



**PIQUA CITY COMMISSION SPECIAL MEETING
TUESDAY, OCTOBER 29, 2024
5:00 PM
COMMISSION CHAMBER - 2ND FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

ADJOURNMENT TO EXECUTIVE SESSION

ROLL CALL

EXECUTIVE SESSION

The Executive Session is to consider confidential information related to economic development as further defined by Ohio Revised Code Section 121.22(G)(8) or as amended and to consider pending or imminent litigation.

- 1) To consider pending or imminent litigation

ADJOURNMENT FROM EXECUTIVE SESSION

MOTION TO APPROVE BUSINESS AGENDA

- 1) Rules of Conduct for City Commission Meetings

NEW BUSINESS

- 1) **Ordinance No. O-19-24**
An emergency ordinance to amend procedural Rules of Conduct for City Commission
- 2) **Resolution No. R-122-24**
An emergency resolution authorizing the City Manager to enter into an agreement in Case No. 3:24-cv-99

COMMISSIONERS COMMENTS

ADJOURNMENT

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 five-minute period per person. Under no circumstances should the Commission or mayor interrupt any person's five-minute time period unless the individual violates the Rules of Conduct or the individual commenting requests interactive dialogue. Interactive dialogue shall not extend the five-minute period. 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 shall be only afforded to persons who live within the City of Piqua city limits, 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.

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. Signs and 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.

Ordinance No. O-19-24

An emergency ordinance to amend procedural Rules of Conduct for City Commission

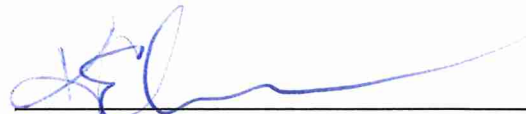
Whereas, the Piqua City Charter authorizes the Piqua City Commission to adopt rules for its meetings; and

Whereas, on August 14, 2024, the Piqua City Commission adopted Amended Ordinance No. O-12-24 adopting new rules for the Commission; and

Whereas the Piqua City Commission finds it necessary and in the best interest of the City to amend the Rules of Conduct as is set forth in the attached Exhibit A for the conduction of its non-agenda public comment forum.

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: This ordinance is declared an emergency for the immediate preservation of public peace, health, or safety and shall take effect immediately.


KRIS LEE, MAYOR

PASSED: 10/29/2024

ATTEST: Diana L Tamplin
DIANA TAMPLIN, 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 Kris Lee	<u>Aye</u>
Commissioner Jim Vetter	<u>Aye</u>
Commissioner Paul Simmons	<u>Aye</u>
Commissioner Thomas Hohman	<u>Aye</u>
Commissioner Frank DeBrosse	<u>Nay</u>

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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.
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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.
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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.

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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 ~~five~~seven-minute period per person. Under no circumstances should the Commission or mayor interrupt any person's ~~five~~seven-minute time period unless the individual violates the Rules of Conduct or the individual commenting requests interactive dialogue. ~~Interactive dialogue shall not extend the five-minute period.~~If a Commission member or the Mayor comments 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.

19.20. 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

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

Resolution No. R-122-24

An emergency resolution authorizing the City Manager to enter into an agreement in Case No. 3:24-cv-99

WHEREAS, the City of Piqua is currently involved in a legal matter, Case No. 3:24-cv-99, in the United States District Court for the Southern District of Ohio; and

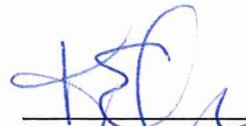
WHEREAS, while the City Commission denied any liability in said legal matter, the City Commission deems it to be in the best interest of the City of Piqua to resolve Case No. 3:24-cv-99 by entering into an agreement amongst the parties upon the terms and conditions set forth therein to avoid the delay, uncertainty, inconvenience, and expense of protracted litigation of the alleged claims.

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 enter into the agreement in Case No. 3:24-cv-99 on behalf of himself and the City of Piqua; and

SEC. 2: This resolution is hereby declared to be an emergency measure for the reason that the United States District Court is awaiting final execution of said agreement for the dismissal of Case No. 3:24-cv-99; and

SEC. 3: This resolution is declared an emergency for the immediate preservation of public peace, health, or safety and shall take effect immediately.


KRIS LEE, MAYOR

PASSED: October 29, 2024

ATTEST: Diana L Tamplin
DIANA TAMPLIN, 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 Kris Lee	<u>Aye</u>
Commissioner Jim Vetter	<u>Aye</u>
Commissioner Paul Simmons	<u>Aye</u>

Commissioner Thomas Hohman
Commissioner Frank DeBrosse

Nay
Aye