

**Meeting Minutes of the Miami Township Board of Trustees  
Regular Meeting – January 11, 2022**

**\*\*Newly elected Trustees John Morris and Terry W. Posey, Jr. were sworn in prior this meeting\*\***

**CALL TO ORDER**

Trustee President John Morris called the Miami Township Board of Trustees Regular meeting to order on Tuesday, January 11<sup>th</sup> at 6:00 pm and led in the reciting of the Pledge of Allegiance. Attendance was as follows:

<b>Elected Officials:</b>		Present	Absent
John Morris	Trustee	X	
Terry Posey, Jr.	Trustee	X	
Don Culp	Trustee	X	
Aaron Newell	Fiscal Officer		X
<b>Township Staff:</b>			
Ron Hess	Township Administrator	X	
Dan Mayberry	Public Works Director	X	
Clay McCord	Finance Director	X	
Chris Snyder	Assistant Township Administrator	X	
Charles Stiegelmeyer	Police Chief	X	
Alex Carlson	Deputy Director of Community Development	X	

**ELECTION OF OFFICERS**

Mr. McCord, on behalf of Mr. Newell, opened the floor to accept nominations for the position of President for the Board of Trustees for Miami Township for 2022. Mr. Morris nominated Mr. Posey, Jr.

Mr. McCord asked for any additional nominations, and hearing none, closed nominations, called the roll, and recorded the vote for Mr. Posey, Jr. for Trustee President as follows:

	Yes	No	Abstain
Mr. Morris	X		
Mr. Posey, Jr.	X		
Mr. Culp	X		

Mr. Posey, Jr. then opened the floor to accept nominations for the position of Vice-President for the Board of Trustees for Miami Township for 2022. Mr. Posey, Jr. nominated Mr. Morris.

Mr. Posey, Jr. asked for any additional nominations, and hearing none, closed nominations. Mr. McCord, on behalf of Mr. Newell, called the roll and recorded the vote for Mr. Morris for Trustee Vice President as follows:

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	Yes	No	Abstain
Mr. Culp	X		
Mr. Morris	X		
Mr. Posey, Jr.	X		

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**RECOGNITION OF FIRST RESPONDER CASUALTIES**

Chief Stiegelmeier read the First Responders Casualties for the period of December 15, 2021, through January 11, 2022.

- **Police Officer Zachary Cottongim**, Louisville Metro Police Department, KY
- **Firefighter Jessie Henry**, South Bossier Fire District, LA
- **Police Officer Mia Goodwin**, Charlotte-Mecklenburg Police Department, NC
- **Asst. Fire Chief Bryant Gladney**, Boone County Fire District, MO
- **Police Officer Keona Holley**, Baltimore City Police Department, MD
- **Deputy Sheriff Sean Riley**, Wayne County Sheriff's Office, IL
- **Sergeant Marlene Roberta Rittmanic**, Bradley Police Department, IL
- **Trooper John S. Horton**, North Carolina Highway Patrol, NC
- **K9 Beni**, Heflin Police Department, AL
- **K9 Jedi**, Seattle Police Department, WA

In recognition of these individuals, Mr. Posey Jr. asked everyone to join him in a moment of silence.

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**RECOGNITION OF GUESTS**

Mr. Posey, Jr. Mr. Posey, Jr. welcomed everyone and reminded everyone that the "Open Comment" section of the meeting was their opportunity to bring forward any concerns

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**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, and a second is no required to remove an item. Removed items will be considered after the motion to approve the Consent Agenda.

- A. Meeting Minutes: December 14, 2021
- B. Payments: totaling \$965,729.46 comprised of:
  - a. Checks: #75446 – #74598, and

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- b. Electronic Transfers: EFT2021000100 – EFT2021000130
- C. Payroll #26 – 2021: Check Date: 12/31/2021, totaling \$208,598.96

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve the Consent Agenda items. Mr. Posey, Jr. called for any additional discussion. With none being brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

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**NEW BUSINESS**

Chief Stiegelmeier, Police Chief, presented the following:

**Resolution 001-2022** to approve a five-year maintenance agreement with Otis Elevator Company. Chief Stiegelmeier noted that current elevator maintenance agreement does not include a required annual safety inspection which was billed separately for \$325. The new agreement includes the annual inspection at no additional cost the first year and a 4% annual rate adjustment the remaining years.

**Motion for a liquor Permit for First Watch Restaurants, Inc. dba First Watch 93, 2624 Miamisburg-Centerville Road, Miami Township, Miamisburg, OH 45459**

Chief Stiegelmeier stated this is a request for a (D1), (D2), and (D3) liquor permit for First Watch Restaurants Inc. dba First Watch 93 located at 2824 Miamisburg-Centerville Road, Miami ownership. He indicated that this is a new request.

