

Miami Township Board of Trustees Regular Meeting Minutes

June 14, 2016

Trustee President Douglas Barry called the Miami Township Board of Trustees Regular meeting to order on Tuesday, June 14, 2016 at 7:00 pm and led in the reciting of the Pledge of Allegiance. The following were present:

<u>Elected Officials:</u>		Present	Absent
Douglas Barry	Trustee President	X	
Robert Matthews Jr.	Trustee Vice President	X	
Andrew Papanek	Trustee		X
Aaron Newell	Fiscal Officer	X	
<u>Township Staff:</u>			
Greg Rogers	Township Administrator	X	
Ron Hess	Police Chief	X	
Dan Mayberry	Public Works Director	X	
Clay McCord	Finance Director	X	
Mukesh Singh	Compliance Director	X	
Chris Snyder	Community Development Director	X	
Kyle Hinkelman	Community Development, Deputy Director	X	

Mr. Barry asked for a moment of silence to honor those 49 individuals who lost their lives at the Orlando shooting this past weekend.

CONSENT AGENDA

All matters under the Consent Agenda are considered by the Board of Trustees to be routine and will be enacted by one motion. Any Trustee may remove an item from the Consent Agenda by request. No second is required for removal of an item. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

- A. Meeting Minutes
 - May 19, 2016- Motor Vehicle Tax Special Meeting
 - May 24, 2016- Regular Meeting

- B. Payroll and Bills
 - Payroll dated June 10, 2016 total \$269,498.78.
 - Regular check run checks 67081 - 67140, totaling \$128,815.89.
 - Write on check run checks 67141 - 67157, totaling \$69,282.65.

Mr. Barry motioned and Mr. Matthews seconded the motion to approve the Consent Agenda items.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthew	X		

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NEW BUSINESS

Department Reports

Administration: Greg Rogers discussed the following item:

1. Supporting the Reforming and Expanding Access to Treatment (TREAT) Act (H.R. 4076). Mr. Rogers brought forth a resolution supporting Congressman Turner's bill to help combat the heroin problem nationwide.

Police: Chief Hess discussed the following items:

1. Liquor permit for Zoravar Singh, LLC- DBA Indian Rasol
Chief Hess discussed a liquor permit for Zoravar Singh, LLC- DBA Indian Rasol. This is for a D2 permit, which is a restaurant nightclub permit. The background checks and applications have shown no reason to deny the permit and approval of the liquor permit is recommended.
2. Oath of Office for two Police Sergeants
Chief Hess stated that one of the most enjoyable parts of his job is hiring a new employee and promoting an employee, tonight he brings forth Officers Julie Fiebig, and Bill Jones for promotion to Sergeant.

Chief Hess stated that Officer Jones had served our country as a military policeman in the US Marine Corps from 1998 until 2002, and was with the Fairborn Police department from 2002 to 2007. In 2009, Officer Jones came to Miami Township and in 2014 he was transferred to the detective section. He is a graduate of the basic 108 from the Ohio State Highway Patrol Academy.

Chief Hess stated that before coming to Miami Township in 2007, Officer Fiebig started her police career as an auxiliary officer with Silverton from 2002-2003, and as a part-time officer for Loveland from 2003 to 2007. Chief Hess called Officer Fiebig one of the best Evidence Technicians and Field Training Officers we have. He also noted that she is also the department's connection with the Meijer "Shop with a Hero" program. A graduate of the Great Oaks Police Academy, Officer Fiebig earned her bachelor's degree from Xavier University.

Chief Hess noted that these officers completed three phases of testing and interviews. In the end, their scores differed by less than 0.27.

Mr. Newell administered the oath of office. Each officer's son pinned their parent's new badges on them.

Sergeant Fiebig thanked everyone for the opportunity to reach one of her career goals. She stated that she will do her best to make Chief Hess and Miami Township proud of her. She recognized her father, a retired sergeant from Hamilton County Sheriff's

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Department, as one of her biggest role models. She stated that this promotion was one more step to show him that she is as good as he always thought she was. Sgt. Fiebig recognized her family and friends who supported her during the process, and thanked them for always being in her corner. She stated that she was humbled by how many have come out in support and thanked everyone for the opportunity.

