



**PIQUA CITY COMMISSION REGULAR MEETING
TUESDAY, MARCH 4, 2025
5:30 PM
COMMISSION CHAMBER - 2ND FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356**

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

ADJOURNMENT TO EXECUTIVE SESSION

ROLL CALL

EXECUTIVE SESSION

The Executive Session is to consider pending or imminent litigation.

ADJOURNMENT FROM EXECUTIVE SESSION

MOTION TO APPROVE BUSINESS AGENDA

- 1) Rules of Conduct for City Commission Meeting

PRESENTATION

Update on Child Advocacy Center
Jennifer Knisley

CONSENT AGENDA

- 1) **Approval of Minutes**
Approval of the Minutes from the February 18, 2025, Regular City Commission Meeting
- 2) **Resolution No. R-32-25**
A resolution appointing a member to the Energy Board

OLD BUSINESS

- 1) **Ordinance No. O-2-25 (2nd Reading)**
An ordinance to amend Chapter 50 of the Piqua Code
- 2) **Ordinance No. O-3-25 (2nd Reading)**
An ordinance to adopt revisions of Chapter 90: Animals to permit backyard chickens

NEW BUSINESS

1) **Ordinance O-4-25 (1st Reading)**

An ordinance authorizing the establishment of the Law Enforcement Custodial Fund

2) **Ordinance No. O-5-25 (1st Reading)**

An ordinance authorizing the establishment of the Federal Law Enforcement Seizure
Special Revenue Fund

COMMISSIONERS COMMENTS

ADJOURNMENT

NON-AGENDA PUBLIC COMMENT

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

PROCEDURAL RULES AND RULES OF CONDUCT FOR CITY COMMISSION MEETINGS

BUSINESS AGENDA

1. Commission meetings shall be called to order by the mayor or presiding officer of the meeting. The clerk shall call the roll of the Commissioners.
2. The mayor or presiding officer shall thereafter lead the Commission in the Pledge of Allegiance.
3. Upon roll call being completed, the Business Meeting of the Commission shall commence.
4. The Commission shall, if necessary, add or remove items to the Business Agenda and approve the agenda once it is established.
5. After approval of the agenda, the Commission shall vote on approval of the minutes of prior meetings.
6. After the establishment of the agenda, the Commission shall permit public comment by the citizens of Piqua as required by Section 4 of the Piqua Charter on any approved agenda item. Any person providing public comment shall provide his or her name and street address prior to making any comments.
7. Any non-citizen may also participate in public comment if an ordinance or resolution made part of the agenda affects his or her business located within the city of Piqua or utility service they receive within the city of Piqua. Any non-citizen shall state his or her name and either what business he or she operates that is being affected by an ordinance or resolution, or what property address inside the city limits that he or she is receiving utility service.
8. Any person providing public comment may speak once for up to a total of five minutes on each resolution and ordinance made part of the agenda. No person shall be permitted to comment twice on an agenda item.
9. Once public comment is completed, the Commission shall immediately begin debate and deliberate on each agenda item. No public comments from the public shall be permitted during the debate and/or deliberation of ordinances and resolutions by the commission.

10. After deliberation on ordinances and resolutions, votes on ordinances shall be recorded by roll call and votes on resolutions may be recorded by voice vote; if a commissioner wishes to have a roll call vote on a resolution, any commissioner may request the clerk to call the roll to record the vote. The Clerk of Commission shall record the vote tally for each ordinance and resolution.
11. During the Business Agenda, only city employees including department heads and guests of department heads to discuss matters affecting the city, the Piqua Chamber Director, the Main Street Piqua Director, may make presentations during the Business Agenda part of the meeting.
12. At the completion of the Business Agenda, the mayor may or may not permit commissioners to address the community for the good of the city. Afterwards, the commissioners shall call the business meeting of the commission to a close and city staff may be excused.

NON-AGENDA PUBLIC COMMENT

13. Non-agenda public comment sessions may, upon the discretion of the Commission, commence after the regular business meeting of the commission adjourns.
14. Any non-agenda public comment shall not begin after 9 p.m. and shall not continue after 9 p.m.
15. Comments by the public shall be addressed to the Commission and mayor and shall be limited to a seven-minute period per person. Under no circumstances should the Commission or mayor interrupt any person's seven-minute time period unless the individual violates the Rules of Conduct or the individual commenting requests interactive dialogue. If a Commission member or the mayor comment during an individual's allotted time, the time taken for any comment by Commission members or the mayor shall not be deducted from the individual's allotted seven minutes so that they receive their full allotted time to speak. No person may speak more than one time during any non-agenda public comment session.
16. All comments shall be related to city business or activities.
17. The Clerk of Commission shall not be under any obligation to keep minutes of the non-agenda public comment session.

18. Public comment time shall be only afforded to persons who live within the City of Piqua city limits, Springcreek Township, Washington Township and/or Miami County or own property within the city or own a business within the city limits.
19. Any person providing public comment shall provide his or her name and street address prior to making any comments.
20. Any individual attending the Non-Agenda Public Comment period of the City Commission meeting may have signs that do not exceed 8 ½ x 11 in size. Such signs shall not be displayed in a way that obstructs the view of any other individual attending the meeting or any camera recording the meeting.

RULES OF CONDUCT

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

1. Obscene comments, physically threatening remarks, and disruptive conduct are prohibited;
2. Profanity that is disruptive is prohibited;
3. Racist and hate-filled epithets are prohibited;
4. Loud and boisterous conduct or comments are prohibited;
5. Cheering, jeering or clapping, unless for ceremonial purposes as determined by the mayor, are prohibited;
6. Noisemakers are prohibited;
7. All persons shall remain seated during commission meetings unless they are leaving the Commission Chambers or are addressing the Commission from the podium;
8. Any person desiring to make a public comment shall complete a public comment request card provided by the Clerk of Commission and shall deposit the card in the public comment request box. The box will be monitored throughout public comment

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

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

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



PIQUA CITY COMMISSION REGULAR MEETING MINUTES TUESDAY, FEBRUARY 18, 2025

CALL TO ORDER

Piqua City Commission met at 5:30 p.m. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street, Piqua, Ohio.

THE PLEDGE OF ALLEGIANCE

Mayor Lee led the assembly in the Pledge of Allegiance.

ROLL CALL

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

ADJOURNMENT TO EXECUTIVE SESSION

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

ROLL CALL

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

EXECUTIVE SESSION

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

ADJOURNMENT FROM EXECUTIVE SESSION

A motion was made by Commissioner Simmons to adjourn from Executive Session at 6:10 p.m., and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

PROCLAMATION

1) Black History Month

Mayor Lee read a proclamation in honor of Black History Month.

MOTION TO APPROVE BUSINESS AGENDA

1) Rules of Conduct

A motion was made by Commissioner Hohman to amend the Business Agenda to withdraw Resolution No. R-30-25 from the Business Agenda and to add a Work Session regarding the zoning designation of Parcel # N44-250148 prior to the Consent Agenda. Commissioner DeBrosse seconded the motion. All were in favor and the motion was carried unanimously.

A motion was made by Commissioner Hohman to further amend the Business Agenda to move Resolutions No. R-27-25, R-28-25, and R-29-25 to the beginning of New Business; Commissioner DeBrosse seconded the motion. All were in favor and the motion was carried unanimously.

A motion was then made by Commissioner Hohman to adopt the amended Business Agenda, and Commissioner Simmons seconded the motion. All were in favor and the motion was carried unanimously.

WORK SESSION

Community Services Director Kyle Hinkelman explained that this involves authorization of a zoning map amendment to the City Zoning Map for a 5.079 acre split from land owned by the City of Piqua. The property was purchased by the city in 2013 and was originally zoned as Open Space (OS). In 2023, the OS designation was not kept as part of the revised code. Since this particular property does not have a clear zoning designation, Parcel # N44-250148 needs to be zoned as a requirement of the city's Development Code. The Planning Commission recently recommended that it be zoned as Conservation (CN), although the city staff recommended a designation of IH, IL, or CV.

Commissioner Hohman asked what the staff recommendation for this property was initially, and Mr. Hinkelman answered Heavy Industrial (IH).

Commissioner Hohman then asked if a designation of Civic Use (CV) would be an acceptable alternative, to which Mr. Hinkelman said yes. He added that a potential power sub-station proposal would work with CV, which would prohibit industrial uses that were of concern by some citizens. He said that no hazardous waste would be permitted in a CV designation either.

Commissioner Hohman asked that this property be rezoned to CV instead of IH to ensure that Parcel # N44-250148 is used properly in the future. He asked that staff amend the proposed resolution and add it to the next agenda.

CONSENT AGENDA

1) Approval of Minutes

Approval of the Minutes from the February 4, 2025, Regular City Commission Meeting

2) **Resolution No. R-24-25**

A resolution appointing a member to the Park Board

3) **Resolution No. R-25-25**

A resolution appointing a member to the Energy Board

4) **Resolution No. R-26-25**

A resolution appointing a member to the Energy Board

Bonnie Davis was appointed as a member of the Park Board; Sharon Lyons and Kurtis Sawyer were appointed to the Energy Board.

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

OLD BUSINESS

1) **Ordinance No. O-1-25 (2nd Reading)**

An ordinance to amend Chapter 50 of the Piqua Code to update Sanitation Rates

A motion was made by Commissioner DeBrosse to remove Ordinance No. O-1-25 as it is no longer necessary, and Commissioner Hohman seconded the motion. All were in favor and the motion was carried unanimously.

NEW BUSINESS

1) **Ordinance No. O-2-25 (1st Reading)**

An ordinance to amend Chapter 50 of the Piqua Code

Introduction: Public Works Director Brian Brookhart said that this legislation is needed to modify the city's ordinance to support the transition to Rumpke as the city's Sanitation Service provider, to clarify that a contractor may be used for Sanitation Services, and to make adjustments to the rates according to the RFP submitted by the contractor. As part of the transition, the city is proposing to subsidize the Senior Discount Program for the next 5 years to lower rates for Senior Citizen accounts. This would equal approximately \$10,000 to \$14,000 per year for the next 5 years.

