

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
June 7, 2022

CALL TO ORDER

Trustee President Terry Posey, Jr. called the Miami Township Board of Trustees Regular meeting to order on Tuesday, June 7, 2022, at 6:00PM and led in the reciting of the Pledge of Allegiance. Attendance was as follows:

Elected Officials:		Present	Absent
Terry Posey, Jr.	Trustee President	X	
John Morris	Trustee Vice-President	X	
Don Culp	Trustee	X	
Aaron Newell	Fiscal Officer	X	
Township Staff:			
Ron Hess	Township Administrator	X	
Alex Carlson	Director of Community Development	X	
Clay McCord	Finance Director	X	
Chris Snyder	Assistant Township Administrator	X	
Charles Stiegelmeier	Police Chief	X	
John Schweikart	Public Works Director		X

RECOGNITION OF FIRST RESPONDER CASUALTIES

Chief Stiegelmeier read the First Responders Casualties for May 17 through June 7, 2022:

- **Border Patrol Agent Daniel Salazar**, United States Department of Homeland Security - Customs and Border Protection
- **Senior Corrections Officer Daniel Sincavage**, New Jersey Department of Corrections, NJ
- **Police Officer Houston Tipping**, Los Angeles Police Department, CA
- **Officer Adrian Lopez**, White Mountain Apache Tribal Police Department, Tribal Police
- **Deputy Sheriff Thomas E. Baker, III**, Nicholas County Sheriff's Department, WV

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

RECOGNITION OF GUESTS

Mr. Posey, Jr. introduced Chief Stiegelmeier who recognized the impending retirement of Leah O'Malley from the Miami Township Police Department effective June 30, 2022. Chief provided a recap of Ms. O'Malley's service to the department and the Township. Chief noted her multiple contributions to improving the operations and efficiency of the department as it implemented various new operating and support systems. Chief also noted her involvement with National Night Out and the CALEA accreditation efforts. Ms. O'Malley thanked her friends, family, and colleagues, reflected on her career, and encouraged the new officers.

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Trustee Posey then invited those who wished to attend the retirement celebration downstairs in the Community Room to leave the meeting. After a few minutes, the regular meeting resumed.

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 not required to remove an item. Removed items will be considered after the motion to approve the Consent Agenda.

- A. Meeting Minutes: May 17, 2022
- B. Purchase Orders through 2022000494
- C. Payments totaling \$2,389,571 comprised of:
 - Checks: #75912 - #75995; and
 - Electronic Transfers: EFT 2022000080 - EFT 2022000100
- D. Payroll # 11, Check Date: June 3, 2022, totaling \$216,963.99

Trustee Posey, motioned, and Trustee Morris seconded the motion to approve the Consent Agenda items.

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

NEW BUSINESS

- Finance Director Clay McCord presented the following:
 - **Resolution 045-2022** to authorize salary adjustments for non-union employees
Mr. McCord noted the annual adjustment resolution to maintain for the non-union staff salaries some degree of parity with the unionized staff members. Mr. McCord noted that the proposed increase was included in the approved annual appropriations budget. Mr. Morris asked why the resolution is retroactive. Mr. McCord noted that any increases had historically been effective prior to any first half apportionment or healthcare renewal impacts were known.
 - **Resolution 046-2022** to enter a contract for health insurance
Mr. McCord recapped the results of the healthcare insurance renewal results previously shared with the Trustees in a working session. The renewal is for a 7% rate increase with no plan changes.

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- **Resolution 047-2022** to authorization the funding of employer health savings account (HSA) contributions
Mr. McCord noted this is a companion piece of legislation to the healthcare insurance coverage. The recommended healthcare plans are eligible for Health Savings Accounts and the approved annual appropriations budget included a continuation of the Township's contribution to qualifying accounts of \$2,000 for "Employee Only" coverage and \$4,000 for "Employee Plus" coverage. Mr. McCord indicated the contributions would be deposited in late July/early August once renewals were finalized.
- **Motion to authorize the Township Administrator to enter an agreement to offer employee-paid dental coverage through Dental Care Plus**
Mr. McCord noted that dental care insurance was an employee-paid benefit offered by the Township and that the vendor submitted a proposal that was approximately 25% lower than the current provider with a two-year rate commitment.
- Township Administrator Ron Hess presented the following:
 - **Motion for a liquor Permit for Another Broken Egg Café of Austin Landing, LLC at 3450 Rigby Road**
Township Administrator Hess stated this is a new/renewing/transfer request for a D5J/D6 Liquor Permit for Another Broken Egg Café of Austin Landing, LLC dba Another Broken Egg.
 - D5J permits allow for sales of alcohol, like a regular D-5 permit, until 2:30AM for an applicant located within a Community Entertainment District.
 - D6 permits allow the sale of intoxicating liquor on Sunday for the same sales privileges (barring any local option elections that might impact privileges) the permit holder has Monday through Saturday.Chief Stiegelmeier indicated in a cover memo to the Board that the Police Department had completed its check on the individuals involved with this application and had not identified any reason to contest the request.
 - **Resolution 048-2022** to declare surplus property and authorize the sale of said property. Administrator Hess noted that the Police department had identified several items that were of no use to the department. Mr. Hess noted that the department included two older cruisers with excessive mileage and other items that had been seized and subsequently released to the department by the courts. As part of the reading material for the meeting, Chief Stiegelmeier provided a memo and inventory listing of items the police department has determined are no longer needed by the department. In that memo, Chief requests the items be declared surplus and eligible for disposal.

