

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

Trustee President Douglas Barry called the Miami Township Board of Trustees Regular meeting to order on Tuesday, September 27, 2016 at 6:00 pm and led in the reciting of the Pledge of Allegiance. Attendance was as follows:

Elected Officials:		Present	Absent
Douglas Barry	Trustee President	X	
Robert Matthews Jr.	Trustee Vice President	X	
Andrew Papanek	Trustee	X	
Aaron Newell	Fiscal Officer	X	
Township Staff:			
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	

RECOGNITION OF FIRST RESPONDERS CASUALTIES

Chief Hess read the latest casualties of the First Responders who gave the ultimate sacrifice for the community they serve. Tonight we honor and remember the following officers with a moment of silence:

First Responder	Location	First Responder	Location
Fire Lt. Chris Leach	Wilmington Fire Dept, DE	Senior Firefighter Jerry Fickes	Wilmington Fire Dept, DE
Trooper Kenneth Velez	Ohio State Highway Patrol, OH	Officer Robert A. Barker	McCrary Police Dept, AK
Correctional Officer Kenneth Bettis	Alabama Dept. of Correction, AL	Patrol Officer Jason Gallero	Cook County Sheriff's Dept, IL
Sergeant Kenneth Steil	Detroit Police Dept, MI	Sergeant Kerry Winters	Ulster County Sherriff's Dept, NY
Agent Edwin Pabon-Robles	Puerto Rico Police Dept, PR	K-9 Helo	Alaska State Troopers, AK

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.

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

A. Meeting Minutes

- September 13, 2016

B. Payroll and Bills

- Payroll dated September 30, 2016 total \$194,215.61.
- Write on check run checks 67559 - 67610, totaling \$74,108.73.

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

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthew	X		
Mr. Papanek	X		

NEW BUSINESS

Department Reports

Administration: Greg Rogers discussed the following items:

1. Proposed 2017 budgets for 3 JEDDs

Mr. Rogers said that every year in September it is required to present the proposed budget of the JEDDs to the trustees. The JEDD revenue is expected to continue to rise next year.

2. Concurrence with Dayton City Commission Appointment to Miami Township- City of Dayton JEDD (Resolution 083-2016)

Mr. Terry Slaybaugh's term is ending and he has expressed an interest in being reappointed. The City of Dayton is recommending the reappointment and would like the Board's concurrence with this appointment.

Police: Chief Hess had nothing formal for the board.

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 had nothing formal for the board.

Finance: Clay McCord discussed accepting amounts and rates as determined by the Budget Commission and to authorize the necessary tax levies and certify them to the County Auditor (Resolution 084-2016)

Mr. McCord stated that these amounts and rates need to be reported to the County by the end of October. Mr. Matthews asked about the trending 95% collection rate. Mr. McCord stated that for budgeting purposes the township uses 95% to stay with a conservative approach.

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

Compliance: Mr. Rogers stated that Mr. Mukesh Singh is in Nepal currently. He met with the President of Nepal and is on a charity tour helping people with prosthetic legs. He is climbing one of the highest peaks of the Himalayas with other amputees.

PUBLIC COMMENTS

No one came forward.

VOTING ON RESOLUTIONS

Resolution 083-2016

Mr. Barry motioned and Mr. Matthews seconded the motion to approve Resolution 083-2016 to concur with Dayton City commission appointment of Terry Slaybaugh to the Miami Township-City of Dayton JEDD with a term ending September 20, 2020.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Resolution 084-2016

Mr. Papanek motioned and Mr. Matthews seconded the motion to approve Resolution 084-2016 to accept the amounts and rates as determined by the Budget Commission and to authorize the necessary tax levies and certify them to the County Auditor.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

PUBLIC HEARINGS

Zoning Case 222-88

To adopt a major modification to a final development plan for Austin Landing Area 1, Phase 9—The Flats at Austin Landing, under Zoning Case #222-88, lands zoned “PD-5” planned mixed-use.

Mr. Barry motioned and Mr. Matthews seconded the motion to open public hearing for Zoning Case 222-88 concerning Mad River Apartments.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

Mr. Hinkelman, Miami Township Deputy Director of Community Development, stated this property is located east of Penny Lane, north of Innovation Drive, west of Kohl's Drive Aisle, and south of Rigby Road. The request is for clarification on the size and number of signs on the four story residential building. While the original approval was very limited in the number and size of the signs, as the applicant gets closer to opening the apartments, they now have a better understanding of what type of signage they want for the building. The applicant is requesting the following signage:

- Blade Sign—3'x20' on the east elevation
- Wall Sign—3'x10.67' on the southeast elevation
- Temporary Banner—20'7"x6'9.75" on the southeast elevation
- Window Graphics—2'6"x10.08" in a number of windows
- Location Numbers

The zoning commission recommended the above changes with a vote of 4-0 .

No proponents or opponents came forward.

Mr. Barry motioned and Mr. Papanek seconded the motion to close public hearing for Zoning Case 222-88.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Mr. Matthews motioned and Mr. Barry seconded the motion to **approve** Resolution 085-2016 to approve a major modification to a final development plan for Zoning Case 222-88 and **upholds** the Zoning Commission recommendation.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Zoning Case 374-05

To adopt a major modification to the preliminary development plan and standards for the Exchange at Spring Valley, under Zoning Case #374-05, for lands zoned "PD-5", planned mixed-use.

