petition for Submission of Proposed Amendment to Section 138

<u>Ordinance No. O-11-26 (First Reading)</u>

An ordinance to submit a Petition for Submission of Proposed Amendment to Charter Section 138 Prohibition of Construction of a Data Center and declaring an emergency

WHEREAS, the City Commission Clerk has received a petition from the Committee of Petitioners; and

WHEREAS, the City Commission Clerk and Miami County Board of Elections have certified the petitions to be valid pursuant to the City of Piqua Charter Section 135 and Section 27; and

WHEREAS, this Ordinance constitutes an emergency requiring the immediate preservation of the public, peace, health or safety because the Commission wishes to have this ordinance placed on the ballot on November 3, 2026, and the deadline for that election has already passed.

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:

SEC. 1: Upon approval of this Ordinance by the Piqua City Commission, the proposed amendment shall be submitted to the electors at the next regular election if one shall occur not less than sixty (60) nor more than one hundred twenty (120) days after passage of the Ordinance providing for its submission. This election shall occur on November 3, 2026.

SEC. 2 Notice of the proposed amendments may be advertised electronically or by newspaper advertising.

SEC. 3: This Ordinance is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua as the Commission wishes to have this Ordinance placed on the ballot on November 3, 2026, and the deadline for that election has already passed. Pursuant to City of Piqua Charter Section 12 and provided this Ordinance receives the required affirmative vote of at least seventy-five percent (75%) of the Commission, this Ordinance shall take effect and be in force immediately upon the Commission's passage.

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 Jim Vetter ____________
Commissioner Rick Walker ____________
Commissioner Paul Simmons ____________
Commissioner Philip Wead ____________
Commissioner Frank DeBrosse ____________

Form No. 6-B Prescribed by Ohio Secretary of State (09-17)

Petition for Submission of Proposed Amendment to Charter

Constitution of Ohio, Art. XVIII, Section 9 and 14; R.C. 731.28 - .41, 3503.06

To be signed by ten percent of the electors, based upon the total vote cast at the last preceding general municipal election.

(**NOTE** – The below notice must be printed in red.)

NOTICE – Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter is liable to prosecution.

To the Council, the legislative authority of the Piqua (City or Village) of Miami County, Ohio.

We, the undersigned, qualified electors of the Piqua (City or Village) of Miami County, Ohio respectfully petition the legislative authority to forthwith provide by Ordinance, for the submission to the electors of said city or village, the following proposed amendment to the Charter of said city or village to-wit:

FULL TEXT OF PROPOSED CHARTER AMENDMENT

Be it Resolved by the People of the City of Piqua that the Charter of the City of Piqua is hereby amended to add Section 138 to Miscellaneous Provisions to read as follows:

Section 138 Prohibition of Construction of a Data Center

(A) The construction of a data center is hereby prohibited.

(B) As used in this Section, “construction” shall mean the erection of one or more buildings, infrastructure, facilities, and related activities, which include preparations and modifications for same, for a common purpose.

(C) As used in this Section, “data center” shall mean one or more buildings or physical facilities or infrastructure, located on a single real property parcel or on contiguous, adjacent, or otherwise aggregated real property parcels that:
(1) Are used primarily or exclusively for digital information services such as the management, storage, processing, and dissemination of electronic data and information through the use of computer systems, servers, networking equipment, and related components, including equipment cooling systems; and
(2) Has an aggregate monthly demand or peak load of greater than twenty-five (25) megawatts, however derived from any energy source, or a combination thereof.

(D) This Section is self-executing.

Petition ID: 260860
Part: 1
Valid: 45
Invalid: 20
Initials: MH

City of PIQUA

COMMISSION AGENDA STAFF REPORT

<table>
<tr><td>MEETING DATE</td><td colspan="2">August 18, 2026</td></tr>
<tr><td>REPORT TITLE</td><td colspan="2"><u>Resolution No. R-94-26</u>
A Resolution to Levy Assessments to pay for the Cost of Nuisance Abatements</td></tr>
<tr><td>SUBMITTED BY</td><td colspan="2">Kayla White, Interim Finance Manager
Finance</td></tr>
<tr><td>AGENDA CLASSIFICATION</td><td colspan="2">Resolution</td></tr>
<tr><td>BACKGROUND</td><td colspan="2">City code authorizes the abatement of nuisance conditions on properties when necessary and such activity includes mowing high grass, removing trash, trimming trees, and demolishing structures. When abatement occurs, the cost of the abatement activity plus an administration fee is billed to the property owner. If the property owner fails to pay for the cost of the abatement, the costs incurred by the City are certified to the County Auditor and placed on the property as a special assessment. The County Auditor accepts special assessment requests from local governments once each calendar year.</td></tr>
<tr><td rowspan="4">BUDGET/FINANCIAL IMPACT
(Project costs and funding sources)</td><td>Budgeted $:</td><td></td></tr>
<tr><td>Expenditure $:</td><td></td></tr>
<tr><td>Source of Funds:</td><td>Reimbursement of $42,529.90</td></tr>
<tr><td>Narrative:</td><td>This Resolution will allow for the amount expended by the City to complete nuisance abatement activities to be placed on the subject properties as a special assessment.</td></tr>
<tr><td>ATTACHMENTS</td><td colspan="2">1. 2026 Assessed City Abatements Summary</td></tr>
</table>

Resolution No. R-94-26
A Resolution to Levy Assessments to pay for the Cost of Nuisance Abatements

WHEREAS, Chapter 91 of the Piqua Code of Ordinances requires the abatement of nuisances; such as grass and weed cutting, trash and debris removal, property maintenance improvements, demolition of structures, and similar actions; and

WHEREAS, Chapter 91 of the Piqua Code of Ordinances also sets forth the power to summarily abate nuisances and certify the cost of said abatements to the County Auditor for collection of the costs the same as other taxes and assessments are collected;

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 assessment of the costs for nuisance abatements, as reported to this Commission in Exhibit "A" attached hereto, are hereby adopted and confirmed.

SEC. 2: There is hereby levied and assessed upon the lot(s) improved by the aforementioned nuisance abatements as described in Exhibit "A", the amount reported as costs in Exhibit "A".

SEC. 3: All unpaid assessments shall be certified by the Clerk of this Commission to the County Auditor, as provided by law, to be by him placed on the tax duplicate and collected as other taxes are collected. Said assessment shall include the cost of publishing and serving of any and all notices, ordinances, and resolutions required.

SEC. 4: At any time after the adoption of this Resolution should the City Law Director or Finance Director enter into a settlement with the property owner regarding his assessments, the Law Director or Finance Director shall have the authority to request the Auditor remove the assessment without any further action by the City Commission.

SEC. 5: 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
ASSESSMENTS FOR NUISANCE ABATEMENTS

N44-005663	2026	31-260	$2,450.00
N44-007600	2026	31-260	$400.00
N44-011280	2026	31-260	$450.00
N44-012670	2026	31-260	$500.00
N44-013140	2026	31-260	$1,425.00
N44-014340	2026	31-260	$1,200.00
N44-015800	2026	31-260	$750.00
N44-018350	2026	31-260	$300.00
N44-018780	2026	31-260	$500.00
N44-019157	2026	31-260	$725.00
N44-019990	2026	31-260	$450.00
N44-020850	2026	31-260	$400.00
N44-023620	2026	31-260	$2,025.00
N44-023710	2026	31-260	$2,250.00
N44-027230	2026	31-260	$800.00
N44-028430	2026	31-260	$600.00
N44-028550	2026	31-260	$650.00
N44-029600	2026	31-260	$1,800.00
N44-031320	2026	31-260	$2,550.00
N44-035320	2026	31-260	$2,375.00
N44-035740	2026	31-260	$1,050.00
N44-036940	2026	31-260	$1,550.00
N44-038450	2026	31-260	$1,350.00
N44-039090	2026	31-260	$1,200.00
N44-039520	2026	31-260	$1,400.00
N44-040510	2026	31-260	$500.00
N44-041020	2026	31-260	$1,650.00
N44-042790	2026	31-260	$750.00
N44-045680	2026	31-260	$750.00
N44-052160	2026	31-260	$750.00
N44-053560	2026	31-260	$1,000.00
N44-061560	2026	31-260	$2,175.00
N44-063560	2026	31-260	$850.00
N44-072608	2026	31-260	$450.00
N44-073208	2026	31-260	$400.00
N44-078554	2026	31-260	$600.00
N44-090720	2026	31-260	$2,116.00
N44-101764	2026	31-260	$700.00

