

**REGULAR PIQUA CITY COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 5, 2023**

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.

ROLL CALL

Mayor Pearson and Commissioners Hinds, Lee, Grissom, and Vetter were present.

ADJOURNMENT TO EXECUTIVE SESSION at 5:32 pm

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

ROLL CALL

Mayor Pearson and Commissioners Hinds, Lee, Grissom, and Vetter were present.

EXECUTIVE SESSION

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 at 6:12 pm

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

REGULAR PIQUA CITY COMMISSION MEETING

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes from the August 15, 2023, Regular City Commission Meeting

RESOLUTION NO. R-104-23

A resolution establishing "Trick or Treat/Beggars' Night" in the City of Piqua

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

OLD BUSINESS

ORDINANCE NO. O-6-23 (Postponed)

An ordinance to adopt Chapter 109: Rental Housing Regulations

A motion was made by Mayor Pearson to re-open this ordinance and Commissioner Hinds seconded the motion. Commissioner Lee was not in favor or re-opening it. Commissioners Hinds, Grissom and Vetter, along with Mayor Pearson, were in favor and the motion was approved.

A motion was then made by Commissioner Vetter to amend this ordinance to include the most recent version of Exhibit A and Commissioner Hinds seconded the motion. Commissioner Lee was not in favor. Commissioners Hinds, Grissom and Vetter, along with Mayor Pearson, were in favor and the motion was approved.

Commissioners Comments: Commissioner Lee asked when the latest update was made to the Rental Registration Program. Chris Schmiesing said that it was last updated on August 14, 2023, which is available on the city's website page.

A motion was made by Mayor Pearson to approve the ordinance and Commissioner Hinds seconded the motion. Commissioners Lee and Grissom were not in favor. Commissioners Hinds, Vetter, and Mayor Pearson were in favor and the ordinance was adopted.

NEW BUSINESS

ORDINANCE NO. O-9-23 (1st Reading)

An ordinance providing for the issuance of a note in anticipation of the issuance of bonds for the purpose of financing the construction, acquisition, and equipping of park improvements facilities and appurtenances related thereto

Introduction: Mr. Schmiesing explained that this ordinance is to authorize the issuance of a note related to financing the final phase of the Lock 9 Park improvements. The City is utilizing finance experts from Baker Tilly Municipal Advisors LLC and Frost Brown Todd LLP to establish internal borrowing of reserved funds, which is a good use of the funds. The dollars will be invested in eligible government funds on a short-term basis of 12 months, and the notes will bear similar rates to the market.

Commissioners Comments: Commissioner Vetter wanted to clarify that the City would be borrowing from itself versus borrowing from a bank. Brian Cooper of Baker Tilly confirmed that would be correct, which would be an investment in the general fund.

Commissioner Hinds commented that this needs to move forward quickly, as interest rates are rising, in order to lock in a good rate.

Public Comment: Gary Koenig stated that the City should consider using funds other than the water fund, as he is concerned with flood control for the citizens. He also wants assurance that utility rates will not increase.

David Hitchings wanted clarification as to whether taxes would increase, to which Commissioner Grissom replied that there would be no taxes on citizens due to this ordinance. He also expressed concern for passing this ordinance too quickly. Commissioner Hinds said this is due to the current interest rate environment. Mr. Schmiesing added that this will allow the final phase of Lock 9 Park funding to be completed.

Deron Yingst inquired as to the total amount of money the City will borrow for the Lock 9 project. Mr. Schmiesing responded that the \$5.8 million includes both phases of the project. Mr. Yingst also wanted to know where the \$2 million in grants was coming from, to which Mr. Schmiesing cited many different sources. City Manager Paul Oberdorfer explained that the City will not know final numbers for Lock 9 until the project is completed, as grant reimbursements will come through at that time.

Tonya Blair asked how the City will take care of Lock 9 Park, as she claims that the City does not take care of the existing parks, schools and pool.

A motion was made by Commissioner Hinds to waive the 3 Reading Rule and Commissioner Lee seconded the motion. Commissioner Grissom was not in favor. Commissioners Hinds, Lee, and Vetter, along with Mayor Pearson, were in favor and the motion was approved.

A motion was made by Mayor Pearson to approve the ordinance and Commissioner Hinds seconded the motion. All were in favor and the motion was carried unanimously.

ORDINANCE NO. O-10-23 (1st Reading)

An ordinance declaring improvements to certain parcels of real property located within the City of Piqua to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of those service payments; specifying the public infrastructure improvements to be made that directly benefit such real property; and approving and authorizing the execution of a development agreement

Introduction: Chris Schmiesing stated that this ordinance is a request to establish a TIF as a financing tool to redevelop the property at 902 Scot Drive, which was formerly the Red Roof Inn. The City is working with a developer to provide the highest and best use of this property, which would be a national sit-down restaurant and a modern select service hotel. Mr. Schmiesing then shared a slide of an economic impact analysis completed recently, demonstrating the financial benefits of a restaurant and hotel versus a gas station and convenience store at this location.