Sergeant Jones thanked God for the many conversations they'd had throughout this process. Sgt. Jones then thanked his mother, his wife and his son who, he said, have made sacrifices every day to allow him to live out his dreams. Sgt. Jones recognized his little brother and thanked his brothers and sisters who were not able to attend. He thanked Chief Hess, Captain Magill and Captain Johnson for the support, guidance, and encouragement they give their officers. Sgt. Jones thanked the trustees for supporting the Chief's decision and Detective Comer for the good luck charm.

Sgt. Jones indicated that he had spoken throughout this process about the wisdom and guidance from his mother, noting that she said the foundation you build now is what you will build your life on. Sgt. Jones stated that he had built his life on three things – his faith, his core values and his family and friends.

Sgt. Jones noted that a fellow officer shook his hand this week and told him he loved him for doing what he does for any of his brothers or sisters in blue. Sgt. Jones referred to his favorite Bible verse, John 15:13, "Greater love hath no man than this that a man lay down his life for his friends."

Sgt. Jones concluded his remarks by indicating that he saw this promotion as an opportunity to make an impact in the community and he challenged his fellow officers to do the same.

Public Works: Dan Mayberry had nothing formal for the board.

Community Development: Chris Snyder had nothing formal for the board.

Community Development/IT: Kyle Hinkelman discussed the following item:

1. Authorizing the Township Administrator to enter into an addendum agreement with Miami Valley Lighting to convert existing street lighting to LED luminaries
Mr. Hinkelman discussed an addendum to an agreement with Miami Valley Lighting to convert existing lighting to LED luminaries. A one-time fee of less than \$11k will be assessed and split between the property owners. This change will decrease costs of approximately \$6.50 per lighting unit with a payoff of the initial up-front fee in 4 years.

Finance: Clay McCord had nothing formal for the board.

Compliance: Mukesh Singh had nothing formal for the board.

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PUBLIC COMMENTS

No one came forward.

VOTING ON RESOLUTIONS

Resolution 40-2016

Mr. Matthews motioned and Mr. Barry seconded the motion to approve Resolution 40-2016 to support The Reforming and Expanding Access to Treatment (TREAT) Act (H.R. 4076).

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

Motion for a Liquor Permit for Indian Rasol

Mr. Barry motioned and Mr. Matthews seconded the motion to **approve** the motion for a Liquor Permit for Zoravar Singh, LLC- DBA Indian Rasol.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

Resolution 41-2016

Mr. Barry motioned and Mr. Matthews seconded the motion to approve Resolution 41-2016 to authorize the Township Administrator to enter into an addendum agreement with Miami Valley Lighting to convert existing street lighting to LED luminaries at a cost not to exceed \$11,000 which will be assessed pro-rata and put in the tax duplicates of those property owner’s within each lighting district that is affected.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

PUBLIC HEARINGS

Zoning Case 420-16

To adopt a Zoning Map Amendment and final development plan for the wildcat planned development under Zoning Case #420-16, for lands zoned “PD-5”, planned mixed-use district.

Mr. Barry motioned and Mr. Matthews seconded the motion to open public hearing for Zoning Case 420-16 concerning the Zoning Map amendment and final development plan.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

Mr. Hinkelman, Miami Township Deputy Director of Community Development, stated the property in this case is located west of Byers Road and 650 feet north of Technical Drive. The

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applicant is seeking approval of a zoning map amendment and final development plan for the 0.563 acre parcel currently zoned "O-2", Office District.

The applicant is asking that the parcel be changed to "PD-5", planned mixed-use district. Eric Ledford, 428 Patton Dr. has had the subject property for sale for the last three years. Prior to that he ran a small business from the location. Mr. Ledford stated that many have shown interest in the location to start a business. He is wanting to have more flexibility for someone to buy the location. Currently this location looks like a home and not a business. This change would allow for more uses and a larger clientele of possible buyers.

The area surrounding this location have multiple zoning districts. This location is a single family home, and the proposed change would allow for someone to run a business from their home. Mr. Snyder stated that this area is currently in transition and the change would be beneficial to helping this area.

The zoning commission recommended the above changes with a vote of 3-0.

