

CITY OF MIAMISBURG
10 N FIRST STREET, MIAMISBURG, OHIO

June 21, 2022

Mayor Collins gave the invocation and 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: McCabe, Nestor, Nicholas, Thacker and Thompson.

Motion was made by Thacker, seconded by Nicholas to excuse Councilmembers Colvin and Stalder. Motion carried.

Motion was made by McCabe, seconded by Nestor to accept the minutes of the Regular Session on June 7, 2022, 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.

Andrew Rodney presented Ordinance 6964 for a second reading and public hearing. Mr. Rodney stated that this Ordinance will add a new Chapter to the Codified Ordinances - Chapter 1295, Architectural Guidelines. This Chapter will provide architectural guidance to design professions, development staff and Planning Commission during development review process. The Planning Commission reviewed this Ordinance and expressed support for the proposed guidelines without amendments. Staff recommends approval of this Ordinance.

ORDINANCE NO. 6964

AN ORDINANCE TO AMEND PART TWELVE, TITLE SIX OF THE CODIFIED ORDINANCES TO ADOPT CHAPTER 1295, ARCHITECTURAL GUIDELINES.

The first reading of the Ordinance was held at the April 19, 2022, regular session 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 Thompson to adopt the Ordinance as recommended by the Planning Commission. Motion carried. Motion was made by McCabe, seconded by Nicholas to pass the Ordinance to the second and final reading, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker and Thompson. Motion was made by Thompson, seconded by Nestor to read Ordinance No. 6964 the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by McCabe, seconded by Nestor to pass Ordinance No. 6964, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker and Thompson.

Andrew Rodney presented Ordinance No. 6965 for a second reading and public hearing. Mr. Rodney stated that this Ordinance will adopt Section 1222.08, Minor Subdivisions; Replat and Lot Splits. This Ordinance would allow approval of minor changes to platted lots by a designated representative of the Planning Commission without being subject to a formal review process by the Planning Commission itself. The Planning Commission reviewed this Ordinance and expressed support for the proposed guidelines with an amendment. The Planning Commission recommended that Part (d) should be three lots instead of five lots. Staff recommends approval of this Ordinance.

ORDINANCE NO. 6965

AN ORDINANCE TO AMEND PART TWELVE, TITLE FOUR, CHAPTER 1222 OF THE CODIFIED ORDINANCES TO ALLOW FOR ADMINISTRATIVE APPROVAL OF MINOR SUBDIVISIONS.

The first reading of the Ordinance was held at the April 19, 2022, regular session 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 Thompson to adopt the Ordinance as recommended by the Planning Commission. Motion carried. Motion was made by McCabe, seconded by Nicholas to pass the Ordinance to the second and final reading, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker and Thompson. Motion was made by Thompson, seconded by Nestor to read Ordinance No. 6965 the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nestor, seconded by Thacker to pass Ordinance No. 6965, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker and Thompson.

Andrew Rodney presented Ordinance No. 6966 for a second reading and public hearing. Mr. Rodney stated that this Ordinance will allow Class 2 fences in the front yard area adjacent to the corner side yard for corner lots in the R-3 Residential zoning district. The Planning Commission reviewed this Ordinance and expressed support for the proposed findings with an amendment. The Planning Commission felt that requiring landscaping along the fence would be burdensome to the homeowner, so that requirement has been removed. Staff recommends approval of this Ordinance.

ORDINANCE NO. 6966

AN ORDINANCE TO AMEND PART TWELVE, TITLE FOUR, CHAPTER 1289 OF THE CODIFIED ORDINANCES TO MODIFY REGULATIONS FOR CLASS 2 FENCES ON R-3 RESIDENTIAL ZONED PROPERTIES.

The first reading of the Ordinance was held at the April 19, 2022, regular session 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 Nicholas to adopt the Ordinance as amended by the Planning Commission. Motion carried. Motion was made by Nicholas, seconded by Thompson to pass the Ordinance to the second and final reading, carried by Yea Votes

of McCabe, Nestor, Nicholas, Thacker and Thompson. Motion was made by Thompson, seconded by Nestor to read Ordinance No. 6966 the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nicholas, seconded by Thompson to pass Ordinance No. 6966, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker and Thompson.

