

**CITY OF MONTGOMERY  
PLANNING COMMISSION REGULAR MEETING  
City Hall · 10101 Montgomery Road · Montgomery, OH 45242**

**October 2, 2023**

**PRESENT**

**GUESTS & RESIDENTS**

**STAFF**

**Nermine Banke  
Chairman  
Church of the Saviour  
7492 Trailwind Dr., 45242**

**Susan Crabill  
St. Barnabus Church  
11155 Marlette Drive  
Cincinnati, OH 45249**

**Kevin Chesar  
Community Development Director**

**Karen Bouldin, Secretary**

**John Berry  
Trustee  
Church of the Saviour  
137 Woodcrest Dr., 45242**

**Rick Huff  
7516 Fawnmeadow Lane, 45242**

**COMMISSION MEMBERS PRESENT**  
**Dennis Hirotsu, Chairman  
Barbara Steinebrey, Vice Chairman  
Vince Dong  
Andy Juengling  
Alex Schneider  
Pat Stull**

**Jeanne & Nelson Bove  
10365 Montgomery Rd.  
45242**

**Katie Loew  
7954 Huntersknoll Ct., 45242**

**MEMBERS NOT PRESENT**  
**Peter Fossett**

**Jamie Brewer  
7952 Huntersknoll Ct., 45242**      **Emily Stapleton  
7958 Huntersknoll Ct., 45242**

**Call to Order**

Chairman Hirotsu called the meeting to order at 7:00 p.m. He reminded all guests and residents to sign in, and please turn off all cell phones.

**Roll Call**

*The roll was called and showed the following response/attendance:*

**PRESENT: Mr. Stull, Mr. Juengling, Ms. Steinebrey, Mr. Schneider,  
Mr. Dong, Chairman Hirotsu** (6)  
**ABSENT: Mr. Fossett** (1)

**Guests and Residents**

Chairman Hirotsu asked if there were any guests or residents who wished to speak about items that were not on the agenda. There were none.

Chairman Hirotsu explained the process for this evening's meeting to all guests and residents: "Mr. Chesar reviews his Staff Report and the Commission asks any questions they might have. The applicant presents their application and the Commission then asks any questions. The floor is opened to all residents for comments. If a resident agrees with a comment that was previously

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stated, they could simply concur, instead of restating the entire comment to save time. The Commission discusses the application and residents are not permitted to comment or question during this discussion. The Commission will then decide to table, approve or deny the application.

### **Old Business**

There was no old business to report.

### **New Business**

*Application from Church of the Saviour, 8005 Pfeiffer Road, for reconsideration of conditional-use approval conditions pertaining to the clarification of counseling services provided by the Church at the Ministry Center located at 8003 Pfeiffer Road.*

### **Staff Report**

Mr. Chesar reviewed the Staff Report dated October 2, 2023, "Application for Reconsideration of a Conditional-Use Approval Condition for Church of the Saviour."

He showed images / photos on the wide screen for all to see, to provide more understanding of the Staff Report.

He indicated that there had been one inquiry requesting a copy of the plan, but no emails or calls were received regarding this application.

He asked for any questions, noting that the applicant was also in attendance to answer any questions.

Mr. Stull wanted to clarify that we were actually dealing with item #8 on Page 4 of the Staff Report – their conditional-use permit. Staff confirmed, noting that it was a part of the mission of the Church, and they were also proposing to change the specific language.

Mr. Dong asked if Staff was recommending this change, or if he was simply presenting this information. Staff stated he was presenting the information, with no recommendation.

Mr. Dong assumed that if this was a commercial business, the request would not be permitted in this District. Mr. Chesar confirmed. Mr. Dong recalled two previous applications that were not approved, one with a church and one with a woman making and selling soup from her home. He wanted to be consistent with these decisions, so that we did not set precedence.

Mr. Schneider had no comment.

Ms. Steinebrey was interested to know why this change was necessary. She recalled from the meeting held in 2019 about this application, the Commission had a concern because one of the counseling services (from another area) was going to move in, and make it their office. Chairman Hirotsu added that we were not in favor of putting a business on the Church property.

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Chairman Hirotsu asked if these conditions were actually in the conditional-use permit that the applicant had. Staff confirmed and stated that the City would issue a decision letter, with the conditions that were altered – it would strike the “faith-based” verbiage from their permit, if this was approved.