Commissioners Comments: Commissioner Hohman asked what would happen to the balance of the Sanitation Enterprise Fund; Mr. Brookhart said that \$10,000 to \$14,000 would be used each year for the next 5 years to subsidize the Senior Discount Program.

Commissioner Hohman also inquired as to other uses for the Sanitation Enterprise Fund. Mr.

Brookhart responded that UBO expenses will continue to be covered, which are \$176,390 in 2025 and increase each year. It is estimated that the fund balance would be \$1,115,929.00 at the end of 2029, not including the sale of departmental vehicles.

Commissioner Hohman also asked if the city will still be doing the billing for sanitation fees. City Manager Paul Oberdorfer responded that using the internal UBO for billing keeps the rates from increasing on other utilities. He also said that the Sanitation Enterprise Fund cannot be used for any other purposes except for Sanitation Services, as a governmental audit will ensure this annually.

Public Comment: Jeff Grimes expressed his concern about Rumpke and that there is not an option to opt out of using Rumpke for trash service. Commissioner Hohman commented that the City Charter requires the city to provide sanitation services to its citizens.

Commissioner Vetter said that he listened to the citizens, but had significant reservations with the Sanitation Department and felt the need to move ahead with contracted services.

Mr. Grimes asked for other RFP's from other vendors; Mr. Oberdorfer responded that the city only received one RFP response from Rumpke, no others.

Kim Heisler asked what an RFP was; Mr. Oberdorfer replied that it stands for "Request for Proposal" and is advertised to solicit proposals. Ms. Heisler said she was unhappy that citizens did not get to hear Option #3 of the Sanitation Services solutions at the previous Commission meeting, and she questioned why Rumpke was not processing the billing for Piqua sanitation customers. Commissioner Hohman said that it is on the record from the last meeting that the Commission voted to remove Option #3 after Option #2 was chosen.

Mr. Oberdorfer said that the billing of refuse would be more cost-effective to do in-house versus with Rumpke, which equates to a savings for the citizens.

Commissioner Simmons inquired about the RFP process. Mr. Oberdorfer said that RFP's are a digital publication and part of the procurement process.

Nicholas Mahrt questioned if the city has any opt-out options with Rumpke if not satisfied with their contractual services; Mr. Brookhart responded that the contract with Rumpke is for 5 years with the option to renew for an additional 5 years.

This will serve as a first reading for this ordinance.

2) Ordinance No. O-3-25 (1st Reading)

An ordinance to adopt revisions of Chapter 90: Animals to permit backyard chickens

Introduction: Community Services Director Kyle Hinkelman provided a brief history on the background of this revision to Chapter 90 regarding backyard chickens. In 2023, the city went through a similar process with a modified Chapter 90 to allow backyard chickens in the city limits, but it was defeated at that time. The same issue was brought up again in January of this year by Commissioner Simmons, using the language put together by the previous Law Director, Frank Patrizio. The Planning Commission heard from the public, requested modifications to the previous language, tabled the case, and directed staff to redraft some of the language. At the February 11, 2025, Planning Commission Meeting, substantial discussion occurred again concerning backyard

chickens in the city limits and language was modified again. Some of these changes include the following: approval of single-family residential properties to have chickens on the premises, acquiring a permit for \$10 that is valid for one year, a required inspection by a city official, providing proof of a veterinarian, and providing proof of educational requirements. Mr. Hinkelman added that the revisions to Chapter 90 also include a minimum dimension of property lot size, a limit of 6 chickens, no roosters, no slaughtering, no selling eggs from the property, and providing an elevated enclosure. Chickens will not be permitted in historic districts, such as the Caldwell Historic District or the Downtown area. Mr. Hinkelman said that the Planning Commission recommended in a 4-0 vote to allow the current language revisions to Chapter 90.

Commissioners Comments: Commissioner Simmons voiced his support for the permitting of backyard chickens and said that he and the mayor had already completed an online educational course.

Commissioner Vetter cited many reasons for his disapproval of backyard chickens, such as house cats being susceptible to bird flu, property values decreasing, noise issues, attracting other animals into the city, agitation for dog/cat owners, compliance issues, and enforcement issues.

Commissioner DeBrosse asked about the regulation of waste for chickens. Mr. Hinkelman provided the regulations in Section 12 and said that Rumpke will collect chicken waste if bagged properly. He added that the biggest concern will be how to enforce the code, considering how busy the Code Compliance staff are already. He said that the permit fee of \$10 would not be enough to hire another staff member.

Mayor Lee said that he brought this legislation up in 2022 to give citizens the option to have backyard chickens and believes it is a great idea. He commented that the cost of \$25 to take an online course was worth the money.

Commissioner Hohman encouraged those who support chickens inside the city limits to enforce good practices among those who have chickens.

Public Comment: Nicholas Mahrt said that he is not against chicken ownership within the city limits but does agree with some of the sentiments of Commissioner Vetter.

Commissioner Vetter commented that the person who died as a result of the bird flu handled chickens, and the cost of a dozen eggs is currently \$4.38.

Kim Heisler voiced her opinion that it should be up to the people to choose whether they want chickens in their backyards or not.

This will serve as a first reading for this ordinance.

3) Resolution No. R-27-25

A resolution accepting annexation of 38.654 acres of land from Concord Township to the City of Piqua

Introduction: Economic Development Director Chris Schmiesing said this resolution is related to the annexation of 38.654 acres of land located in Concord Township that is owned by Bruns Upper Valley Development Company. On November 12, 2024, an Annexation Agreement was presented by the owner with the intent to annex into the Community, which City Commission approved. It was then approved by the Concord Township trustees and the Miami County Board of Commission. As the 60-day waiting period is now over, final acceptance of this annexation is requested. Mr. Schmiesing added that the Planning Commission granted their approval on January 28, 2025. He said that the applicant was present if there were any questions.

Commissioners Comments: None

Public Comment: Kim Heisler asked questions regarding the taxes paid on the annexed land. Mr. Schmiesing explained that the annexation agreement in place describes the proration of tax proceeds received for the first 8 years of the contract. He said that this process is part of the Ohio Revised Statue that must be followed, and both parties agree to follow the ratios and percentages. The amount of taxes generated will depend upon how the land is deveoped and evaluated in the future.

Nicholas Mahrt asked for clarification on the exact location of this property. Mr. Schmiesing responded that this land is south of Farrington Road along the west side of Interstate 75 and County Road 25A. He added that the owner, Bruns Upper Valley Realty, LLC, is seeking annexation in order to have access to city utility services to make the location attractive to end users.

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

4) Resolution No. R-28-25

A resolution authorizing a petition to the Board of Miami County Commissioners for a change in the boundary lines of Concord Township

Introduction: Mr. Schmiesing explained that this resolution will allow the Law Director to petition the Miami County Board of Commission to remove the tract of land previously discussed in Resolution No. R-27-25 so that it is no longer part of Concord Township and to change the boundary lines to reflect the annex change.

Commissioners Comments: None

Public Comment: None

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

5) Resolution No. R-29-25

A resolution authorizing a petition to the Board of Miami County Commissioners for a change in the boundary lines of Washington Township

Introduction: Mr. Schmiesing stated that this resolution will allow the Law Director to petition the Miami County Board of Commission to remove the 329.824 acres previously approved for annexation on January 28, 2025, so that it is no longer part of Washington Township and to change the boundary lines to reflect this annex change.

Commissioners Comments: None

Public Comment: None

A motion was made by Commissioner Hohman to approve Resolution No. R-29-25, and Commissioner Simmons seconded the motion. All were in favor and the motion was carried unanimously.

6) Resolution No. R-30-25

A resolution authorizing a Zoning Map amendment to the City of Piqua Zoning Map for a 5.079 acre split from parcel #N44-250148 to Conservation (CN)

This resolution was withdrawn from the Business Agenda.

7) Resolution No. R-31-25

A resolution authorizing a purchase order for three marked Police cruisers and upfitting costs

Introduction: Police Chief Rick Byron provided details regarding Resolution No. R-31-25. This request is part of the Police Department's Fleet Replacement Plan to purchase 3 new Dodge Durango vehicles for use as marked police cruisers. A total of three quotes were obtained. Sherry Chrysler Dodge Jeep, Inc., was a little higher in cost per unit than the Montrose auto dealer in the Cleveland area, but is a local vendor and preferred for this purchase order. Upfitting costs of \$84,890.00 are included in this purchase order as well.

Commissioners Comments: Commissioner Hohman asked why the Dodge Durango model was chosen, and Chief Byron replied it was to be consistent with the rest of the fleet for set-up and maintenance.

Mayor Lee asked what the average mileage was on the 2020 models being replaced; Chief Byron replied that the average mileage ranges from 89,000 to 115,000, citing a minimum 10-week build time for the new vehicles along with another three months for the upfitting process.

Public Comment: Kim Heisler asked if the three new vehicles were already appropriated in the 2025 budget and if three new vehicles were necessary. Chief Byron responded yes to both questions. Ms. Heisler also inquired about police vehicles being stagnant, to which Chief Byron reported that there are 13 patrol cars and 1 canine vehicle. Half of this fleet is used by 6 or 7 police officers for the first 12-hour shift daily. The other half of the fleet is then utilized for the second 12-hour shift each day.

A motion was made by Commissioner Hohman to approve this resolution, and Commissioner

Vetter seconded the motion. All were in favor and the motion was carried unanimously.