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- **Resolution 049-2022** to appoint a Public Works Director
Administrator Hess reviewed the selection process for a new Public Works Director and the recommendation to appoint John T. Schweickart to the position effective June 8, 2022. Noting that Mr. Morris participated in the interview panel, Mr. Hess asked Mr. Morris if he anything to add. Mr. Morris noted that the panel had multiple candidates, but that Mr. Schweickart stood out and will do a wonderful job for the Township

- **Resolution 050-2022** to appoint a Community Development Director
Administrator Hess reviewed the selection process for a new Community Development Director and the recommendation to appoint Alexander S. Carlson to the position effective June 8, 2022. Noting that Mr. Morris participated in the interview panel, Mr. Hess asked Mr. Morris if he anything to add. Mr. Morris noted that Mr. Carlson did a wonderful job of explaining his vision for the Township and has a tremendous amount of experience.

- Community Development Director Alex Carlson presented the following:
 - **Resolution 051-2022** to create an Economic Development Specialist position
Mr. Carlson reviewed the proposal to replace the Deputy Director position. He referenced an internal memo that was provided to the Board in the advance reading materials.

- Assistant Township Administrator Chris Snyder, presented the following:
 - **Resolution 052-2022** to adopt electric power and natural gas plans of operation & governance and to authorize application for certification as an energy aggregator
Mr. Snyder reviewed the history of the energy aggregation efforts and informed the Trustees that the two required public hearings had been held. Mr. Snyder noted that if approved the application would be forwarded to the Public Utilities Commission of Ohio (PUCO) for review and approval which is estimated to take approximately 30 days to complete. Once the certification is approved, the Township could then request bids from interested parties. Mr. Snyder noted that market conditions would be evaluated before any final bids would be accepted. He did reference the management agreement edit to clarify assessment costs language to be covered by Trebel.

Mr. Posey, Jr. affirmed that the Township had held two public hearings and noted the public participation in both hearings. He also indicated that the contractor had commented that residents had contacted his company also for information.

PUBLIC COMMENTS

Mr. Posey, Jr. opened the floor for public comments, however, no one came forward to speak.

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CONSIDERATION OF RESOLUTIONS AND MOTIONS

Resolution 045-2022

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution 045-2022 to authorize salary adjustments for non-union employees.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Resolution 046-2022

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 046-2022 to enter a contract for health insurance for the 2022-2023 plan year.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Resolution 047-2022

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution 047-2022 to authorize the funding of employer contributions to health savings accounts for the 2022-2023 plan year.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Resolution 048-2022

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 048-2022 to declare surplus property and authorize the sale of said property.

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Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Motion to Authorize the Township Administrator to execute an agreement to offer employee-paid dental coverage.

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to authorize the Township Administrator to ensure an agreement to offer employee-paid dental coverage through Dental Care Plus for the 2022-2023 plan year

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell 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 Another Broken Egg Café of Austin Landing, LLC at 3450 Rigby Road

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to **approve** the motion for a D5J/D6 liquor permit for Another Broken Egg Cafe.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Resolution 049-2022

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 049-2022 to appoint a new Public Works Director.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Resolution 050-2022

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution 050-2022 to appoint a new Community Development Director.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Resolution 051-2022

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 051-2022 to create an Economic Development Specialist position.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Resolution 052-2022

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution 052-2022 to adopt electric power and natural gas plans of operation and governance and to authorize application for certification as an energy aggregator.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell 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 454 – 22

To adopt zoning map amendment for lands zoned B-2 to SP-PUD, under Zoning Case #454-22, concerning a zoning map amendment.

