

RESOLUTION NO. 2961

A RESOLUTION TO DECLARE THE NECESSITY THAT CERTAIN SIDEWALKS, CURBS, AND GUTTERS, DRIVEWAY APRONS, TREES AND STUMPS AND MISCELLANEOUS ITEMS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE CONSTRUCTED, REPAIRED, OR REMOVED IN CONNECTION WITH THE 2020 SIDEWALK, CURB AND GUTTER PROGRAM.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, THE MAJORITY OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1.

The Council declares the necessity to undertake a program for the construction, repair or removal of sidewalks, curbs and gutters, driveway aprons, trees and stumps, and miscellaneous items within the public right-of-way, which may have become damaged or defective, located within the City of Miamisburg, as set forth in Exhibit "A" which is attached hereto and made a part hereof. Said construction, repair or removal shall be in accordance with the plans, specifications, estimates and profiles of the proposed improvements which shall be on file in the office of the City Engineer by March 5, 2020, and open to inspections by any and all interested persons. The preparation of such plans, specifications, estimates and profiles are hereby specifically authorized by the Council.

Section 2.

That the owners of all lots and lands bounding and abutting on the sidewalks, curbs, and gutters, trees and stumps, and miscellaneous items within the public right-of-way, to be constructed, repaired or removed, shall construct, repair, or remove in accordance with the plans and specifications, estimates, and profiles of the proposed improvements to be on file prior to March 5, 2020, the portions of such sidewalks, curbs and gutters, trees and stumps, and miscellaneous items within the public right-of-way abutting on their respective properties within a period of thirty (30) days after service of notice of passage of this Resolution; and if such repair shall not be completed within such period of thirty (30) days, then this Council shall have the same done and the entire cost thereof shall be assessed upon the property of each defaulting owner and lien thereon, to be collected in the manner provided by law, in ten (10) annual installments with the penalty and interest as provided by law.

Section 3.

Declaration of Official Intent; Reasonable Expectations

- (a) The Issuer declares that it reasonably expects that the costs of the improvements described in subsection (b) hereof, which will be paid prior to the issuance of any bonds or notes intended to fund such costs, will be reimbursed with the proceeds of bonds or notes, representing a borrowing by the Issuer in the maximum principal amount, for such reimbursement, of \$260,000.
- (b) The costs to be reimbursed are the costs of the Issuer's 2020 Sidewalk, Curb and Gutter program;
- (c) The Issuer does not expect any other funds (including the money advanced to pay the costs that are to be reimbursed), to be reserved, allocated on a long-term basis, or otherwise set aside by the Issuer or any other entity, with respect to such costs for the purposes described in subsection (b), above.

Section 4.

That the City Manager is directed to cause a written notice of the passage of this Resolution to be served as required by law. For this purpose, the City Manager may designate members of appropriate administrative departments of said City to serve notices.

Section 5.

That the Clerk of Council is directed to certify a copy of this resolution to the Montgomery County Auditor's Office so that it can be placed on file for public inspection.

Section 6.

This measure shall take effect and be in force from and after the earliest period allowed by law.

Passed: February 18, 2020

Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle Collins
Michelle L. Collins, Mayor

I hereby certify that the above is a true and correct copy of Resolution No. 2961 adopted by the Council of the City of Miamisburg, Ohio, on February 18, 2020.

