

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

CALL TO ORDER

Trustee President Terry Posey, Jr. called the Miami Township Board of Trustees Regular meeting to order on Tuesday, July 5, 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	
Chris Snyder	Assistant Township Administrator	X	
Alex Carlson	Community Development Director	X	
Clay McCord	Finance Director	X	
John Schweickart	Public Works Director	X	
Charles Stieglmeyer	Police Chief	X	

RECOGNITION OF FIRST RESPONDER CASUALTIES

Chief Stieglmeyer read the First Responders Casualties for June 22 – July 5, 2022.

- Detention Officer Jeremiah James Story, *Perry County Sheriff's Office, AR*
- K9 Exo, *Pascagoula Police Department, MS.*
- K9 Odin, *Virginia State Police, VA*
- Sergeant Richard Lopez, *Yavapai County Sheriff's Office, AZ*
- Reserve Officer Jeffrey Richardson, *Poteet Police Department, TX*
- Deputy Sheriff Bradley Johnson, *Bibb County Sheriff's Office, AL*
- Captain Ralph Frasure, *Prestonsburg Police Department, KY*
- Deputy Sheriff William Petry, *Floyd County Sheriff's Office, KY*
- K9 Drago, *Floyd County Sheriff's Office, KY*
- Police Officer Jacob Russell Chaffins, *Prestonsburg Police Department, KY*

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

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

RECOGNITION OF GUESTS

Trustee Posey, Jr. welcomed everyone and noted that no members of the public were in attendance.

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: June 21, 2022
- B. Purchase Orders through #2022000528
- C. Payments totaling \$622,367.20- consisting of:
 - Checks: #76051 – #76088, and
 - Electronic Transfers: #2022000118 – #2022000134
- D. Payroll #13, Check Date: 7/1/2022 totaling \$220,594.06
- E. Payroll #113 (Payout), Check Date: 7/1/2022 totaling \$126,962.00

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

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

NEW BUSINESS

- Township Administrator Ron Hess presented the following:
 - **Resolution 057-2022** to appoint Miami Crossing Joint Economic Development District board member
Administrator Hess noted that his departure creates the need for a replacement on the Miami Crossing JEDD board. Administrator Hess and Assistant Administrator Snyder recommend Community Development Director Alex Carlson be appointed to fill the remainder of the term.
 - **Resolution 058-2022** to appoint Miami Township-Dayton Joint Economic Development District board member

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

Administrator Hess noted that his departure will create a need for a replacement on the Dayton JEDD board. He is recommending Assistant Administrator Snyder be appointed to fill the remainder of the term

- Community Development Director Alex Carlson presented the following:
 - **Resolution 059-2022** to accept the resignation of a zoning commission member
Mr. Carlson informed the board that Mr. Hatcher is moving out of the township. Mr. Hatcher submitted a letter of resignation, effective June 18, 2022.
 - **Resolution 060-2022** to appoint a zoning commission regular member
Mr. Carlson stated that because of the recent resignation, staff is recommending the appointment of William Kelly as a regular member of the zoning commission. William Kelly is currently an alternate member of that board. He has been a well-attended, active, and engaged member. The staff feels he's qualified and would be a great addition.

PUBLIC COMMENTS

Trustee Posey, Jr. opened the floor for public comments and noted that there was no one from the public in attendance.

CONSIDERATION OF RESOLUTIONS AND MOTIONS

Resolution 057-2022

- Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution 057-2022 to appoint Alex Carlson as a Miami Crossing Joint Economic Development District board member.

Trustee 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
Trustee Posey, Jr.	X			
Trustee Morris	X			
Trustee Culp	X			

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

Resolution 058-2022

- Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to approve Resolution 058-2022 to appoint Chris Snyder as a Miami Township-Dayton Joint Economic Development District board member.

Trustee 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
Trustee Posey, Jr.	X			
Trustee Morris	X			
Trustee Culp	X			

Resolution 059-2022

- Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution 059-2022 to accept the resignation of Mr. Hatcher as a zoning commission member.

Trustee 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
Trustee Posey, Jr.	X			
Trustee Morris	X			
Trustee Culp	X			

Resolution 060-2022

- Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to approve Resolution 060-2022 to appoint William Kelly to the zoning commission board as a regular member.

Trustee 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
Trustee Posey, Jr.	X			
Trustee Morris	X			
Trustee Culp	X			

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

PUBLIC HEARINGS

Zoning Case #454-22

To adopt a major modification to a final development plan for lands zoned PD-2 Planned office District, under Zoning Case #454-22 concerning a rezoning request from “B-2” Business District to “SP-PUD” Special Purpose Planned Unit Development District.