COMMISSIONERS COMMENTS

Mr. Oberdorfer provided a brief report regarding an important issue at the state level that could affect the Piqua Community. Governor DeWine suggested in a recent budget proposal to eliminate the fund from municipalities that voters approved in 2023 as part of recreational marijuana sales and dispensaries. Senate Bill # 56 would eliminate the fund that gives back to the Community a portion of the tax revenue collected from recreational marijuana sales, which equates to the city losing \$300,000 to \$500,000 per year. Mr. Oberdorfer reminded the Commission that the city was going to use this extra revenue for the Parks fund, so this budget change would take away from the local economy. He encouraged all citizens to contact their State Representatives to remind them of what was promised to the citizens of Piqua and why voters allowed local dispensaries here in Piqua.

Commissioner Vetter asked for a list of 2025 Park projects to supply more specific information to citizens and for a list of properties demolished in the past ten years utilizing CDBG funds. He announced that the Piqua cat program has spayed and neutered over 100 cats now. He said that there is an active committee working on the Downtown Christmas lights project in cooperation with Main Street Piqua. Commissioner Vetter asked for citizens' input on the vacant building at Mote Park and possible uses. He said there will be a meeting in April regarding the hydraulic canal issues and said he favors a citywide clean-up event.

Commissioner Hohman had no comment.

Commissioner Simmons urged citizens to contact the office of Ohio Senator Steve Huffman, who was one of the architects of Senate Bill #56. He also spoke of the Rumpke issue, stating that he only received one email in support of Rumpke and many phone calls from citizens not in favor of Rumpke. He also solicited the citizens of Piqua to get involved with their local government and let the Commissioners know of their approval or disapproval of the City Manager.

Commissioner DeBrosse read a progress report from the Commissioners Committee on the Fire Training Facility summarizing their activities since their last update to the Commission on December 3, 2024. The committee is still committed to finishing the project, and they anticipate making more public record requests and conducting interviews soon. Their last meeting was held on December 19, 2024, where they heard input from the public. Commissioner DeBrosse also announced that the Refuse Collection is on the regular schedule for this week despite the holiday on Monday.

Mayor Lee said that he is disappointed about the change from city-owned Sanitation Services to Rumpke, but he also understands why the Sanitation Staff would transfer to other departments for their best interests. He added that he hopes that Rumpke will provide good service and that Resolution No. R-30-25 will be discussed at the next meeting.

ADJOURNMENT

A motion was made by Commissioner Hohman to adjourn the meeting at 7:45 p.m., and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

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.)



KRIS LEE, MAYOR

PASSED:

3-4-2025

ATTEST:



COMMISSION CLERK

Resolution No. R-32-25
A resolution appointing a member to the Energy Board

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: Greg Blankenship is hereby appointed as a member of the Piqua Energy Board for a term of five (5) years to expire on March 1, 2030, or until his 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.



KRIS LEE, MAYOR

PASSED: 3-4-2025

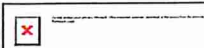
ATTEST: Diana L. Tansler
CLERK OF COMMISSION

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>Yah</u>
Commissioner Jim Vetter	<u>Yah</u>
Commissioner Paul Simmons	<u>Yah</u>
Commissioner Thomas Hohman	<u>Yah</u>
Commissioner Frank DeBrosse	<u>excused</u>

Diana Tamplin

From: noreply@formstack.com
Sent: Thursday, February 20, 2025 10:39 AM
To: Diana Tamplin; Melissa Kinney
Subject: Board/Committee Application



Formstack Submission For: **Board/Committee Application (Newest)** Submitted at 02/20/25 10:39 AM

Name:: Greg Blankenship

Address::

Home Phone::

Work Phone::

Email::

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

Energy Board

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

50 years

Registered Voter::

Yes

Have you ever been convicted of a felony?:

No

Education Background::

BA - The Ohio State University

Civic and Professional Activities::

Chamber of Commerce
Ambassador

Background, Experience and Interest relative to the appointment to a City Board/Committee::	Current member of the Energy Board
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?:	Other:
Upload your Resume::	
Upload a cover letter (Optional)::	
Additional Information :	

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City of
PIQUA COMMISSION AGENDA
 STAFF REPORT

K.1.

MEETING DATE	March 4, 2025	
REPORT TITLE	<u>Ordinance No. O-2-25 (2nd Reading)</u> An ordinance to amend Chapter 50 of the Piqua Code	
SUBMITTED BY	Brian Brookhart, Director Public Works	
AGENDA CLASSIFICATION	Ordinance	
BACKGROUND	Chapter 50 of the Piqua Code needs modified to support the transition of Sanitation Services to an outside vendor. Proposed language updates include adding a definition of "Approved Service Provider" to clarify that the city or a contractor may be utilized for services; modifications to accomodate the contractor's service model; and adjustments to the rates according to the RFP submitted by the contractor.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted \$:	NA
	Expenditure \$:	NA
	Source of Funds:	
	Narrative:	As part of the transition to contracted services, the city is proposing a subsidy to the Senior Discount Program that will lower the rate adjustments from those proposed by the contractor. The city will utilize funds from the reserves in the Sanitation Fund to offset approximately \$10,000-\$14,000 per year over 5 years for this purpose.
ATTACHMENTS	1. Exhibit A 2. Sanitation Services Crisis Plan (Updated 2.13.2025)	

Ordinance No. O-2-25 (2nd Reading)
An ordinance to amend Chapter 50 of the Piqua Code

WHEREAS, on February 4, 2025, City Commission voted to accept a proposal to contract with an outside vendor for Sanitation Services; and

WHEREAS, the Sanitation fund as an Enterprise fund must be kept solvent by charging fees to cover all expenses to operate.

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: Chapter 50 of the Piqua Code is hereby updated as presented in "Exhibit A" attached.

SEC. 2: This ordinance shall be effective at the earliest time permitted by law.

KRIS LEE, 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 Kris Lee	_____
Commissioner Jim Vetter	_____
Commissioner Paul Simmons	_____
Commissioner Thomas Hohman	_____
Commissioner Frank DeBrosse	_____

CHAPTER 50: GARBAGE

Section

Garbage and Refuse

- 50.01 Definitions
- 50.02 Solid waste and recycling receptacle required
- 50.03 Uncollectible solid waste and recyclable materials
- 50.04 Yard waste collection
- 50.05 Private disposal prohibited
- 50.06 Tampering with refuse prohibited
- 50.07 Solid waste collection rates; permits
- 50.08 Uncollected solid waste declared a nuisance

Disposal of Solid Waste

- 50.20 Establishment of Disposal District Number One
- 50.21 Hauling permit required
- 50.22 Compliance with hauling regulations
- 50.23 Incinerator
- 50.24 Covered vehicle required for hauling
- 50.25 Hauling garbage to location outside city prohibited

- 50.99 Penalty

Appendix: Rates and Fees

GARBAGE AND REFUSE

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

APPROVED CONTAINERS. Shall include the following:

(1) Containers provided by customers that are constructed of metal or heavy gauge plastic, with two handles, and in such a manner as to be strong, easily lifted, not easily corrodible, rodent-proof, shall have a capacity not to exceed 32 gallons, have a tight fitting lid and meet the satisfaction of the Approved Service Provider~~Sanitation Department~~.

(2) Containers provided by the ~~City of Piqua Sanitation Department~~ Approved Service Provider for solid waste and recyclables;

(3) ~~Paper biodegradable bags for Y~~yard waste containers, including plastic or paper bags.

APPROVED SERVICE PROVIDER. The City of Piqua or a Commercial hauler under contract with the city to collect and haul solid waste, recycling, or yard waste.

BOARD. The Board of County Commissioners of Miami County, Ohio, consisting of three members chosen as provided in R.C. Chapter 305.

BUILDING CONSTRUCTION WASTE. Discarded or unused materials used in the construction of structures and other improvements to real property.

BULK ITEMS. Discarded appliances, furniture, and other household items that are too large to fit inside a garbage container. Does not include building construction waste, items longer than six feet in length, or items too heavy to be easily lifted.

COLLECTION. The process of picking up and transporting solid waste from the point of disposition to the point of its ultimate disposal.

COMMERCIAL HAULERS. Any person, firm or corporation who, for profit, collects or transports solid waste to disposal sites, and when not operating solely under a contract with the city to transport solid waste (collected by the city) from the transfer station.

DISPOSAL SITE. Any area used by a customer for the disposal of garbage, refuse, or recyclable materials.

DISTRICT. The Miami County Garbage and Refuse Disposal District No. 1 as that district is described in the records of the

Board of County Commissioners of Miami County, and in § 50.20, and as the district may be amended from time to time. The district is now comprised of all the unincorporated area of Miami County and the municipalities of Troy and Piqua, Ohio.

HAZARDOUS WASTE. The waste as defined in R.C. § 3734.01(J).

HOUSEHOLDER. The head of a family or one maintaining his or her separate living room or quarters on the premises, and shall include owners, tenants, and occupants of all premises.

INCINERATORS. Structures built and containing furnaces, machinery and equipment for the destruction, by burning, of solid waste with maximum reduction of volume and a minimum of air pollution, other than for domestic or residential use.

INDIVIDUAL HAULERS. Persons, firms or corporations using vehicles either owned by them, rented or leased by them, either with drivers or for their use by themselves or by their employees on an occasional basis for the purpose of transporting solid waste produced by them to a point of disposal off their own premises.

NON-COMBUSTIBLES. Garbage or refuse which will not reduce to ash within 45 minutes at a temperature of 1,800 F. when properly mixed with oxygen from the air for the purpose of burning tree stumps and materials in the nature of earth, sand, bricks, stones, plaster, ashes and other substances which may accumulate as a result of building construction or demolition.

RECYCLABLE MATERIALS. Materials as determined by the -Sanitation Department-Approved Service Provider to be easily reused or repurposed, and be suitable for collection and separation from regular household solid waste to be diverted from the landfill.

SANITARY ENGINEER. The Sanitary Engineer of Miami County, appointed by the Board of County Commissioners of Miami County, Ohio, or its duly authorized or appointed assistants acting in its behalf or stead.