February 19, 2020

Kim Combs
Kim Combs, Clerk of Council

2020 SIDEWALK, CURB & GUTTER PROGRAM

S. MAIN STREET
(Linden Avenue to Mays Avenue)

12 Linden Ave E, Parcel ID K46 00329 0037, Lot # 8

J & T Properties LLC
2091 State Route 725
Dayton, OH 45459

107 Main St S, Parcel ID K46 00329 0031, Lot # PT 4&5

Barbara Robinett
107 Main Street
Miamisburg, OH 45342

108 Main St S, Parcel ID K46 00329 0038, Lot # 8 & 9 PTS

David Cherolis
108 Main Street
Miamisburg, OH 45342

111 Main St S, Parcel ID K46 00329 0032, Lot # 4-6PT

Philip & Sharon Miller
9931 Paragon Road
Dayton, OH 45459

112 Main St S, Parcel ID K46 00329 0039, Lot # 7-9 PTS

Thomas Dearth
112 S. Main Street
Miamisburg, OH 45342

115 Main St S, Parcel ID K46 00329 0033, Lot # 4-6PTS

Aubrey & Mary Baker
115 S. Main Street
Miamisburg, OH 45342

118 Main St S, Parcel ID K46 00329 0040, Lot # PTS 7-9

Keith Fischer
118 S. Main Street
Miamisburg, OH 45342

121 Main St S, Parcel ID K46 00329 0034, Lot # 172 PT

Ronald S. McPherson
PO Box 862
Miamisburg, OH 45342

2020 SIDEWALK, CURB & GUTTER PROGRAM

S. MAIN STREET (continued)
(Linden Avenue to Mays Avenue)

122 Main St S, Parcel ID K46 00329 0041, Lot # 173

Jeffrey Lemons
2619 Hopewell Church Road
Sherrills Ford, NC 28673

126 -130 Main St S, Parcel ID K46 00329 0042 & K46 00329 0077, Lot # PT 174

Francisco Ramirez
130 S. Main Street
Miamisburg, OH 45342

131 Main St S, Parcel ID K46 00329 0078, Lot # 172 PT

Michael S Ginn
131 S. Main Street
Miamisburg, OH 45342

136 Main St S, Parcel ID K46 00329 0043, Lot # PT 175

Andrew Lynn Perry
136 S. Main Street
Miamisburg, OH 45342

140 Main St S, Parcel ID K46 00329 0044, Lot # 175-

Ronald Shade
140 S. Main Street
Miamisburg, OH 45342

142-144 Main St S, Parcel ID K46 00329 0081, Lot # PT 176

James Day & Todd Moore
2225 Newgate Avenue
Dayton, OH 45420

150 Main St S, Parcel ID K46 00329 0045, Lot # 176-177 PTS

Orpheus Garrison
5571 Shepherd Road
Miamisburg, OH 45342

152 Main St S, Parcel ID K46 00329 0047, Lot # PTS 177 & 178

Daniel Napoles
615 E. Linden Avenue
Miamisburg, OH 45342

2020 SIDEWALK, CURB & GUTTER PROGRAM

S. MAIN STREET (continued)
(Linden Avenue to Mays Avenue)

154 Main St S, Parcel ID K46 00329 0090, Lot # PT 177

TSM Partners
535 N. Main Street
Springboro, OH 45066

**155 Main St S, Parcel ID K46 00329 0049 & K46 00329 0051, Lot # PT 176;178,179
& 178 PT 179**

Babita Property, Inc
1371 Granite Peak Way
Miamisburg, OH 45342

166 Main St S, Parcel ID K46 00329 0048, Lot # PT 178

Orpheus Garrison
5571 Shepherd Road
Miamisburg, OH 45342

202 Main St S, Parcel ID K46 00335 0042, Lot # 204

Richard & Joan Norvell
202 S. Main Street
Miamisburg, OH 45342

207 Main St S, Parcel ID K46 00335 0016, Lot # 187

Perry Assets LLC
207 S. Main Street
Miamisburg, OH 45342

210 Main St S, Parcel ID K46 00335 0041, Lot # 203 PT

Rafeal Cruz Affuant
210 S. Main Street
Miamisburg, OH 45342

218 Main St S, Parcel ID K46 00335 0040, Lot # PTS 202-203

Jennifer & Randolph Allen
218 S. Main Street
Miamisburg, OH 45342

235 -237 Main St S, Parcel ID K46 00335 0035, Lot # 4483

Marest Properties
1391 Quaker Way
Dayton, OH 45458

2020 SIDEWALK, CURB & GUTTER PROGRAM

S. MAIN STREET (continued)
(Linden Avenue to Mays Avenue)

301 Main St S, Parcel ID K46 00335 0033, Lot # 198

HL Gray Enterprises
1390 Tall Timbers Ct.
Miamisburg, OH 45342

304 Main St S, Parcel ID K46 00335 0050, Lot # 337

Jason Miller
304 S. Main Street
Miamisburg, OH 45342

310 Main St S, Parcel ID K46 00335 0051, Lot # 338

Steve Mulligan
310 S. Main Street
Miamisburg, OH 45342

315 Main St S, Parcel ID K46 00335 0031, Lot # PTS 196 & 197

Donald Hall
315 S. Main Street
Miamisburg, OH 45342

316 Main St S, Parcel ID K46 00335 0052, Lot # 339

Scott Shoemaker
316 S. Main Street
Miamisburg, OH 45342

322 - 326 Main St S, Parcel ID K46 00335 0053 & K46 00335 0054, Lot # PT 340

Philip & Leeann Carroll
PO Box 527
Miamisburg, OH 45342

401 Main St S, Parcel ID K46 00336 0019, Lot No. 645

Eliezer Hernandez Santiago
401 S. Main Street
Miamisburg, OH 45342

402 Main St S, Parcel ID K46 00336 0036, Lot No. PT 1087

Jeff Jenn LLC
8 Mound Ave
Miamisburg, OH 45342

2020 SIDEWALK, CURB & GUTTER PROGRAM

S. MAIN STREET (continued)
(Linden Avenue to Mays Avenue)

408 Main St S, Parcel ID K46 00336 0037 & K46 00336 0038 (PARKING LOT), Lot No. 1087 & PT 1088
Frank Canepa
7272 Westersfield Dr.
West Chester, OH 45069