Ryan Davis presented Ordinance 6974. Mr. Davis stated that The Church formerly known as the Miami Valley Church, has completed its divestiture process and has re-established itself through a 501(C)3 non-profit with the legal name Scarlett Thread of Miami Valley. This group has been utilizing Carnegie Center since last year. They would like to continue the Carnegie Center use-agreement for another three years. They will pay the City \$25,000 as payment for the facility use agreement. This payment will fund 50% of some critical repairs needed at Carnegie Center.

ORDINANCE NO. 6974

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A FACILITY USE AGREEMENT WITH SCARLETT THREAD OF MIAMI VALLEY DBA LIFE CENTER AT CARNEGIE AND DECLARING AN EMERGENCY.

Motion was made by Nicholas, seconded by Nestor to dispense with the requirement that Ordinance No. 6974 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 Nestor to pass Ordinance No. 6974, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker and Thompson.

Andrew Rodney presented Ordinance 6975 for a first reading. Mr. Rodney stated that this Ordinance is to rezone 88 S. Gebhart Church Road from Office-Service (OS-1) to Neighborhood Business (NB-1) to facilitate development of a proposed carry-out restaurant establishment. Staff requests that this item be referred to the Planning Commission for their review and recommendation.

ORDINANCE NO. 6975

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY LOCATED AT 88 SOUTH GEBHART CHURCH RD., CITY LOTS #3786 AND #3804, FROM OFFICE-SERVICE (OS-1) TO NEIGHBORHOOD BUSINESS (NB-1).

Motion was made by Nicholas, seconded by McCabe to read Ordinance No. 6975 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nestor, seconded by Nicholas to refer Ordinance No. 6975 to the Planning Commission. Motion carried.

Chris Fine presented Resolution 2994. Mr. Fine stated that the Hutchings power generation plant was decommissioned by the local power supplier and sold to a private developer in 2020. The new owner, The Frontier Group of Companies goal is to remediate and redevelop the site into an economic asset to the community. The property is needing millions of dollars of environmental remediation. The State of Ohio has developed a Brownfield Remediation Program to provide grants for the remediation of brownfield sites in Ohio. Frontier plans to submit an application for funding assistance through this program. This resolution will formalize the City's support for Frontier's grant application to the Brownfield Remediation Program.

RESOLUTION NO. 2994

A RESOLUTION EXPRESSING THE CITY'S SUPPORT FOR A GRANT APPLICATION SUBMITTED BY THE FRONTIER GROUP OF COMPANIES TO HELP FACILITATE ENVIRONMENTAL CLEANUP ACTIVITIES AT THE FORMER HUTCHINGS STATION POWERPLANT IN MIAMISBURG.

Motion was made by Thompson, seconded by Nicholas to have the Resolution No. 2994 read by title only. Motion carried. The Resolution was read by title only. Motion was made by McCabe, seconded by Nestor to pass Resolution No. 2994, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker, and Thompson.

Emily Christian presented a motion that would appoint Emily Chrisitan as the designee for the Public Records and Sunshine Law training.

Motion was made Nestor, seconded by McCabe to approve the appointment of Emily Christian as the designee for the Public Records and Sunshine Law training, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker, and Thompson.

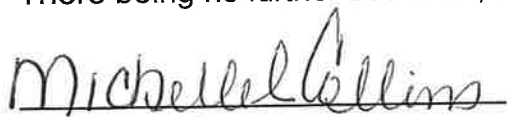
Motion was made by Nicholas, seconded by Thompson to cancel the July 5 regular council meeting, carried by Yea Votes of McCabe, Nestor, Nicholas, Thacker, and Thompson.

Motion was made by Thompson, seconded by Nestor to recess to an executive session for an economic development update. Motion carried by Yea Votes of, McCabe, Nestor, Nicholas, Thacker and Thompson.

Council recessed to Study Session to discuss:

- BWC Insurance Renewal
- Police Cameras
- Electric Aggregation

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


Michelle L. Collins, Mayor


Kim Combs, Clerk of Council