SANITARY LANDFILL. An open area of ground used for the disposal of solid waste where material is deposited under controlled conditions.

SOLID WASTE. Garbage and refuse other than liquids.

(1) **GARBAGE.** Shall include the following:

(a) Discarded animal and vegetable organic matter.

(b) All putrescible wastes from public, private and residential structures.

(c) **GARBAGE** does not include hazardous waste, recognizable industrial byproducts, non-combustibles, rubbish or building construction waste.

(2) **REFUSE.** Shall include the following:

(a) Discarded non-organic materials generated from commercial, industrial and/or residential sources within the city which are of a size and weight suitable for containment in receptacles designated for garbage and refuse.

(b) **REFUSE** shall not include liquids or hazardous wastes, recognizable industrial by-products, non-combustibles or building construction waste.

TRANSFER STATION. A site owned or leased by the city where solids waste is deposited by city personnel for pick-up and removed by a person, firm, or corporation under contract with the city.

('97 Code, § 55.01) (Ord. C-686, passed 1-2-51; Am. Ord. 40-68, passed 11-4-68; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22)

§ 50.02 SOLID WASTE AND RECYCLING RECEPTACLE REQUIRED.

(A) No owner, tenant, or lessee of any public or private premises shall permit to accumulate upon his or her premises any solid waste or recyclable materials, except in approved containers.

('97 Code, § 55.02)

(B) Solid waste and recyclable materials shall be placed in approved containers which may be provided by the city-Approved Service Provider and, if so provided, said containers shall be and remain the property of the city-Approved Service Provider and remain with the residence, regardless of owner or tenant. Any misuse or destruction of said containers shall subject the person responsible to replacement costs. Should the containers become lost or unusable, they may be replaced by notifying the City of Piqua Approved Service Provider. The city-Approved Service Provider is authorized to charge a replacement fee in accordance with rules and regulations of the City of Piqua.

(C) When approved containers are provided by the city-Approved Service Provider, then no other containers will be approved for collection. No solid waste or recyclable materials will be collected unless it is properly placed in the approved containers (with the exception of bulk items in accordance with department-policy).

(D) Approved containers are required to be removed from the public right-of-way/street curb area within 24 hours of collection. A penalty fee may be assessed to the Utility account for containers left in the public right-of-way/street curb area.

('97 Code, § 55.03) (Ord. C-686, passed 1-2-51; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

(A) No solid waste shall be collected by the ~~city~~ Approved Service Provider unless it is placed in approved containers and placed in the proximity of the street or alley or other convenient place for collection as determined by the Approved Service Provider ~~Sanitation Department~~. However, the ~~Sanitation Department~~ Approved Service Provider may collect solid waste at locations other than in the proximity of the street or alley in hardship cases approved through the Fall Prevention Program. Hardship cases are cases in which the ~~Sanitation Department~~ city determines there is no able-bodied person in the household.

(B) No garbage, refuse or non-combustibles transported into the city from outside the corporate limits shall be collected.

(C) Only approved bulk items shall be collected according to ~~department~~ policy.

('97 Code, § 55.04) (Ord. 59-78, passed 2-5-79; Am. Ord. 54-79, passed 8-20-70; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22)

§ 50.04 YARD WASTE COLLECTION.

Yard waste may be collected if it is properly prepared. ~~Yard waste shall typically be collected from April through October, weather dependent.~~

(A) All twigs, branches, limbs and other trimmings of trees and bushes shall not be collected unless the trimmings are less than six feet in length and less than four inches in diameter, tied into bundles no larger than 24 inches in diameter.

(B) Yard waste will only be collected if placed loose in approved containers or in ~~paper biodegradable~~ bags.

(Ord. 9-22, passed 11-1-22)

§ 50.05 PRIVATE DISPOSAL PROHIBITED.

The disposal of solid waste in any quantity by an individual or an establishment is prohibited in any public or private place within the city limits.

('97 Code, § 55.06) (Ord. C-686, passed 1-2-51; Am. Ord. 32-87, passed 7-27-87; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

§ 50.06 TAMPERING WITH REFUSE PROHIBITED.

(A) All garbage, refuse, recyclables and other materials on disposal sites are the property of the city.

(B) No person shall be allowed to separate and collect, carry off, or dispose of materials on disposal sites, except under the direction of the City Manager or except by contract with the city. In addition, the provisions of division (B) hereof shall not apply to any law enforcement officer or fire investigator in the performance of his or her official duties.

('97 Code, § 55.07) (Ord. C-686, passed 1-2-51; Am. Ord. 32-87, passed 7-27-87; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

§ 50.07 SOLID WASTE COLLECTION RATES; PERMITS.

(A) The collection of solid waste from houses, buildings, and premises for residential purposes shall be in accordance with the approved rate schedules in the Appendix following this chapter. The current fees shall remain in effect until changed. No householder within the city limits shall be exempt from the provisions of this section without obtaining a special waiver pursuant to (B) below.

(B) Special waivers of compliance with (A) above may be granted at the Utility Billing Office to the following. Special waivers may be subject to revocation without notice.

(1) Owners of buildings containing four or more apartment units, and who have in force a contract with a commercial hauler to collect solid waste from the apartment units.

(2) Commercial or business accounts who have in force a contract with a commercial hauler to collect solid waste from the commercial or business establishments.

(3) *Participants in the Senior Discount Program.* The Senior Discount Program shall be for householders who reside in the city and who are 62-65 years of age and older or disabled, or who have other hardship reasons approved by the Sanitation Department city and also meet income guidelines as established by the Utility Billing Office. ~~The rate for the program shall be 50% of the standard refuse rate.~~

(C) The collection of solid waste and recycling from commercial establishments shall be on the basis of the amount of materials collected from approved containers in accordance with the approved rate schedules in the Appendix following this chapter.

(1) A record of the number of containers shall be maintained by the ~~Sanitation Department~~ Approved Service Provider. Solid waste and recyclables must be placed in approved containers to comply with the specifications herein.

(2) Collection of fees shall be made by the Utility Billing Office as a separate item on each utility bill. The fees shall be assessed against the person or firm in whose name the utility bill is listed.

(D) Bulk items shall be collected when placed at normal trash collection points in accordance with ~~department~~ policy.

Such items shall be collected at the discretion of the ~~Sanitation Department Approved Service Provider~~ in reasonable amounts not to exceed three bulk items in one week. Excessive amounts of bulk items placed out for collection may incur additional charges based on the disposal cost.

(E) ~~Garbage and refuse may be collected at locations outside the city limits when feasible, at a rate of 150% of the rates listed in the approved rate schedule in the Appendix following this chapter.~~

(F) A delayed payment charge of 5% of each month's fee shall be added to the month's billing if not paid within the net payable date of the monthly statement.

('97 Code, § 55.08) (Ord. 7-59, passed 2-16-59; Am. Ord. 15-94, passed 3-21-94; Am. Ord. 53-94, passed 11-21-94; Am. Ord. 15-96, passed 3-18-96; Am. Ord. 11-02, passed 5-20-02; Am. Ord. 3-05, passed 4-4-05; Am. Ord. 32-06, passed 1-2-07; Am. Res. R-12-07, passed 1-16-07; Am. Ord. 12-10, passed 6-1-10; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

§ 50.08 UNCOLLECTED SOLID WASTE DECLARED A NUISANCE.

(A) No solid waste shall be collected from any premises where the owner or lessee is in arrears for a period of one month or more.

(B) Solid waste in containers uncollected or solid waste dumped in the open due to failure to pay garbage fees or for any other reason shall be declared a nuisance, and the person or persons responsible shall be liable to prosecution under the provisions of R.C. § 3767.13 or § 91.20 and shall be subject to the nuisance abatement fee. No prior notice is required if the solid waste on disposal sites is declared a nuisance, then the City Manager may cause the nuisance be summarily abated with the nuisance abatement fee charged to the subject property's Utility billing account.

('97 Code, § 55.09)

(C) No person, firm or corporation shall permit the accumulation or collection on his, her or its premises of any garbage, refuse, non-combustibles, hazardous waste or solid waste which was not generated on said premises.

('97 Code, § 55.10) (Ord. C-696, passed 1-2-51; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

DISPOSAL OF SOLID WASTE

§ 50.20 ESTABLISHMENT OF DISPOSAL DISTRICT NUMBER ONE.

The Commission authorizes the Board of County Commissioners to lay out, establish, and maintain the Miami County Garbage and Refuse Disposal District Number One, and to include therein, in addition to other lots and lands, all lots and lands within the corporate limits of the city.

('97 Code, § 55.15) (Ord. 13-66, passed 3-21-66; Am. Ord. 32-87, passed 7-27-87; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22)

§ 50.21 HAULING PERMIT REQUIRED.

It shall be unlawful for any person, firm or corporation to engage in the business of collecting, hauling, or transporting through, over, or upon the public streets and ways of the city, any solid waste, without obtaining a license or permit to do so from ~~the office of the Sanitary Engineer, Miami County Incinerator, Troy, Ohio 45373~~ Miami County Public Health. This section shall not apply to any person, firm or corporation solely when operating under contract with the city to remove solid waste (collected by the city) from the transfer station.

('97 Code, § 55.16) (Ord. 40-68, passed 11-4-68; Am. Ord. 32-87, passed 7-27-87; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

§ 50.22 COMPLIANCE WITH HAULING REGULATIONS.

It shall be unlawful for any commercial hauler or individual hauler to haul or transport through, over, or upon the public streets and ways of the city, any garbage, rubbish, or refuse unless the garbage, rubbish, or refuse is hauled to the Miami County Transfer Station and is hauled in conformance with the rules and regulations of disposal of solid wastes in Miami County Garbage and Refuse Disposal District Number One adopted by the Miami County Commissioners. This section shall not apply to any person, firm or corporation solely when operating under contract with the city to remove solid waste (collected by the city) from the transfer station.

