

CITY OF MIAMISBURG
10 N FIRST STREET, MIAMISBURG, OHIO

October 18, 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: Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder, and Thacker.

Motion was made by Colvin, seconded by Nicholas to accept the minutes of the Regular Session on October 4, 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.

Motion was made by Stalder, seconded by Colvin to remove Ordinance 6975 from the table carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Andrew Rodney presented Ordinance 6975. Mr. Rodney stated that this Ordinance will amend the Official Zoning Map to rezone two City lots located at 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. Planning Commission has reviewed the rezoning request and recommended approval.

ORDINANCE NO. 6975

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

Motion was made by McCabe, seconded by Beachler to dispense with the requirement that Ordinance No. 6975 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 McCabe to pass Ordinance No. 6975, carried by Yea Votes of Beachler, Colvin, McCabe, and Nicholas, Nay Votes of Nestor, Stalder and Thacker.

Andrew Rodney presented Ordinance 6979, second reading and public hearing. Mr. Rodney stated that this Ordinance will rezone property located at 2240 E. Central Avenue from Planned Office (PO) to Office-Service (OS-1). The original request was made by Faith Early Learning Center to facilitate the establishment of a Day Care Facility in the building. However, those owners determined that it was too expensive to renovate at this time. The property owner decided to continue with the application to assist in marketing

the property to other potential buyers. Planning Commission has reviewed the rezoning request and recommended approval.

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).

The first reading of the Ordinance was held at the August 16, 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 Hearing was closed. Motion was made by Colvin, seconded by Stalder to adopt the Ordinance as recommended by the Planning Commission. Motion carried. Motion was made by Stalder, seconded by Nicholas to pass the Ordinance to the second and final reading, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder, and Thacker. Motion was made by Nestor, seconded by Stalder to read Ordinance No 6979 the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Colvin, seconded by McCabe to pass Ordinance No. 6979, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Andrew Rodney presented Ordinance 6980, second reading and public hearing. Mr. Rodney stated that this Ordinance is to amend the requirements for Child Care Centers, Nursery Schools, and Day Nurseries. The Planning Commission has reviewed the amendments and recommended approval.

ORDINANCE NO. 6980

AN ORDINANCE TO AMEND PART TWELVE, TITLE FOUR, 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.

The first reading of the Ordinance was held at the August 16, 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 Hearing was closed. Motion was made by Colvin, seconded by McCabe to adopt the Ordinance as recommended by the Planning Commission. Motion carried. Motion was made by Nicholas, seconded by Beachler to pass the Ordinance to the second and final reading, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder, and Thacker. Motion was made by Nestor, seconded by Stalder to read Ordinance No 6980 the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Colvin, seconded by McCabe to pass Ordinance No. 6980, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Andrew Rodney presented Ordinance 6981, second reading and public hearing. Mr. Rodney stated that this Ordinance is to amend the Official Zoning Map to rezone property located at 1003 South Main Street from General Business (GB-1) and Residential (R-3) to Research-Office (RO-1) to facilitate construction of a building addition for Viking Heating and Air Conditioning. The current zoning doesn't allow for the use Contractor's Office, therefore a change in zoning is required, along with Special Use approval from the Planning Commission. The Planning Commission reviewed the rezoning request and recommended approval.

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).

The first reading of the Ordinance was held at the August 16, 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 Hearing was closed. Motion was made by Nicholas, seconded by Nestor to adopt the Ordinance as recommended by the Planning Commission. Motion carried. Motion was made by Stalder, seconded by Colvin to pass the Ordinance to the second and final reading, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder, and Thacker. Motion was made by Nestor, seconded by Stalder to read Ordinance No 6981 the second and final time by title only. Motion carried. The Ordinance was read by title only. Motion was made by Colvin, seconded by McCabe to pass Ordinance No. 6981, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Elyse Martin presented Ordinance 6990. Ms. Martin stated that this Ordinance is to certify special assessments for delinquent charges for grass mowing and weed control to the County Auditor's Office. Total assessment is \$49,240.95. It also includes a delinquent sewer charge of \$5,092.55. Staff recommends approval of this Ordinance.

ORDINANCE NO. 6990

AN ORDINANCE TO CERTIFY SPECIAL ASSESSMENTS FOR THE DELINQUENT CHARGES FOR THE CUTTING AND REMOVAL OF WEEDS, VEGETATION AND/OR GRASS AND SEWER SERVICES, THE CITY OF MIAMISBURG, MONTGOMERY COUNTY, OHIO TO THE COUNTY AUDITOR OF SAID COUNTY FOR THE COLLECTION THEREOF AND DECLARING AN EMERGENCY.

Motion was made by Nicholas, seconded by Beachler to dispense with the requirement that Ordinance No. 6990 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 Nestor to pass Ordinance No. 6990, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Ryan Davis presented Ordinance 6991. Mr. Davis stated that this Ordinance includes the schematic and construction design for the complete Concept Plan for Sycamore Trails Park. The design work is anticipated to take between 9-11 months to complete at cost not to exceed \$430,930.

ORDINANCE NO. 6991

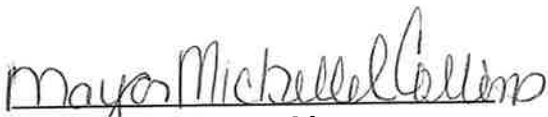
AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE KLEINGERS GROUP TO PROVIDE PROFESSIONAL SERVICES FOR DESIGN AND ENGINEERING SERVICES FOR THE SYCAMORE TRAILS PARK IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.

Motion was made by Colvin, seconded by Stalder to dispense with the requirement that Ordinance No. 6991 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 McCabe to pass Ordinance No. 6991, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Motion was made by Colvin, seconded by Nestor to recess into an executive session to discuss property purchases. Motion carried by: Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Council recessed to Study Session to discuss the
Quarterly Financial Report
Riverfront Park Update

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


Michelle L. Collins, Mayor


Kim Combs, Clerk of Council