409 Main St S, Parcel ID K46 00336 0020, Lot No. 646
Patrick Johnson
409 S. Main
Miamisburg, OH 45342

415 Main St S, Parcel ID K46 00336 0021, Lot No. 647
Lloyd Jr & Donna Hilleary
415 S. Main
Miamisburg, OH 45342

421 Main St S, Parcel ID K46 00336 0022, Lot No. 648
Michael Ginn
421 S. Main St.
Miamisburg, OH 45342

424 Main St S, Parcel ID K46 00336 0039, Lot No. 1090
Brittani A. Pratt
424 S. Main St.
Miamisburg, OH 45342

427 Main St S, Parcel ID K46 00336 0023, Lot No. 941
Michael & Adrienne Gorretta
427 S. Main St.
Miamisburg, OH 45342

430 Main St S, Parcel ID K46 00338 0040, Lot No. 1091
Arnold Smith % ARECO Realty
57 N First St.
Miamisburg, OH 45342

431 Main St S, Parcel ID K46 00336 0024, Lot No. 649
Rachel Dauby
431 S. Main St.
Miamisburg, OH 45342

2020 SIDEWALK, CURB & GUTTER PROGRAM

S. MAIN STREET (continued)
(Linden Avenue to Mays Avenue)

436 Main St S, Parcel ID K46 00336 0041, Lot No. 1092

Anthony J. DiGiorgio
1107 Arrowhead Crossing
West Carrollton, OH 45449

439 Main St S, Parcel ID K46 00336 0025, Lot No. 650

Mabel Conley
439 Main St.
Miamisburg, OH 45342

440 Main St S, Parcel ID K46 00336 0042, Lot No. 1092PT

Gail Birden
310 E. Main St.
Miamisburg, OH 45342

447 Main St S, Parcel ID K46 00336 0026, Lot No. PTS 651 & 652

Diana E. Shoemaker
447 S. Main St.
Miamisburg, OH 45342

457 Main St S, Parcel ID K46 00336 0028, Lot No. 652-53

Karl Miller
457 S. Main St.
Miamisburg, OH 45342

461 Main St S, Parcel ID K46 00336 0030, Lot No. 1220-1221PTS

Robin Fuson
461 S. Main St.
Miamisburg, OH 45342

463 Main St S, Parcel ID K46 00336 0032, Lot No. PTS 1220 & 1221

Beverly Wilde
2616 Eckley Blvd.
Dayton, OH 45449

485 Main St S, Parcel ID K46 00336 0034, Lot No. PTS 1222 & 1223

Connor & David Brown
485 S. Main St.
Miamisburg, OH 45342

2020 SIDEWALK, CURB & GUTTER PROGRAM

N. HEINCKE ROAD

(King Richard Parkway to Hickory Glen Drive)

801 Heincke Rd N, Parcel ID K46 00508 0015, Lot No. 2593

Darryl & Angelina Davis
801 N. Heincke Road
Miamisburg, OH 45342

Heincke Rd N (Corner of King Richard Pkwy), Parcel ID K46 00712 0027, Lot No. 3575 & 3583 PT

Orthodox Church of Dayton & Cincinnati St Mina & St Abanoub Coptic Ch
PO Box 595
Miamisburg, OH 45342

