

CITY OF MIAMISBURG
10 N FIRST STREET, MIAMISBURG, OHIO

January 17, 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 and Thacker.

Motion was made by McCabe, seconded by Beachler to excuse Councilmembers Nicholas and Stalder. Motion carried.

Motion was made by Colvin, seconded by Nestor to accept the minutes of the Regular Session on December 20, 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.

Bill Stalder, Miamisburg resident, voiced his concern about his water bill and the new meter that was installed. Mr. Stalder met with the Finance Director. He stated that she was very informative and helpful. He asked if the water meter process can be explained more accurately in writing.

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

Chris Fine presented Resolution 3001. This resolution recognized Jim DeYoung for his 40 years of volunteer services to the BZA and Planning Commission. Mayor Collins presented Mr. DeYoung with the resolution.

RESOLUTION NO. 3001

A RESOLUTION OF APPRECIATION FOR JAMES (JIM) H. DEYOUNG, RECOGNIZING HIS LEADERSHIP, SERVICE AND PERFORMANCE AS A MEMBER OF THE MIAMISBURG BOARD OF ZONING APPEALS AND PLANNING COMMISSION.

Motion was made by McCabe, seconded by Colvin to have the Resolution No. 3001 read by title only. Motion carried. The Resolution was read by title only. Motion was made by Beachler, seconded by Nestor to pass Resolution No. 3001, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor and Thacker.

Andrew Rodney presented Ordinance 7005, first reading. Mr. Rodney stated that this Ordinance will establish a new process by which large, private, government, or institutional landowners may receive special consideration for a Master Campus Sign Plan. The Plan is intended to streamline the process of review and permitting for a

comprehensive sign package meant to serve a cohesive, contiguous campus environment.

ORDINANCE NO. 7005

AN ORDINANCE TO AMEND PART TWELVE, TITLE SIX, CHAPTER 1293 OF THE CODIFIED ORDINANCES TO ALLOW FOR MASTER CAMPUS SIGN PLANS.

Motion was made by Colvin, seconded by Nestor to read Ordinance No. 7005 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by McCabe, seconded by Beachler to refer Ordinance No. 7005 to the Planning Commission. Motion carried.

Andrew Rodney presented Ordinance 7006, first reading. Mr. Rodney stated that this Ordinance will establish the City's third Special Development District at 945 Capstone Drive. The business owner proposes to establish a business tentatively know as "Cold War Customs" to manufacture unique one-of-a-kind vehicles using after-market custom parts and materials.

ORDINANCE NO. 7006

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY AT 945 CAPSTONE DRIVE (CITY LOT #8058) FROM MOUND BUSINESS (MB-1) TO SPECIAL DEVELOPMENT DISTRICT (SDD-3), AND TO APPROVE THE COMPANION DEVELOPMENT GUIDELINES REPORT, PRELIMINARY DEVELOPMENT PLAN, AND FINAL DEVELOPMENT PLAN.

Motion was made by Beachler, seconded by Nestor to read Ordinance No. 7006 the first time by title only. Motion carried. The Ordinance was read by title only. Motion was made by McCabe, seconded by Beachler to refer Ordinance No. 7006 to the Planning Commission. Motion carried.

Ryan Davis presented Ordinance 7007. Mr. Davis stated that this Ordinance is the Ninth Amendment and Addendum to the 2017 Miamisburg Projects Management and Financing Agreement for Riverfront Park Improvement Project. This Ordinance not only authorizes the PMFA but also the appropriation language and related fund transfer language. Staff recommends approval of this Ordinance.

ORDINANCE NO. 7007

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO THE NINTH AMENDMENT AND ADDENDUM TO 2017 MIAMISBURG PROJECTS MANAGEMENT AND FINANCING AGREEMENT, AND DECLARING AN EMERGENCY.

Motion was made by Colvin, seconded by McCabe to dispense with the requirement that Ordinance No. 7007 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 Colvin to pass Ordinance No. 7007, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor and Thacker.

Chris Fine presented Ordinance 7008. Mr. Fine stated that this Ordinance will provide a 30%, 5-year job creation refundable tax credit for Panini. The purpose of the tax credit is to assist the company with costs associated with their relocation and in turn, they will create at least 28 jobs and \$2,000,000 in new payroll within the City. Staff recommends approval of this Ordinance.