There were no more questions from the Commission.

Chairman Hirotsu asked if the applicant wished to speak.

**Nermine Banke, 7492 Trailwind Drive, Montgomery, Ohio 45242** is the Chairman of the Board of Church of the Saviour and is also a resident of Montgomery. She stated that Mr. Chesar had explained their application well, noting that they were definitely much clearer on the issue of not having a business move in. She confirmed that they would not have a business doing business out of their property; although they were permitted to have a contract with a provider for counseling.

Regarding the “faith based” statement, they could easily have a contract with a provider and not bring this up, but they wanted to be transparent with their providers regarding all of their conditions of use, and of their contract with the City. Ms. Banke explained that it becomes a problem when we tell them how to do counseling, i.e., faith-based. They did not think that this would be such a technical methodology term; as anything we provide is a part of our ministry, and it is faith-based. But the counselors look at it as if we are telling them what method to use – telling a counselor how to counsel. The Church’s intention was not to limit them to what type of counseling they could provide. This is the reason for the change.

Ms. Banke asked for any questions.

Mr. Stull asked if the Church was reimbursing the counseling service for their services. Ms. Banke stated that they have a Scholarship Fund that will enable them to offer and increase the availability of mental health service to folks in the area. Some of it is used for priority scheduling with a counselor in their offices, some of it is provided as financial support, and other things.

Mr. Stull did not want to see the province of a counseling service be enriched by increasing their scope from work done at that site, because it was not designed for commercial use. He was concerned that the provider would have more revenue coming in, from working at the Church site. Ms. Banke stated that the counselors that they are working with are in alignment with the Church, so they are doing this, as giving back to the community, as a partnership.

She stated that their intention is that they would balance out the contracts with various providers, and with what they were providing. For example, some of the counselors offer community classes, free of charge. She explained that this is also very tricky, as the Church cannot get involved with the providers, in that there is only so much the Church can know about their clients.

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Mr. Juengling wanted to clarify that the scope of the counseling was not changing, it was more about the type of counseling provided by those contracted to the person seeking that counseling. Ms. Banke confirmed. She explained that they were offering this help to the entire community, not just to the Church congregation.

Ms. Steinebrey asked about the scope – what were most of the counseling needs – was it for young people? Ms. Banke stated that this service was for all ages and all reasons. People come to pastors for counsel, and after they come so many times, they are referred to the counselors for professional help.

Mr. Dong asked if they were using Bassett Psychological Services, or if it had changed now? Ms. Banke stated that they have a relationship with Bassett because one of the parishioners happens to work with that provider, but there is no single provider situation. Since 2020, Bassett no longer has an office at the Church; they have moved into a large office in Madeira. They may still be part of the Church's providers, but under the same guidance as any other provider. Also, they work with children only.

Mr. Dong asked what was stopping the patient from simply going directly to the provider's own facilities, versus the Church needing to expand their scope and change the "faith-based" verbiage. Ms. Banke stated that they wanted to help the folks in this community that aren't going to those facilities. Ms. Banke stated that if they offered a scholarship and the best place to meet was at the provider's office, that would still happen. She stated that they have built this space at the Church for this purpose, and many times it feels like a safer, more indiscreet place for patients to meet with counselors.

Mr. Schneider asked who was seeking these services. Ms. Banke stated it was the public, in addition to their congregation. They want this space to be used by the community to hold meetings for different health and wellness topics. The ministry is geared toward mental health. She stated that they were supporting The Art of Wellness event by Kevin Hines on October 23, that Montgomery is sponsoring. She stated that they had done something similar, with another speaker last year, for the community. She noted that they have also invited Al-Anon to have meetings in this space. She reiterated that this is broader than just counseling – and their intention is to provide professional assistance for mental health.

**Emily Stapleton, 2958 Huntersknoll, Montgomery, OH 45242** attended Church of the Savior. She wanted to give an example, stating that she offers a yoga class that could be described as faith-based, however, if she was to bring in a substitute to teach from a non-faith-based perspective, it would still be beneficial from a mental health standpoint, to the attendees. When she teaches yoga, she shares a Bible verse. Someone else might share an inspirational quote – still helpful. While it is not counseling, the Church feels that the yoga program contributes to bettering mental health.