845 Heincke Rd N, Parcel ID K46 00508 0044, Lot No. 4964

Ronald & Joni Worrell
845 Heincke Rd. N
Miamisburg, OH 45342

889 Heincke Rd N, Parcel ID K46 00508 0065, Lot No. 4965

David Cope
889 Heincke Rd N
Miamisburg, OH 45342

1002 Heincke Rd N, Parcel ID K46 00712 0026, Lot No. 3574

Sharon Greene
1002 N. Heincke Road
Miamisburg, OH 45342

1033 Heincke Rd N, Parcel ID K46 01211 0024, Lot No. 5119

Billy & Ruth Woosley
1033 N. Heincke Road
Miamisburg, OH 45342

1040 Heincke Rd N, Parcel ID K46 00712 0025, Lot No. 3573

Charles Holbrook
1040 N. Heincke Road
Miamisburg, OH 45342

1048 Heincke Rd N, Parcel ID K46-00712-0024, Lot No. 3572PT

Maggie Holbrook
1048 N. Heincke Road
Miamisburg, OH 45342

2020 SIDEWALK, CURB & GUTTER PROGRAM

N. HEINCKE ROAD (Continued)
(King Richard Parkway to Hickory Glen Drive)

1102 Heincke Rd N, Parcel ID K46 00712 0022, Lot No. N/A

Tony Hammond
1102 N. Heincke Road
Miamisburg, OH 45342

1105 Heincke Rd N, Parcel ID K46 01211 0025, Lot No. 5120

Robert Chambers
1105 N. Heincke Road
Miamisburg, OH 45342

1110 Heincke Rd N, Parcel ID K46 00712 0021, Lot No. PT 3569

Kimberly Ditty & Donnie Ashby
1110 N. Heincke Road
Miamisburg, OH 45342

1115 Heincke Rd N, Parcel ID K46 01211 0026, Lot No. 5121

Scott Cheatham
1115 N. Heincke Road
Miamisburg, OH 45342

1125 Heincke Rd N, Parcel ID K46 01211 0027, Lot No. 5122

Eugene & Evodine South
1115 N. Heincke Road
Miamisburg, OH 45342

1135 Heincke Rd N, Parcel ID K46 01211 0028, Lot No. 5123

Donald Cox
1135 N. Heincke Road
Miamisburg, OH 45342

1140 Heincke Rd N, Parcel ID K46 01501 0001, Lot No. 5936

Terry Lee Humbert
1140 N. Heincke Road
Miamisburg, OH 45342

1145 Heincke Rd N, Parcel ID K46 01211 0029, Lot No. 5124

Anthony Sullivan
1145 N. Heincke Road
Miamisburg, OH 45342

2020 SIDEWALK, CURB & GUTTER PROGRAM

N. HEINCKE ROAD (Continued)
(King Richard Parkway to Hickory Glen Drive)

1155 Heincke Rd N, Parcel ID K46 01211 0030, Lot No. 5125

Jesica Leann Faulkner
1155 N. Heincke Road
Miamisburg, OH 45342

1160 Heincke Rd N, Parcel ID K46 01212 0001, Lot No. 5126

Gary Vantine
1160 N. Heincke Road
Miamisburg, OH 45342

1506 Sherwood Forest Dr, Parcel ID K46 01501 0019, Lot No. 5954

Alan Stone
1506 Sherwood Forest Drive
Miamisburg, OH 45342

1423 Moondust Ct, Parcel ID K46 01211 0022, Lot No. 5117

Dorsey Stidham
1423 Moondust Court
Miamisburg, OH 45342

1422 Moondust Ct, Parcel ID K46 01211 0021, Lot No. 5116

Gerald Craig
1422 Moondust Court
Miamisburg, OH 45342

1505 Hickory Glen Dr., Parcel ID K46 01212 0022, Lot No. 5147

Michael Adams
1505 Hickory Glen Dr.
Miamisburg, OH 45342

RESOLUTION NO. 2962

A RESOLUTION TO APPOINT MEMBERS TO THE VARIOUS BOARDS AND COMMISSIONS OF THE CITY OF MIAMISBURG.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1.

The following individuals are hereby appointed to the Board of Zoning, Building and Housing Appeals:

Dan Brown	TWO YEARS	THROUGH 12/31/21
Chris Butcher	TWO YEARS	THROUGH 12/31/21
Frank Fritsch	TWO YEARS	THROUGH 12/31/21

Section 2.

The following individual is hereby appointed to the Board of Revision and Assessments:

Tom Croskey	TWO YEARS	THROUGH 12/31/21
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Section 3.

The following individuals are hereby appointed to the Citizens Urban Forestry Advisory Board:

Jim Bornhorst	TWO YEARS	THROUGH 12/31/21
Rusty Leifheit	TWO YEARS	THROUGH 12/31/21
Carole Ouderkirk	TWO YEARS	THROUGH 12/31/21
Amy Ratcliffe	TWO YEARS	THROUGH 12/31/21

Section 4.

The following individuals are hereby appointed to the Civil Service Commission:

Steve Case	TWO YEARS	THROUGH 12/31/21
Robert Hayes	TWO YEARS	THROUGH 12/31/21
Joe Unice	TWO YEARS	THROUGH 12/31/21

Section 5.

The following individuals are hereby appointed to the Downtown Miamisburg, Inc. Board:

Steve Naas	TWO YEARS	THROUGH 12/31/21	Finance/Banking
Ron Holp	TWO YEARS	THROUGH 12/31/21	Downtown Merchant

Section 6.

The following individual is hereby appointed to the Hillgrove Union Cemetery:

Gary Pascoe	TWO YEARS	THROUGH 12/31/21
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Section 7.

The following individual is hereby appointed to the Mound Development Corporation:

Niels Winther	TWO YEARS	THROUGH 12/31/21
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Section 8

The following individuals are hereby appointed to the Municipal Trust Fund Finance Committee:

Brenda Wehmer	TWO YEARS	THROUGH 12/31/21
Shon Myers	TWO YEARS	THROUGH 12/31/21
Tim Wild	TWO YEARS	THROUGH 12/31/21

Section 9.

The following individuals are hereby appointed to the Parks and Recreation Advisory Commission:

Andy Alford	TWO YEARS	THROUGH 12/31/21
Megan Cole	TWO YEARS	THROUGH 12/31/21
Dustin Strutton	TWO YEARS	THROUGH 12/31/21

Section 10.

The following individuals are hereby appointed to the Planning Commission:

Tim Finney	TWO YEARS	THROUGH 12/31/21
Vanessa Glotfelter	TWO YEARS	THROUGH 12/31/21
Ron Mahan	TWO YEARS	THROUGH 12/31/21

Section 11.

The following individuals are hereby appointed to the Sidewalk, Curb and Gutter Board:

Greg Merrill	TWO YEARS	THROUGH 12/31/21
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Section 12.

The members and alternate member to the Miami Valley Communications Council are hereby appointed as follows:

Michelle Collins	MEMBER
Greg Thompson	MEMBER
Keith Johnson	ALTERNATE MEMBER

Section 13.