ORDINANCE NO. 7008

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PANINI NORTH AMERICA, INC. (DBA PANINI) 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. 7008 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 Colvin to pass Ordinance No. 7008, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor and Thacker.

Valerie Griffin presented Ordinance 7009. Ms. Griffin stated that this addendum #15 includes the remaining engineering design, as well as investigation and mitigation of private wells, testing boring and installation of well components construction of four monitoring wells, analysis of test data, updates to the groundwater flow model and further coordination with the OEPA for well plan approval. Staff recommends approval of this Ordinance.

ORDINANCE NO. 7009

AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES, AND DECLARING AN EMERGENCY.

Motion was made by Colvin, seconded by Nestor to dispense with the requirement that Ordinance No. 7009 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 Colvin to pass Ordinance No. 7009, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor and Thacker.

Bob Stanley presented Ordinance 7010. Mr. Stanley stated that Ordinance is for the City and Miami Township to work together again on a joint partnership with the City's 2023 asphalt paving program. Last year a mutual cost savings was realized with the unit price of asphalt bid being significantly lower to due to larger program volume. Both entities would like to enter a similar agreement again this year. The City will be the lead agency to solicit bids for resurfacing work. Miami Township will reimburse the City for actual construction costs for Township streets. The public contract bid is scheduled for March with construction to follow this Spring. Staff recommends approval of this ordinance.

ORDINANCE NO. 7010

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROJECT AGREEMENT WITH MIAMI TOWNSHIP FOR JOINT PARTICIPATION IN 2023 ASPHALT PAVING PROGRAM AND DECLARING AN EMERGENCY.

Motion was made by Colvin, seconded by Thacker to dispense with the requirement that Ordinance No. 7010 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 Colvin, seconded by Thacker to pass Ordinance No. 7010, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor and Thacker.

Mr. Stanley presented Resolution 3002. Mr. Stanley stated that this Resolution officially declares the necessity for improvements. 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 with the first reading on January 17 and a second reading at the February 7 Council meeting.

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 Thacker to have the Resolution No. 3002 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. 3002 to the second and final reading will be held at the Regular Session on February 1, 2022, carried by Yea Votes of Beachler, Colvin, McCabe, Nestor and Thacker.

Mr. Stanley requested City Council approve a motion to authorize public bidding for the City's annual Sidewalk, Curb and Gutter Program. This year's program represents \$200,000 of capital investment with funding approved in the 2023 capital improvement plan. Motion was made by Colvin, seconded by Thacker to authorize the City Manager to advertise and receive bids for the 2023 Sidewalk, Curb and Gutter Program. Motion carried.

Mr. Stanley requested City Council approve a motion to authorize public bidding for the City's annual Asphalt Paving Program. This year's program represents \$750,000 of capital investment with funding approved in the 2023 capital improvement plan. The program includes eight streets and resurfacing of the PipeStone parking lot. This year's program also includes Miami Township streets at a cost of \$440,000. Motion was made by McCabe, seconded by Colvin to authorize the City Manager to advertise and receive bids for the 2023 Asphalt Paving Program. Motion carried.

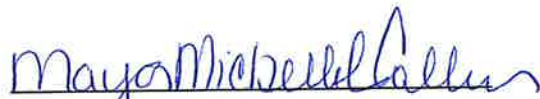
Mr. Stanley requested City Council approve a motion to authorize public bidding for the Dayton-Cincinnati Pike resurfacing project. This project includes asphalt milling, roadway resurfacing, and pavement marking of the southern section of Dayton-Cincinnati Pike, between the railroad trestle at Saxony Road and the corporation line. The project also includes a short section of Chautauqua Road from Dayton Cincinnati Pike west to the Chautauqua bridge. Motion was made by Colvin, seconded by Beachler to authorize the City Manager to advertise and received bids the Dayton-Cincinnati Pike resurfacing project. Motion carried.

Council recessed to a study session to discuss the following items:

2023 Paving Program

Naming Rights Policy

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


Michelle L. Collins, Mayor


Kim Combs, Clerk of Council