Ms. Stapleton stated that some of these counselors may well share the Church's faith, and might be trained in a different type of counseling; however as a professional, they cannot call it faith-based counseling – they have to call it cognitive mental therapy or whatever their specialty is.

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She stated that the people who are coming to provide in the Peace House, may be coming from a place of faith, but it also overlaps with their professional work and they just need to use a different terminology, and so they are unwilling to sign a contract that says "faith-based" because it doesn't exactly fit the professional terminology.

Mr. Schneider asked if any services been provided there since they have received their original approval, or if they were constantly finding that "faith-based" was a concern; or have they just now discovered this? Ms. Banke stated that they have had activity in the Peace House, but they haven't had professional counselors, because the "faith-based" verbiage was an issue. She stated that Bassett has never provided services.

Chairman Hirotsu asked if there has been any billing to the clients. Ms. Banke stated that this is very complicated because of HIPPA and patient confidentiality; they are not permitted to know who or what time their appointments are.

She stated that this will be a tricky process for them to work through, because they need to support this ministry and the folks that need this help. The idea was that the providers would bill, but the Church would be in agreement with them on cost, and pay for it with the scholarship money. They cannot get into any details of the patient billing.

Chairman Hirotsu stated that it felt like a business to him, when an individual was coming to do business on their site, and money was transacted for that service. Mr. Stull agreed, because the providers were getting paid, and they could generate more business there. He understood the need for counseling, but took issue with the money transaction for a service.

Mr. Chesar referred to page 2 of the Staff Report, under Findings: 1) c. There will be no charges for use of the Ministry Center. He did not think there would be any charges. He asked for clarification from Ms. Banke.

**John Berry, 137 Woodcrest Drive, Montgomery, OH 45242** stated that he was a trustee of the Church. He stated that the intent of that statement was that there would be no charge to the therapist for use of the Peace House. There is no set business at the Peace House. It is not the primary source of business for any of the providers. It is an adjunct additional space where they can meet someone if their client was intimidated by going to their professional offices. This is not a full business operation.

Chairman Hirotsu stated that the provider would meet with the client in this location, and charge them the same as if they went to their office. Mr. Berry did not know how to work around that. He stated that there had to be some compensation to the therapist.

Chairman Hirotsu repeated that this still looked like a business. Mr. Schneider asked if this would be considered more charity-based, if the fund would pay for the counseling service, instead of charging the patient.

Ms. Banke wanted to point out that accessibility to mental health is a problem for this community and many others. The Church's intention was that this would not be profitable for

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the providers, but there is a cost, and if the provider is not compensated, then we are limited to what can be done. This is why they created the scholarship fund – to bridge gaps for people, and also allow people to donate their time in different ways, like providing a class for parents of children who have mental health issues.

She understood the Commission's concerns; however, if only the Church paid the providers, it would limit what the Church could do, and becomes very complicated.

From the November 19, 2018 Planning Commission meeting, Mr. Dong remembered the process as being that the Church would be the connection to these counselors, and the client would go to the counselor's facility. But, when you bring it all into your house, then it looks more like a business.

There was much more discussion. Some of the current Commission members attended the 2018 meeting, but many of the Church representatives were new.

Mr. Dong was having a hard time separating this from a business. Why was this unique from other commercial companies?

Mr. Stull asked what the other churches were doing to help with mental health issues. He was very concerned with setting precedent, and if we allowed Church of the Saviour to do this, we would have to allow everyone else to have this same variance. Mr. Berry didn't know about other churches. He stated that counseling happens now in the Church, with the pastors, on the property.

Chairman Hirotsu spoke on behalf of the Commission, noting that they all felt that counselling was a good thing, but the problem was about the commercial piece.

Ms. Stapleton stated that the public high schools offer mental health counselling services for a fee, inside the schools; they do accept insurance, and they work through Children's Hospital. She noted that the children go during the school hours, often during a study hall, sometimes once a week, and they might miss a class. And they have waiting lists. This was one of the ways the Church realized the great need in our community. She asked how that would be different than the services the Church wanted to offer.

