

CITY OF MIAMISBURG
CITY COUNCIL MEETING MINUTES
10 N FIRST STREET, MIAMISBURG, OHIO

October 15, 2024

The Miamisburg City Council meeting commenced at 6:00 p.m.

Mayor Collins issued the call to order, followed by Invocation.

The Miamisburg Honor Guard presented colors, followed by the Pledge of Allegiance led by Mayor Collins.

Regular Session began with the following members present: Councilmembers: Beachler, McCabe, Nestor, Nicholas, Stalder and Thacker.

Motion was made by Stalder, seconded by McCabe, to excuse the absence of Councilmember Colvin. Motion carried.

Motion was made by Nicholas, seconded by Nestor, to accept the minutes of the Regular Session on October 1, 2024, as distributed. Motion carried.

Mayor Collins opened Citizen Forum and asked anyone present who wished to discuss an item not appearing on the agenda, to come forward. There was no response, and the Forum was closed.

Keith Johnson, City Manager, provided the introduction of Michael Brem, selected candidate for the position of Miamisburg Police Chief, followed by Mayor Collins performing the swearing in. Chief Brem issued a notable speech, noting his connection to the City of Miamisburg and issuing his gratitude to all in attendance for their support. Chief Brem was joined by his family and many friends and looks forward to working within the community.

Nicholas Borders, Five Rivers MetroParks Director of Business Operations, presented information on MetroParks mission statement, various park locations and annual events. Mr. Borders continued by providing details of the 2024 1.0 mill, 10-year levy, including its dedication to the protection and improvement of natural areas, ensuring safety of park areas, roads and bridges, as well as the commitment to providing recreation, education and events. The levy would cost approximately \$3 per month per \$100,000 of appraised property value. Additional information on the Five Rivers MetroParks levy can be found at: MetroParks.org or by calling 937-275-7275.

Upon the conclusion of presentation items, Council began hearing the following items:

ORDINANCE NO. 7109

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH AREK ENTERPRISES FOR THE OPERATION OF THE HAMBURGER WAGON AT MARKET SQUARE AND DECLARING AN EMERGENCY.

Chris Fine, Development Director, presented Ordinance No. 7109. The ordinance would adopt a new lease agreement with Arek Enterprises for the Hamburger Wagon which operates within the city's public right-of-way in the Market Square area of downtown. Many of the provisions of the proposed lease are substantially the same as previous leases along with a few modifications based on comments received during a Council Study Session in September. Staff recommend approval of this ordinance.

Motion was made by Nicholas, seconded by Beachler, to dispense with the requirement that Ordinance No. 7109 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The ordinance was read by title only. Motion was made by McCabe, seconded by Thacker, to pass Ordinance No. 7109, carried by Yea Votes of Beachler, McCabe, Nestor, Nicholas, Stalder and Thacker.

ORDINANCE NO. 7110

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES AND DECLARING AN EMERGENCY.

Valerie Griffin, Project Manager, presented Ordinance No. 7110. The ordinance would authorize the City Manager to enter into a Professional Services Agreement for the King Richard Transmission Main Project. The project will replace all of the problematic 12" transmission main, while also replacing a section of 6" main that runs parallel to the transmission main and serves the low service area. Staff has considered the study recommendations as well as those of the 2024 Water System Master Plan Update and concluded that the replacement of the transmission main is critical to the City's water distribution system. Staff recommend approval of this ordinance.

Motion was made by Nicholas, seconded by Nestor, to dispense with the requirement that Ordinance No. 7110 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The ordinance was read by title only. Motion was made by Stalder, seconded by Thacker, to pass Ordinance No. 7110, carried by Yea Votes of Beachler, McCabe, Nestor, Nicholas, Stalder and Thacker.

ORDINANCE NO. 7111

AN ORDINANCE TO CERTIFY SPECIAL ASSESSMENTS FOR THE REPAIR OF CURBS, GUTTERS AND SIDEWALKS IN THE CITY OF MIAMISBURG, MONTGOMERY COUNTY, OHIO TO THE COUNTY AUDITOR OF SAID COUNTY FOR THE COLLECTION THEREOF AND DECLARING AN EMERGENCY.

Kevin Metz, Assistant Finance Director, presented Ordinance No. 7111. The ordinance would certify special assessments for the repair of curbs, gutters and sidewalks in the City of Miamisburg, Montgomery County, Ohio and is for the 2023 Sidewalk, Curb, and Gutter Annual Program. The 2023 Sidewalk Program includes 42 parcels, with the property owners choosing to have the cost of the repairs assessed to their property taxes. The total dollar amount to be assessed with the 2023 program is \$128,056.90. The Sidewalk Assessment Ordinance will certify these parcels and dollar amounts to the Montgomery County Auditor for placement on the tax duplicate and collection over a ten-year period beginning in 2025 through 2034. Staff recommend approval of this ordinance.

Motion was made by McCabe, seconded by Thacker, to dispense with the requirement that Ordinance No. 7111 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The ordinance was read by title only. Motion was made by Nicholas, seconded by Stalder, to pass Ordinance No. 7111, carried by Yea Votes of Beachler, McCabe, Nestor, Nicholas, Stalder and Thacker.

