



## **PIQUA CITY COMMISSION REGULAR MEETING MINUTES TUESDAY, MARCH 4, 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 Hohman, Mayor Lee, Commissioner Simmons, and Commissioner Vetter were present. Commissioner DeBrosse was excused.

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

### **ADJOURNMENT TO EXECUTIVE SESSION**

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

### **ROLL CALL**

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

### **EXECUTIVE SESSION**

The Executive Session was to consider pending or imminent litigation.

### **ADJOURNMENT FROM EXECUTIVE SESSION**

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

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

### **MOTION TO APPROVE BUSINESS AGENDA**

**1) Rules of Conduct for City Commission Meeting**

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

**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

Mayor Lee asked the clerk to read the name of the person appointed to the Energy Board. Greg Blankenship was appointed to the Energy Board.

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

Mayor Lee said the Commissioner's Committee on the Fire Training Center submitted a letter with an update of their progress, and he will see that it is placed on the website.

**OLD BUSINESS**

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

An ordinance to amend Chapter 50 of the Piqua Code

Introduction: Brian Brookhart said this is a second reading to update Chapter 50 to reflect the new Sanitation rates for the remainder of 2025 through 2029 as indicated in Exhibit A.

Commissioner's Comments: Commissioner Hohman asked if there had been any changes since the first reading. Brian Brookhart said there have been no changes.

Public Comments: Kim Heisler asked about the percentage listed for the Utility Office distribution, who the payments to the contracted vendor were for, and what kind of funds we are having to pay out of Sanitation because employees are transitioning to other areas? Paul Oberdorfer said the employees are moving to different general ledger codes, and in some cases moving out of the enterprise fund. Mr. Oberdorfer explained that the timing of the pay cycle we are in can have an effect on this. We are not certain of the date the employees will be transitioning yet, so that number has not been determined. Kim Heisler asked for more explanation of why money would be

paid out of the enterprise fund if there are already vacancies. Paul Oberdorfer said that no money is being paid, this is allocating the employee to the correct fund that they transition to. Ms. Heisler asked Paul Oberdorfer to answer which vendor the payments were going to and Paul Oberdorfer said the billing vendor was the Utility Billing Office.

Jeff Grimes asked if it was true that the age to receive the senior discount had been increased with the move to Rumpke. Mayor Lee asked Brian Brookhart if the age had increased and Brian Brookhart answered that Rumpke's age was 65. Mayor Lee asked why they are not keeping it the same. Jeff Grimes said the age difference is going to put an additional expense on our seniors. Mayor Lee said we would ask Rumpke to take the age back down to 62. Jeff Grimes said we have all of these funds left over from the Sanitation fund, and he said it should not be put into a slush fund. He said the citizens have already paid this through their utility bills, so we should take the \$2.7 million dollars in the Sanitation fund and the citizens should not have to pay anything for trash for the next year. Mayor Lee said he would not want to spend the entire fund. Mayor Lee said if something does not work out after 5 years, we may want to start back up our own Sanitation Department. Mr. Grimes questioned how much we would be keeping in the fund and if it was necessary. Commissioner Hohman stated the state auditor regulates how we can spend money, and agreed with Mayor Lee that we still need a fund. Jeff Grimes asked why we are paying our city employees to do billing for Rumpke. Paul Oberdorfer said whether they are doing the billing for Rumpke or not, they are still doing billing for other utilities.

Mayor Lee said he would like to make a motion to change the age from 65 to 62. Paul Oberdorfer said a motion is not necessary. He said that it could be done without a motion.

This is the second reading of this ordinance.

Commissioner Simmons said he has been here for 16 years and did not know there was a discount for seniors. Commissioner Simmons asked if the citizen had to ask for it and the answer was yes. You have to complete an application proving you meet age and income guidelines.

Commissioner Hohman asked Paul Oberdorfer if there was still a way to change the age since the contract had already been signed. Paul Oberdorfer said it can be accommodated.

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

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

Introduction: Kyle Hinkelman said this is a second reading of O-3-25 which would adopt revisions to Chapter 90 allowing backyard chickens in the City of Piqua and there have been no changes. This is the second reading and there are no changes from the 1st reading.

Commissioner's Comments: Commissioner Simmons asked for clarification on Section 90.07.b.1. Commissioner Simmons referenced the stipulation that no structure for chickens can be 25 feet from an occupied structure. He questioned whether it would be permissible to have the chicken enclosure on the far side of his garage since the garage is attached to his house by a breezeway. Kyle Hinkelman said if it is a structure someone occupies, the distance listed in the code will have to be followed. Kyle Hinkelman said it does not necessarily mean where you sleep. The code specifies

structure that is occupied. Kyle Hinkelman said if the ordinance is adopted, we can look at each case individually.

Commissioner Vetter asked what happens when chickens are mistreated and gave the example of not being fed. Commissioner Vetter said this is a concern on his part. Commissioner Vetter said at Aldi today the cost of eggs was \$5.97. Channel 7 ran a story on backyard chickens and reported that it is not cost-efficient to raise your own chickens. The WHIO report estimated the cost of an egg came out to over 1.05 per egg, which would be over \$12.00 per dozen.

Mayor Lee said he has no objections to people having backyard chickens, although there would be several neighborhoods with covenants that won't allow them.

Public Comments: Greg Neves agrees with allowing chickens to help save money.

Nicholas Mahrt asked how we were going to take care of deceased chickens. Kyle Hinkelman said you should dispose of them in the regular trash. Nicholas Mahrt said he is concerned about flies and thinks there should be a way to secure them. Mr. Mahrt said it also presents concerns for the land fill. Commissioner Vetter agreed that it can present a health concern.