The member and alternate member to the Miami Valley Regional Planning Commission are hereby appointed as follows:

Michelle Collins	MEMBER
Ryan Colvin	ALTERNATE MEMBER

Section 14.

The member and alternate member to the Miami Valley Regional Planning Commission's Lower Great Miami Basin Council are hereby appointed as follows:

Sarah Clark	MEMBER
Valerie Griffin	ALTERNATE MEMBER

Section 15.

The member and alternate member to the South Metro Dayton Area Chamber of Commerce are hereby appointed as follows:

Tom Nicholas	MEMBER
John Stalder	ALTERNATE MEMBER

Section 16.

All resolutions inconsistent herewith are hereby repealed.

Section 17.

This measure shall take effect and be in force from and after its passage.

Passed: February 18, 2020 Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

RESOLUTION NO. 2963

A RESOLUTION AUTHORIZING THE CITY OF MIAMISBURG TO ACCEPT THE OHIO PARKS AND RECREATION ASSOCIATION FOUNDATION GRANT FUNDS TO IMPLEMENT A GREENSPACE MANAGEMENT PROGRAM.

WHEREAS, the City of Miamisburg is committed to greenspace management for the benefit, safety, and welfare of citizens; and,

WHEREAS, the Ohio Parks and Recreation Association Foundation fundraising ally of Ohio Parks and Recreation Association undertakes research, educates, and collaborates with allied partners to further the cause of public parks and recreation in the State of Ohio; and,

WHEREAS, the Ohio Parks and Recreation Association Foundation Program Development Grants provide seed money to member agencies interested in developing new programs or activities with alternative funding; and,

WHEREAS, the City of Miamisburg desires financial assistance under the Ohio Parks and Recreation Association Foundation grant; and,

WHEREAS, the City will accept an Ohio Parks and Recreation Association Foundation Program Development Grant to supplement City operational budget for a Green Space and Roadside Management program to decrease resource input, benefit pollinators, and provide educational opportunities to the community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1.

The City Manager is hereby authorized on behalf of the City of Miamisburg to accept the grant in the amount of \$2,500 from the Ohio Parks and Recreation Association Foundation.

Section 2.

The City Manager or his designee is hereby authorized to sign the necessary documents and forms required for the acceptance and administration of this grant.

Section 3.

This measure shall take effect and be in force from and after its passage.

Passed: April 21, 2020

Attested: _____


Kim Combs, Clerk of Council

Approved: _____


Michelle L. Collins, Mayor

RESOLUTION NO. 2964

A RESOLUTION AUTHORIZING THE CITY OF MIAMISBURG TO SUBMIT AN APPLICATION FOR THE OHIO ATTORNEY GENERAL'S 2020-2021 DRUG USE PREVENTION GRANT IN THE AMOUNT OF \$22,014.00 AND TO ACCEPT ANY AWARD GRANTED.

WHEREAS, the Miamisburg City Council is committed to the welfare of the City of Miamisburg and wishes to promote the welfare of children through the continuation of the D.A.R.E. Program which is taught in the Miamisburg City Schools; and

WHEREAS, the Ohio Attorney General's Office wishes to enhance the welfare of Ohio's children by providing a significant pool of grant dollars to allow local governments to continue to teach the D.A.R.E. Program in the State of Ohio.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1.

The City Manager is hereby authorized and directed on the behalf of the City of Miamisburg to submit a grant application under the Ohio Attorney General's Office, 2020-2021 Drug Use Prevention Grant for the 2020-2021 school year and to accept any grant award in the amount of \$22,014.00.

Section 2.

The City Manager is hereby authorized to execute grant agreements and provide such information as may be requested by the Ohio Attorney General's Office.

Section 3.

This measure shall take effect and be in force from and after its passage.

Passed: May 5, 2020

Attested: _____

Kim Combs
Kim Combs, Clerk of Council

Approved: _____

Michelle L. Collins
Michelle, L. Collins, Mayor

RESOLUTION NO. 2965

A RESOLUTION TO REQUEST FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the "Coronavirus Aid, Relief, and Economic Security Act" in Senate Bill 481 of the 133rd General Assembly (HB 481); and

WHEREAS, HB 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS, the City of Miamisburg is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1.

The City of Miamisburg affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to HB 481 be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the City's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Section 2.

In compliance with HB 481, be it resolved by the City Council of the City of Miamisburg that the Finance Director take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the City's local coronavirus relief fund to the Montgomery County Treasurer;
- (2) On or before December 28, 2020, pay the balance of any money in the City's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and

(3) Provide any information related to any payments received under HB 481 to the Director of the Ohio Office of Budget and Management as requested.

Section 3.

This measure shall take effect and be in force from and after its passage.

Passed: June 16, 2020 Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle, L. Collins, Mayor

RESOLUTION NO. 2966

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO FILE FOR AND ACCEPT MONTGOMERY COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FY 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS CONCURRING, THAT:

Section 1.

The City Manager is hereby authorized to file an application for Montgomery County Community Development Block Grant (CDBG) Funds for FY 2020, for the project as set forth in Exhibit A which is attached hereto.