('97 Code, § 55.17) (Ord. 40-68, passed 11-4-68; Am. Ord. 32-87, passed 7-27-87; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

§ 50.23 INCINERATOR.

(A) It shall be unlawful for any person, firm or corporation to operate an incinerator within the city unless the incinerator meets the federal, state, or local regulations and is approved with a zoning permit.

('97 Code, § 55.18) (Ord. 40-68, passed 11-4-68; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 9-22, passed 11-1-22)

(B) It shall be unlawful for any person, firm or corporation to construct an incinerator within the city until the plans and specifications for it are submitted to and approved by the sanitary engineer and the city engineer.

('97 Code, § 55.19) (Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

§ 50.24 COVERED VEHICLE REQUIRED FOR HAULING.

It shall be unlawful for any person, firm or corporation to haul or transport any waste, refuse, trash, or garbage in an form within the city in a vehicle not fitted with a tight cover or not constructed in such a manner as to prevent the escape of any portion of the load being transported, no matter how minute.

('97 Code, § 55.20) (Ord. 40-68, passed 11-4-68; Am. Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22) Penalty, see § 50.99

§ 50.25 HAULING GARBAGE TO LOCATION OUTSIDE CITY PROHIBITED.

(A) It shall be unlawful for any commercial hauler to haul or transport any waste, refuse, trash, or garbage in any form from a point within the city to any point outside of Miami County.

(B) In the event of an emergency such as, but not limited to, a truck breakdown or driver illness, the provisions of this section shall not apply if the commercial hauler notifies the office of the City Police Department of the emergency prior to the removal from the county of the waste, trash, or garbage.

(Ord. 40-68, passed 11-4-68; Am. Ord. 56-69, passed 12-1-69; Am. Ord. 9-22, passed 11-1-22)

(C) This section shall not apply to any person, firm or corporation solely when operating under contract with the city to remove solid waste (collected by the city) from the transfer station, nor does it apply to Commercial haulers transporting recyclable materials.

(Ord. 49-89, passed 8-7-89; Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22)

('97 Code, § 55.21) Penalty, see § 50.99

§ 50.99 PENALTY.

Whoever violates any provisions of this chapter shall be punished as provided in §10.99 and may be subject to the penalty fee. Each day's violation shall constitute a separate offense.

(Am. Ord. 1-15, passed 2-17-15; Am. Ord. 2-18, passed 2-20-18; Am. Ord. 9-22, passed 11-1-22)

APPENDIX: RATES AND FEES

Table A: ~~Residential~~Sanitation Service Rates

SANITATION RESIDENTIAL RATES	2023 Monthly Rate
SANITATION RESIDENTIAL RATES	2023 Monthly Rate
Small Quantity Generator (Up to 35-gallon capacity)	\$20.14
Standard Quantity Generator (Up to 96-gallon capacity)	\$22.38
Large Quantity Generator (Up to 192-gallon capacity)	\$24.62
Additional Trash Cart (Up to 96-gallon capacity)	\$12.00
Recycling (Up to 96-gallon capacity)	Included
Recycling Only Service (Up to 96-gallon capacity)	\$11.19
Recycling Service-Additional Cart	\$3.00
1. These rates shall remain in effect until updated.	

Table B: ~~Commercial~~ Service Rates

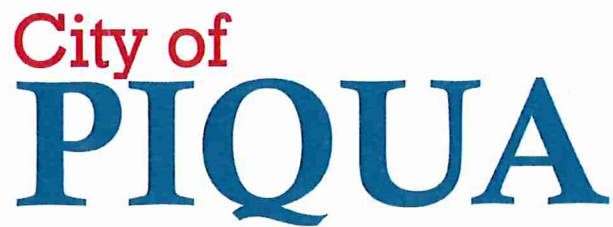
SANITATION COMMERCIAL RATES	2023 Monthly Rate
SANITATION COMMERCIAL RATES	2023 Monthly Rate
Small Quantity Generator (1 Cart 96-gallon)	\$32.41
Medium Quantity Generator (2 Carts 192-gallon)	\$40.50
Large Quantity Generator (3 Carts 288-gallon)	\$50.63
Additional Trash Cart (Up to 96-gallon capacity)	\$12.00

Recycling (Up to 96 gallon capacity)	Included				
Recycling Only Service (Up to 96 gallon capacity)	\$12.77				
Recycling Service-Add Cart	\$3.00				
1. These rates shall remain in effect until updated.					
<u>SANITATION RATES</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>Standard Residential Rate – 95 g</u>	<u>\$26.00</u>	<u>\$27.30</u>	<u>\$28.66</u>	<u>\$30.10</u>	<u>\$31.61</u>
<u>Standard Residential Rate – 65 g</u>	<u>\$25.00</u>	<u>\$26.25</u>	<u>\$27.56</u>	<u>\$28.94</u>	<u>\$30.39</u>
<u>Standard Residential Rate – 35 g</u>	<u>\$22.00</u>	<u>\$23.10</u>	<u>\$24.25</u>	<u>\$25.47</u>	<u>\$26.74</u>
<u>Senior Residential Rate – 95 g</u>	<u>\$16.00</u>	<u>\$16.70</u>	<u>\$17.46</u>	<u>\$18.28</u>	<u>\$19.17</u>
<u>Senior Residential Rate – 65 g</u>	<u>\$15.00</u>	<u>\$15.65</u>	<u>\$16.36</u>	<u>\$17.13</u>	<u>\$17.96</u>
<u>Senior Residential Rate – 35 g</u>	<u>\$12.00</u>	<u>\$12.50</u>	<u>\$13.05</u>	<u>\$13.65</u>	<u>\$14.31</u>
<u>Curbside Recycling – 65 g</u>	<u>Included</u>	<u>Included</u>	<u>Included</u>	<u>Included</u>	<u>Included</u>
<u>Additional Trash Cart Rate</u>	<u>\$3.50</u>	<u>\$3.50</u>	<u>\$3.50</u>	<u>\$3.50</u>	<u>\$3.50</u>
<u>Additional Recycling Cart Rate</u>	<u>\$3.50</u>	<u>\$3.50</u>	<u>\$3.50</u>	<u>\$3.50</u>	<u>\$3.50</u>
<u>Commercial Curbside Rate – 95 g (1 Cart)</u>	<u>\$30.50</u>	<u>\$32.03</u>	<u>\$33.63</u>	<u>\$35.31</u>	<u>\$37.07</u>
<u>Commercial Curbside Rate – 95 g (2 Carts)</u>	<u>\$40.50</u>	<u>\$42.53</u>	<u>\$44.65</u>	<u>\$46.88</u>	<u>\$49.23</u>
<u>Commercial Curbside Rate – 95 g (3 Carts)</u>	<u>\$50.00</u>	<u>\$52.50</u>	<u>\$55.13</u>	<u>\$57.88</u>	<u>\$60.78</u>
<u>Curbside Recycling – 65 g 1XWeek</u>	<u>\$12.00</u>	<u>\$12.60</u>	<u>\$13.23</u>	<u>\$13.89</u>	<u>\$14.59</u>

Table BC: Residential and Commercial Service Fees

FEE SCHEDULE	
FEE SCHEDULE	
Special Pick-Up (Scheduled in advance)	\$100 plus additional tonnage fee
Cart Replacement Fee (Per Policy)	\$55
Cart Size Exchange (Per Policy)	\$25
Call Back Fee	\$25
Nuisance Abatement Fee	\$150 plus additional tonnage fee
Penalty fee	\$50
1. The Fee Schedule shall be updated annually on January 1st of each year to reflect a 3% increase to each fee. 2. The tonnage fee shall be figured based on the tipping rate established by the Miami County Transfer Station.	

(Ord. 9-22, passed 11-1-22)



Sanitation Service Crisis Plan:

January 29, 2025/Updated 2-13-25

The city administration has been discussing and studying the delivery of sanitation services since 2021 to determine the best method and most cost-effective solution to various challenges faced by the Sanitation Division. During the past year review period, it was necessary to place holds on many initiatives, including hiring staff for existing vacancies and replacing equipment. Since July 2024, we have been updating the commission regularly on the sanitation department's status, and in November 2024, the recommendation to enter into a contract with Rumpke was presented. The Utility Board and the administration agreed that the best solution for the community over the next 5-10 years was to contract services.

Until the January 28, 2025, Commission Meeting, we worked toward the contracted solution to overcome the potential issues of keeping the service in-house. The division is now in a state of crisis to maintain the daily operations until these initiatives can be reinstated. This will take time to implement, and the following plan will stabilize the operations, reduce the significant challenges faced, and plan for future needs to optimize efficiencies.

Timeline:

July 2024: Budget prep; Capital item quotes; Notice of cost increases – Challenges discovered.

August 2024: Prep of white paper; First discussions with City Commissioners

September 17, 2024: Executive Session with City Commissioners

September 18, 2024: Notice to bargain with AFSCME, Meeting with employees

October/November 2024: Negotiations with AFSCME – 10/28, 11/8, 11/12

November 2024: Request for Proposal for vendor to provide service – Due 11/12

November 19, 2024: Public Work Session with City Commission

December 10, 2024: Presentation to City Commission

January 2025: Utility Board discussion. Vote in favor of contracted services

January 28, 2025: City Commission Resolution to enter into contracted services – Fails 3-2

February 2025: Further discussions regarding extreme staffing challenges and potential rate increases. Three options explored for resolution of challenges faced.

February 4, 2025: Executive Session to discuss staffing. All three options presented to City Commission (Large rate increase for city services, contracted services, or citizen chosen contracted services). Resolution to enter into contracted services is adopted.

February 10, 2025: Staff meets with Rumpke to begin transition of services.

February 18, 2025: Present needed Ordinance changes to Chapter 50 for approval.

City Leadership presented a plan to enter into a contract for Sanitation Services in an effort to keep costs to citizens lower over the next 5-10 years. In a White Paper, Leadership presented 5 current challenges facing the department, which are hampering operations and increasing costs. Piqua City Commission voted to contract Sanitation Services to Rumpke allowing staff to implement a transition plan and alleviate the crisis situation.