Mr. Juengling was not aware of the services that schools were required to offer. Ms. Stapleton felt that this was pretty new - this has just happened since 2020.

Chairman Hirotsu stated that schools were conditional uses. Mr. Chesar knew of other communities that did this in their schools; he was not sure about Sycamore schools.

Ms. Stapleton confirmed that Sycamore schools did offer this service.

Mr. Chesar stated that he needed to review / research more of this. From the City's perspective, there was concern of a commercial operation. The City understood that the Church would be consulting with the providers and that payment for the services would fall under the umbrella of the Church. That is the caveat that allowed it to be within the Church's realm. He was not

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arguing any point, and understood that the Commission could make any decision they wanted, but Mr. Chesar felt the need for more review, so that we all had the same understanding.

Chairman Hirotsu referred to page 2 of the Staff Report, and he believed that the applicant was asking for exception and change in 1a: Services offered at the Ministry Center will be limited to faith-based counseling; and 1c: There will be no charges for use of the Ministry Center.

Mr. Chesar believed that the applicant was stating that the counselors would not be charged any rent or lease. That was the difference.

Mr. Berry stated that is not a statement intended to address the relationship between the client and the therapist, but rather between the Church and the provider.

Mr. Dong understood that the patient would not be paying anything, either; that it was a service that the Church was providing to anyone in the community, at no charge.

Mr. Chesar pointed out that there was much misunderstanding, and he would like to have more conversations with Tracy Henao, Assistant City Manager, who was in attendance at the previous meetings. He stated that the Church was entitled to ask the Commission to make a recommendation now, but he felt that more needed to be explained and understood between all.

Mr. Dong understood that, previously, Bassett was going to be the only supplier. And now, it looks as though there will be multiple suppliers. Ms. Banke stated that she understood the concern at the time was the business, and the business was Bassett; and they have worked at making it not be about Bassett. They thought that would help, from a City perspective, to ensure that the Church would not give enough hours to any one provider, to prove that it could not be the provider's only place of business. The Church would limit the number of hours that any one provider could be on site.

Mr. Juengling asked if there were actual operating hours, or if it was based off of appointments Ms. Banke stated that they had not worked through this yet. The providers do not want each other's patients to see each other. And the Church was not permitted to know a lot about the appointments, for HIPPA reasons. One of the ideas they had was that they break up the days, and give each provider a band of time each day.

Mr. Juengling referred to page 2 of the staff report, item e, and asked if there was a designated 25% of the total floor area that was specifically for the counselors. Ms. Banke confirmed. She offered to share the floor plan with the Commission.

Mr. Juengling asked if there was not counselling taking place there, could that space be used for something else or some other function, or was it only designated for this; specifically, will these counselors have items that are kept there? Ms. Banke stated that nothing would be kept there from the providers. Mr. Berry stated there would probably be a desk and 2 chairs, but none of the rooms or items belonged to any provider. And if there was no counseling scheduled, a parishioner could go in there and use it to study or read.

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For clarity, Staff wanted to note that this has been a new conversation tonight; that the City was not aware of these new ideas. He stated there was no ill will on behalf of either party, and that more understanding was needed to be achieved by all.

Chairman Hirotsu asked if the Board had any more questions for the applicant; there were none.

Chairman Hirotsu asked if any guests or residents had comments.

**Susan Crabill, 11155 Marlette Drive, Cincinnati, OH 45249** was attending on behalf of St. Barnabas Church. She stated that their churches worked closely together, and St. Barnabas felt that this was a remarkable community program that Church of the Saviour was offering. St. Barnabas was in support of this application – providing counseling services. They felt it was a wonderful opportunity for the community of Montgomery to have.

**Jamie Brewer, 7952 Huntersknoll Court, Montgomery, OH 45242** felt that everything that was said made complete sense. He stated that it was great to have mental health awareness and help in our community, in our city, in our churches and schools. He felt this was faith-based counseling in a church, on church property, near a church, surrounded by houses. He felt it should stay that way. Mr. Brewer stated that his home was within a couple hundred feet of the Church. You lose a lot of control of what happens in your neighborhood, in the city. You tend to forget or ignore certain aspects, and it is great to have the Church in the community, and to keep faith-based counseling in the Church, for our children and the entire community. He was in favor of this application.