Kim Heisler strongly suggests leaving the decision to allow chickens up to the people. Ms. Heisler said she would be surprised if 20 percent of people would actually want them. Ms. Heisler said it is a great learning experience for kids and she thinks it would be nice if it passed. As far as having a deceased animal, it is not that much different from throwing raw meat or leftovers in the trash. Ms. Heisler said as far as the mistreatment of chickens, people mistreat children, and there is no difference.

Joe Wilson said he is against allowing backyard chickens. Mr. Wilson said the odor and predators are going to be a problem. Joe Wilson said home values will go down if your neighbor has chickens. Lastly, Mr. Wilson said you are underestimating the risk of diseases. Bird flu is currently being transferred to cats, cows and people. Joe Wilson said he has a condition he received in his childhood which he may have received from fowl around Echo Lake. Joe Wilson said citizens can easily track bird droppings.

Dan Dunton stated that he was not in favor. Mr. Dunton asked what would happen if a child or cat was close to a coop and tracked contamination. The noises made by the chickens will be annoying. Mr. Dunton is concerned about the odor in summer. Mr. Dunton asked the commissioners if they would want chickens next to their house? He said that we live in a residential area, not agricultural, and chickens will affect the sale of your house.

Melissa Jacomet is for chickens. Ms. Jacomet said we are talking about 6 chickens, not a farm, and the smell will be very minimal. Ms. Jacomet is already signed up for the class you need to take before getting a permit for chickens. Melissa Jacomet thinks it is positive.

Sharon Brandt said she has lived in Parkridge for 20+ years. She said when she first moved there, there were rules and asked if they were still in place. Commissioner Vetter said, unfortunately the

city cannot enforce that and those rules would be up to the courts to enforce. Ms. Brandt asked if a citizen wanting to have chickens would have to have a license. Sharon Brandt said she understands there are two sides, but does not want to live next to someone who has them. Mayor Lee said there are a lot of rules that they have to follow before they can even have chickens. Sharon Brandt said we need to bring our economy up and did not want to cause more issues for Piqua. A lot of us have stayed here because of our love for Piqua. Ms. Brandt asked if you are going to allow cows if the price of beef goes up? Chickens will cause diseases, mice, snakes and coyotes in our City.

Commissioner Simmons said he wants our local economy to grow, and he plans to get chickens. Commissioner Simmons plans on buying feed and the enclosure locally. If it does not pass, we will not be growing our economy.

Pam Hawes is for chickens. Where she lives there are already raccoons and skunks and you can not keep them out of the city. Ms. Hawes does not think chickens are going to bring more rodents than we already have. Ms. Hawes said she and all her neighbors were going to get chickens. The smell will not be that bad.

Mayor Lee said this will serve as a second reading. Mayor Lee said he forgot to announce that the AV board is out for repairs and the meeting is not being live-streamed by the city, but the video will be online tomorrow.

## **NEW BUSINESS**

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

An ordinance authorizing the establishment of the Law Enforcement Custodial Fund

Introduction: Jerry O'Brien said 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.

Commissioner's Comments: Commissioner Hohman asked if this is known as civil asset forfeiture and Mr. O'Brien acknowledged. Commissioner Hohman said the court system is our check and balance because nothing can be taken without the judges' approval. Commissioner Vetter said he believes the city would ultimately be able to decide where the money goes if it is awarded to the City. Jerry O'Brien said the allowed expenditures are written into the Ohio Revised Code. The Police Department is required to have a policy to specify what type of expenditure this money can be

used for. The laws are very strict on what the money can be used for.

Public Comments: Jeff Grimes asked what is changing. He asked if we are keeping track of it now, how this would make it better? Jerry O'Brien explained that right now it is in a safety fund, and a liability fund, but if it is in its own separate fund, it will be easier to track. There will also be better internal controls. Commissioner Hohman agreed that it would be easier to keep track of. Jerry O'Brien said from an accounting standpoint, it is better. Jeff Grimes asked how it could be any better and stated that it seems like there is more work involved. Commissioner Hohman said it is being more transparent with better accounting and tracking. Commissioner Hohman said it adds an extra layer. Jeff Grimes asked if we have had any issues with the current accounting system. Rick Byron replied that we get state forfeitures and federal forfeitures, and we have to report both separately. Separating them out just makes it easier. It is a more professional way to document.

Kim Heisler said she hopes the software is better than the Civic Plus software. Mayor Lee replied that the problems we are having are with the hardware, not the software.

This is a first reading.

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

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

Introduction: Jerry O'Brien said 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 conducts 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.

Commissioner's Comments: None

Public Comments: Kim Heisler asked if this one was for the federal and the other one was for the state.

Mayor Lee said this is a 1st reading.

**COMMISSIONERS COMMENTS**

Paul Oberdorfer said a parking survey is on our website and social media. We have already

received over 200 responses. Mr. Oberdorfer encourages others to respond to the survey so we can better understand the needs of the citizens.

Commissioner Simmons: Mayor Lee wished Commissioner Simmons a happy birthday. Commissioner Simmons gave a shout-out to DoBos for the donuts and invited everyone to help themselves.

Commissioner Hohman did not have any comments.

Commissioner Vetter did not have any comments.

Mayor Lee said he had training on Wednesday, so he missed the Mayor's meeting last week but will have one tomorrow from 4-6 pm. Lehman basketball is out of the finals. Piqua Showchoir did a great job this year and received Grand Champion. He said they far exceeded other years.

### **ADJOURNMENT**

A motion was made by Commissioner Hohman to adjourn the meeting, and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously. The meeting adjourned at 7:03 pm.

### **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.)

PASSED:

ATTEST:

Melissa Kinney  
3.18.2025  
COMMISSION CLERK

Kris Lee  
KRIS LEE, MAYOR