

COUNCIL CHAMBERS, CITY OF MIAMISBURG
10 N FIRST STREET, MIAMISBURG, OHIO

January 21, 2020

Mayor Michelle Collins gave the invocation, after which everyone recited the Pledge of Allegiance.

Council met in Regular Session at 6:00 p.m. with the following members present: Mayor Collins, Councilmembers Clark, Colvin, McCabe, Nestor, Nicholas and Stalder.

Motion was made by Nicholas, seconded by Stalder to excuse Councilmember Thompson. Motion carried.

Motion was made by Clark, seconded by Colvin to accept the minutes of the Regular Session on December 17, 2019, as distributed. Motion carried. Motion was made by Colvin, seconded by Clark to approve the minutes of the Special Session on December 31, 2019, as distributed. Motion carried.

Mayor Collins opened the 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.

Alex Zaharieff, Beavercreek Township Administrator and Jessica Dean, Beavercreek Township Trustee presented a Proclamation and Challenge Coins to Council and staff for all their help and assistance during the 2019 Tornado Outbreak.

Ryan Homsy presented Ordinance No. 6830. Mr. Homsy stated that this Ordinance has been reviewed and revised by the Planning Commission and staff. Planning Commission recommended that the Ordinance better clarify that the application and subsequent approval of building permits, as long as work does not cease on projects long enough for the permits to expire, is considered as "beginning development" on projects that are reviewed and approved by Planning Commission. Staff's recommendation is to correct a numbering issue. If approved this Ordinance will go into effect 30 days after passage.

ORDINANCE NO. 6830

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 1294 – SITE PLAN REVIEW – OF THE MIAMISBURG PLANNING AND ZONING CODE TO UPDATE THE STANDARDS FOR SITE PLAN AND SPECIAL USE REVIEWS.

The first reading of the Ordinance was held at the Regular Session on December 3, 2019, at which time it was referred to the Planning Commission. Mayor Collins opened a Public Hearing and asked anyone present who wished to speak in favor of or in opposition to

the Ordinance to come forward. There was no response and the Hearing was closed. Motion was made by Colvin, seconded by Nicholas to amend Ordinance 6830 to be consistent with the changes recommended by the Planning Commission and City Staff for the second and final reading, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas, and Stalder. Motion was made by Nicholas, seconded by Stalder to read the Ordinance the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Clark, seconded by Colvin to pass Ordinance No. 6830, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas and Stalder.

Ryan Homsy presented Ordinance No. 6831. Mr. Homsy stated that this Ordinance has been reviewed and revised by the Planning Commission. The intent of the Ordinance is to ensure that the Special Development Districts are clearly subject to the general Planned Development requirements. The updates also grant more flexibility to allow mixed-use Special Development Districts that may include residential uses when such uses are not located above the first floor of a building. At their public hearing on 12/16/2019, the Planning Commission recommended a few organizational changes be made to the ordinance as well as better clarifications for the buffering requirements for Planned Residential Districts and for the expiration schedules for multi-stage Special Development Districts. Mr. Homsy stated that all of these recommended changes were reflected in the ordinance packet that went out to Council for this meeting. If approved this Ordinance will go into effect 30 days after passage.

ORDINANCE NO. 6831

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTERS 1275 – SPECIAL DEVELOPMENT DISTRICT, 176 – PLANNED DEVELOPMENT GENERALLY – AND 1278 – PR PLANNED RESIDENTIAL DISTRICT – TO UPDATE STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS AND TO BETTER CLARIFY THE REQUIRED TIMEFRAMES FOR DEVELOPMENT PLAN SUBMITTALS.

The first reading of the Ordinance was held at the Regular Session on December 3, 2019, at which time it was referred to the Planning Commission. Mayor Collins opened a Public Hearing and asked anyone present who wished to speak in favor of or in opposition to the Ordinance to come forward. There was no response and the Hearing was closed. Motion was made by Nicholas, seconded by Colvin to amend Ordinance 6831 to be consistent with the changes recommended by the Planning Commission for the second and final reading, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas, and Stalder. Motion was made by McCabe, seconded by Nestor to read the Ordinance the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nicholas, seconded by Colvin to pass Ordinance No. 6831, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas and Stalder.

Chris Fine presented Ordinance No. 6837. Mr. Fine stated that through the establishment of the TIF agreement the City has agreed to fund \$450,000 in public improvements to the

project. The City intends to recoup its \$450,000 investment in the project, plus interest through service payments in lieu of taxes generated by the TIF. This agreement will establish a minimum service payment of \$30,000 per year.

ORDINANCE NO. 6837

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SIMPLIFY REAL ESTATE, LLC AND MODA 4 DESIGN, LLC TO PROVIDE FOR MINIMUM SERVICE PAYMENTS IN LIEU OF TAXES RELATED TO THE DOWNTOWN SUTTMAN BUILDING TIF PROJECT AND DECLARING AN EMERGENCY.

Motion was made by Nicholas, seconded by McCabe to dispense with the requirement that Ordinance No. 6837 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 Colvin, seconded by Nestor to pass Ordinance No. 6837, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas and Stalder

Mr. Fine presented Ordinance No. 6838. Mr. Fine stated that Miami Valley Small Business Development Center will provide business support and consulting services for small businesses in the Montgomery County area.

ORDINANCE NO. 6838

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MIAMI VALLEY SMALL BUSINESS DEVELOPMENT CENTER REGARDING THE USE OF CITY OFFICE SPACE FOR THE PROVISION OF BUSINESS CONSULTING SERVICES AND DECLARING AN EMERGENCY.

Motion was made by Colvin, seconded by McCabe to dispense with the requirement that Ordinance No. 6838 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. 6838, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas and Stalder

Mr. Fine presented Ordinance No. 6839. Mr. Fine stated that the City was recently awarded grant funds from the Montgomery County Economic Development and Government Equity (ED/GE) for a project that will result in the retention of 60 jobs at Technicote.

ORDINANCE NO. 6839

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ACCEPT GRANT FUNDS UNDER THE MONTGOMERY COUNTY ECONOMIC DEVELOPMENT/GOVERNMENT EQUITY (ED/GE) PROGRAM FOR THE TECHNICOTE PROJECT AND TO AUTHORIZE THE EXECUTION OF PROJECT AGREEMENTS BETWEEN THE CITY OF MIAMISBURG AND TECHNICOTE AND DECLARING AN EMERGENCY.

Motion was made by Nicholas, seconded by Colvin to dispense with the requirement that Ordinance No. 6839 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 Clark, seconded by Colvin to pass Ordinance No. 6839, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas and Stalder

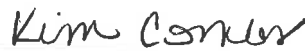
Council recessed to a Study Session for discussion of the following:

- Water Technology Upgrades
- 2020 Paving Program
- Sinclair Use Agreement
- MMA Downtown Events
- Parks & Recreation Fee Updates
- Montgomery County Solid Waste District Grant

There being no further business, motion was made to adjourn. Motion carried.



Michelle L. Collins
Michelle L. Collins
Mayor



Kim Combs
Kim Combs
Clerk of Council