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to open public hearing for Zoning Case 454-22 concerning parcel K45 02607 0077.

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

After describing the public hearing process, Trustee Posey, Jr. asked Community Development Director Carlson if the legal requirements for the case had been met. Mr. Carlson replied affirmatively and provided the Board with a recap of the case and the Zoning Commission feedback and vote.

The applicant is requesting a zoning map amendment (from B-2 to SP-PUD) for a parcel adjacent to the existing Walker dealership. The request is for approval of development standards for the proposed planned development that would allow the parcel to be used in the future for sale of automobiles and other motorized equipment.

In a 4 – 0 vote, the Miami Township Zoning Commission recommended the proposed changes with three stipulations:

- The existing access point to parcel K45 02607 0077 must server as the only access off Lyons Road for parcels K45 02607 0077 and K45 02607 0004 unless deemed unsafe or inadequate by the Montgomery County Engineer’s Office.
- A site access plan for parcel K45 02607 0077 that meets the recommendation of the Montgomery County Engineer’s Office must be implemented prior to commencement of any Permitted Use (listed in Exhibit A: Development Standards)
- A final development plan must be approved prior to commencement of any Permitted Use (listed in Exhibit A: Development Standards)

Scott Stone, 7501 Paragon Road, Dayton 45459, requested, on behalf of the Applicant, a continuance until July 5, 2022, so that the Applicant would have sufficient time to review and address the stipulations of the Zoning Commission.

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to continue the hearing until July 5, 2022.

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Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Newell called the roll and recorded the vote.

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

Zoning Case 453-22

To approve a final development plan to allow the conversion of the existing Hawthorn Suites Extended Stay Hotel into a multi-family residential development under Zoning Case #453-22.

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to open public hearing for Zoning Case 453-22.

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

After describing the public hearing process, Trustee Posey, Jr. asked Community Development Director Carlson if the legal requirements for the case had been met. Mr. Carlson replied affirmatively and provided the Board with a recap of the case and the Zoning Commission’s feedback and recommendations.

In a 4 -0 vote, the Miami Township Zoning Commission recommended the above changes the following stipulations:

- The applicant must provide details or all site fencing that meets the material and height requirements within the Vivo Planned Development Standards.
- The applicant must provide an updated dumpster enclosure that utilizes brick material aesthetically consistent with the brick in the principal structures.
- The applicant must improve the west fence line by removing invasive plants, planting native evergreen trees eight to ten feet apart (on center), while incorporating existing quality trees and plants.
- The applicant must replace the existing fence on the west property line pending Ohio Department of Transportation approval. The fence must match the north fence. If ODOT does not approve a new fence, repairs must be made to the existing fence as necessary.

Applicant was **not** present.

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Trustee Posey, Jr. opened the floor for Proponents and Opponents of the case to step forward and speak, however, no one came forward to speak.

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to close public hearing for Zoning Case 453-22.

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

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution 054-2022 to **APPROVE** a major modification to a final development plan for Zoning Case 453-22 and **UPHOLD** the Zoning Commission recommendation.

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

DEPARTMENT HEAD COMMENTS

Assistant Township Administrator Chris Snyder also congratulated the two new Department Heads, and he also noted that a local business, Textum, had been awarded project funding from Jobs Ohio and would be bringing new jobs to the Township as a result.

Township Administrator Ron Hess congratulated both Mr. Carlson and Mr. Schweickart on their respective appointments and noted that the traffic calming signs had been installed and data was being collected.

Community Development Director Alex Carlson thanked the Board for the opportunity to serve the Township in this capacity.

COMMENTS FROM THE BOARD

Trustee John Morris suggested the Administration investigate merit-based salary increases rather than across the board increases such as what was passed this evening.

Trustee Terry Posey, Jr. clarified that the increase was 3% not 3.5% and thanked the Finance Department for its efforts to maintain the budget. Mr. Posey, Jr. also commented on recent mass shooting events since the last Trustees meeting and urged action at the appropriate level.

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EXECUTIVE SESSION

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion at 6:43PM to adjourn into Executive Session to consider

- 1) the appointment, employment, dismissal, discipline, 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 Ohio Revised Code 121.22.G(1); and
- 2) the appointment, employment, dismissal, discipline, 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 Ohio Revised Code 121.22.G(1).

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

RETURN TO REGULAR SESSION

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion at 7:25PM to leave Executive Session and return to Regular Session.

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

ADJOURNMENT

Trustee Posey Jr. adjourned the meeting at 7:25PM.

Attested:



Fiscal Officer Aaron Newell

June 7, 2022



Trustee President Terry W. Posey, Jr.