

CITY OF MIAMISBURG  
10 N FIRST STREET, MIAMISBURG, OHIO

October 5, 2021

Mayor Collins gave the invocation. Cub Scout Pack 248 led everyone in 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 Nestor to accept the minutes of the Regular Session September 7, 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 Davis presented Ordinance No. 6930. Mr. Davis stated that in 2020, as staff began repairs to the pool, they determined that it was best to remove the 25-year-old spray equipment within the pool area. Staff discussed with City Council, Parks Advisory Board, and the public what other amenities could be added to the facility to replace the spray equipment. It was determined that a splash pad would be the best option. Staff researched the project and presented three concepts that were within the project scope and budget to the Parks Advisory Board. The spray equipment recommended by the Board is listed as part of the State of Ohio Procurement process so the pricing is negotiated at the state level, and the city can waive the right to bid based on selecting the equipment according to state terms. Total cost for this project is \$161,302. Staff and the Parks Advisory Board recommend approval of this ordinance.

**ORDINANCE NO. 6930**

**AN ORDINANCE TO WAIVE THE REQUIREMENT FOR COMPETITIVE BIDDING AS REQUIRED BY LAW AND TO ENTER INTO AN AGREEMENT FOR THE DESIGN, ENGINEERING AND PROVISION OF EQUIPMENT FOR THE SYCAMORE TRAILS AQUATIC CENTER SPLASH PAD PROJECT WITH LANDSCAPE STRUCTURES, INC., AND DECLARING AN EMERGENCY.**

Motion was made by Nicholas, seconded by Stalder to dispense with the requirement that Ordinance No. 6930 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 Colvin to pass Ordinance No. 6930, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Davis presented Ordinance No 6931. Mr. Davis stated that this ordinance is for construction work associated with the installation and construction of the splash pad. Total cost for this project is \$178,832. Double Jay Construction is the sole certified installer for Aquatix by Landscape Structures, Inc., therefore, the city has the right to waive bidding for this project. This project is funded in the 2021 capital improvement fund. Completion of the project will be Spring of 2022. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6931**

**AN ORDINANCE TO WAIVE THE REQUIREMENT FOR COMPETITIVE BIDDING AS REQUIRED BY LAW AND TO ENTER INTO AN AGREEMENT FOR THE CONSTRUCTION AND INSTALLATION OF A SPLASH PAD AT THE SYCAMORE TRAILS AQUATIC CENTER WITH DOUBLE JAY CONSTRUCTION LLC., AND DECLARING AN EMERGENCY.**

Motion was made by Nicholas, seconded by Thompson to dispense with the requirement that Ordinance No. 6931 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 Colvin to pass Ordinance No. 6931, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Davis presented Ordinance No. 6932. Mr. Davis stated that this ordinance is to enter an agreement with the Mound Amateur Radio Association. MARA is requesting continued use of the stone building located at Mound Park. MARA serves a role for backup communications in the event of disasters and they provide assistance with large community events. They are very good stewards of the community. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6932**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A FACILITY USE AGREEMENT WITH THE MOUND AMATEUR RADIO ASSOCIATION, AND DECLARING AN EMERGENCY.**

Motion was made by Nicholas, seconded by Nestor to dispense with the requirement that Ordinance No. 6932 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 Nicholas to pass Ordinance No. 6932, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Chris Fine presented Ordinance 6933. Mr. Fine stated that this ordinance is for a refundable tax credit for Spintech Holdings. Spintech is currently located in Xenia. Spintech will occupy a 34,000 sq. ft. space at Austin Business Park. The company will relocate their 19 employees with an associated \$1.7M in annual payroll to Miamisburg.

Over the next several years they plan to grow to 42 employees with an annual payroll of \$3.4M. The total value of credit over five years will be approximately \$105,000. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6933**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A JOB CREATION TAX CREDIT AGREEMENT WITH SPINTECH HOLDINGS, INC., PROVIDING A JOB CREATION REFUNDABLE TAX CREDIT, GRANTING THE TAX CREDIT, AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by Nestor to dispense with the requirement that Ordinance No. 6933 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. 6933, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Bob Stanley presented Resolution 2984. Mr. Stanley stated that this resolution authorizes the City Manager to file grant applications for and accept Federal Fast Act Funds through MVRPC. The CRRSAA application for resurfacing is for Union Road, north of S.R. 725, from the corporate line to Manning Road. The total cost of this project is \$212,000. The City's funding portion is \$12,000. The STP application for resurfacing is for Dayton-Cincinnati Pike, south of Downtown, from the railroad trestle south to the City corporation line including up to the Chautauqua Bridge. The total cost of this project is \$335,000. The City's funding portion is \$67,000. Both streets are scheduled for paving in the City's 5-year capital improvement plan. Staff recommends approval of this resolution.

**RESOLUTION NO. 2984**

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO FILE GRANT APPLICATIONS FOR AND ACCEPT FEDERAL FAST ACT FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION FOR THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSSA) AND SURFACE TRANSPORTATION PROGRAM (STP) RESURFACING PROGRAMS.**

Motion was made by Thacker, seconded by Thompson to have the Resolution No. 2984 read by title only. Motion carried. The Resolution was read by title only. Motion was made by Nicholas, seconded by Stalder to pass Resolution No. 2984, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker, and Thompson.

Chief John Sedlak presented Resolution 2985. Chief Sedlak stated that this resolution authorizes the City to apply for and accept the 2022 State of Ohio Body Worn Camera Grant Program. This grant will allow the police department to purchase 40 body worn cameras. Total cost is \$130,385. Staff recommends approval of this resolution.

RESOLUTION NO. 2985

A RESOLUTION AUTHORIZING THE CITY OF MIAMISBURG TO SUBMIT AN APPLICATION FOR THE 2022 STATE OF OHIO BODY-WORN CAMERA GRANT PROGRAM IN THE AMOUNT OF \$130,385.

Motion was made by Colvin, seconded by McCabe to have the Resolution No. 2985 read by title only. Motion carried. The Resolution was read by title only. Motion was made by Nicholas, seconded by Nestor to pass Resolution No. 2985, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker, and Thompson.

Chris Fine presented the Final Development Plan for Phase 2 of Deer Valley. A staff report was included in City Council's packet with a recommendation from the Planning Commission.

Motion was made by Stalder, seconded by Nestor to approve the Final Development Plan for Phase 2 of Deer Valley Subdivision. Motion carried.

Chris Fine presented the Final Development Plan for Kroger Marketplace. A staff report was included in City Council's packet with a recommendation from the Planning Commission.

Motion was made by Colvin, seconded by Nicholas to approve the Final Development Plan for Kroger Marketplace. Motion carried

Chris Fine presented a record plan for 155 & 301 N. Heincke Road. The Planning Commission has reviewed this request and recommends approval.

Motion was made by Stalder, seconded by Thompson to approve the record plan for 155 & 301 N Heincke Road. Motion carried.

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



Michelle L. Collins, Mayor



Kim Combs, Clerk of Council