Mr. Hinkelman clarified that this change is for this proposed location only, and would not affect the other areas surrounding this location.

Mr. Barry motioned and Mr. Matthews seconded the motion to close public hearing for Zoning Case 420-16.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

At this time, the Board of Trustees is required under Article 31, Section 3104 of the Miami Township Zoning Resolution to make a specific Findings of Fact based upon the particular evidence presented at this hearing.

Mr. Newell read each standard and called the roll to determine the finding of each Trustee on the following standards:

1. **Section 3104 A:** The Planned Development can be substantially completed within the period of time specified in the schedule of development submitted by the developer

Mr. Barry – true, Mr. Matthews – true

2. **Section 3104 B** The Planned Development:
 - will not jeopardize the public health, safety, morals, or general public welfare; and

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- contains such covenants, easements and other provisions relating to the proposed development standards, as reasonably are required to protect the public health, safety, morals, and general welfare

Mr. Barry – true, Mr. Matthews – true

3. **Section 3104 C:**

- traffic control signals will be provided, without expense to Montgomery County, when the County Engineer determines that such signals are required
- the streets and driveways on the site of the proposed development will be adequate to serve the residents or occupants of the proposed development
- the site will be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the development
- adequate access roads, or entrance and exit drives, will be provided and be so designed as to prevent traffic hazards and to minimize traffic conflicts and congestion in public streets and alleys

Mr. Barry – true, Mr. Matthews – true

4. **Section 3104 D:** The development will not impose an undue burden on public services and facilities, including, but not limited to, fire and police protection

Mr. Barry- true, Mr. Matthews – true

5. **Section 3104 E:** The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses; and any part of the planned development not used for structures, parking and loading areas, or access ways; shall be landscaped, designated as permanent open space, or otherwise improved

Mr. Barry – true, Mr. Matthews – true

6. **Section 3104 F** (For planned developments containing business or manufacturing uses abutting a residential district)The proposed planned development provides:
- screening for off-street parking areas, service areas for loading and unloading of vehicles, and areas for storage and collection of trash and garbage; and
 - a minimum of 100 feet distance from business or manufacturing structures in the proposed planned development, to the closest residential building

Mr. Barry – true, Mr. Matthews – true

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Mr. Matthews motioned and Mr. Barry seconded the motion to **approve** Resolution 42-2016 to approve a zoning map amendment and final development plan for the wildcat planned development under Zoning Case #420-16 and **uphold** the Zoning Commission recommendation.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

COMMENTS FROM THE BOARD

Robert Matthews is really happy for the police department and the changes that have been made recently.

Douglas Barry agreed with Mr. Matthews and reminded the public that the next Township meeting will be starting at the new time of 6:00 pm.

EXECUTIVE SESSION

Mr. Barry motioned and Mr. Matthews seconded the motion at 7:52 pm to move into executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee or regulated individual unless the public employee, official, licensee, or regulated individual requests a public hearing in accordance with O.R.C. 121.22(G)(1).

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

Mr. Barry motioned and Mr. Matthews seconded the motion at 8:28 pm to close executive session and return to regular session.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

REGULAR SESSION

Resolution 043-2016

Mr. Barry motioned and Mr. Matthews seconded the motion to approve Resolution 043-2016 to enter into a contract for health insurance with Anthem’s Lumenos Plan for a plan contract year from 07/01/2016 to 06/30/2016 with a less than 2.0% increase.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

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Resolution 044-2016

Mr. Matthews motioned and Mr. Barry seconded the motion to approve Resolution 044-2016 to cease the fringe benefit pension pick up plan for all full time employees and increase the wages in lieu of the pension pick up benefit effective July 23, 2016.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

Resolution 045-2016

Mr. Barry motioned and Mr. Matthews seconded the motion to approve Resolution 045-2016 to authorize Miami Township to pick up (tax defer) the statutorily required contribution to OPERS for the employees of the township pursuant to the Internal Revenue Code Section 414(h)(2).

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		

Mr. Barry adjourned the meeting at 8:32 pm.



Douglas Barry, Trustee President



Robert Matthews Jr., Trustee Vice President



Andrew Papanek, Trustee



Aaron Newell, Fiscal Officer

AFN: pdb