

CITY OF MIAMISBURG  
10 N FIRST STREET, MIAMISBURG, OHIO

August 16, 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: Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker, and Thompson

Motion was made by Colvin, seconded by Nestor to accept the minutes of the Regular Session on August 2, 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 6979 for a first reading. Mr. Rodney stated that this Ordinance is to rezone the property located at 2240 E. Central Avenue from Planned Office (PO) to Office-Service (OS-1) to facilitate the establishment of a Day Care Facility in the building. Staff recommends that this Ordinance be referred to the Planning Commission for their review and recommendation.

**ORDINANCE NO. 6979**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY LOCATED AT 2240 EAST CENTRAL AVENUE, CITY LOT #3762 FROM PLANNED OFFICE (PO) TO OFFICE-SERVICE (OS-1).

Motion was made by Stalder, seconded by Nicholas to read Ordinance No. 6979 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nicholas, seconded by Thompson to refer Ordinance No. 6979 to the Planning Commission. Motion carried.

Andrew Rodney presented Ordinance 6980 for a first reading. Mr. Rodney stated that this Ordinance will modify the regulations for Child Care Centers, Nursery Schools, and Day Nurseries. Staff recommends that this Ordinance be referred to the Planning Commission for their review and recommendation.

**ORDINANCE NO. 6980**

AN ORDINANCE TO AMEND PART TWELVE, TITLE SIX, CHAPTERS 1252, 1292, AND 1296 OF THE CODIFIED ORDINANCES TO MODIFY REGULATIONS FOR CHILD CARE CENTERS, NURSERY SCHOOLS AND DAY NURSERIES IN THE OFFICE-SERVICE (OS-1) ZONING DISTRICT, PARKING STANDARDS, AND SITE DESIGN STANDARDS.

Motion was made by Thompson seconded by McCabe to read Ordinance No. 6980 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nicholas, seconded by Colvin to refer Ordinance No. 6980 to the Planning Commission for their review and recommendation. Motion carried.

Andrew Rodney presented Ordinance 6981 for a first reading. Mr. Rodney state that this Ordinance is to rezone the property located at 1003 South Main Street from General Business (GB-1) and Residential (R-3) to Research-Office (RO-1) Staff recommends that this Ordinance be referred to the Planning Commission for their review and recommendation.

**ORDINANCE NO. 6981**

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY LOCATED AT 1003 SOUTH MAIN STREET, CITY LOTS #1605-1607, FROM GENERAL BUSINESS (GB-1) AND RESIDENTIAL (R-3) TO RESEARCH-OFFICE (RO-1).**

Motion was made by Stalder seconded by Thompson to read Ordinance No. 6981 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nicholas, seconded by Nestor to refer Ordinance No. 6981 to the Planning Commission for their review and recommendation. Motion carried.

Andrew Rodney presented Ordinance 6982 for a first reading. Mr. Rodney stated that this Ordinance will modify Chapter 1236.04 of the Codified Ordinances, referencing Public Hearings before the Board of Zoning Appeals (BZA). More specifically, the Ordinance eliminates the requirements to post notice of the public hearing in a newspaper of general circulation and expands the radius for direct mailed notices. Staff recommends that this Ordinance be referred to the Planning Commission for their review and recommendation.

**ORDINANCE NO. 6982**

**AN ORDINANCE TO AMEND PART TWELVE, TITLE SIX OF THE CODIFIED ORDINANCES TO MODIFY THE NOTICE REQUIREMENTS FOR PUBLIC HEARINGS BEFORE THE BOARD OF ZONING APPEALS.**

Motion was made by Nicholas seconded by Colvin to read Ordinance No. 6982 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Thompson, seconded by Nestor to refer Ordinance No. 6982 to the Planning Commission for their review and recommendation. Motion carried.

Andrew Rodney presented Ordinance 6983 for a first reading. Mr. Rodney stated that this Ordinance will amend Chapters 1289.04 and 1289.05 of the Codified Ordinances, referencing perimeter fencing around swimming pools and large spas. The Ordinance permits the use of an automatic pool cover meeting the ASTM F 1346 standard in lieu of a perimeter fence. Staff recommends that this Ordinance be referred to the Planning Commission for their review and recommendation

ORDINANCE NO. 6983

AN ORDINANCE TO AMEND PART TWELVE, TITLE SIX OF THE CODIFIED ORDINANCES TO MODIFY THE REQUIREMENTS FOR SECURING A RESIDENTIAL POOL OR LARGE SPA.

Motion was made by Nicholas seconded by Colvin to read Ordinance No. 6983 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by McCabe, seconded by Stalder to refer Ordinance No. 6983 to the Planning Commission for their review and recommendation. Motion carried

Ryan Davis presented Ordinance 6984. Mr. Davis stated that this Ordinance will authorize a contract for professional services to provide schematic and construction level design for Riverfront Park at a cost not to exceed \$329,400. The total project is estimated between \$4.5-\$4.7M. Construction will begin in early 2023. Staff recommends approval of this Ordinance.

ORDINANCE NO. 6984

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE KLEINGERS GROUP TO PROVIDE PROFESSIONAL SERVICES FOR DESIGN AND ENGINEERING SERVICES FOR THE RIVERFRONT PARK IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.

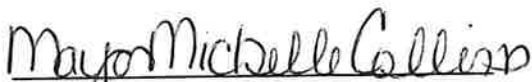
Motion was made by Nicholas, seconded by Thompson to dispense with the requirement that Ordinance No. 6984 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Stalder, seconded by Colvin to pass Ordinance No. 6984, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ryan Davis presented information on the road closures for the Miamisburg Triathlon to be held on August 21 from 8:00 a.m. to noon. Staff recommends approval of this road closure.

Motion was made by Nicholas, seconded by Thacker to approve the road closures for the Miamisburg Triathlon. Motion carried.

Council recessed to Study Session to discuss the Rumpke contract.

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

  
Michelle L. Collins, Mayor

  
Kim Combs, Clerk of Council