Mr. Berry stated that counseling, whether it was faith-based or non-faith based happens within the confines of an office. He stated that we could all see that the Peace House was originally a home, still looked like a home. He felt that counseling had a very low impact on a community, as far as affecting property values; no one would even know that it was happening there.

**Katie Loew, 7954 Huntersknoll Court, Montgomery, OH 45242** is a pediatric nurse, and has been on the front lines of mental health needs. She stated that 1 in 5 people have mental health issues, and many times they have to wait for months to see a doctor. Even two months is a very long time to wait to get help. She has seen doctors go to cars to visit patients because they were too afraid to come in. She felt this private location would provide a much less threatening place for people to go, because it was like entering a home. She was in favor of this application, and hoped this might be an opportunity to start something with many churches, because there were not enough mental health services in this city and in the country.

Chairman Hirotsu closed the meeting to public comment. He asked for discussion among the Commission.

Mr. Stull supported their intentions and felt they were very good. The issue for him was to determine how to take out the commercial aspect out of it, and provide the service to those in need, without money exchanging hands – which would constitute a business. Where do we draw the line when another church or school wants to do this? He felt that Staff needed to do more



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research so we had more facts. He wanted to table this tonight and come back when we had more information. If he had to vote this evening, he would say no.

Mr. Juengling also agreed with the need for the mental health services and it made sense to him to fit in within the church environment. He stated that he came in here thinking it was going to operate one way, and now felt like there were more questions than clarity, based on the operation of it all. He was not able to make a justified decision on this application, and suggested tabling.

Ms. Steinebrey commended them on the look of the Peace House - that it was just lovely, so welcoming, unthreatening and calming. She thought they did a wonderful job with the landscaping, as well. She also commended them for coming forward regarding this change from faith-based counseling, which we would have never known. She admired them for their honesty. She liked seeing this service taking place in the Peace House, rather than a school. She asked if they could handle it where the Church lined it up between the provider and the client, but the provider did not have a contract with the Church, and if there was money changing hands, then it was just between the client and the provider.

Mr. Schneider agreed with Ms. Steinebrey's points. He didn't feel that it was a business based out of the Church, and did not have any issues with this application. He would like to have more clarity, but was in favor of this application.

Mr. Dong recalled from the previous Planning Commission meetings, that there was no money being passed; not just between the Church, but also between the client and the provider. He wanted to get clarity on how the operation would actually work. He noted that the Code requires that in a community that is single-family homes, they are not permitted to have a commercial business. He cited a similar application that was denied, and pointed out that we needed to be consistent. He would like to see a plan on how the church could make this work, because he believed that mental health services were much needed in our country.

Chairman Hirotsu thanked the applicant for bringing this to the Commission. He stated that we have uncovered a big misunderstanding that needed to be clarified before we could move forward to make a decision.

He asked the Commission how they felt about expanding beyond faith-based counseling, as this was the original topic that was presented. He could easily understand that they were trying to help people. He was very comfortable with expanding it to non-faith-based counseling for mental health. He felt the size of the facility kept it limited to a smaller number of people.

Mr. Juengling didn't have any issue with changing it from faith-based to mental health counseling. Mr. Stull agreed.

Mr. Dong felt that this conditional use was based on the fact that it was a church - that is what the regulation says. So, it somehow needs to be tied to the church. There is nothing in the Code that says that we can allow a counseling service inside a residential area; but we do allow a church to provide their services. That is why the faith-based was discussed and connected, because only a church *service* could happen in a residential area. It doesn't necessarily have to

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be limited to the church congregation, but the service provided had to have some linkage to the church, or else you would be providing another service. Counseling services is not a conditional-use in a residential area. But a service provided by a church would be considered under the conditional use. Mr. Dong was not against the Church's good intention; he was just trying to figure out how to meet the Code.

There was more discussion.

Ms. Steinebrey stated that many churches support / sponsor other services for the community, like Alcoholics Anonymous and other programs. She didn't feel that it mattered that it was not faith-based. The church is open to anybody – most churches did not care if you were of their faith.

She noted that some churches offer financial counselling from Dave Ramsey. They buy all of their material from Dave Ramsey and then all of it is handled in the church. You have a church reaching out to help people with their finances, and yet no money has changed hands.