Total Grass Cutting **$ 41,841.00**

N44-090720	2026	31-270	$185.00
N44-023710	2026	31-270	$229.00

Total Trash **$ 414.00**

N44-002330	2026	31-245	$ 274.90

Total Maintenance **$ 274.90**

Total Assessments **$ 42,529.90**

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 18, 2026
REPORT TITLE	**Resolution No. R-95-26** A resolution to transfer ownership shares of an issued liquor permit from Turnkey Holding LLC, Sunset Drive Thru located at 122 N. Sunset Dr., N End, Piqua, OH 45356 to OM Anjaneyam of MotorInn DineIn LLC located at 122 N. Sunset Dr., Piqua, OH 45356
SUBMITTED BY	Jessica Stiltner, Director Law
AGENDA CLASSIFICATION	Resolution
BACKGROUND	A transfer of ownership of an issued liquor permit for Turnkey Holding LLC, Sunset Drive Thru located at 122 N. Sunset Dr., N End, Piqua, OH 45356 to OM Anjaneyam of MotorInn DineIn LLC located at 122 N. Sunset Dr., Piqua, OH 45356. A copy of the legislative notice is attached.
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:
	Expenditure $:
	Source of Funds:
	Narrative:
ATTACHMENTS	1. Sunset Drive True

<u>Resolution No. R-95-26</u>

A resolution to transfer ownership shares of an issued liquor permit from Turnkey Holding LLC, Sunset Drive Thru located at 122 N. Sunset Dr., N End, Piqua, OH 45356 to OM Anjaneyam of MotorInn DineIn LLC located at 122 N. Sunset Dr., Piqua, OH 45356

WHEREAS, Chapter 4303 of the Ohio Revised Code authorizes the Ohio Division of Liquor Control to issue liquor permits within the state of Ohio; and

WHEREAS, Chapter 4303 of the Ohio Revised Code authorities the legislative authority of a municipal corporation to object to the issuance, transfer, or renewal of a liquor permit within the limits of such municipal corporation and request a hearing thereon, and

WHEREAS, the Piqua City Commission has received from the Ohio Division of Liquor Control an application for the transfer of ownership of the liquor permit currently issued to Turnkey Holding LLC, Sunset Drive Thru located at 122 N. Sunset Dr., N End, Piqua, OH 45356 to OM Anjaneyam of MotorInn DineIn LLC located at 122 N. Sunset Dr., Piqua, OH 45356.

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

SEC. 1: The City Commission of the City of Piqua has no objection to the transfer of the currently issued liquor permit from Turnkey Holding LLC, Sunset Drive Thru located at 122 N. Sunset Dr., N End, Piqua, OH 45356 to OM Anjaneyam of MotorInn DineIn LLC located at 122 N. Sunset Dr., Piqua, OH 45356 and does not request a hearing.

SEC. 2: The legislative notice will be sent by the Clerk of Commission to the Ohio Division of Liquor Control no later than August 31, 2026.

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 Rick Walker	______________
Commissioner Paul Simmons	______________
Commissioner Philip Wead	______________
Commissioner Frank DeBrosse	______________

City of
PIQUA

DATE: August 4, 2026

TO: City of Piqua – Interim Chief of Police Dave Thomas
City of Piqua – Law Director Jessica Stiltner
City of Piqua – Economic Development Director Chris Schmiesing
City of Piqua – City Commissioners

From: Kim Hughes, City of Piqua – Clerk of Commission

LIQUOR PERMIT APPLICATION

Please review the attached application to transfer the existing liquor permit from OM Anjaneyam of MotorInn Dinein LLC located at 122 N. Sunset Dr., Piqua, OH 45356 to Turnkey Holding LLC Sunset Drive Thru located at 122 N Sunset Dr, N. End Piqua, OH 45356.

The attached notice was received in the Clerk of Commission Office on July 17, 2026, with notification due to the Ohio Division of Liquor Control no later than August 31, 2026.

	Objects	No Objections
Interim Chief of Police Dave Thomas		✓
Law Director Jessica Stiltner		✓
Economic Development Director Chris Schmiesing		✓

	Objects	No Objections
Mayor Vetter		
Commissioner DeBrosse		
Commissioner Walker		
Commissioner Simmons		
Commissioner Wead		

Ohio Department of Commerce
Division of Liquor Control

com.ohio.gov

Mike DeWine, *Governor* Jim Tressel, *Lt. Governor* Sherry Maxfield, *Director*

RECEIVED
JUL 27 2026

PIQUA CITY COUNCIL
ATTN CLERK
201 W WATER ST
PIQUA OH 45356

NOTICE TO LEGISLATIVE AUTHORITY

TO

10017635-1 PERMIT NUMBER		TRFO TYPE	OM ANJANEYAM OF MOTORINN DINEIN LLC OM ANJANEYAM OF MOTORINN DINEIN 122 N SUNSET DR PIQUA OH 45356 Muni/Village/Twp: Piqua
ISSUE DATE:			
FILING DATE: 6/29/2026			
PERMIT CLASSES: C-1 C-2			
55077 TAX DISTRICT	JUN	RECEIPT NO	

FROM 6/30/2026

09108839-1 PERMIT NUMBER		TYPE	TURNKEY HOLDING LLC SUNSET DRIVE THRU 122 N SUNSET N END PIQUA OH 45356 Muni/Village/Twp: Piqua
ISSUE DATE:			
FILING DATE:			
PERMIT CLASSES:			
55077 TAX DISTRICT	JUN	RECEIPT NO	

MAILED 6/30/2026 **RESPONSES MUST BE POSTMARKED NO LATER THAN** ~~07~~ 08 **/31/2026**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: **JUN TRFO 10017635-1**
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT ☐ IN COLUMBUS

WE DO NOT REQUEST A HEARING ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title) - ☐ Clerk of City Council (Date)
☐ Township Fiscal Officer

(Printed Name) (Email Address) (Telephone No.)

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 18, 2026	
REPORT TITLE	**Resolution No. R-96-26** A resolution to approve the application for a new liquor permit to be issued to Piqua Oil LLC, Piqua Shell 1935 Covington Ave., Piqua, OH 45356	
SUBMITTED BY	Jessica Stiltner, Director Law	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	This is an application for the issuance of a new liquor permit for Piqua Oil, LLC, Piqua Shell, located at 1935 Covington Ave., Piqua, OH 45356. The legislative notice from the Department of Commerce is attached.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	
	Expenditure $:	
	Source of Funds:	
	Narrative:	
ATTACHMENTS	1. Piqua Shell	

<u>Resolution No. R-96-26</u>

A resolution to approve the application for a new liquor permit to be issued to Piqua Oil LLC, Piqua Shell 1935 Covington Ave., Piqua, OH 45356

WHEREAS, Chapter 4303 of the Ohio Revised Code authorizes the Ohio Division of Liquor Control to issue liquor permits within the state of Ohio; and

WHEREAS, Chapter 4303 of the Ohio Revised Code authorities the legislative authority of a municipal corporation to object to the issuance, transfer, or renewal of a liquor permit within the limits of such municipal corporation and request a hearing thereon, and

WHEREAS, the Piqua City Commission has received from the Ohio Division of Liquor Control a notice of a new application for a liquor permit for Piqua Oil LLC, Piqua Shell located at 1935 Covington Ave., Piqua, OH 45356.

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

SEC. 1: The City Commission of the City of Piqua has no objection to the issuance of a liquor permit to Piqua Oil LLC, Piqua Shell located at 1935 Covington Ave., Piqua, OH 45356.

SEC. 2: The legislative notice will be sent by the Clerk of Commission to the Ohio Division of Liquor Control no later than August 31, 2026.

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 Rick Walker ______________
Commissioner Paul Simmons ______________
Commissioner Philip Wead ______________
Commissioner Frank DeBrosse ______________

City of
PIQUA

DATE: August 4, 2026

TO: City of Piqua – Interim Chief of Police Dave Thomas
City of Piqua – Law Director Jessica Stiltner
City of Piqua – Economic Development Director Chris Schmiesing
City of Piqua – City Commissioners

From: Kim Hughes, City of Piqua – Clerk of Commission

LIQUOR PERMIT APPLICATION

Please review the attached application to issue a new liquor permit to Piqua Oil, Piqua Shell located at 1935 Covington Ave., Piqua, OH 45356.

The attached notice was received in the Clerk of Commission Office on July 27, 2026, with notification due to the Ohio Division of Liquor Control no later than August 31, 2026.

	Objects	No Objections
Interim Chief of Police Dave Thomas		✓
Law Director Jessica Stiltner		✓
Economic Development Director Chris Schmiesing		✓

	Objects	No Objections
Mayor Vetter		
Commissioner DeBrosse		
Commissioner Walker		
Commissioner Simmons		
Commissioner Wead		

Ohio Department of Commerce
Division of Liquor Control

com.ohio.gov

Mike DeWine, *Governor* Jim Tressel, *Lt. Governor* Sherry Maxfield, *Director*

PIQUA CITY COUNCIL
ATTN CLERK
201 W WATER ST
PIQUA OH 45356

RECEIVED
JUL 27 2026

NOTICE TO LEGISLATIVE AUTHORITY

TO

10018608-1 PERMIT NUMBER		**NEW** TYPE	**PIQUA OIL LLC** **PIQUA SHELL** **1935 COVINGTON AVENUE** **PIQUA OH 45356**
ISSUE DATE:			
FILING DATE: **7/15/2026**			
PERMIT CLASSES: **D-2 D-3 D-3A**			**Muni/Village/Twp: Piqua**
55077 TAX DISTRICT	**JUN**	RECEIPT NO	

FROM **7/16/2026**

PERMIT NUMBER		TYPE	
ISSUE DATE:			
FILING DATE:			
PERMIT CLASSES:			
TAX DISTRICT		RECEIPT NO	

MAILED 7/16/2026 **RESPONSES MUST BE POSTMARKED NO LATER THAN 08/~~16~~ 31/2026**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: **JUN NEW 10018608-1**
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT ☐ IN COLUMBUS

WE DO NOT REQUEST A HEARING ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title) - ☐ Clerk of City Council (Date)
☐ Township Fiscal Officer

(Printed Name) (Email Address) (Telephone No.)

