

CITY OF MIAMISBURG  
10 N FIRST STREET, MIAMISBURG, OHIO

February 16, 2021

Pastor Mike Tuttle, Miamisburg Christian Church, 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 Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Motion was made by Colvin, seconded by Stalder to accept the minutes of the Regular Session on February 2, 2021, 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.

Ryan Homs presented Ordinance No. 6869. Mr. Homs stated that this is a housekeeping ordinance. Minor amendments to several chapters of the Planning & Zoning Code are included in the ordinance; including updates to: definitions, residential districts, Neighborhood Business District, Central Business District, Central Service District, Mound Business District, parking & loading, and site design standards. The first reading was held on October 6, 2020 where City Council referred it to the Planning Commission for their review and recommendation. The Planning Commission reviewed this Ordinance at their January 25, 2021 meeting and made several modifications. The Planning Commission passed the following recommendation onto City Council to approve Ordinance 6869 with the following modifications: to change grammatical errors, clarify the wording of the general Planned Development and special development district standards relating to enduring that developments meet the intent of Miamisburg's comprehensive plan and/or land use plan.

**ORDINANCE NO. 6869**

AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS CHAPTERS OF THE PLANNING AND ZONING CODE OF THE CITY OF MIAMISBURG IN ORDER TO UPDATE VARIOUS DEFINITIONS, TO UPDATE HOME OCCUPATION AND OTHER DESIGN STANDARDS, RESIDENTIAL CONVERSION STANDARDS, PLANNED DEVELOPMENT STANDARDS, VARIOUS USE LISTS, AND PARKING STANDARDS. The first reading of the Ordinance was held at the Regular Session on October 6, 2020, 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 Public Hearing was closed. Motion was made by McCabe, seconded by Stalder to amend Ordinance 6869

to be consistent with the changes recommended by the Planning Commission for the second and final reading, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson. Motion was made by Stalder, seconded by Thompson 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 Colvin, seconded by Nicholas to pass Ordinance No. 6869, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Homsy presented Ordinance 6881. Mr. Homsy stated that this ordinance rezones approximately 5.15-acres at the southeast corner of the intersection of Alexandersville & Crosspointe from RO-1 and I-1 to SDD-1 (Special Development District) and approves the preliminary development plan for the proposed post-acute medical rehabilitation development. The first reading was held on December 1, 2020 where City Council referred it to the Planning Commission for their review and recommendation. Since the First Reading the facility size has been increased. The design and location of the building on the site has changed slightly and additional details have been received, including building elevations and a preliminary landscaping plan. At the public hearing held by the Planning Commission on January 25, 2021, the Planning Commission passed the following recommendation onto City Council: that City Council adopt Ordinance 6881 to approve the rezoning and preliminary development plan for the post-acute medical (PAM) development contained herein with the following conditions which shall be met by the final development plan and report, to be submitted and reviewed for consistency with the preliminary development plan at a later date, all modifications were reflected in this Ordinance.

**ORDINANCE NO. 6881**

**AN ORDINANCE TO REZONE CITY LOT, PARCEL ID K46 00718 0073 OF THE CITY OF MIAMISBURG, FROM THE CURRENT ZONING DESIGNATIONS OF RO-1 (RESEARCH OFFICE) AND I-1 (LIGHT INDUSTRIAL) TO SDD-1 (SPECIAL DEVELOPMENT DISTRICT) AND TO APPROVE THE COMPANION PRELIMINARY DEVELOPMENT PLAN FOR THE POST-ACUTE MEDICAL REHABILITATION DEVELOPMENT.**

The first reading of the Ordinance was held at the Regular Session on December 1, 2020, 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 Public Hearing was closed. Motion was made by Nicholas, seconded by Colvin to amend Ordinance 6881 to be consistent with the changes recommended by the Planning Commission for the second and final reading, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson. 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 Colvin, seconded by Nicholas to pass

Ordinance No. 6881, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Jennifer Johns presented Ordinance 6894. Ms. Johns stated this Ordinance would authorize the City Manager to enter into a fourth amendment to the Cooperative Agreement. The parties include Miamisburg, Springboro and Miami Township and it will accomplish the following: eliminate bond cross-guarantees with the Township and the City of Springboro, optional redemption of District Interchange Bonds and Byers Road costs split between the City and Township. TIF revenue is sufficient to satisfy the current obligations of all parties. The city is responsible for additional costs related to the Interchange Projects. They include \$13,111.11 in deferred amounts from debt service payments and \$103,251.54 in additional costs of Byers Road paid by the Montgomery County Transportation District on behalf of the City. This amount will be paid over four years. Staff recommends approval of this ordinance

**ORDINANCE NO. 6894**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A FOURTH AMENDMENT TO COOPERATIVE AGREEMENT, RELATED TO THE AUSTIN INTERCHANGE PROJECT, AND DECLARING AN EMERGENCY.**

Motion was made by McCabe, seconded by Nicholas to dispense with the requirement that Ordinance No. 6894 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. 6894, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Jennifer Johns presented Ordinance 6895. Ms. Johns stated that this Ordinance is to authorize the City to refinance bonds in the amount of \$3,400,000. Preliminary estimates indicate that our interest cost savings will be more than \$500,000 over the next 13 years until maturity. Typically, a savings of at least 5% should be obtained when determining if it is prudent to refinance the bond issue. In this case, the city's savings would be approximately 16%. The bonds will be sold through a private placement with RBC Capital soliciting bids from various banks for the best rate. Staff recommends approval of this Ordinance.