Ms. Banke stated that there was a cost to it – it was part of Ramsey's philosophy to put skin in the game. It was not a lot of money, but there was a cost to the participant, but the money was exchanged between the participant and Dave Ramsey's Association. The church was only the facilitator, they did not pay any money, nor did they make any money. It was not a commercial business, other than the church provided the facility, and provided counselors to help.

Mr. Schneider was in support of expanding the faith-based to non-faith based.

Chairman Hirotsu had no issue with expanding it from faith-based, but struggled with the commercial aspect of it.

Chairman Hirotsu noted that there were different thoughts from the Commission on the expansion of the faith-based counseling; pointing out that a majority vote was needed for approval. He noted that all of the Commission supported the Church's good intentions. Mr. Chesar would look into this more, regarding how to better understand their operation and how it fits within the regulations.

He asked the applicant if they wished to table this application. Ms. Banke confirmed.

***Ms. Steinebrey made a motion to table the application from Church of the Saviour, 8005 Pfeiffer Road, for reconsideration of conditional-use approval conditions pertaining to the clarification of counseling services provided by the Church at Ministry Center located at 8003 Pfeiffer Road.***

***Mr. Dong seconded the motion.***

***There was a voice vote, and the Commission unanimously approved.***

***This motion is approved to table the application.***

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At 8:25pm, all guests and residents left the meeting.

Staff thanked the Commission for all of their good questions related to this application. There was more discussion, and it was brought up that perhaps some of the regulations around this needed to be reviewed and revised, as many schools provided counseling at the school, (some provided by Children's Hospital) as well. Staff had much to research.

### **Staff Update**

Mr. Chesar reviewed Montgomery's Moment / Summary of Understanding (dated September 29, 2023) - which was an update on the progress of the Comprehensive Plan. He briefly spoke of the highlights that was in the Commissions packet, showing it also on the wide screen.

Chairman Hirotsu asked what amount of the 27% office count Ohio National held.

Mr. Chesar stated it was a large amount. He noted that Ohio National planned to lease at least two of their floors. He explained that many of their employees were still working in a hybrid fashion: in the office a few days and then working from home, so they did not need all of their office space. The City sees this as a net gain, because they are leasing office space to additional people, and perhaps more. Mr. Chesar stated that Ohio National was still committed to staying in Montgomery, but that we still have to consider if it might change.

Mr. Chesar stated that they have held many focus groups with many different people in Montgomery, asking for their opinions on many topics. Mr. Dong asked if there was any interest in a Community Center, noting that we used to have one, and it was taken down. Mr. Chesar stated that while many people congregate at the pool, there was not a high number of requests.

Staff discussed the 5 emerging themes, from these focus groups:

1. The Montgomery Road Corridor is not a singular experience.
2. Some opportunities are off of the Corridor.
3. To continue to be a premier community, Montgomery needs more housing options.
4. Walkability / Bikeability is increasingly important.
5. The Downtown Business District could use an operator – possibly a full-time job to promote the downtown businesses.

Mr. Chesar stated that the City was approaching the end of the first public input stage.

Ms. Steinebrey stated that she had volunteered last Saturday for the Montgomery Amazing Race, and it was fantastic. She worked at Twin Lakes, and everyone there was absolutely thrilled with the event.

Staff asked all Commission members about the start time of future Planning Commission meetings. They all decided on 6:30pm, pending agreement from Mr. Fossett.

### **Council Report**

There was no Council Report.

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**Minutes**

Mr. Dong moved to approve the minutes of September 11, 2023, as amended.

Mr. Juengling seconded the motion. The Commission unanimously approved the minutes.

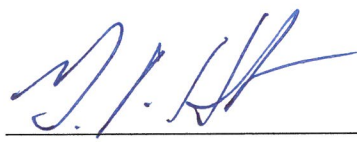
**Adjournment**

Mr. Schneider moved to adjourn. Ms. Steinebrey seconded the motion.

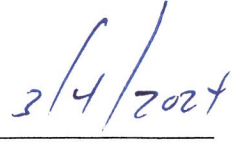
The Commission unanimously approved. The meeting adjourned at 8:45 p.m.



Karen Bouldin, Clerk



Dennis Hirotsu, Chairman



Date

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