Section 2.

The City Manager is hereby authorized to accept grant funds in an amount not to exceed \$100,000 and to execute contracts and provide such information as may be requested by Montgomery County or the CDBG program.

Section 3.

This measure shall take effect and be in force from and after its passage.

Passed: June 16, 2020

Attested: _____

Kim Combs

Kim Combs, Clerk of Council

Approved: _____

Michelle Collins

Michelle L. Collins, Mayor

RESOLUTION NO. 2967

A RESOLUTION AUTHORIZING THE CITY OF MIAMISBURG TO ACCEPT MONTGOMERY COUNTY SOLID WASTE DISTRICT INCENTIVE GRANT FUNDS FOR THE PURCHASE OF PARK AMENITIES MADE FROM RECYCLED MATERIALS FOR PLACEMENT IN THE DOWNTOWN DISTRICT.

WHEREAS, City Council is committed to the welfare of the City of Miamisburg and wishes to promote the welfare and safety of the citizens; and,

WHEREAS, the Montgomery County Solid Waste District is committed to integrated waste management techniques, including waste reduction and recycling; and

WHEREAS, the purpose of the Incentive Grant Program is to provide funding for local governments to effectively increase participation in waste reduction efforts and community recycling programs; and,

WHEREAS, the City has applied for and received notice of award for FY 2020 Incentive Funds to purchase benches to be located within the downtown district, and grant recipient will provide initial funds to fund the units, and the Solid Waste District will reimburse recipient upon receipt of proof of paid invoices for approved activities, not to exceed the amount set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1.

The City Manager is hereby authorized on behalf of the City of Miamisburg to apply for and if awarded accept the award in the amount not to exceed \$8,850.86 from the Montgomery County Solid Waste District.

Section 2.

The City Manager or his designee is hereby authorized to sign the necessary documents and forms required for the acceptance and administration of this grant.

Section 3.

This measure shall take effect and be in force from and after its passage.

Passed: August 18, 2020

Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

RESOLUTION NO. 2968

A RESOLUTION AUTHORIZING THE REALLOCATION OF THE CITY'S INSIDE MILLAGE PROPERTY TAX REVENUES FROM THE POLICE AND FIRE PENSION FUND TO THE GENERAL FUND.

WHEREAS, the Ohio Police and Fire Pension Fund ("OPFP") was created by the Ohio General Assembly in 1965 to replace hundreds of individual local police and fire relief funds; and

WHEREAS, many of those individual funds had liabilities exceeding the assets needed to pay future pension benefits to retirees, resulting in a net pension liability owed from public employers to OPFP; and

WHEREAS, so as not to stress the financial capacity of public employers, the General Assembly enacted a payment schedule with a 65-year payoff term, with the first payments due in 1970 and the final payments due in 2035; and

WHEREAS, Council wishes to satisfy the remaining police pension liability early, thereby saving interest charges that would otherwise continue until 2035; and

WHEREAS, the City currently receives 3.13 mills of inside millage property tax revenues, of which 0.30 mills are allocated to debt service on the City's remaining police pension liability and 0.30 mills are allocated to debt service on the City's remaining fire pension liability; and

WHEREAS, Council intends to pay off the remaining police pension liability early in 2020, and wishes to reallocate the 0.3 mills of property tax revenue from the Police and Fire Pension Fund to the City's General Fund; and

WHEREAS, Council acknowledges that since the formation of the Miami Valley Fire District in 2011, all payments for the fire pension liability have been billed to and made by the Miami Valley Fire District, and wishes to reallocate the 0.3 mills of property tax revenue from the Police and Fire Pension Fund to the City's General Fund; and

WHEREAS, in order to reallocate these revenues, the change must be approved by the Montgomery County Budget Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1.

The Finance Director is hereby authorized on behalf of the City of Miamisburg to satisfy the remaining police pension liability early, including interest.

Section 2.

The Clerk of Council is directed to certify a copy of this resolution upon its passage, and to furnish the same to the Finance Director. Upon receipt thereof, the Finance Director is hereby authorized to submit the same to the Montgomery County Budget Commission for review and approval, and to take such other steps necessary to reallocate 0.6 mills of inside millage property tax revenues from the Police and Fire Pension Fund to the City's General Fund.

Section 3.

This measure shall take effect and be in force from and after its passage.

Passed: August 18, 2020

Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

RESOLUTION NO. 2969

A RESOLUTION DECLARING CERTAIN EXPENDITURES OF THE CITY OF MIAMISBURG, OHIO AS NECESSARY DUE TO THE PUBLIC HEALTH EMERGENCY WITH RESPECT TO THE COVID-19 PANDEMIC IN COMPLIANCE WITH THE PROVISIONS OF SECTION 5001 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES ACT”).