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to resume the public hearing for Zoning Case #454-22 continued from June 7, 2022, concerning a rezoning request from “B-2” Business District to “SP-PUD” Special Purpose Planned Unit Development District.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Morris	X			
Trustee 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.

Mr. Carlson stated that the Miami Township Zoning Commission recommended the rezoning request with a vote of 4-0 with the following stipulations:

1. The existing access point to parcel K45 02607 0077 must serve 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.
2. 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.
3. A final development plan must be approved prior to commencement of any Permitted Use listed in Exhibit A: Development Standards.

Scot Stone, business address 7501 Paragon Rd., Dayton, OH, is present in representation of applicant and property owner John Walker to answer questions about the application. There were no questions for Mr. Stone.

Trustee Posey, Jr. opened the floor for Proponents of the case to step forward and speak.

No one came forward to speak.

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

Trustee Posey, Jr. then opened the floor for Opponents of the case to step forward and speak.

No one came forward to speak.

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.

Finance Director McCord read each standard and called the roll to determine the finding of each Trustee on the following standards:

1. **Section 3104 A:** The site will be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the proposed development, or the proposed development standards where only the proposed uses and development standards are to be adopted and provides for pedestrian accessibility and connectivity throughout the design.

Trustee Posey, Jr.: True, Trustee Morris: True, Trustee Culp: True

2. **Section 3104 B:** The proposed development and or development standards adequately address issues related to compatibility with adjacent uses, environmental issues, and overall design compatibility, including lighting and landscaping and do so in a manner that improves upon what would be achieved under the non-PD zoning standards.

Trustee Posey, Jr.: True, Trustee Morris: True, Trustee Culp: True

3. **Section 3104 C:** The proposed development and or development standards are intended to produce a superior design and construction than what would normally occur under the non-PD zoning standards and will not cause an undue burden on public services and facilities including, but not limited to, fire and police protection.

Trustee Posey, Jr.: True, Trustee Morris: True, Trustee Culp: True

4. **Section 3104 D:** The proposal is in accordance with the goals and policies of the Comprehensive Plan.

Trustee Posey, Jr.: True, Trustee Morris: True, Trustee Culp: True

5. **Section 3104 E:** If the project is proposed to contain non-residential uses, the conditions imposed mitigate any potential significant impacts associated with the proposal, including maintaining a minimum fifty (50) foot distance from a retail, office or other non-industrial business structure or one hundred (100) foot distance from a manufacturing structure to a residential building outside of the Planned Development District with a minimum thirty (30) foot property line setback for a retail, office or other

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

non-industrial use and fifty (50) foot property line setback for a manufacturing use along any property lines adjacent to a residentially zoned property.

Trustee Posey, Jr.: True, Trustee Morris: True, Trustee Culp: True

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to close public hearing for Zoning Case #454-22 and find that *ALL OF* the required standards have been met by the evidence presented during this public hearing.

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

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion to approve Resolution #053-2022 to *APPROVE* a rezoning under Zoning Case #454-22 and *UPHOLD* the Zoning Commission recommendation.

With no further discussion brought forth, Mr. McCord called for a vote.

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

DEPARTMENT HEAD COMMENTS

Assistant Township Administrator Chris Snyder informed the board that the filing to become an energy aggregator was submitted on June 13 with the PUCO and is now awaiting certification from the agency to move forward.

No other Department Heads came forward with comments.

COMMENTS FROM THE BOARD

Trustee Terry Posey, Jr. thanked everyone who attended the Breakfast with the Board, stated there were updates from the fire district and a presentation from a local SPA representative which was informative and a useful experience.

No other Board Members came forward with comments.

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

WORK SESSION

None scheduled

EXECUTIVE SESSION

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion at 6:20 PM to go into Executive Session to consider:

- Confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance; in accordance with ORC 121.22 G (8); and
- 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 ORC 121.22 G (1).

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

No further business.

RETURN TO REGULAR SESSION

Trustee Posey, Jr. motioned, and Trustee Morris seconded the motion at 7:08 PM to leave Executive Session and return to Regular Session.

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


Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
July 5, 2022

ADJOURNMENT

Trustee Posey, Jr. adjourned the meeting at 7:08 PM.


Trustee President Terry W. Posey, Jr.

Attested:


Fiscal Officer Aaron Newell
July 19, 2022