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 18, 2026	
REPORT TITLE	**Resolution No. R-97-26** A resolution to authorize the City Manager to execute an amendment to a contract with Hutton Piqua OH ST, LLC for the purchase / sale of real property	
SUBMITTED BY	Chris Schmiesing, Director, RJ Monnier, Director Economic Development	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	Resolution R-77-25 approved the execution of a purchase and sale agreement with Hutton Piqua OH ST, LLC pertaining to the proposed redevelopment of a 0.52 acre site located on E. Ash Street. The agreement included a provision assigning the cost of relocating and or improving certain water main and traffic signal infrastructure to the Buyer (Hutton). The proposed amendment will add to this provision of the agreement to include costs related to certain electric infrastructure that will also need to be relocated and were not specifically referenced in the originally adopted agreement.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	146,953.60
	Expenditure $:	146,953.60
	Source of Funds:	Power
	Narrative:	Power to be fully reimbursed in accordance with the terms of the agreement
ATTACHMENTS	1. 1st AM_Piqua OH (City Lot E Ash St) (024118Dp3) 20260727-8-13-2026 Final	

<u>Resolution No. R-97-26</u>

A resolution to authorize the City Manager to execute an amendment to a contract with Hutton Piqua OH ST, LLC for the purchase / sale of real property

WHEREAS, the City of Piqua and Hutton Piqua OH ST, LLC previously entered into a Contract to Buy and Sell Real Property with an Effective Date of July 2, 2025, (the “Contract”) relating to the purchase of approximately 0.52 acres of land located on E Ash Street in Piqua, Ohio; and

WHEREAS, the City of Piqua and Hutton Piqua OH ST, LLC desire to amend the Contract as more fully set forth in the First Amendment to Contract to Buy and Sell Real Property, included herewith as Exhibit A.

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

SEC. 1: The City Manager is hereby authorized to execute the First Amendment to Contract to Buy and Sell Real Property, included herewith as Exhibit A.

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 Frank DeBrosse	________
Commissioner Paul Simmons	________
Commissioner Rick Walker	________
Commissioner Philip Wead	________

Exhibit A

FIRST AMENDMENT TO CONTRACT TO BUY AND SELL REAL PROPERTY

THIS FIRST AMENDMENT TO CONTRACT TO BUY AND SELL REAL PROPERTY (the "Amendment") is made and entered into as of this __ day ___________ 2026 by City of Piqua, an Ohio municipality, ("Seller") and Hutton Piqua OH ST, LLC, an Ohio limited liability company ("Buyer").

Recitals

A. Buyer and Seller previously entered into a Contract to Buy and Sell Real Property with an Effective Date of July 2, 2025, (the "Contract") relating to the purchase of approximately 0.52 acres of land located on E Ash Street in Piqua, Ohio. Unless defined herein, all initially capitalized terms used herein shall have the meanings set forth for such terms in the Contract.

B. Buyer and Seller desire to amend the Contract as more fully set forth below.

Amendment

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Property**. Buyer and Seller agree that the area of the Property shall be 0.544 acres instead of the 0.52 acres originally described in the Contract. Exhibit A to the Contract shall hereby be amended to be that attached hereby as **Exhibit 1-A** to this Amendment.

2. **Closing Date**. Section 1.o. is hereby restated to read as follows:

"***o. Closing Date****: the day on which the Closing occurs. The Closing Date shall be a business day specified by Buyer on or before October 25, 2026*."

3. **Improvements**. Section 5.b. of Exhibit B of the Contract is hereby restated to read as follows:

b. Improvements:

- ***Improvements by Buyer****. Buyer, at its sole expense and in conjunction with its development of the Property, shall perform certain work on or jointly benefiting the Buyer's property and Seller's Retained Property, consisting of rerouting fiber optic lines, rerouting of a water main, traffic signal improvements, access point improvements, and as depicted on Exhibit E (collectively, "Improvements"). The Buyer shall be granted temporary construction easements as needed for Buyer to perform Buyer's Work. Buyer agrees to indemnify, defend, and hold harmless Seller, the City of Piqua, its officers, agents, and employees from and against any and all claims, damages, losses, liabilities, or expenses (including reasonable attorney fees) arising out of or related to the Seller's entry upon or activities within the Buyer's property or Seller's retained property.*

- ***Improvements by Seller****. Seller, at the expense of and in conjunction with the Buyer's development of the Property, shall perform certain work on and for the benefit of Buyer's Property, consisting of the relocating of electric poles and electric lines, as depicted in* ***Exhibit 1-F*** *(collectively, "Improvements"). The Seller shall grant temporary construction* *easements as needed for Seller to perform Seller's Work. The Buyer shall reimburse Seller for the entire amount of the expenses incurred by Seller to perform Seller's Work. The approximate amounts are $21,388.12 for materials, $91,324.48 for labor, and $34,240.00 for equipment. Buyer understands and accepts that the prices above are only estimates and may vary. Buyer will be responsible for the total final cost as determined by Seller. Buyer's failure to reimburse Seller for work performed will result in Seller withholding connection to power system distribution network.*

4. **Counterparts.** This Amendment may be executed in one or more counterparts, each of which shall be deemed an original and said counterpart shall constitute but one and the same instrument which may be sufficiently evidenced by one such counterpart. A facsimile, electronic, or telecopier signature shall be deemed an original for all purposes with respect to the execution of this Amendment.

5. **Effect of Amendment.** As modified by this Amendment, the Contract remains in full force and effect.

IN WITNESS WHEREOF, Buyer and Seller have executed this Amendment as of the date set forth above.

BUYER:	**SELLER:**
Hutton Piqua OH ST, LLC, An Ohio limited liability company	City of Piqua, an Ohio municipality
By: ______________________________	By: ___________________________
Name: ____________________________	Name: _________________________
Its: ______________________________	Its: ___________________________
Date: _____________________________	Date: __________________________

Exhibit 1-A

Depiction or Legal Description of the Land

Land located at (no number assigned) East Ash Street in the City of Piqua, Miami County, Ohio, also known as a portion of tax parcel number N44-250056, and as depiction below:

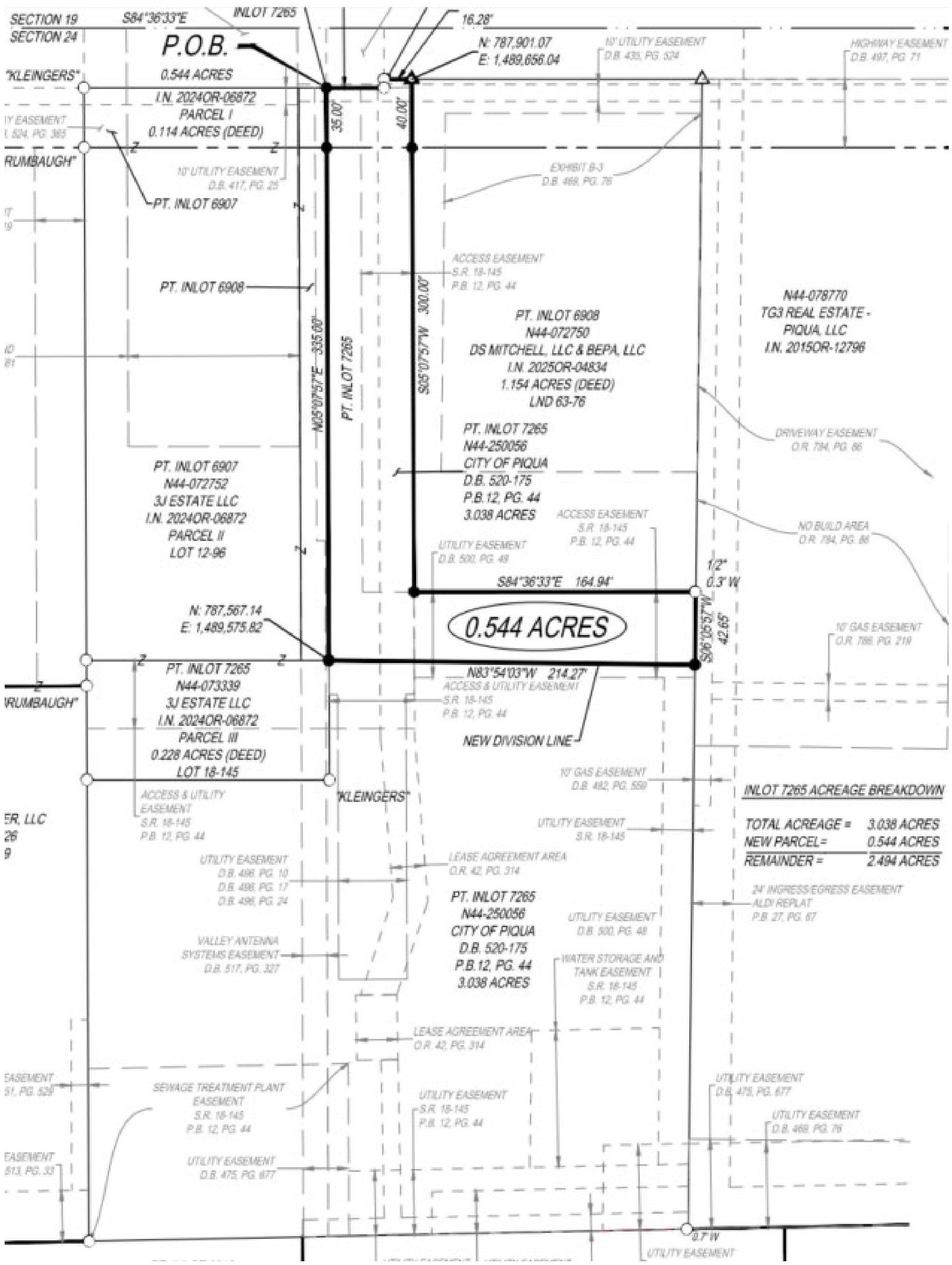
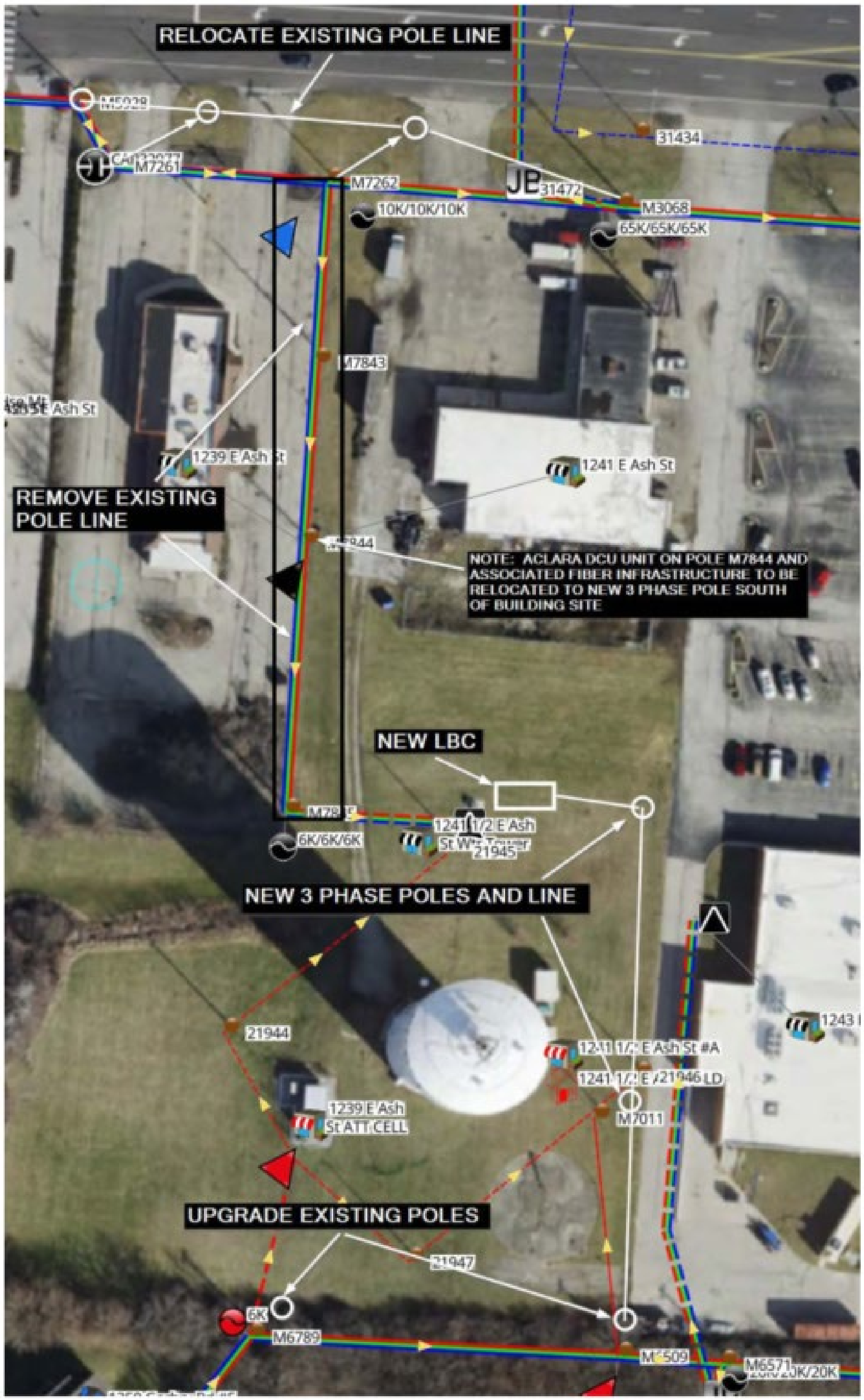


Exhibit 1-F

Improvements by Seller



City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 18, 2026
REPORT TITLE	**Resolution No. R-98-26** A resolution authorizing the Interim City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required for the Boone, Garbry, Hemm & Lenox Water Improvements Project
SUBMITTED BY	Kenton Kiser, Engineering Manager Community Services
AGENDA CLASSIFICATION	Resolution
BACKGROUND	This resolution would allow for the Interim City Manager to file an application with the Ohio Public Works Commission (OPWC) for funding for the Boone, Garbry, Hemm & Lenox Water Improvements Project. The project will consist of replacing a 6" unlined cast iron main on Lenox Street which has been prone to breaks over the last few years. A 2" galvanized iron line on Boone Street is prone to breaks as well and undersized to serve as a water main. Both of these water mains will be replaced with an 8" ductile iron pipe water main which will enhance volume, fire suppression and provide better stability for the overall water system. The Garbry Road 12" water main installment will provide a secondary line to the area between the Great Miami River and I-75. This would provide needed redundancy to the water system in this area. The Hemm Road 12" water main installment would become an interconnection for supplying water to the Fox Drive water tower and will aid in water for the south end of Piqua. If the funding is received, this project will be designed in 2027 and will be scheduled to start construction in the summer of 2028.
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $: 0 Expenditure $: Costs will be included in the 2027/2028 Budgets Source of Funds: Water (403) Fund

	Narrative:	Currently, the preliminary total project cost (including Engineering & Construction) is estimated to be $1,250,000. The grant request through OPWC is going to be around $600,000 but the amount could vary depending on funding availability for this cycle.
ATTACHMENTS	1. Exhibit A - Location Maps	

<u>Resolution No. R-98-26</u>

A resolution authorizing the Interim City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required for the Boone, Garbry, Hemm & Lenox Water Improvements Project

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Piqua is planning to make capital improvements with the Boone, Garbry, Hemm & Lenox Water Improvements Project; and

WHEREAS, the infrastructure improvements herein above described are considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission programs.

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

SEC. 1: The City of Piqua approves filing an application with the Ohio Public Works Commission for funding for the Boone, Garbry, Hemm & Lenox Water Improvements Project.

SEC. 2: Rick Byron, Interim City Manager, is hereby authorized and directed to apply to the Ohio Public Works Commission for funds as described above and to provide all information and documentation and enter into and agreements as may be necessary and appropriate for obtaining this financial assistance.

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

Water Main Improvements:

Grant Proposal Maps

City of Piqua, Ohio

Dept. of Community Services

8 August 2026

Boone, Garbry, Hemm & Lenox Water Improvements Project

City of PIQUA

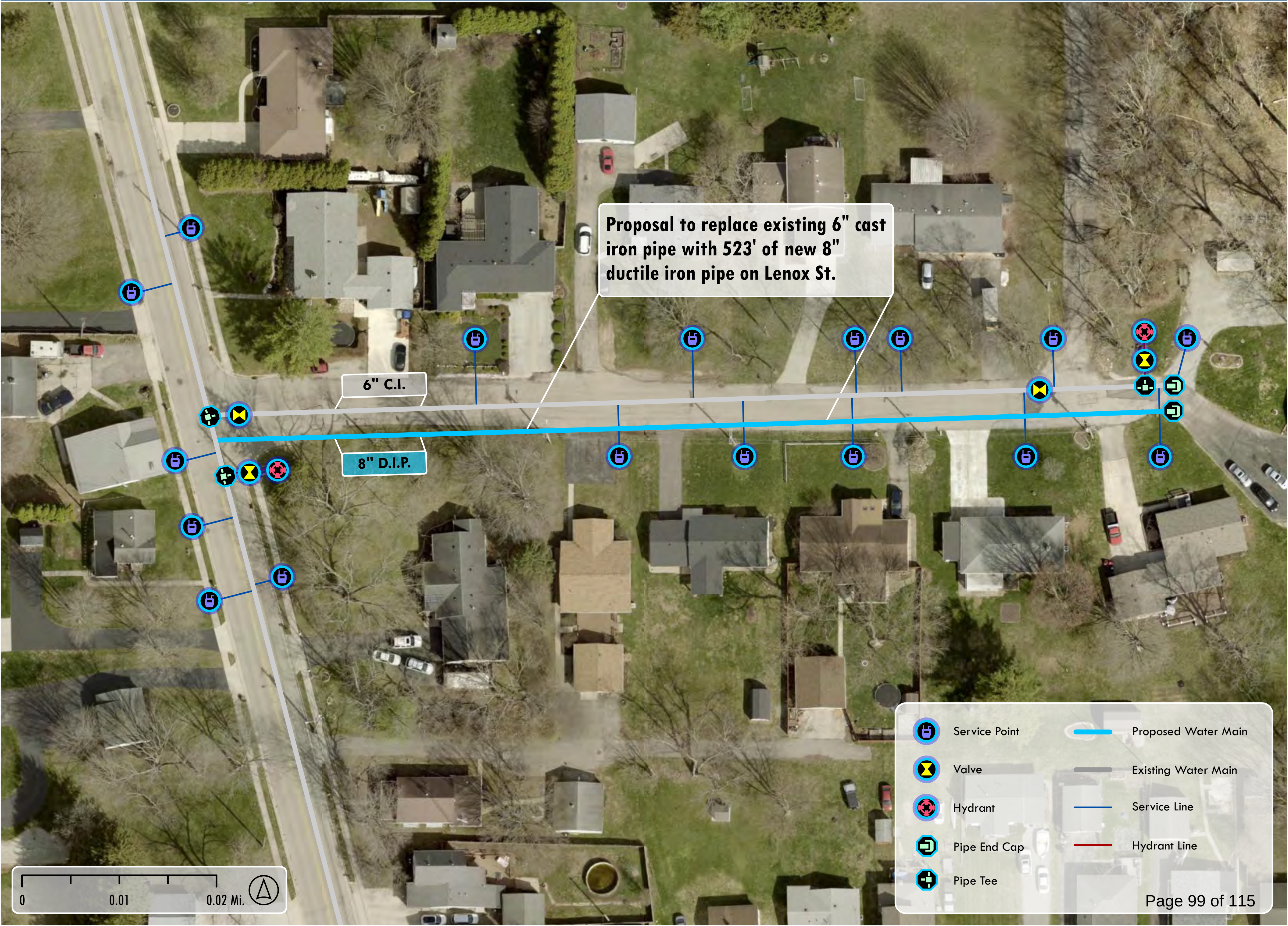
Boone, Garbry, Hemm & Lenox Water Improvements Project

City of PIQUA

BOONE, GARBRY, HEMM & LENOX WATER IMPROVEMENTS PROJECT

City of PIQUA

Boone, Garbry, Hemm & Lenox Water Improvements Project



City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 18, 2026
REPORT TITLE	**Resolution No. R-99-26** A resolution vacating a utility easement for Parcel ID #N44-076556
SUBMITTED BY	Kenton Kiser, Engineering Manager Community Services
AGENDA CLASSIFICATION	Resolution
BACKGROUND	The applicant has submitted a request to vacate a 20-foot utility easement at 1841 W. High Street, Piqua, Ohio, recorded in the Miami County Recorder's Office. The property is zoned IH (Industrial Heavy) under the City of Piqua Development Code. The vacation is ought to facilitate the construction of an addition exceeding 20,000 square feet; note that the engineering plans for the addition have been separately approved by the City's Engineering Division and are not part of this review. The easement is no longer required for active utility purposes, as confirmed by the Utilities Department.
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 - 1841 W High Street Easement Vacation

<u>Resolution No. R-99-26</u>

A resolution vacating a utility easement for Parcel ID #N44-076556

WHEREAS, pursuant to the City of Piqua Development Code, the Planning Commission has taken action on the utility easement vacation for Parcel ID #N44-076556, as shown in Exhibit "A" attached ; and

WHEREAS, the Planning Commission met in open session and took public comment regarding the proposed utility easement vacation; and

WHEREAS, the Piqua Planning Commission reviewed the application, and heard public comment at their October 14, 2025 meeting and voted to recommend approval with a 3-0 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 utility easement vacation, as shown in Exhibit "A" attached.

SEC. 2: The Interim City Manager shall cause the utility easement vacation 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 16-25

A RESOLUTION RECOMMENDING APPROVAL TO THE CITY COMMISSION FOR THE VACATION OF AN EASEMENT AT 1841 W. HIGH STREET, PIQUA, OHIO

WHEREAS, the property located at 1841 W. High Street, Piqua, Ohio, is subject to an easement recorded in the Miami County Recorder's Office, as identified in the application and supporting documents; and

WHEREAS, the applicant has requested the vacation of said easement to facilitate a commercial addition to the existing facility; and

WHEREAS, the proposed vacation of the easement is consistent with the goals of the City's comprehensive plan and zoning regulations to promote efficient land use and development while ensuring public safety and welfare; and

WHEREAS, the Piqua Planning Commission has reviewed the application, including surveys, plats, and testimony provided in the public hearing, and finds that the vacation of the easement will not adversely impact public utilities, access, or the surrounding neighborhood, provided that any necessary conditions are met; and

NOW THEREFORE BE IT RESOLVED, board member Mr. Underwood hereby moves to recommend approval of the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member Mr. Harvey and the voting record on this motion is hereby recorded as follows.

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

Adopted this 14 day of October, 2025.