ORDINANCE NO. 7112

AN ORDINANCE TO CERTIFY SPECIAL ASSESSMENTS FOR THE DELINQUENT CHARGES FOR THE CUTTING AND REMOVAL OF WEEDS, VEGETATION AND/OR GRASS, SEWER SERVICES, AND REFUSE SERVICES, FOR THE CITY OF MIAMISBURG, MONTGOMERY COUNTY, OHIO, TO THE COUNTY AUDITOR OF SAID COUNTY FOR THE COLLECTION THEREOF, AND DECLARING AN EMERGENCY.

Kevin Metz, Assistant Finance Director, presented Ordinance No. 7112. The grass mowing and weed removal assessment covers the period from October 4, 2023 through September 24, 2024, including 17 properties, for a total dollar amount of \$48,675.00. The sewer assessment covers delinquent sewer charges and includes 4 properties for a total dollar amount of \$18,930.03. Staff recommend approval of this ordinance.

Motion was made by Nicholas, seconded by Beachler, to dispense with the requirement that Ordinance No. 7112 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The ordinance was read by title only. Motion was made by Beachler, seconded by Nestor, to pass Ordinance No. 7112, carried by Yea Votes of Beachler, McCabe, Nestor, Nicholas, Stalder and Thacker.

RESOLUTION NO. 3023

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Kevin Metz, Assistant Finance Director, presented Resolution No. 3023. This resolution accepts the tax rates and amounts certified by the Montgomery County Budget Commission. This resolution determines the property tax rates to be levied, and the estimated property tax revenues to be generated in 2025, in both the General Fund and Miami Conservancy District Fund. It is necessary for City Council to adopt this routine resolution each year as a means to certify the rates and amounts for the tax duplicate and allows the County to collect property taxes on behalf of the City. Staff recommend approval of this ordinance.

Motion was made by Nicholas, seconded by McCabe, to dispense with the requirement that Resolution No. 3023 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The ordinance was read by title only. Motion was made by Thacker, seconded by Stalder, to pass Resolution No. 3023, carried by Yea Votes of Beachler, McCabe, Nestor, Nicholas, Stalder and Thacker.

A MOTION TO CLOSE ROADS FOR THE 2024 TURKEY TROT.

Ryan Davis, Parks and Recreation Director, presented City Council with a motion to close roads for the 2024 Turkey Trot. The Ohio River Road Runners Club (ORRRC) has requested permission to conduct the 46th Annual Thanksgiving Turkey Trot on Thursday, November 28, 2024. The annual event consists of both a 5-mile and 1-mile race and will begin at 8:30 a.m. and 8:35 a.m. respectively. The ORRRC is proposing to use the same course route as last year. Department staff from Miamisburg Parks and Recreation, Public Works, Police, Engineering, as well as representatives of the Miami Valley Fire District have been involved with the planning of the event and will assist with event logistics. Additionally, police staff are in contact with Norfolk Southern Railway regarding the event crossing the railroad tracks and coordinating their awareness of civilians crossing during the event. To assist with safety and communication, the Mound Amateur Radio Association will provide Hamm operators at key points along the racecourse. Staff recommend approval of the motion.

Motion was made by Nicholas, seconded by Nestor, to approve the motion to close roads for the 2024 Turkey Trot. Motion carried.

A MOTION TO RECESS TO AN EXECUTIVE SESSION TO CONSIDER THE EMPLOYMENT OF A PUBLIC EMPLOYEE.

Motion was made by Thacker, seconded by Nestor, to approve the motion to recess to an Executive Session to consider the employment of a public employee. Motion carried by Yea Votes of Beachler, McCabe, Nestor, Nicholas, Stalder and Thacker.

Upon the close of legislative items, Council entered Study Session to discuss the following:

- Winsupply Development update
- GDRTA Bus Pads

Winsupply Development update

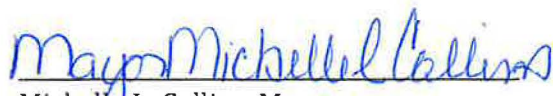
Andrew Rodney, City Planner, presented information on the possible Winsupply Development, with the proposed use of warehouse/distribution, that would occupy 38 acres at Lyons and Byers Roads. Members from the Winsupply team were present to answer questions; team members included Bill Tolliver, John Roll and Mark Fornes. Mr. Rodney provided architectural site plan information and discussed issue points. The prospective timeline was discussed, noting that the information would be presented to the Planning Commission on Monday, October 21st.


GDRTA Bus Pads

Andrew Rodney also presented information on GDRTA Bus Stop Improvements. The purpose of these improvements would be to provide accessibility for handicap and mobility-challenged passengers of the fixed-route GDRTA system. Improvements would include bus pads at 31 stops along routes 18 and 19, as well as Big Belly trash receptacles at six locations. Mr. Rodney provided a project map for review; financing options were also discussed.

Upon the close of Study Session item discussion at 8:31 p.m., City Council moved into an Executive Session.

Council concluded Executive Session at 8:59 p.m.


Michelle L. Collins, Mayor


Keysha Alexander, Clerk of Council