WHEREAS, the City of Miamisburg has received distributions from the Federal CARES Act totaling \$428,886.62 which have been placed in the Coronavirus Relief Fund (“Fund”); and

WHEREAS, the CARES Act funding received by the City of Miamisburg is available for City expenditures related to the public health emergency with respect to the COVID-19 pandemic; and

WHEREAS, expenditures have been evaluated based on guidance contained within the U.S. Department of Treasury Guidance and Coronavirus Relief Fund Frequently Asked Questions and recommended by the State of Ohio Office of Budget and Management; and

WHEREAS, the City of Miamisburg, Ohio has made certain expenditures necessary for minimizing the spread of the public health emergency with respect to the COVID-19 pandemic; and

WHEREAS, expenditures incurred due to the public health emergency with respect to the COVID-19 pandemic occurred between March 1, 2020 and December 30, 2020 include the following categories and do not represent stockpiling of materials: protective gear, cleaning of public buildings, remote technology, touchless equipment, signage, building improvements, administrative leave and personnel substantially dedicated to the public safety and health emergency.

WHEREAS, the Treasury Guidance has advised that local governments may presume that “public health and public safety employees meet the substantially dedicated test, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise. This means that, if this presumption applies, work performed by such employees is considered to be a substantially different use than accounted for in the most recently approved budget. All costs of such employees may be covered using payments from the Fund for services provided during the period that begins on March 1, 2020, and ends on December 30, 2020”; and

WHEREAS, the Treasury Guidance further advised that “public safety employees” include “police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers,

and those who directly support such employees such as dispatchers and supervisory personnel”;

WHEREAS, any additional distributions of CARES funds will be expended based on guidance from the U.S. Department of Treasury Guidance and Coronavirus Relief Fund Frequently Asked Questions and recommended by the State of Ohio Office of Budget and Management; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, THE MAJORITY OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1.

The City of Miamisburg City Council finds and declares that the expenditure categories of protective gear, cleaning of public buildings, remote technology, touchless equipment, signage, building improvements, administrative leave and personnel expenses for personnel substantially dedicated to public safety and health are due to the public health emergency with respect to the COVID-19 pandemic and are in compliance with the provisions of Section 5001 of the Federal Coronavirus Aid Relief and Economic Security Act (“CARES Act”).

Section 2.

Current and future distributions of CARES funds to the City of Miamisburg may be expended to cover the expense categories listed above as well as the payroll and benefits of the public safety personnel.

Section 3.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4.

This measure shall take effect and be in force from and after the earliest period allowed by law.

Passed: October 6, 2020

Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

RESOLUTION NO. 2970

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.

The Council of the City of Miamisburg, Montgomery County, Ohio met in regular session on the 6th day of October 2020, at the Office of City Council with the following members present:

Councilmembers: Colvin, Nestor, McCabe, Nicholas, Stalder, Thacker and Thompson

McCabe moved the adoption of the following Resolution No. 2970

WHEREAS: The Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1:

The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and

Section 2:

There be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows: (Schedule A and Schedule B)

Section 3:

That the Clerk of the Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Colvin seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

<u>Colvin</u>	<u>yea</u>	,
<u>McCabe</u>	<u>yea</u>	,
<u>Nestor</u>	<u>yea</u>	,
<u>Nicholas</u>	<u>yea</u>	,
<u>Stalder</u>	<u>yea</u>	,
<u>Thacker</u>	<u>yea</u>	,
<u>Thompson</u>	<u>yea</u>	,

Section 4.

This measure shall take effect and be in force from and after the earliest period allowed by law.

Passed: October 6, 2020

Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

I hereby certify that the above is a true and correct copy of Resolution No. 2970 adopted by the Council of the City of Miamisburg, Ohio on October 6, 2020.

10/7/2020
Date

Kim Combs
Kim Combs, Clerk of Council

RESOLUTION NO. 2971

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR REAL PROPERTY LOCATED AT 11 SOUTH FIRST STREET, MIAMISBURG, OHIO AND TO SUSPEND THE NECESSITY OF ADVERTISING AND RECEIVING PROPOSALS TO LEASE SUCH PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, the City of Miamisburg owns real property located at 11 South First Street; and

WHEREAS, Mr. Pelphrey, the owner of the adjoining property at 18 E. Central Avenue, Miamisburg, OH 45342, has expressed a desire to lease a portion of said property for use as an outdoor patio space; and

WHEREAS, said real property is currently underutilized; and

WHEREAS, by leasing said property, Mr. Pelphrey will be able to utilize an underused area while improving the livability of his living space in Downtown Miamisburg; and

WHEREAS, by leasing said property, Mr. Pelphrey has agreed to maintain the lease area and improve the appearance of the same; and

WHEREAS, it is in the best interest of the citizens of Miamisburg to suspend the requirement of advertising bids for the lease of such real property.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1.

The City Manager is hereby authorized to enter into a Lease Agreement with Mr. Brian Pelphrey for rental of the property located at 11 South First Street, Miamisburg, OH 45342 as described in the attached Lease Agreement, pursuant to such terms and conditions as the City Manager may deem appropriate.

Section 2.

This measure is declared an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for further reason that Council desires to further the objectives of the Downtown Master Plan by facilitating the improvement of a living space downtown, therefore, this measure shall take effect and be in force from and after its passage.