The following operational adjustments are needed to combat the 5 challenge areas and keep the Sanitation Fund solvent:

Short Term Interventions (immediately – 30 days): Stabilization of service

1. Present update to Chapter 50 for Commission approval, including rate adjustments per the proposal from Rumpke. (Critical for solvency of fund)
2. Present reappropriation of 2025 budget for Commission approval. This will be necessary to allow for payments to the contracted vendor, the adjustment of funds which employees are transitioning into, and continuation of city services such as the Utility Billing Office.
3. All job vacancies to be posted and filled. The Human Resources Director has met with all employees affected by the transition plan to explain their options moving forward per the MOU with AFSCME.
4. Move to single stream collection as needed. All commodities will be collected in a single truck. No separation of recycling, yard waste, scrap metal, etc. Discussed this practice with the Miami County Transfer Station.
5. Negotiate and finalize contract with Rumpke.
6. ~~Cease all cart replacement, delivery, or repairs.~~ (Cart stock is critically low). Cart stock was replenished by Rumpke. Public Works staff have taken over responsibility for cart replacements and delivery.
7. Create transition plan to move services to Rumpke as efficiently as possible.

Mid Term Interventions (30-90 days): Challenge reduction

1. Staffing – Recruitment and Retention
 - a. ~~Fill vacancies to optimize efficiency. (Recent recruitment efforts have taken 120+ days)~~
 - b. Create and define new positions that are needed. One new job description was created for a transitioning employee.
 - c. ~~Explore incentives for hiring and retention: signing bonus, retention bonus, paid training (CDL).~~
2. Equipment – need for replacements
 - a. Sale of current unneeded fleet vehicles.
 - b. ~~Purchase two trucks per replacement plan (need to get ordered ASAP)~~
 - c. ~~Purchase carts (begin total replacement of all carts as they are at end of life)~~
 - d. ~~Begin operation change for bulk item collection (no rear load, utilize grapple or dump trucks). Need additional crew members to complete this transition.~~
3. Rates
 - a. Monitor rate structure to ensure optimal cost recovery.
4. Liability and Safety
 - a. Contracted services will lessen the risk and liability to the City.
 - b. ~~Update and expand safety training. (Consultant on board immediately)~~
 - i. ~~Update Safety Manual to current industry standards~~
 - ii. ~~Provide monthly training specific to Sanitation Best Practices~~
 - iii. ~~Create culture of Safety First~~
 - c. ~~Update software for Routing with extended camera views.~~
 - d. ~~New Sanitation Supervisor to also serve as Safety Officer. Purchase vehicle and equipment needs.~~
 - e. ~~Install App or software to track pre/post vehicle inspections.~~
 - f. ~~Need additional crew members to allow for proper training and rotating crew members through sessions.~~
 - g. ~~Update technology to allow for extended safety training (computers).~~
 - h. ~~Update all communications devices to allow for safe interactions among staff (cell phones, iPads, explore Bluetooth capabilities in vehicle).~~
5. Operational Costs
 - a. City will have some costs associated with the service even after the contracted services are transitioned. Those include Utility Billing, insurance, bad debt, etc. Costs will be covered by the cash reserve until such a time that additional revenue is needed.
 - b. ~~No control over tipping fee increases, truck cost increases, increases needed to combat other challenges.~~
 - c. ~~Monitor discretionary spending~~

Long Term Interventions (90-180 days): Future needs for efficiency

1. ~~Explore Pay rate increases. (Study effects on all AFSCME positions)~~
2. ~~Explore options for maintaining vehicles (service contract).~~
3. Facility expansion - lack of adequate housing for crew and vehicles. Continue to explore options for additional space needed.
4. ~~Further explore cuts to services.~~
5. ~~Explore any need for additional customer service representatives in UBO.~~
 - i. ~~If operations change that include call-ins to schedule Bulk collection.~~
 - ii. ~~As needed, due to call volume, etc.~~

City of PIQUA

COMMISSION AGENDA STAFF REPORT

K.2.

MEETING DATE	March 4, 2025	
REPORT TITLE	Ordinance No. O-3-25 (2nd Reading) An ordinance to adopt revisions of Chapter 90: Animals to permit backyard chickens	
SUBMITTED BY	Kyle Hinkelman , Director Community Services	
AGENDA CLASSIFICATION	Ordinance	
BACKGROUND	The City of Piqua discussed the possibility of backyard chickens in the Spring of 2023. After substantial discussion at both the Planning Commission and the City Commission meetings, it was voted against permitting code modifications to authorize ownership of chickens within the City of Piqua. In the Fall of 2024, Commissioner Simmons requested that an ordinance be drafted that would again permit chickens within the City of Piqua, which Mr. Patrizio, the Law Director at the time, did. City Staff provided feedback and comments on the language, with a focus on modifying the language to allow for the ordinance to be enforced by City Staff. Commissioner Simmons requested that the language go to the Planning Commission without modification, which occurred on January 14, 2025. The Planning Commission heard the case, listened to public comment for over 1.5 hours, and tabled the case, recommending changes to the language to accommodate the desires of the Commission and of the residents who spoke at the meeting. The Planning Commission requested that City Staff draft a new ordinance that met the discussion points and was in a format that would allow enforcement. The Planning Commission again heard the case on February 11, 2025, and again modified the language proposed to adapt to accommodate the desires of the Commission and of the residents present. That language is within the packet attached for consideration by the City Commission.	
BUDGET/FINANCIAL IMPACT	Budgeted \$:	N/A
	Expenditure	N/A

(Project costs and funding sources)	\$:	
	Source of Funds:	N/A
	Narrative:	N/A
ATTACHMENTS	1. Exhibit A	

Ordinance No. O-3-25 (2nd Reading)

An ordinance to adopt revisions of Chapter 90: Animals to permit backyard chickens

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: Chapter 90: Animals of the Piqua Code of Ordinances is hereby amended as described by "Exhibit A" attached, to allow backyard chickens on residential lots less than five (5) acres, as permitted by the terms described within the ordinance.

SEC. 2: This ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading: 2/18/2025

2nd Reading: 3/4/2025

3rd Reading: 3/18/2025

KRIS LEE, 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 Kris Lee	_____
Commissioner Jim Vetter	_____
Commissioner Paul Simmons	_____
Commissioner Thomas Hohman	_____
Commissioner Frank DeBrosse	_____

RESOLUTION No. PC 04-25

WHEREAS, a City Commissioner has requested to modify the City of Piqua Code of Ordinances to allow backyard chickens; and

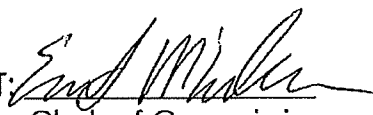
WHEREAS, the City of Piqua Development Code requires Text Amendments to receive review and recommendation from the Planning Commission; and

WHEREAS, the Planning Commission reviewed the requested text amendment at their January 14, 2025 meeting and heard public comments in an open session; and

WHEREAS, an update to Section 90: Animals is recommended with modifications to add an educational requirement and to clarify that chickens are not permitted within the Historic Districts of Piqua; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends the proposed ordinance attached as Exhibit A; Mr. Seas 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 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	☒	☐	☐	☐

ATTEST: 
Clerk of Commission

Date: 2/11/25

EXHIBIT A

§ 90.03 ABANDONMENT; ANIMALS RUNNING AT LARGE. PROHIBITED ACTS AND NUISANCE CONDITIONS

(A) (1) No owner of a dog, cat, or other domestic animal shall abandon the animal.

(2) Except as otherwise provided in § 90.05(B), no owner of horses, mules, cattle, sheep, goats, swine, dogs, geese or other fowl, or animals shall permit them to run at large upon any public way or upon the land of another.

(‘97 Code, § 91.03)

(B) It shall be unlawful for the owner of any animal to allow the same on the lands of the Echo Hills Golf Course.

(‘97 Code, § 91.22) Penalty, see § 90.99

(C) (1) No owner shall allow his or her dog, cat or other domestic animal to become a public nuisance. Excessive barking, whining or howling, molesting passers-by, chasing vehicles, attacking other domestic animals, and damaging property shall be considered a nuisance under this section.

(2) The owner or person in charge or control of any animal which scratches, digs, urinates or defecates upon any lawn, tree, shrub, plant, building or any other public or private property (other than the property of the owner of the animal) shall immediately repair any damage and remove all feces deposited by the animal and dispose of same in a sanitary manner.

(‘97 Code, § 91.06)

§ 90.05 NUISANCE CONDITIONS. PROHIBITED LIVESTOCK ANIMALS

~~—(A) (1) No owner shall allow his or her dog, cat or other domestic animal to become a public nuisance. Excessive barking, whining or howling, molesting passers-by, chasing vehicles, attacking other domestic animals, and damaging property shall be considered a nuisance under this section.~~

~~—(2) The owner or person in charge or control of any animal which scratches, digs, urinates or defecates upon any lawn, tree, shrub, plant, building or any other public or private property (other than the property of the owner of the animal) shall immediately repair any damage and remove all feces deposited by the animal and dispose of same in a sanitary manner.~~

~~(‘97 Code, § 91.06)~~

—(B) (A) (1) It shall be unlawful and considered a public nuisance for any person to own, keep, harbor or maintain any ~~agricultural animal~~ restricted agricultural animal on any parcel of land less than five acres in size or within 1,000 feet of any residence other than his or her own.