Commissioners Comments: Commissioner Hinds commented that the City should move quickly, as the hotel and restaurant option is much more advantageous to the community than a gas station. Mr. Schmiesing added that there is a tight timeline to prepare the documents and get the loan in place, as the current contract expires the end of September.

Commissioner Lee asked if the City has ever done any other TIF's, and Mr. Schmiesing replied that a TIF was successfully utilized for a road expansion on Scarborough Drive for manufacturer IDC Spring.

Public Comment: Diana Park expressed her discontent with the Commissioners, as she feels they are disrespectful to the citizens and do not listen.

Kevin Jenkins wanted to know who owns the condemned Red Roof Inn, to which Law Director Frank Patrizio replied that Mr. Patel owns it.

Another citizen (no name provided) said he is doubtful that citizens really want the Rental Inspection Program, and Commissioner Hinds responded that people in support of the program have not attended meetings due to poor treatment by those opposed to the program.

Brandon Virgallito asked what recourse the City has if the developer fails to carry out purchase of the lot. Mr. Schmiesing responded that the City would then talk with other developers. Mr. Virgallito also expressed concerns with the holding costs and having another hotel in Piqua. Mr. Schmiesing explained that the economic analysis conducted supports and recommends a 90-room hotel.

Greg Neves asked what the repurchase price would be for the developer. Mr. Schmiesing said that would be established in the agreement and that the developer would repay fees incurred by the City.

Jim Meyers stated that his big concern is rushing the process.

A motion was made by Mayor Pearson to waive the 3 Reading Rule and Commissioner Hinds seconded the motion. All were in favor and the motion was carried unanimously.

A motion was made by Commissioner Hinds to approve the ordinance and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

ORDINANCE NO. O-11-23 (1st Reading)

An ordinance authorizing the issuance of not to exceed \$[2,500,000] of special obligation nontax revenue bonds, in one or more series, for the purpose of acquiring land and interests in land, and all necessary appurtenances thereto; authorizing a purchase agreement; and authorizing other actions in connection with such bonds

Introduction: Mr. Schmiesing announced that this ordinance would authorize the note to borrow funds to acquire the property of 902 Scot Drive. This will allow the City to facilitate the redevelopment of this property with the highest and best uses available to the community.

Commissioners Comments: Commissioner Vetter asked if this would implement any tax on the citizens, to which Mr. Schmiesing replied no. Emmett Kelly of Frost Brown Todd LLP reiterated that the City would be using non-tax revenue bonds for these funds.

Public Comment: None

A motion was made by Commissioner Hinds to waive the 3 Reading Rule and Mayor Pearson seconded the motion. All were in favor and the motion was carried unanimously.

A motion was made by Commissioner Hinds to approve the ordinance and Commissioner Vetter seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-105-23

A resolution authorizing a contract with Frost Brown Todd to provide TIF and Bond Counsel Services

Introduction: Mr. Schmiesing explained that this contract will secure services for bond paperwork and legal instruments that support the TIF.

Commissioners Comments: None

Public Comment: None

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

RESOLUTION NO. R-106-23

A resolution authorizing the lease of former Police Recreational Buildings located on State Route 66, Piqua

Introduction: Mr. Patrizio said this resolution involves a lease agreement with Energy Storage Response Group, LLC, for battery testing. ESRG will pay usage fees. Matt Bowman of ESRG plans to demolish the abandoned pool and build a training facility site there for dismantling electric cars. This will give a better appearance to the existing structure. Nick Warner of ESRG assured the Commission that his company does everything possible to minimize environmental impact.

Commissioners Comments: Commissioner Hinds expressed her excitement that this will bring more people to Piqua to eat, visit, stay and shop.

Commissioner Vetter asked if the Police Department was still using the shooting range there. Police Chief Byron replied that this spot is only used for training now. Commissioner Vetter also asked Mr. Warner if he anticipates any fumes coming into the City. Mr. Warner said all burns are monitored very closely, and the company knows how to effectively manage the smoke.

Public Comment: Jeff Grimes stated his concern with the burning of batteries, and he showed pictures to the Commission. He said that hydrogen fluoride is very toxic and that the City should not allow this so close to the river, bike path, park and dog park. Utilities Director Kevin Krejny said that all tests are registered with the Ohio EPA and highly controlled.

Another citizen (no name provided) commented that the burning of batteries will contaminate Piqua's water and that the Commission should not rely on the EPA. Mr. Warner said that ESRG disposes of all leftover battery waste per the DOT regulations.

Gary Koenig inquired as to why the City does not sell the building, as he feels this is an unusual agreement unless the City has a compelling public interest. Mr. Krejny stated that the property cannot be sold due to the spillway adjacent to it.

Tonya Blair wanted to know what a typical class size is when ESRG conducts training sessions. Mr. Warner said that it varies depending on the type of class and that they have international guests as well.

A motion was made by Commissioner Hinds to approve the resolution and Commissioner Grissom seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-107-23

A resolution authorizing the lease of former Water Plant Buildings

Introduction: Mr. Krejny said this lease is an extension of the previous lease with the same lessee ESRG. This company has been burning batteries at this location since 2018.