**ORDINANCE NO. 6895**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,400,000 OF BONDS BY THE CITY OF MIAMISBURG, FOR THE PURPOSE OF REFUNDING BONDS ISSUED FOR THE PURPOSE OF CONSTRUCTING ROAD IMPROVEMENT, AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by Nestor to dispense with the requirement that Ordinance No. 6895 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 Thompson, seconded by McCabe to pass Ordinance No. 6895, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Davis presented Ordinance 6896. Mr. Davis stated that the current lease term for both courses is through until April 2022, but the agreement allows for a fleet replacement in the final year of the contract and establishes a new agreement and lease terms. The new fleet update will include new lithium batteries, improve gas efficiency, USB ports, GPS, upgraded seats and updated color. The monthly cost is \$2,298. The annual increase is \$13,788. The current batteries in the current fleet are dying and need replaced at the city's expense. To replace the batteries now and then replace the fleet next year would not be cost effective. Staff recommends approval of this Ordinance.

**ORDINANCE NO. 6896**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXTEND THE CONTRACT FOR THE LEASING OF GOLF CARS AND UTILITY VEHICLES, AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by Nestor to dispense with the requirement that Ordinance No. 6896 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. 6896, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Davis presented Ordinance 6897. Mr. Davis stated that this Ordinance will increase fees at Pipestone Golf Course. A \$2.00 fee increase to cart rental is recommended to offset the increased expense of the fleet upgrade. Staff recommends approval of this Ordinance.

**ORDINANCE NO. 6897**

**AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE NO. 6310 TO PROVIDE FOR A CHANGE IN FEES FOR PIPESTONE GOLF COURSE.**

Motion was made by McCabe, seconded by Stalder to dispense with the requirement that Ordinance No. 6897 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 Thompson to pass Ordinance No. 6897, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Davis presented Ordinance 6898. Mr. Davis stated that this Ordinance will increase fees at Mound Golf Course. A \$2.00 fee increase to cart rental is recommended to offset the increased expense of the fleet upgrade. Also, some minor cleanup to memberships to reflect our current packages. Staff recommends approval of this Ordinance.

**ORDINANCE NO. 6898**

**AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE NO. 6108 TO PROVIDE FOR A CHANGE IN FEES FOR MOUND GOLF COURSE.**

Motion was made by Colvin, seconded by Thompson to dispense with the requirement that Ordinance No. 6898 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 Nicholas to pass Ordinance No. 6898,

carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Homsy presented Ordinance 6899. Mr. Homsy stated that this Ordinance is a first reading. It includes the rezoning of approximately 63.84 acres of land on SR-741 from R-2 (Residential) and GB-1 (General Business) to PR (Planned Residential). The proposed use of the property is a combination of single-story multi-family and single-family residential lots. The two building/developers included on the application are Redwood (multi-family) and MI Homes (single-family). Redwood has 26 acres on the northern section and planning to build 142 units. MI Homes has 37.9 acres on the southern section and planning to build 117 units. Staff requests that City Council forward this item to the Planning Commission for their review and recommendations.

Ordinance No. 6899

An ordinance to rezone City lot, Parcel ID K46 01316 0001 of the City of Miamisburg, from the current zoning designation of R-2 (Residential) to PR (Planned Residential) and to approve the companion Preliminary Development Plan for the Chamberlin Farm Development Project.

Motion was made by Nicholas seconded by Nestor to read Ordinance No. 6899 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Colvin, seconded by Nestor to refer Ordinance No. 6899 to the Planning Commission. Motion carried.

Emily Christian presented Resolution 2975. Ms. Christian stated that Miamisburg along with 20 other cities are members of the Miami Valley Risk Management Association pool. The last time MVRMA Board members reviewed and updated their bylaws was 2002. The recommended bylaws will update and clarify language, roles and responsibilities and procedures. Staff recommends approval of this Resolution.

RESOLUTION NO. 2975

A RESOLUTION APPROVING THE AMENDED AGREEMENT AND BYLAWS OF THE MIAMI VALLEY RISK MANAGEMENT ASSOCIATION.

Motion was made by Nicholas, seconded by Thompson to have the Resolution No. 2975 read by title only. Motion carried. The Resolution was read by title only. Motion was made by McCabe seconded by Colvin to pass Resolution No. 2975, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Davis presented Resolution 2976. Mr. Davis stated that this Resolution will allow the City Manager to apply for the 2021 Montgomery County Solid Waste District Incentive Grant Program. This program has been utilized by the City for many years to offset the cost of infrastructure and amenity improvements. With rebranding of the Parks & Recreation Department, staff is looking at replacing 70+ signs throughout all the parks and facilities. The signs that staff is recommending are created from a compressed KRAFT paper which is layered and combined at pressure to create a single substance that is very strong and graffiti resistant material. Staff recommends approval of this Resolution

RESOLUTION NO. 2976

A RESOLUTION AUTHORIZING THE CITY OF MIAMISBURG TO SUBMIT AN APPLICATION FOR MONTGOMERY COUNTY'S 2021 SOLID WASTE MANAGEMENT DISTRICT INCENTIVE GRANT PROGRAM AND DECLARING AN EMERGENCY.

Motion was made by Stalder, seconded by Nicholas to have the Resolution No. 2976 read by title only. Motion carried. The Resolution was read by title only. Motion was made by Colvin seconded by McCabe to pass Resolution No. 2976, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Council recessed to a Study Session to discuss the following:

DORA

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



Michelle L. Collins, Mayor



Kim Combs, Clerk of Council