- D1 permits allow only beer for on-premises consumption or in original sealed containers for carry out only until 1:00AM.
- D2 permits allow wine and mixed beverages for on-premises consumption or in a sealed original container for carry out only until 1:00am.
- D3 permits allow spiritous liquor for on-premises consumption only until 1:00am.

Chief also noted that the Police Department had completed its check on the individuals involved with this application and found no reason to contest the request. Mr. Morris asked if the Chief had any information about possible business plan changes for the location since requested activity lasted until 1:00AM. Chief Stiegelmeier replied that he had no information on that matter.

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Dan Mayberry, Public Works Director, presented the following:

**Resolution 002-2022** to authorize participation in the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program. Administered by ODOT, this cooperative purchasing program enables the Township to purchase goods and services at pre-approved discounted rates. Mr. Mayberry indicated that this participation is reviewed every two years.

Chris Snyder, Assistant Township Administrator and Community Development Director, presented the following:

**Resolution 003-2022** authorizing the Township Administrator to execute the necessary documents to secure an agreement with the Montgomery County Microfilming Board.

**Resolution 004-2022** authorizing the Township Administrator to execute an ED/GE Program Project Agreement with Montgomery County for utilization of ED/GE funding.

**Resolution 005-2022** authorizing the Township Administrator to execute a Project Agreement with Textum Opco, LLC for utilization of ED/GE funding

**Resolution 006-2022** authorizing the Township Administrator to execute an ED/GE Program Project Agreement with Montgomery County for utilization of ED/GE funding.

**Resolution 007-2022** authorizing the Township Administrator to execute a Project Agreement with Hearth Products Controls Co., Inc. for utilization of ED/GE funding.

Mr. Snyder explained that the microfilm agreement was an annual renewal for the specialized storage of microfilmed records. He noted that the Township now digitizes new records and recently complete a digitalization project of all remaining microfilm maintained with the County. He indicated that staff would be reviewing future retention needs.

Mr. Snyder also provided the board with a brief overview of the ED/GE grant process and the two Miami Township companies who received approval for awards in 2021.

Clay McCord, Finance Director, presented the following:

**Resolution 008-2022** authorizing the appointment of designees to attend on behalf of the Trustees and Fiscal Officer, public records and open meeting requirements training. Mr. McCord noted that public officials are required to obtain training on Ohio public records and open meeting requirements. The training is provided throughout the year, and designees must be named in advance.

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**PUBLIC COMMENTS**

Mr. Posey, Jr. opened the floor for public comments, but no one came forward.

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**CONSIDERATION OF RESOLUTIONS AND MOTIONS**

**Resolution 001-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution #001-2022 authorizing the Township Administrator to execute a five-year maintenance agreement with Otis Elevator Company.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

**Motion for a Liquor Permit for First Watch Restaurants, Inc, dba First Watch 93**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve the motion for a Liquor permits D1, D2, and D3.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

**Resolution 002-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution #002-2022 authorizing participation in the Ohio Department of Transportation Cooperative Purchasing Program.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

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**Resolution 003-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution 003-2022 authorizing the necessary documents to secure an agreement with Montgomery County Microfilming Board.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

**Resolution 004-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution 004-2022 authorizing the Township Administrator to execute an ED/GE Program Project Agreement with Montgomery County for utilization of ED/GE funding.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

**Resolution 005-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution 005-2022 authorizing the Township Administrator to execute an ED/GE Program Project Agreement with Textum Opco, LLC for utilization of ED/GE funding.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

**Resolution 006-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution 006-2022 authorizing the Township Administrator to execute an ED/GE Program Project Agreement with Montgomery County for utilization of ED/GE funding.

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Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

**Resolution 007-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution 007-2022 authorizing the Township Administrator to execute an ED/GE Program Project Agreement with Hearth Products Controls Co., Inc. for utilization of ED/GE funding.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

**Resolution 008-2022**

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to approve Resolution 008-2022 authorizing the appointment of designees to attend on behalf of the Trustees and Fiscal Officer, training on public records and open meeting requirements.

Mr. Posey, Jr. called for additional discussion. With no further discussion brought forth, Mr. McCord called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

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**PUBLIC HEARINGS**

**Zoning Case 393-07**

To adopt a final development plan for Rivendell under Zoning Case #393-07, for land zoned PD-1 – “Planned Residential District”.

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Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to open public hearing for Zoning Case 393-07 concerning the proposed Rivendell development.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

Mr. Posey, Jr. stated the public hearing procedures and then asked Mr. Carlson, Deputy Director of Community Development if the legal requirements for the case had been met. Mr. Carlson replied affirmatively. A presented an overview of the case including some background on the proposed project. He noted that the applicant, Bill Keethler/Corridor Development Company, requested approval of a final development plan for the Rivendell Planned Development. The property is zoned PD-1 Planned Residential District. The Development Standards and Preliminary Plan for Rivendell were approved in 2020 as part of a Planned Development Regulation Amendment.