Commissioners Comments: None

Public Comment: Gary Koenig reiterated his belief that the City needs a compelling interest to enter into this lease agreement, as he thinks the income generated from the lease is nominal. He also thinks that there should be property tax paid by ESRG on the capital improvements of the property. Mr. Oberdorfer responded that the City is looking at the overall bigger picture of economic development in this situation and that this will stimulate activity here, along with positioning Piqua in the future.

Jim Meyers expressed his concern, as he lives near this location and was unaware. Mr. Krejny remarked that this agreement with ESRG to do battery testing there was originally approved in 2018 by the City Commission and that all burning dates are posted on the city website page to alert citizens.

Paul Voorhis wanted to know how often fires are happening in the nighttime, as he recently saw a flare in the evening. Mr. Warner said that ESRG has only had 3 fires in the evening since 2018 at this location, and ESRG never leaves a fire unattended if in the evening hours, as it is under strict fire watch at all times.

Tonya Blair inquired about the insurance and liability if there would be damage, as she is concerned of the long-term effects on children's health in the future. Commissioner Grissom commented that there is an Insurance Clause in the contract.

A motion was made by Mayor Pearson to approve the resolution and Commissioner Grissom seconded the motion. All were in favor and the motion was carried unanimously.

RESOLUTION NO. R-108-23

A resolution to levy assessments for the cost of Nuisance Abatements

Introduction: Mr. Schmiesing reminded Commission that this is an annual process required by the county auditor to authorize amounts assessed to properties throughout the previous year due to abatement services necessary, such as grass mowing, trash removal and demolition of delapidated structures. He noted that the total amount is \$71,529 to be assessed and not \$120,186 referenced in the Staff Report.

Commissioners Comments: None

Public Comment: None

A motion was made by Mayor Pearson to approve the resolution and Commissioner Hinds seconded the motion. All were in favor and the motion was carried unanimously.

PUBLIC COMMENT

Paul Voorhis suggested that the City publish a "shame list" for property owners who are causing nuisance and code violations rather than have a Rental Inspection Program.

David Hitchings expressed his feelings of disrespect and not being heard by the Commissioners. All 5 Commissioners said that he is welcome to call them at any time to speak with them. Commissioner Lee also offered to send Mr. Hitchings some of the many emails of support for the Rental Inspection Program.

Jennifer Kirby, a resident of Dayton and advocate for ADA, believes that there is an issue of communication with citizens and the City. She recommended that the City be proactive versus reactive in regard to ADA compliance issues.

Jeff Grimes said he does not feel as though the Commission is working for the citizens nor listening in regard to the Rental Inspection Program. He also feels that it is unacceptable for the battery testing that is occurring on SR 66 so close to the river.

Tonya Blair asked what Insurance company the city uses, to which Mr. Oberdorfer replied MVRMA.

CITY MANAGER'S REPORT

Paul Oberdorfer announced that the new burn building should be completed by the end of this week. He also shared the good news that 5 EMT's and 1 Paramedic started working for the Piqua Fire Department today.

Police Chief Byron then provided an update on recent happenings in Piqua. He is unable to comment on the recent homicide investigation but is confident that the person responsible is detained. Recently there was a very rare incident in which 5 vehicles were stolen in 1 night, but he said that there has not been an increase in calls to his department, nor an increase in crime in Piqua.

COMMISSIONERS COMMENTS

Commissioner Hinds expressed her appreciation for Mr. Schmiesing and all of the work he does to move the City forward. She also recognized the City staff as a whole for working hard.

Commissioner Grissom had no comment.

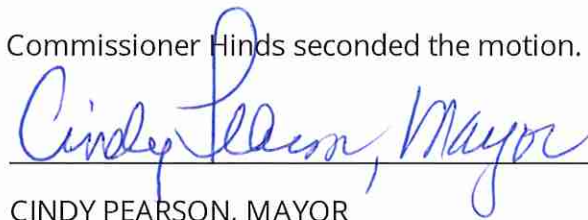
Commissioner Lee reminded citizens that school is back in session and to be alert of buses and children. He said that he voted no on the Rental Inspection Program ordinance because he wanted to start with requiring registration only. He stated his desire to build trust with the citizens. He also said the City employees do a great job, and he commended Mr. Schmiesing for bringing opportunities to Piqua.

Commissioner Vetter commended the Piqua Power Department for recently sending 5 employees to Florida to assist with hurricane relief. He also asked when a new water quality report would be generated, to which Mr. Krejny responded that it usually comes out in June each year. Commissioner Vetter thanked Aaron Morrison for an updated Property Maintenance Report that showed 80% of complaints being resolved.

Mayor Pearson reminded everyone to be extra careful with school starting again. She also thanked the fire department for their efforts and hard work on a house fire recently on Caldwell Street.

ADJOURNMENT at 8:19 p.m.

A motion was made by Mayor Pearson to adjourn, and Commissioner Hinds seconded the motion. All approved and the motion was carried unanimously.


CINDY PEARSON, MAYOR

Passed: 9.19.2023

Attest: Melissa Kinney

MELISSA KINNEY, COMMISSION CLERK