(2) For the purpose of this section, ~~AGRICULTURAL ANIMALS~~ “restricted agricultural animals” include horses, mules, donkeys, ponies, cattle, swine, sheep, goats, geese, ducks, turkeys, guinea fowl, roosters, and peacocks, ~~and chickens.~~

(3) Nothing in this section shall be construed to prohibit the following:

- (a) The feeding of ducks and geese at Echo Lake;
- (b) The temporary custody of agricultural animals by a licensed veterinarian;
- (c) The temporary custody of agricultural animals by a food processing businesses;
- (d) The temporary custody of agricultural animals not exceeding three consecutive days per calendar year by any person, firm, corporation or association sponsoring any charitable, promotional, civic or other civic or special event, festival, celebration or fund-raising activity, subject to approval by the ~~Public Works~~ Community Services Director or his/her designee at least seven days in advance; or
- (e) The custody of agricultural animals by educational institutions.

(‘97 Code, § 91.20) Penalty, see § 90.99

§ 90.07 PENS FOR RABBITS STANDARDS FOR LIVESTOCK ANIMALS

(A) Rabbits.

- (1) Any person, persons, firm, or corporation who owns, keeps or harbors three or more rabbits on any premises within the corporation limits of the city must keep the same in a building or structure used exclusively for that purpose, and which building or structure shall be located 75 feet or more from any other building, house, or structure which is used for human occupancy or habitation, or where food is sold, served, or otherwise handled. The building or structure must have a ceiling of not less than seven feet in height from the floor, at any point, with sufficient windows and opening to furnish light to all points of the building or structure. Ventilation shall be sufficient so as to furnish six complete changes of air per hour, and all openings must be fully screened so as to keep out flies and other insects. The floor of the building or structure must be of concrete and free from flaws or cracks, and graded and sloped so that the floor will properly drain to a floor drain, which is to be connected to a sanitary sewer and vented. The foundation of the building or structure must be of a height of not less than six inches above the floor level, or have a cement baseboard at lease six inches in height.
- (2) The hutches, cages, or pens in which the rabbits are kept or harbored must be at least 16 inches in height, 30 inches in width, and 40 inches long. Hutches, cages, or pens shall not be placed or erected on top of each other over three hutches in height. Hutches may have a steel or wood frame. The top and sides must be covered with galvanized wire netting and a -inch mesh

galvanized wire floor, with a watertight galvanized iron drip pan of not less than 16-gauge, and shall be large and sufficient enough to catch all drippings and waste. The drip pans shall be at least one inch deep and placed two or more inches under each floor of each hutch, and arranged, built, and erected so that the pans can be taken out for cleaning and flushing. The hutches must be erected so that they will stand away from any wall, and have an aisle of at least four feet in width between the rows of same.

- (3) The hutches must also have a proper feed rack and chaff pan for same, but they must be built and erected double, end to end, so one rack and pan can provide for both hutches. Drip pans and floor must be washed, flushed, and disinfected every day from April 1 to October 30, inclusive, of each year, and for the balance of each year the drip pans and floor must be washed, flushed, and disinfected at least every other day. The waste and manure must be kept in tight metal containers with tight and well-fitting lids and disposed of at reasonable intervals. The floor of the building or structure shall be kept free from all obstructions at all times so that it can be easily and readily flushed.
- (4) Each hutch, cage, or pen shall contain at any one time not more than one rabbit over six months of age except a doe and litter until the litter reaches six weeks of age.

(B) Chickens.

(1) Person(s) dwelling in a single-family residential property may raise chickens on the premises pursuant to the following terms and conditions.

(a) Permit. Any person who keeps chickens within the City shall obtain a permit from the Community Services Department prior to acquiring the chickens.

1. Fee: A fee will be set within the fee schedule for a permit and may be increased over time at a maximum of 5% annually to accommodate increased costs. The initial fee will be \$10.00.
2. Validity: A permit shall be valid for one (1) year from the date of approval and must be reapproved annually.
3. Inspection: An inspection shall occur within ten (10) days of the issuance of a permit by the city confirming all requirements are met.
4. Proof of Veterinarian: Proof that person(s) requesting a permit have a veterinarian that may be utilized for their chickens.
5. Educational Requirement: Proof of an educational class related to chickens is required. FFA, Ohio State Exemption office, or other agency is permitted.

(b) Standards.

1. The property must have the minimum dimensions required to fulfill the standards of this section.
2. No more than six (6) chickens may be kept on any lot.
3. No roosters may be raised or kept on the property.

4. No slaughter of chickens may take place on the property.
5. No person shall sell eggs obtained from their chickens at their residence. Home occupations approved under the Development Code shall meet all applicable State and Local Health Department Regulations.
6. Chickens must be provided with an elevated, covered enclosure, and the chickens must be kept in the enclosure. The enclosure must be well-ventilated, dry and clean. Outdoor runs are prohibited.
7. Enclosures used for the keeping of chickens are allowed in the rear yard only. See Chapter 154 for yard definitions.
8. Enclosures must have a solid visual barrier surrounding them, such as an opaque privacy fence or mature landscape screening. Enclosures shall be screened in manner so the structure is not visible from the public right of way or any adjoining properties.
9. No enclosure may be located closer to ten (10) feet from any property line and no closer than twenty-five (25) feet from any adjacent residential structure designed for human occupancy.
10. All enclosures for raising chickens must be constructed and maintained to prevent infestation of rodents or pests.
11. All feed and other items associated with the raising of chickens must be protected to prevent rodents and pests from gaining access or coming into contact with them by being stored in rodent-proof containers. Storage containers shall be subject to the same location, setback and screening requirements as the enclosures.
12. Waste associated with raising chickens must be disposed of by being bagged separately and removed from the premises by a trash collection service not less than once per week. No waste associated with raising or keeping chickens may be used as compost or otherwise disposed of by means other than removal of the waste from the premises.
13. Chickens are not permitted in Historic Districts – including the Caldwell Historic District and Downtown Historic District.

(C) Notwithstanding any other provision of this chapter, participants in projects sponsored by 4-H Club or similar organizations may apply for exemptions from one or more restrictions contained in § 90.04(A), provided:

(1) The participant establishes his or her bona fide and current affiliation with the 4-H Club or similar organization to the satisfaction of the Health and Sanitation Officer.

(2) The participant submits a comprehensive and written description of his or her proposed project, satisfactory to the city Health and Sanitation Officer (which shall in no event provide for keeping more than 24 rabbits).

(3) The participant maintains and fulfills the project in complete conformity with his or her written description satisfactory to the Health and Sanitation Officer.

('97 Code, § 91.18) Penalty, see § 90.99

(D) A violation of this section constitutes a misdemeanor of the first degree.

STAFF REPORT

Planning Commission

Date: January 14, 2025
Re: PC 04-25 – Zoning Text Amendment

Applicant: Commissioner Paul Simmons
Owner: N/A

Address: N/A
Parcel #: N/A

Zoning: N/A

Request: Recommendation for City Commission to adopt an ordinance to permit “Backyard Chickens”

Staff Comments and Recommendations:

Overview

Commissioner Simmons has submitted a proposed ordinance to allow the keeping of backyard chickens on residential lots within the City of Piqua. The ordinance outlines specific regulations regarding the number of hens, coop requirements, waste management, and penalties for violations. The intent of the ordinance is to promote self-sufficiency and provide residents the opportunity to keep chickens for personal use.

Staff Analysis:

1. Permits, Fees, and Inspections:
 - The ordinance, as proposed, does not require permits, fees, or inspections. This absence hinders the City’s ability to enforce compliance, protect residents from potential nuisances, and ensure equitable application of the regulations.
 - Without a permitting system, the City has no formal mechanism to verify adherence to the ordinance or resolve disputes effectively, potentially leading to unregulated and inconsistent implementation.
2. Zoning and Land Use Considerations:
 - The proposed ordinance does not specify whether the keeping of chickens will be permitted in all residential zoning districts or if

STAFF REPORT

restrictions apply.

- Allowing chickens in high-density residential areas or near multi-family dwellings could lead to conflicts between neighbors, particularly regarding noise, odors, and waste management.

3. Operational Challenges:

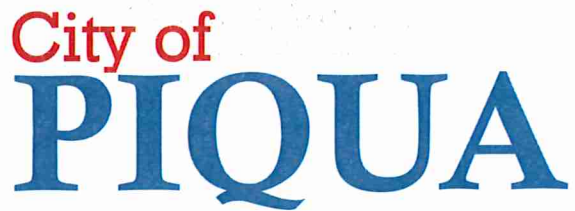
- The lack of provisions for inspection limits staff's ability to address complaints or confirm ordinance violations. This creates enforcement challenges and could increase neighbor disputes.
- Excluding fees eliminates potential funding to support administration and oversight of the program, placing additional financial and operational burdens on City staff.

4. Community Impact:

- While the ordinance aims to support personal freedom and self-sufficiency, it may inadvertently lead to negative externalities, including nuisance complaints, public health concerns, and strained neighbor relations.
- The absence of visual barrier requirements could exacerbate tensions, as coops and associated activities may detract from the aesthetics of neighboring properties.

5. Precedent and Comparative Analysis:

- Other communities that allow backyard chickens often implement permits, fees, inspections, and zoning restrictions to balance resident interests and ensure program success.
- The proposed ordinance lacks these standard regulatory measures, which could result in challenges unique to Piqua.



Development Department

Chad Henry – City Planner
201 West Water Street Piqua, Ohio 45356
chenry@piquaoh.gov
(937) 778-2049

January 29, 2024

***** MEETING NOTICE *****

Please be advised that the Planning Commission meeting will be conducted on **Tuesday, February 11, 2024 at 6:00 PM** at 201 W. Water St. in the Commission Chambers.

Residents and others with interest in the agenda topics may attend the meeting or submit public comment on an item until noon on the day of the meeting by emailing piquapermits@piquaoh.gov. Public comments submitted by the date/time noted will be presented to the Planning Commission at the public hearing proceedings.

The agenda may be accessed by visiting the City's website using this link <https://piquaoh.gov/1614/Agendas-Minutes>.

Please contact this office if you have any questions pertaining to this notice.

A handwritten signature in blue ink that reads "Chad D. Henry".