Chairman, Planning Commission

~~Bradley C. Bubp~~
Eddie Harvey, Vice Chairman

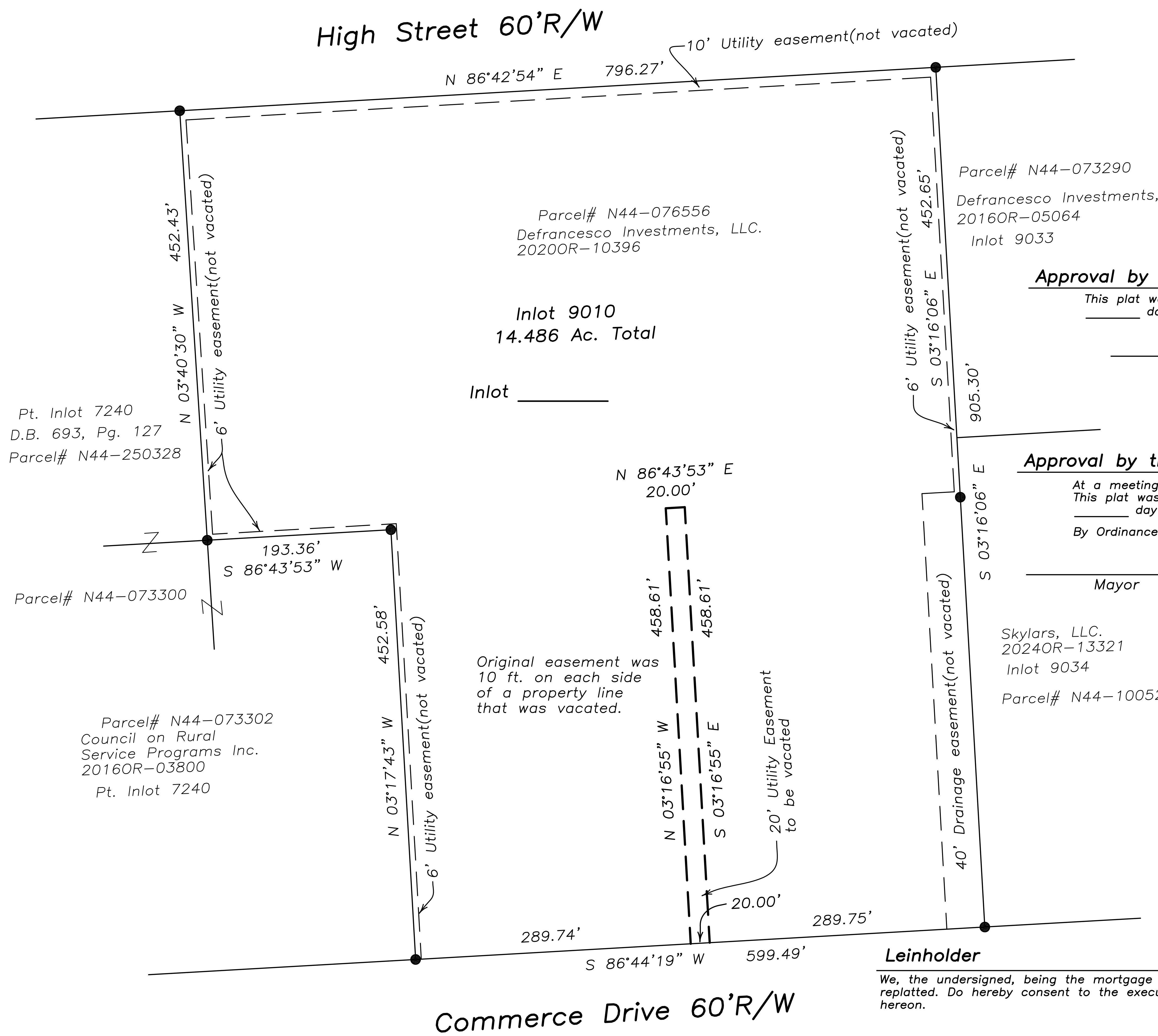
Clerk, Planning Commission

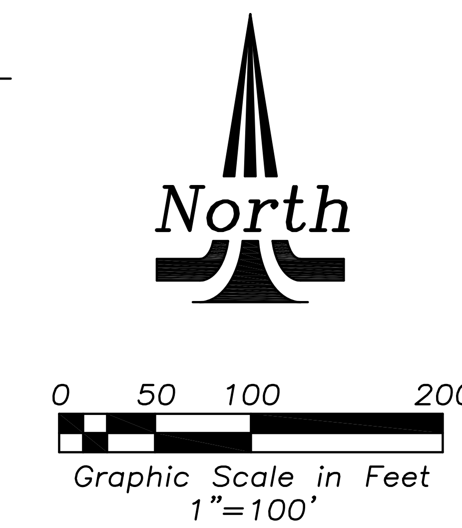
Emily McCulla

Replat – Utility Easement Vacation Inlot 9010

PLAT BOOK ______ PAGE ______
MIAMI COUNTY RECORDER'S RECORD OF PLATS

S.W.	9010	PIQUA	MIAMI	OHIO
SECTION	INLOT	CORPORATION	COUNTY	STATE





FEE ______________

______________ BY: ______________
MIAMI CO. RECORDER DEPUTY
APPROVED AND TRANSFERRED WITH LOT NOS.
ASSIGNED THIS _____ DAY OF __________, 20____

______________ BY: ______________
MIAMI CO. AUDITOR DEPUTY

Approval by the City of Piqua Planner

This plat was reviewed and approved this
_______ day of _____________, 2025

____
Chad Henry
City Planner

Approval by the City of Piqua Commission

At a meeting of the City of Piqua Commission
This plat was reviewed and approved this
_______ day of _____________, 2025
By Ordinance No. ______________

______________ Mayor ______________ Clerk

Approval by the City of Piqua Planning Commission

At a meeting of the City of Piqua Planning Commission
This plat was reviewed and approved this
_______ day of _____________ , 2025

______________ Chair ______________ Clerk

Description

Being a replat of Inlot 9010, vacating a 20 ft. utility easement in the City of Piqua, Miami County, Ohio, as recorded in Plat Book 25, Page 14 of the Miami County Recorder's Plat Records. As conveyed to Defrancesco Investments, LLC. by 2020OR-10396 of the Miami County Recorder's Deed Records.

Dedication

We, the undersigned, being all of the owners of the parcels herein replatted. Do hereby consent to the execution of said replat as shown hereon.

____
Defrancesco Investments, LLC. Authorized Representative

State of Ohio, County of Miami, S.S.

Be it remembered that on this ____ day of ______, 20____, before me, the undersigned, a notary public in and for said county and state, personally appeared authorized representative of Defrancesco Investments, LLC., the above signed, to me known, and acknowledged the signing and execution of the within plat to be his free and voluntary act and deed. In testimony whereof, I have hereunto set my hand and official seal on the day and date above written.

____
Notary Public in and for State of Ohio
My commission expires ________

Leinholder

We, the undersigned, being the mortgage holder of the parcels herein replatted. Do hereby consent to the execution of said replat as shown hereon.

____
First Financial Bank Authorized Representative

State of Ohio, County of Miami, S.S.

Be it remembered that on this ____ day of ______, 20____, before me, the undersigned, a notary public in and for said county and state, personally appeared authorized representative of First Financial Bank, the above signed, to me known, and acknowledged the signing and execution of the within plat to be his free and voluntary act and deed. In testimony whereof, I have hereunto set my hand and official seal on the day and date above written.

____
Notary Public in and for State of Ohio
My commission expires ________

I hereby certify that the above platted land is accurately represented as based on a field survey completed under my direct supervision. Done in accordance with the State of Ohio minimum requirements for boundary surveys.

Prepared By:

____
MICHAEL W. COZATT
P.S. #6001

STATE OF OHIO
MICHAEL W. COZATT S-6001
REGISTERED PROFESSIONAL SURVEYOR

COZATT ENGINEERING COMPANY
Civil Engineer Land Surveyor
1100 Wayne Street Suite 1140 Troy, OH 45373
Job No. 16625 (937) 339-2921
File Name: C:\JOBS\2025\16625replat.dwg
Drawn by: DMC ~ Checked by: MWC

Legend

- Iron Pipe Found
- Iron Pin Found
- 5/8" Capped Iron Pin Set (Cozatt, S6001)
- P.K. Nail Found
- Mag Nail Set
- Mag Nail Found

References

Miami County Recorder's Plat Records
Volume 13, Page 47 (Basis of Bearings)
Volume 21, Page 54
Volume 25, Page 14

Certified to conform with Miami County Survey Requirements

____
Miami County Engineer

____
Deputy Date

STAFF REPORT

Planning Commission

Date: October 14, 2025
Re: PC 16-25 – Easement Vacation

Applicant: Mike Cozatt, Cozatt Engineering Company
Owner: Defrancesco Investments

Address: 1841 W. High Street
Parcel #: N44-076556

Zoning: IH – 'Industrial Heavy'

Request: The applicant seeks approval to vacate a 20' utility easement

---

Staff Comments and Recommendations:

Background:

The applicant has submitted an request to vacate a 20-foot utility easement at 1841 W. High Street, Piqua, Ohio, recorded in the Miami County Recorder's Office. The property is zoned IH (Industrial Heavy) under the City of Piqua Development Code. The vacation is sought to facilitate the construction of an addition exceeding 20,000 square feet; note that the engineering plans for the addition have been separately approved by the City's Engineering Division and are not part of this review. The easement is no longer required for active utility purposes, as confirmed by the Utilities Department.

Analysis:

The proposed vacation complies with City procedures for vacating public easements, including submission of the vacation request for review by the Planning Commission for recommendation to the City Commission. The Utilities Department has verified that no active facilities occupy the easement. The vacation will not adversely impact public infrastructure, access, or surrounding properties, as the site's industrial zoning supports expansion, and the addition aligns with existing development approvals.

City of PIQUA

STAFF REPORT

Recommendation:

Staff recommends ***APPROVAL*** of the vacation of the 20-foot utility easement at 1841 W. High Street and forwarding of Resolution PC 16-25 to the City Commission for final action. Conditions, if any, should include recording of the vacation ordinance and confirmation of no utility conflicts prior to construction commencement.

City of
PIQUA

City of PIQUA

COMMISSION AGENDA STAFF REPORT

MEETING DATE	August 18, 2026	
REPORT TITLE	**Resolution No. R-100-26** A Resolution amending Resolution No. R-82-26 and 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	
SUBMITTED BY	Kevin Krejny, Director, Kenton Kiser, Engineering Manager Community Services	
AGENDA CLASSIFICATION	Resolution	
BACKGROUND	Phase III Design and Engineering work to support the infrastructure improvements related to the Piqua-J5, LLC water and sewer agreement (R-145-25). Money spent will be reimbursed back to Piqua, through several escrow accounts, set up between J5, LLC and City of Piqua.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted $:	$2,678,000
	Expenditure $:	$2,678,000
	Source of Funds:	103-105-850-8836 - $2,348,000 403-000-175-1750 - $269,000 404-000-175-1750 - $61,000
	Narrative:	Continued street, water, sewer and master planning efforts to support J5, LLC infrastructure from the 11/3/25 Water and Sewer Agreement and Development Agreement. Along with some construction inspection services.
ATTACHMENTS	1. LP+AMD3_Piqua I-75 Exit 78 Master Plan Revised Scope of Services_2026_0630	

<u>Resolution No. R-100-26</u>

A Resolution amending Resolution No. R-82-26 and 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

WHEREAS, on July 21, 2026, the City Commission for the City of Piqua unanimously approved Resolution No. R-82-26.

WHEREAS, the intent of Resolution No. R-82-26 was to authorize the Interim City Manager or City Manager, as applicable, to enter into an agreement with Fishbeck Engineering Services for Phase III of work related to a Requests for Proposals (RFP) due August 28, 2024, for the Piqua I-75 Exit 78 Development Area Master Planning, as Phases I-II have already been completed.

WHEREAS, thereafter, the City determined that the bottom language traditionally under the City's legislation (e.g, now, therefore and sections containing the Commission's substantive approval) was inadvertently missing from Resolution No R-82-26.

WHEREAS, the City Commission for the City of Piqua wants to amend Resolution No. R-82-26 by enacting this Resolution, permitting the Interim City Manager or City Manager, as applicable, to execute an Agreement with Fishbeck Engineering Services consistent with Phase III of the Piqua I-75 Exit 78 Development Area Master Planning.

WHEREAS, This Resolution with Fishbeck Engineering Services will enter into Phase III for such work.