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

Mr. Barry motioned and Mr. Matthews seconded the motion to open public hearing for Zoning Case 374-05 concerning the Exchange at Spring Valley.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Mr. Hinkelman, Miami Township Deputy Director of Community Development, stated the Exchange at Spring Valley extends from the intersection of St. Rt. 741 and Ferndown Dr. to the intersection of St. Rt. 741 and Miami Village Dr. The request is for approval of modified development standards that include additional uses including hotel use on a specific location (Area E) within the development. Mr. Hinkelman noted that at the Zoning Commission meeting, many residents voiced concerns about noise and screening. Mr. Hinkelman indicated that additional buffers would be required to help with this concern. Mr. Hinkelman indicated that the proposed hotel would be approximately 48 feet tall indicating that the nearby former Teradata building is 35 feet tall. Mr. Hinkelman also pointed out that this hearing was only to consider allowing for the possibility of hotel use. The applicant would need to submit plans to the Zoning Commission board for any actual building designs. Mr. Hinkelman also clarified some questions posed by Mr. Matthews about the crosswalk, signage and screening.

The zoning commission recommended the above changes with a vote of 4-0.

Greg Smith, Oberer Company, who was joined with **Danny Negar**, the developer, stated the proposal is for a Home2 Suites, a Hilton brand hotel. Mr. Smith indicated that the hotel would add to the walkability of the area. He also stated that the anticipated patrons of the hotel would be business professionals for the offices nearby. Mr. Smith indicated that if hotel use is approved tonight, the develop plans on returning in January 2017 with detailed plans for the landscaping, signage and building design.

Bonnie Stelzer, 9556 Villa Way, has lived in the condo behind the area the developer is seeking to modify. Ms. Stelzer stated that the area was originally green space the residents were told the area would be developed into office spaces no taller than one story. Ms. Stelzer stated that she was told that the area would allow upscale dining facilities, but she does not feel Cadillac Jacks, Starbucks and Marie Scrambler's are upscale dining. Ms. Stelzer is worried about the trees being removed and the buffer being destroyed. Ms. Stelzer indicated that this change would not add to her quality of life and would add to an already overly congested area indicating that traffic is already bad, but this would make it a nightmare.

Joe Lovett, 9612 Wild Ginger Way, indicated that he was president of the HOA in the area. Mr. Lovett indicated that the HOA met with Oberer and was informed that nothing more than two-story office buildings and retail would be built near highway. Mr. Lovett indicated that condo

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

residents are worried about dropping property values, and increased vehicle and foot traffic. He indicated that many people walk through the complex to the footpath to get to the restaurants and other retail establishments and that the residents were concerned about the increased traffic.

Mr. Barry motioned and Mr. Matthews seconded the motion to close public hearing for Zoning Case 374-05.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Mr. Papanek motioned and Mr. Matthews seconded the motion to **approve** Resolution 086-2016 to approve a major modification to a final development plan for Zoning Case 374-05 and **upholds** the Zoning Commission recommendation.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Zoning Case 271-94

To adopt a major modification to the preliminary development plan for Vienna Centre- the Zengel property planned development, under Zoning Case #271-94, for lands zoned "PD-3", planned business district.

Mr. Barry motioned and Mr. Matthews seconded the motion to open public hearing for Zoning Case 271-94 concerning Mad River Apartments.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Mr. Hinkelman, Miami Township Deputy Director of Community Development, explained that the area is located east of St. Rt. 741, south of Silvercliff Dr. and north of Habitat Blvd. This request is for changes to the development standards for the site. No building or specific site plans are being requested at this time. The applicant is requesting the following changes to the development standards for this lot 7 only:

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

- A flat roof not pitched roof
- Allowance for both deciduous and evergreen trees for the buffer area
- Changes to signage
- A tiered lighting standard. From 6:00 am to 10:00 pm a very specific portion of the lot would be permitted to have the 15 foot candles, from 10:01 pm to 5:59 am the lighting would either have to have some lights shut off or be dimmable to the 6 foot candles. The specific area of the lot that is allowable for the higher foot candles is the portion from the building to St. Rt. 741. All other areas would have to remain at the 6 foot candles or below.

The zoning commission recommended the above changes with a vote of 4-0.

No proponents or opponents came forward.

Mr. Barry motioned and Mr. Matthews seconded the motion to close public hearing for Zoning Case 271-94.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

Mr. Barry motioned and Mr. Papanek seconded the motion to **approve** Resolution 087-2016 to approve a major modification to a final development plan for Zoning Case 271-94 and **upholds** the Zoning Commission recommendation.

	Yes	No	Abstain
Mr. Barry	X		
Mr. Matthews	X		
Mr. Papanek	X		

COMMENTS FROM THE BOARD

Robert Matthews thanked the Zoning Commission for working with the White Allen to come to an understanding for this project.

Douglas Barry reminded those in attendance of the Veteran's breakfast on November 10, 2016 at 8:00 am with the Board of Trustees meeting to follow at 10:00 am, and the event location is the Wood Road Fire Station.

Miami Township Board of Trustees Regular Meeting Minutes

September 27, 2016

Mr. Barry adjourned the meeting at 7:00 pm.



Douglas Barry, Trustee President



Robert Matthews Jr., Trustee Vice President



Andrew Papanek, Trustee



Aaron Newell, Fiscal Officer

AFN: pdb