Chad Henry
City Planner

**PLANNING COMMISSION AGENDA
CITY OF PIQUA, OHIO
6:00 PM – TUESDAY, JANUARY 14, 2025
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS – 201 W. WATER STREET**

CALL TO ORDER

Chair Comments – Opening Remarks

ROLL CALL – Clerk Calls the Roll

Meeting Minutes – January 14, 2024

OLD BUSINESS

1. RESOLUTION PC 02-25
A resolution to recommend the rezoning of the newly created parcel from Resolution PC 01-25 to "IH – Industrial Heavy".
2. RESOLUTION PC 04-25
A resolution to recommend approval of a proposed ordinance to permit "backyard chickens".

NEW BUSINESS

OTHER BUSINESS/ADJOURNMENT

PC 01-25	PRICE RICHARD ARNOLD & JOSEPHINE SABIJC	9911 HARDIN RD N	PIQUA	OH	45356
PC 01-25	HUTTON RANDY P (TR) & DEBRA G (TR)	10079 SR 66	PIQUA	OH	45356
PC 01-25	HUTCHERSON MICHELE (TR)	3100 W TECUMSEH CR	PIQUA	OH	45356
PC 01-25	BROWN BRITTANY A & NICHOLAS	9937 N HARDIN RD	PIQUA	OH	45356
PC 01-25	SAFRED MARK J & MELISSA J	3111 TECUMSEH CR	PIQUA	OH	45356
PC 01-25	TODD MARY L & RYAN A	3105 TECUMSEH CR	PIQUA	OH	45356
PC 01-25	STATE OF OHIO	9839 HARDIN RD	PIQUA	OH	45356
PC 01-25	HUTCHERSON CARL D & MICHELE L	9990 HARDIN RD N	PIQUA	OH	45356
PC 01-25	ROBBINS GARY L (TOD)	SR 66	PIQUA	OH	45356
PC 01-25	STEPHENS GREGORY K (TR)	4008 W DEMMING RD	PIQUA	OH	45356
PC 01-25	STATE OF OHIO	HARDIN RD R/W	PIQUA	OH	45356
PC 01-25	ROBBINS GARY L (TOD)	11255 PASCO MONTRA RD	MAPLEWOOD	OH	45340
PC 03-25	HARTMAN RUTH JACKSON	3495 EXPERIMENT F RD	PIQUA	OH	45356
PC 03-25	PIQUA MATERIALS INC	N CO RD 25A	PIQUA	OH	45356
PC 03-25	UPPER VALLEY MEDICAL CENTER	N CO RD 25A	PIQUA	OH	45356
PC 03-25	NEAL BROTHERS INC	4015 EXPERIMENT F RD	PIQUA	OH	45356
PC 03-25	BRUNS UPPER VALLEY DEVELOPMENT LLC	N CO RD 25A	PIQUA	OH	45356
PC 03-25	PIQUA MATERIALS INC	11641 MOSTELLER RD	CINCINNATI	OH	45241
PC 03-25	BRUNS UPPER VALLEY DEVELOPMENT LLC	3050 TIPP-COWLESVILLE RD	TIPP CITY	OH	45371
PC 03-25	HARTMAN RUTH JACKSON	225 KISER LN	TROY	OH	45373
PC 03-25	NEAL BROTHERS INC	1920 W ELDEAN RD	TROY	OH	45373
PC 03-25	UPPER VALLEY MEDICAL CENTER	110 N MAIN ST STE 1250	DAYTON	OH	45402
PC 03-25	BRUNS UPPER VALLEY DEVELOPMENT LLC	3050 TIPP-COWLESVILLE RD	TIPP CITY	OH	45371

Commission Agenda Staff Report

MEETING DATE	March 4, 2025			
REPORT TITLE	AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF THE LAW ENFORCEMENT CUSTODIAL FUND			
SUBMITTED BY	Name & Title: Jerald O'Brien, Finance Director			
	Department: Finance			
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
APPROVALS/REVIEWS	☒ City Manager			
	☒ Law Director			
	☒ Department Director			
BACKGROUND	Currently, when the Police Department seizes cash during a criminal investigation, it is held by the City until the distribution order is issued by the court after the case is adjudicated. Until the court order is received, none of the funds can be expended and it is not known until that time how much of the money, if any, will be retained by the City. At the time the money is seized, it is deposited into a separate bank account and is posted to a separate cash account line within the Safety Fund and a corresponding liability account. When the distribution order is received from the court, funds paid to other agencies such as the court, county prosecutor or other law enforcement agencies are paid from the Safety Fund and the separate cash and liability lines are reduced. If any money is retained by the City, it is moved to the Law Enforcement Trust Fund via journal entry, a special revenue fund, from which it can be used for certain law enforcement related expenditures. A more appropriate method for accounting for this activity is to create a custodial fund for receiving and holding money that has been seized until final disposition. The money that has been seized has different restrictions on it than the money in the Safety Fund and should be accounted for accordingly. The holding of money by the City on behalf of other entities and under the control of the court is considered fiduciary activity and should be accounted for in a custodial fund. This is consistent with guidance given in Governmental Accounting Standards Board Statement No. 84 regarding fiduciary activity. In the future, money seized by the Police Department would be posted to the custodial fund and held there until the court issues the distribution order at which time the money would be distributed to the appropriate parties. The City's portion, if any, would be posted to the Law Enforcement Trust Special Revenue Fund to be expended for appropriate law enforcement expenditures consistent with previous activity and Police Department Policy.			

BUDGETING AND FINANCIAL IMPACT	Budget:		Once the fund is established and approved by the State, a transfer of funds and budget will be requested from the Commission.
	Source of Funds:		
	Narrative		
OPTIONS	1.	Approve Ordinance No. O-4-25 establishing the Law Enforcement Custodial Fund.	
	2.	Not approve Ordinance No. O-4-25 establishing the Law Enforcement Custodial Fund.	
PROJECT TIMELINE			
STAFF RECOMMENDATION		We are requesting approval of Ordinance No. O-4-25 to the Law Enforcement Custodial Fund.	
REASON FOR SELECTING CONSULTANT/COMPANY		N/A	
ATTACHMENTS			

Ordinance O-4-25 (1st Reading)

An ordinance authorizing the establishment of the Law Enforcement Custodial Fund

WHEREAS, Ohio Revised Code Section 2981.02 and City of Piqua Police Department Policy authorize the Piqua City Police Department to seize property and cash for designated offenses; and

WHEREAS, Ohio Revised Code Section 2981.11 and Police Department Policy requires that such property or cash seized be safeguarded until properly disposed of through a court order; and

WHEREAS, The City Commission wishes to create a separate fund in the accounting system of the City to account for monies that have been lawfully seized until a disposition order is issued by the court of jurisdiction,

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: The Law Enforcement Custodial Fund be established to account for monies that have been lawfully seized by the Piqua Police Department and are awaiting final disposition by the court of jurisdiction.

SEC. 2: This ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading: 3/4/2025

2nd Reading: 3/18/2025

3rd Reading: 4/1/2025

KRIS LEE, 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 Kris Lee

Commissioner Jim Vetter

Commissioner Paul Simmons

Commissioner Thomas Hohman

Commissioner Frank DeBrosse

City of

PIQUA

COMMISSION AGENDA
STAFF REPORT

L.2.

MEETING DATE	March 4, 2025	
REPORT TITLE	Ordinance No. O-5-25 (1st Reading) An ordinance authorizing the establishment of the Federal Law Enforcement Seizure Special Revenue Fund	
SUBMITTED BY	Jerry O'Brien, Director Finance	
AGENDA CLASSIFICATION	Ordinance	
BACKGROUND	The Piqua Police Department began four years ago to participate in the Equitable Sharing Program administered by the Department of Justice and the Department of Treasury. This program provides that when the City Police Department conduct joint investigations with federal law enforcement agencies, the City will be entitled to a share of assets forfeited to the federal government as a part of the joint law enforcement activity. The City Police Department participated in joint law enforcement activity with federal authorities from February 2020 until January 2023. Currently, the City has received and is holding \$103,068.48 through the Equitable Sharing Program as a result of this joint activity. The money was posted into the Law Enforcement Trust Fund and the intent was to earmark the money for spending for the purposes allowed in the Program. To date, none of this money has been expended. Upon further consideration and review of the accounting regulations in the Equitable Sharing Program and the best way to account for and track this money, it has been determined the best course of action is to create a special revenue fund to account for the activity.	
BUDGET/FINANCIAL IMPACT (Project costs and funding sources)	Budgeted \$:	Once the fund is established and approved by the State, a transfer of funds and appropriate budget will be requested from the Commission.
	Expenditure \$:	
	Source of Funds:	
	Narrative:	
ATTACHMENTS	None	

Ordinance No. O-5-25 (1st Reading)

An ordinance authorizing the establishment of the Federal Law Enforcement Seizure Special Revenue Fund

WHEREAS, The Piqua City Police Department occasionally partners with federal law enforcement agencies to conduct joint investigations; and

WHEREAS, Federal law enforcement agencies legally seize assets as a part of certain types of federal criminal investigations: and

WHEREAS, Proceeds from assets seized during joint investigations are shared with the City of Piqua Police Department through the Equitable Sharing Program administered by the Department of Justice and the Department of Treasury: and

WHEREAS, Federal regulations of the Equitable Sharing Program require that the receipt and expenditure of these shared proceeds be accounted for and tracked within the City's accounting system separately from any other monies.

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: The Federal Law Enforcement Seizure Special Revenue Fund be established to account for monies that have been received from the Department of Justice through the Equitable Sharing Program.

SEC. 2: This ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading 3/4/2025

2nd Reading 3/18/2025

3rd Reading 4/1/2025

KRIS LEE, 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 Kris Lee	_____
Commissioner Jim Vetter	_____
Commissioner Paul Simmons	_____
Commissioner Thomas Hohman	_____
Commissioner Frank DeBrosse	_____