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 Interim City Manager or City Manager, as applicable, is authorized to effectuate any documentation, including a purchase order, for Fishbeck Engineers, LLC is hereby amended to extend the agreement to increase the Engineering Services for Phase III of the Piqua I-75 Exit 78 Development Area Master Planning as described in the attached exhibits.

SEC. 2: The Finance Director has certified that funds are available or anticipated to come into the City Treasury and is hereby authorized to draw from the appropriate account of the City Treasury in payment according to the agreement terms, not exceeding a total cost of $2,678,000.

Sec 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution, including Resolution No. R-82-26, are hereby repealed as to the inconsistent parts thereof.

Sec. 4: It is hereby found and determined that all formal action of this Commission concerning and relating to the passage of this Resolution were adopted in an open meeting of this Commission, and that any and all deliberations of this Commission and any of its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SEC. 5: 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	________

fishbeck
Engineers | Architects | Scientists | Constructors

7887 Washington Village Drive, Suite 135
Dayton, Ohio 45459

937.291.9092 | fishbeck.com

June 30, 2026

Kevin Krejny
Utilities Superintendent
City of Piqua
201 West Water Street
Piqua, OH 45356

I-75 Exit 78 Development Area Master Planning & Engineering Services
Request for Amendment 3 to Professional Services Agreement

Fishbeck is pleased to submit this Request for Amendment 3 to the *I-75 Exit 78 Development Area Master Planning & Engineering Services Professional Services Agreement* executed November 1, 2024. Amendment 3 will include additional services being provided or intended to be included with the project based on recent project revisions and anticipated engineering needs to maintain project progress.

The scopes of services for Projects 1A, 3, 4, 5, 6, 7, 8, 9, 10, 13, 28, 29, and 31 remain unchanged. The scope of services for each of the following projects will be revised as follows:

<u>Project 1 – Washington Road Water Main Extension</u>

The design will be revised from approximately Station 37+00 to Station 40+00 to allow for the installation of the water main by horizontal directional drilling underneath the Leonard's Ditch culvert on Washington Road and avoid the need to acquire temporary and permanent easements on the adjacent property.

<u>Project 2 – Drake Road and Washington Road Water Main and Sanitary Sewer Extension</u>

The proposed water main and sewer alignments will be revised along Drake Road to avoid easement acquisition on two properties. The revised alignment will consist of an additional approximately 1,590 linear feet of sanitary sewer and 2,250 linear feet of water main. Fishbeck will complete site topographic survey of the revised alignments, revise the design drawings, and resubmit the OEPA Permit-to-Install and Water Supply Data Sheet for the project. The revised alignment will require an additional easement on the Hornbeck property and revisions to the previously acquired easement on the Didier property. The estimated fee for the additional scope of services is $67,000. However, these changes require no cost revision as Fishbeck will utilize existing funds remaining in the current project budget.

<u>Project 11 – Washington Road Widening</u>

This project includes design for the widening of Washington Road to 3-lanes from the Washington and Farrington Roundabout to approximately 150 feet south of Jed Way. Additional work includes sidewalk extension along the east side of Washington Road up to Manier Avenue, a sanitary sewer extension from Arrowhead Drive to Drake Road, and two culvert extensions. This project was previously designed to 30% with design fee included as part of a prior resolution.

Based upon our understanding of the project, Fishbeck offers the following scope of professional engineering services for the Washington Road Widening project.

1. Design and Plan Development
   a. Develop detailed design construction plans and technical specifications following City and Ohio Department of Transportation standards.

  b. Perform basic utility coordination through the design process. Design submittals will also be sent to utility contacts that have facilities within the project corridor for review and verification, along with each submittal to the City.
  c. Develop an Engineer's Opinion of Probable Construction Cost (OPCC) to be submitted with each plan submittal.
  d. Anticipated plan submittals are as follows:
     1) Prepare Bid/Planning Documents – 60% – October 15, 2026
     2) Prepare Final Bid Documents – 90% – February 15, 2027
     3) Final Bid Documents/Plan – 100% – May 1, 2027
  b. Conduct internal quality review of the bid documents/plan.
  e. Fishbeck assumes a review meeting with the City after each submittal.
2. Easement Acquisition
  a. Provide property acquisitions services to acquire easements and right-of-way for five parcels located on Washington Road for the construction of the power distribution system.

<u>Project 11A – Washington Road and Farrington Road Roundabout</u>

This project includes a multilane roundabout at the intersection of Washington Road and Farrington Road and road widening to 5-lanes along Farrington Road for approximately 1,500 feet up to the creek crossing to help facilitate drainage away from the roundabout. The roundabout was previously designed to 30% under the Washington Road Widening project. Due to discussions between the development team and the City's team, it was decided that the roundabout would move ahead as its own project, ahead of the road widening projects.

Based upon our understanding of the project, Fishbeck offers the following scope of professional engineering services for the Washington Road and Farrington Road Roundabout project.

1. Design and Plan Development
  a. Develop detailed design construction plans and technical specifications following City and Ohio Department of Transportation standards.
  b. Perform basic utility coordination through the design process. Design submittals will also be sent to utility contacts that have facilities within the project corridor for review and verification, along with each submittal to the City.
  c. Develop an Engineer's OPCC to be submitted with each plan submittal.
  d. Anticipated plan submittals are as follows:
     1) Prepare Bid/Planning Documents – 60% – October 1, 2026
     2) Prepare Final Bid Documents – 90% – January 15, 2027
     3) Final Bid Documents/Plan – 100% – March 15, 2027
  e. Conduct internal quality review of the bid documents/plan.
  f. Fishbeck assumes a review meeting with the City after each submittal.
2. Easement Acquisition
  a. Provide property acquisition services to acquire right-of-way for six parcels located adjacent to the Washington Road and Farrington Road intersection for the construction of the roundabout.

<u>Project 12 – Farrington Road Widening – Washington Road to CR 25A</u>

This project includes design for the widening of Farrington Road to 5-lanes from the creek crossing approximately 1,500 feet east of the Washington Road and Farrington Road Roundabout to CR 25A. Widening work and restriping will also take place along CR 25A to add additional turn lanes. Additional work includes signal replacement and upgrades at the Farrington Road and CR 25A intersection, up to two multilane roundabouts between Experiment Farm Drive and CR 25A, and two culvert replacements. This project was previously designed to 30% with design fee included as part of a prior resolution.

Based upon our understanding of the project, Fishbeck offers the following scope of professional engineering services for the Farrington Road Widening project.

1. Design and Plan Development
    a. Develop detailed design construction plans and technical specifications following City and Ohio Department of Transportation standards.
    b. Perform basic utility coordination through the design process. Design submittals will also be sent to utility contacts that have facilities within the project corridor for review and verification, along with each submittal to the City.
    c. Develop an Engineer's OPCC to be submitted with each plan submittal.
    d. Anticipated plan submittals are as follows:
        4) Prepare Bid/Planning Documents – 60% – August 1, 2027
        5) Prepare Final Bid Documents – 90% – December 1, 2027
        6) Final Bid Documents/Plan – 100% – March 1, 2028
    e. Conduct internal quality review of the bid documents/plan.
    f. Fishbeck assumes a review meeting with the City after each submittal.

<u>Project 14 – Master Planning</u>

Fishbeck will update the Master Plan Report to include revised water demands and sanitary sewer flow and update the recommended improvements as needed. The document will be finalized based on current planning for the I-75 Exit 78 Development Area.

<u>Project 15 – RPR Services (Water/Sewer/Streets)</u>

As the projects move into the construction phase, planning for construction observation services, also called Resident Project Representative (RPR) services, will be provided to the City on an as-needed basis. Due to the various types, sizes, and complexity of projects being completed, the timing and duration of these services is difficult to predict. Based on our understanding of the RPR needs, Fishbeck requests that the City budget additional funds for RPR services that will be necessary for projects related to water, sewer, and street improvements. RPR services will be provided in accordance with Construction Observation (Resident Project Representative) Phase Services described in the draft version of the Fishbeck *Request for Amendment No. 1* submitted to the City, dated April 1, 2025.

The project revisions described in the paragraphs above will be incorporated into the *I-75 Exit 78 Development Area Master Planning & Engineering Services Professional Services Agreement* with the following amended fees. Amendment 3 will add $2,678,000 to the previously authorized fee amount of $4,671,200, bringing the total fee amount to $7,349,200.

Amendment 3 Fee Summary Table

Project No.	Project Name	Fee Amendment
1	Washington Road Water Main Extension	$8,000
2	Drake Road and Washington Road Water Main and Sanitary Sewer Extension	$0
11	Washington Road Widening	$366,000
11A	Washington Road and Farrington Road Roundabout	$690,000
12	Farrington Road Widening – Washington Road to CR 25A	$1,092,000
14	Master Planning	$122,000
15	RPR Services (Water/Sewer/Streets)	$400,000
Total Amendment Fee		$2,678,000

Below is a one-page document that tabulates and summarizes the projects from the initial stages of the Master Plan to the current date.

