

CITY OF MIAMISBURG  
10 N FIRST STREET, MIAMISBURG, OHIO

February 7, 2023

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 Nicholas, seconded by Colvin to accept the minutes of the Regular Session on January 17, 2023 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.

Tom Chalfant, a Miamisburg resident, voiced his concern about the traffic noise due to the removal of the forested land that was cleared for development activity. Mr. Chalfant asked Council to consider appropriate action to resolve this issue.

After no one else wished to discuss any further items, the Forum was closed.

Phill Dysard, from Palmer Energy provided information on the energy aggregation program that will be available to residents in August. Small businesses and residents qualify for this program. All residents are automatically enrolled in the program with the exception of residents who already have contracts with another supplier.

Mayor Collins opened a Public Hearing and asked anyone present who wished to ask questions regarding the energy aggregation program to come forward. There was no response, and the Hearing was closed.

Mr. Stanley presented Resolution 3002. Mr. Stanley stated that this is the second reading of this Resolution. This year's program includes four streets, and 100 property owners located on Elwyn Place, Evans Avenue, Lea Castle Place, and Merry John Drive. Individual notifications were mailed to property owners. Quantity letters will be mailed by April and the City contract to complete concrete repair work will be in place by May. Staff recommends that City Council pass this Resolution of Necessity.

RESOLUTION NO. 3002

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 2023 SIDEWALK, CURB AND GUTTER PROGRAM.

Motion was made by Colvin, seconded by McCabe to have the Resolution No. 3002 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. 3002, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Bob Stanley presented Ordinance 7011. Mr. Stanley stated that this Ordinance provides consent legislation to the Ohio Department of Transportation (ODOT) for painting and repairs to the SR 725 bridge. This maintenance work will be performed in 2024 at no cost to the City. Staff recommends approval of this Ordinance.

**ORDINANCE NO. 7011**

**AN ORDINANCE APPROVING PROJECT CONSENT LEGISLATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR D07 BP/BH FY24 AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by Beachler to dispense with the requirement that Ordinance No. 7011 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. 7011, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Bob Stanley presented Ordinance 7012. Mr. Stanley stated that this Ordinance provides consent legislation to the Ohio Department of Transportation (ODOT) for SR 725 guardrail replacement. This maintenance will be performed in 2024 at no cost to the City. Staff recommends approval of this Ordinance.

**ORDINANCE NO. 7012**

**AN ORDINANCE APPROVING PROJECT CONSENT LEGISLATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR D07, GR TYPE A REPLACEMENT AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by Nestor to dispense with the requirement that Ordinance No. 7012 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 Beachler to pass Ordinance No. 7012, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Bob Stanley presented Ordinance 7013. Mr. Stanley stated that this Ordinance will provide professional engineering services by LJB for right-of-way acquisitions, right-of-way plans and preparation of bid of plans for Riverview Avenue Roadway Improvements project. Staff recommends approval of this Ordinance.

**ORDINANCE NO. 7013**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE RIGHT-OF-WAY ACQUISITION, RIGHT-OF-WAY PLANS, AND FINAL CONSTRUCTION**

PLANS FOR THE RIVERVIEW AVENUE ROADWAY IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.

Motion was made by Colvin, seconded by Nicholas to dispense with the requirement that Ordinance No. 7013 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 Beachler to pass Ordinance No. 7013, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor, Nicholas, Stalder and Thacker.

Valerie Griffin requested City Council approve a motion to authorize the City Manager to advertise and receive bids for the Byers Water Tank Rehabilitation Project. The engineer's construction estimate is \$650,000. This does not include artwork for the tank, this will be a separate option.

Motion was made by Nicholas, seconded by Nestor to authorize the City Manager to advertise and receive bids for the Byers Water Tank Rehabilitation Project. Motion carried.

Council recessed to a study session to discuss the following items:  
Annual Financial Report  
Patriot Place  
DORA Oversight Board Recommendations.

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

  
\_\_\_\_\_  
Jeff Nestor, Vice Mayor

  
\_\_\_\_\_  
Kim Combs, Clerk of Council