Passed: October 6, 2020

Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

RESOLUTION NO. 2972

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF MIAMISBURG, OHIO FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

WHEREAS, the City of Miamisburg, Ohio seeks to upgrade its existing wastewater facilities; and

WHEREAS, the City of Miamisburg intends to apply for Water Pollution Control Loan Fund (WPCLF) for the planning, design and/or construction of wastewater facilities; and

WHEREAS, the Ohio Water Pollution Control Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1.

The City Manager is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of wastewater facilities on behalf of the City of Miamisburg, Ohio.

Section 2.

The dedicated source of repayment will be revenue from users of the City's water and sewer system.

Section 3.

This measure shall take effect and be in force from and after its passage.

Passed: November 3, 2020 Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

RESOLUTION NO. 2973

A RESOLUTION TO APPOINT MEMBERS TO THE VARIOUS BOARDS AND COMMISSIONS OF THE CITY OF MIAMISBURG.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1.

The following individuals are hereby appointed to the Board of Zoning, Building and Housing Appeals:

Bob Davis	TWO YEARS	THROUGH 12/31/22
Michael Drury	TWO YEARS	THROUGH 12/31/22

Section 2.

The following individuals are hereby appointed to the Board of Tax Review:

Tom Croskey	TWO YEARS	THROUGH 12/31/22
Mike Gapinski	TWO YEARS	THROUGH 12/31/22
Carolyn Kilpatrick	TWO YEARS	THROUGH 12/31/22
Tim Wild (alternate)	TWO YEARS	THROUGH 12/31/22

Section 3.

The following individuals are hereby appointed to the Citizens Urban Forestry Advisory Board:

Michael Gray	TWO YEARS	THROUGH 12/31/22
Michelle Trimbur	TWO YEARS	THROUGH 12/31/22
John Woods	TWO YEARS	THROUGH 12/31/22

Section 4.

The following individuals are hereby appointed to the Civil Service Commission:

Wayne Gilkison	TWO YEARS	THROUGH 12/31/22
Wayne Grainger	TWO YEARS	THROUGH 12/31/22

Section 5.

The following individuals are hereby appointed to the Community Improvement Corporation:

Jim Lenz	TWO YEARS	THROUGH 12/31/22
Ray Rotellini	TWO YEARS	THROUGH 12/31/22

Section 6.

The following individuals are hereby appointed to the Downtown Miamisburg, Inc. Board:

Mike Fink	Downtown Merchant/ City Resident	TWO YEARS	THROUGH 12/31/22
Vanessa Glotfelter	Business Management	TWO YEARS	THROUGH 12/31/22
Carrie Scarff	River Interests/Recreation	TWO YEARS	THROUGH 12/31/22

Section 7.

The following individuals are hereby appointed to the Mound Development Corporation Board:

Al Leland	Financial	TWO YEARS	THROUGH 12/31/22
Vern Oakley	Real Estate Development	TWO YEARS	THROUGH 12/31/22

Section 8.

The following individual is hereby appointed to the Municipal Trust Fund Finance Committee:

Scott Woods	TWO YEARS	THROUGH 12/31/22
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Section 9.

The following individuals are appointed to the Parks and Recreation Advisory Commission:

Keith Basinger	TWO YEARS	THROUGH 12/31/22
Gail Fink	TWO YEARS	THROUGH 12/31/22
Adrienne Gorretta	TWO YEARS	THROUGH 12/31/22
Kelly Lee Marker	TWO YEARS	THROUGH 12/31/22
Shannon Ruppert	TWO YEARS	THROUGH 12/31/22
Jeff Thompson	TWO YEARS	THROUGH 12/31/22
Mike Tuttle	TWO YEARS	THROUGH 12/31/22

Section 10.

The following individuals are appointed to the Planning Commission:

Steve Beachler	TWO YEARS	THROUGH 12/31/22
James DeYoung	TWO YEARS	THROUGH 12/31/22
Mel Rutherford	TWO YEARS	THROUGH 12/31/22

Section 11.

The members and alternate member to the Miami Valley Communication Council are hereby appointed as follows:

Michelle Collins	MEMBER
Greg Thompson	MEMBER
Keith Johnson	ALTERNATE MEMBER

Section 12.

The member and alternate to the Miami Valley Regional Planning Commission are hereby appointed as follows:

Michelle Collins	MEMBER
Ryan Colvin	ALTERNATE MEMBER

Section 13.

The member and alternate member to the Miami Valley Regional Planning Commission's Lower Great Miami Basin Council are hereby appointed as follows:

Sarah Thacker	MEMBER
Valerie Griffin	ALTERNATE MEMBER

Section 14.

The member and alternate member to the South Metro Regional Chamber of Commerce are hereby appointed as:

Tom Nicholas	MEMBER
John Stalder	ALTERNATE MEMBER

Section 15.

All resolutions inconsistent herewith are hereby repealed.

Section 16.

This measure shall take effect and be in force from and after its passage.

Passed: December 15, 2020 Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins., Mayor