										Amendment 3						
											Amendment 1	Amendment 2	Amendment 3			
Project No.	Project Name	**Amendment 3**	Fishbeck Project No.	Piqua PO No.	Engineering Fee	Engineering Fee	Engineering Fee	OEPA Review Fee	Property Acq.	Total Res. #1	Total Res. #2	Adjustment 1	Total Res. #3	Total Fees	Project Description	Note
1	Washington Road Water Main Extension	**Horizontal Directional Drill Design**	241660	0000026228	$ 137,000.00	$29,000.00		$7,700.00	$21,600.00	$137,000.00	$58,300.00	$0.00	**$8,000.00**	$203,300.00	4,800 l.f. of 16" - Washington from Arrowhead to Development Site. **Bulletin 01 - Horizontal directional drill installation under Leonard's ditch**.	
2	Drake Road & Washington Road Water and Sanitary Sewer Extensions	**Revised Alignment Design**	241661	0000026260	$ 486,000.00	$84,000.00		$25,600.00	$98,600.00	$486,000.00	$208,200.00	$0.00	**$0.00**	$694,200.00	3,800 l.f. of 20" WM - Drake from Fox Tower to Washington; 7,900 l.f. of 24" Sewer - Drake from Hemm to Washington to Development Site. **Revised Alignment.**	
3	Drake Road Water Booster Pumping Station	N/A	241662	0000026261	$ 426,000.00	$316,000.00		$20,000.00	$22,600.00	$426,000.00	$358,600.00	$0.00		$784,600.00	6.0 MGD Water Booster Pumping Station on Drake Road.	
4	Stillwell Road Water Main Extension	N/A	2500268	0000026262	$ 388,000.00	$93,000.00		$20,000.00	$104,400.00	$388,000.00	$217,400.00	$0.00		$605,400.00	21,800 l.f. of 16" WM; Stillwell from Rt 36 to Farrington; Farrington from Stillwell to Washington; Washington from Farrington to Development Site.	
5	Farrington Road & CR 25A Water Main	N/A	2500739	0000027044	$ 261,000.00	$68,000.00		$18,200.00	$152,800.00	$261,000.00	$239,000.00	$0.00		$500,000.00	12,800 l.f. of 16" WM; Farrington east of Washington to CR 25A; CR 25A from Farrington to Fox Drive.	
6	1.5 MG Elevated Tank	N/A	TBD	0000027492		$294,000.00					$294,000.00	-$294,000.00		$0.00	**1.5 MG Elevated Tank at Farrington/Stillwell intersection.**	1
7	Washington Road Sewer	N/A	TBD	0000027493		$115,000.00					$115,000.00	-$115,000.00		$0.00	4,200 l.f. of 24" Sewer - Washington from Farrington to Bausman	1
8	Farrington Road to CR 25A Sewer	N/A	2600089	0000027494		$191,100.00					$191,100.00	$102,900.00		$294,000.00	7,350 l.f. of 18" Sewer - Farrington from Washington to CR 25A	1
9	CR 25A Sewer	N/A	2600087	0000027495		$155,000.00					$155,000.00	$82,000.00		$237,000.00	5,450 l.f. of 21" Sewer - CR 25A from Farrington to Fox	1
10	1.0 MGD Sanitary PS and FM	N/A	TBD	0000027496		$173,600.00					$173,600.00	$74,400.00		$248,000.00	1.0 MGD Sanitary PS and 1,400 l.f. of 8" FM to serve Commercial Area; pump from low point to Farrington Sewer	1
11	Washington Road Widening	**60% to 100% Design/Property Acq.**	2501301	0000027697		$170,000.00	**$292,000.00**		**$74,000.00**		$170,000.00	$0.00	**$366,000.00**	$536,000.00	1.75 Miles of Road Widening to 3 Lanes - Washington from Farrington to Jed Way	2
12	Farrington Road Widening-Washington to CR25A	**60% to 100% Design**	2501306	0000027796		$220,000.00	**$1,092,000.00**				$220,000.00	$0.00	**$1,092,000.00**	$1,312,000.00	1.5 Miles of Road Widening to 5 Lanes - Farrington from CR 25A to Washington; **includes 2 Roundabouts**; Intersection Imp at CR25A and Farrington.	2
13	CR 25A Paving/Boulevard	N/A	2501708	TBD		$100,000.00					$100,000.00	-$100,000.00		$0.00	1.05 Miles of Boulevard, MUP, Paving - CR 25A from Farrington to Fox; includes Roundabout at Fox Drive.	
14	Master Planning	**Continued Planning Effort**	241659	0000027045	$ 287,000.00	$96,000.00	**$122,000.00**			$287,000.00	$96,000.00	$49,700.00	**$122,000.00**	$554,700.00	Ongoing Master Planning Services for Water, Sewer, Roads, etc.	
15	RPR Services During Construction	**Water/Sewer/Streets projects construction observation**	TBD	TBD		$75,000.00					$75,000.00	$100,000.00	**$400,000.00**	$575,000.00	Resident Project Representative Services; $30k/month for 30 months. Revised to $5k/month for 15 months based on City direction on 3/12/25.	
28	Ziegler and Hetzler Booster Pump Station Automation Improvements	N/A	TBD	TBD		$15,000.00					$15,000.00	$0.00		$15,000.00	Pumping Station Automation Improvements Design at two location to make consistent with the Drake Road Water Booster Pumping Station.	
29	Property Acquisition Services (subcontracted)	N/A	See Note 3	TBD		$0.00					$0.00	$0.00		$0.00	Project Management, Title Searches, RE-95's, Negotiations, Informal Closings, Recording Fees, Easement Plats, Legal Descriptions.	3
31	OEPA PTI Application Fees	N/A	See Note 4	TBD		$0.00					$0.00	$0.00		$0.00	Ohio EPA Permit Review Fees	4
1A	Washington Road Improvements	N/A	2501301	0000027697							$0.00	$100,000.00		$100,000.00	Two access drives from Washington Road and one access drive from Farrington Road to Development Site; Washington/Farrington intersection imp. D/B/C	
11A	**Washington and Farrington Roundabout**	**Design Phase - 30% to 100% Design**	**TBD**				**$600,000.00**		**$90,000.00**				**$690,000.00**	**$690,000.00**	**Multilane roundabout at Washington and Farrington intersection and 1,500 feet of road widening on Farrington Road.**	
Total					$ 1,985,000.00	$2,194,700.00	$2,106,000.00	$91,500.00	$564,000.00	$1,985,000.00	$2,686,200.00	$0.00	**$2,678,000.00**	$7,349,200.00		

$4,671,200.00 - Current Authorized Fee: includes Amendments 1 and 2 (Resolutions 1 and 2)
$2,678,000.00 - Proposed Amendment 3
$7,349,200.00

Notes
1 Design from 60% to Final Design. No property acquisition services included. OEPA fees of $20,000 included in Project No. 31.
2 Design from Preliminary to 60% Design. No property acquisition services included.
3 Property acquisition for Elevated Tank and Sanitary Sewer Pump Station.
4 OEPA Permit Application Fees for Elevated Tank and Sanitary Sewer Pump Station.

New Project Number 11A - Washington and Farrington Roundabout

Authorization

Attached is Amendment 3 to our existing November 1, 2024, *I-75 Exit 78 Development Area Master Planning & Engineering Services Professional Services Agreement*. If you concur with our proposed scope of services and fees, please sign in the space provided and return the executed amendment to Dawn M. Smith (dmsmith@fishbeck.com). This project will be performed under the terms and conditions of our existing agreement. Invoices will be submitted monthly, and payment is due upon receipt.

If you have any questions or require additional information, please contact me at 513.247.8576 or ajaspacher@fishbeck.com.

Sincerely,

Allen J. Aspacher, PE
Vice President/Senior Project Manager

Attachments
By email

7887 Washington Village Drive, Suite 135
Dayton, Ohio 45459

937.291.9092 | fishbeck.com

Professional Services Agreement Amendment 3

Between Fishbeck and City of Piqua, Ohio
Dated November 1, 2024
For I-75 Exit 78 Development Area Master Planning & Engineering Services
Project No. 241659

The Scope/Budget for this project is modified as follows:

In accordance with Fishbeck *I-75 Exit 78 Development Area Master Planning & Engineering Services, Request for Amendment No. 3* dated June 30, 2026.

Amendment 3 Fee Summary Table

Project No.	Project Name	Fee Amendment
1	Washington Road Water Main Extension	$8,000
2	Drake Road and Washington Road Water Main and Sanitary Sewer Extension	$0
11	Washington Road Widening	$366,000
11A	Washington Road and Farrington Road Roundabout	$690,000
12	Farrington Road Widening – Washington Road to CR 25A	$1,092,000
14	Master Planning	$122,000
15	RPR Services (Water/Sewer/Streets)	$400,000
Total Amendment Fee		$2,678,000

All Terms and Conditions shall remain unchanged.

APPROVED FOR:		ACCEPTED FOR:	
City of Piqua, Ohio		Fishbeck	
SIGNATURE:		SIGNATURE:	
NAME:		NAME:	Allen J. Aspacher, PE
TITLE:		TITLE:	Vice President
DATE:		DATE:	June 30, 2026

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