Mr. Carlson noted that the Miami Township Zoning Commission recommended approval of the final development plan in a 4 – 0 vote with several stipulations:

1. *The applicant must provide an updated site plan that adjusts sidewalk widths in open space areas to meet the requirements of the Montgomery County Engineers Office.*
2. *The applicant must work with Miami Township and Montgomery County to adjust stormwater line locations to avoid street tree planting areas.*
3. *The applicant must work with Miami Township and Montgomery County to determine if stormwater detention basins can be adjusted to preserve additional existing site trees.*
4. *The Miami Township Public Works Department must approve the installation of construction entrances and equipment cleaning areas prior to issuance of full site Zoning Certificate. No site work other than that necessary to install construction entrances may be completed prior to approval from the Public Works Department.*
5. *The Miami Township Community Development Department must approve the marking of tree preservation areas prior to issuance of full site Zoning Certificate. No tree removal may be completed prior to approval from the Community Development Department.*
6. *Miami Township staff is permitted to adjust the location of all site trees in response to street visibility, utility placement, or other conflicts with specific tree placement.*



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7. *The developer must maintain all trees on site for a period of at least one year from installation of all landscaping and until all public roadways are dedicated and accepted by Miami Township and all private land is under the control of the Homeowners Association.*
8. *The applicant must enter into a maintenance agreement with Miami Township that includes provisions that require that the Homeowners Association maintain all street and site trees and allow the township to assess costs related to street tree maintenance to the Homeowners Association.*
9. *The applicant must work with Miami Township staff to review existing signage in surrounding neighborhoods and create consistency in design for the new Rivendell signage.*

Mr. Posey asked if any staff recommendations were made that were not accepted by the Zoning Commission. Mr. Carlson stated that the commission adopted all eight initial recommendations and added a ninth related to neighborhood signage.

Mr. Posey asked about any other maintenance agreements with any other HOA's. Mr. Carlson indicated no and that staff has discussed the arrangement with the Law Director and neighboring jurisdictions and determined that the tree remains the responsibility of the homeowner, but the Township retains the right to intervene if public right of way

Mr. Morris inquired about drainage design and the process about drainage on Mohawk Trail. Mr. Carlson confirmed that his discussion with the project engineer who indicates the runoff will be managed.

Applicant, Bill Keethler of Corridor Development Company, 5121 Post Road, Dublin, OH 43017 was present and addressed the Board. Mr. Keethler conveyed his excitement for the project, his firm's commitment to preserving the environment and development experience. Mr. Keethler confirmed the detention basin was designed as a wet basin.

Mr. Morris asked about setbacks, and Mr. Mark Locke 884 Pleasant Valley Road, Springboro 45066 from Ryan Homes discussed the setback plan for the development. Mr. Morris asked about post lighting. Mr. Locke commented about post lamps and street trees. Mr. Morris expressed his desire to have post lights. Mr. Locke commented about the placement of the street trees and the potential language in the homeowners' association rules.

Mr. Jeff Van Atta, 570 Congress Park Dr. Dayton, OH 45459 noted that the street tree placement in the lawn area may impact the stormwater easement requirements.

Mr. Hess and Mr. Snyder noted that street tree placement had not been raised as a concern or topic. Mr. Snyder noted that their research on street tree programs had not noted any concern with placing the street trees as proposed and the Zoning Commission recommended leaving the trees as presented.

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No proponents or opponents came forward for comment.

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to close public hearing for Zoning Case #393-07 concerning the Rivendell planned residential development.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

Mr. Posey, Jr. motioned, and Mr. Morris seconded the motion to **APPROVE** Resolution #009-2022 to approve a final development plan for Zoning Case 393-07 and **MODIFY** the Zoning Commission recommendation by adding an additional stipulation listed in Exhibit A and requiring post lighting.

	Yes	No	Abstain	Absent
Mr. Posey, Jr.	X			
Mr. Morris	X			
Mr. Culp	X			

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**DEPARTMENT HEAD COMMENTS**

Chief Stiegelmeier provided the Trustees with an update on the new installed portable speed monitoring devices.

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**COMMENTS FROM THE BOARD**

Mr. Culp

None

Mr. John Morris

None

Mr. Terry Posey, Jr.

Reminded everyone of the next regular meeting of the Board of Trustees on Tuesday, January 18, 2022.

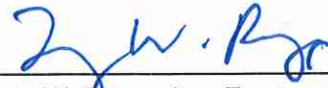
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**ADJOURNMENT**

Mr. Posey, Jr. adjourned the meeting at 6:59 pm.

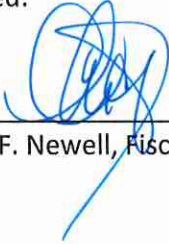
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Terry W. Rosey, Jr. – Trustee President

Attested:



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Aaron F. Newell, Fiscal Officer