

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
September 5, 2023

CALL TO ORDER

Trustee President John Morris opened the Miami Township Board of Trustees Regular meeting to order on Tuesday, September 5, 2023, at 6:00PM and led in the reciting of the Pledge of Allegiance.

Formal call to order and attendance was delayed pending the arrival of a second trustee.

Trustee Morris then asked Chief Stiegelmeier for a report on first responder casualties.

RECOGNITION OF FIRST RESPONDER CASUALTIES

Chief Stiegelmeier read the First Responders Casualties for August 24 – September 5, 2023.

- **Police Officer Anthony Francone**, Pyramid Lake Paiute Tribal Police Department, Tribal Police, NV
- **Battalion Chief Terryson Jackson**, Broward Sheriff's Office Department of Fire Rescue and Emergency Services, FL
- **Lieutenant Kevin Ward**, Chicago Fire Department, IL
- **Sheriff Robert Rodgers**, Wilcox County Sheriff's Office, GA
- **Deputy Sheriff Matthew Pierson**, Shelby County Sheriff's Office, TX
- **K9 Waro**, Clayton County Police Department, GA

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

RECOGNITION OF GUESTS & PRESENTATIONS

Trustee Morris then asked Finance Director McCord to proceed with his presentation.

- Year To Date Budget Update – Clay McCord
-

NEW BUSINESS

Trustee Morris then invited staff to report on new business.

- Police Chief Charlie Stiegelmeier presented the following:
 - **Motion for a liquor Permit for Aldi Inc Ohio, 2619 Miamisburg Centerville Road**
Chief Stiegelmeier stated this is a new request for a C2 Liquor Permit for Aldi Inc Ohio dba Aldi #76.

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- C2 – Wine and mixed beverages in sealed containers for carry out.

Chief Stieglmeyer stated that the Police Department finds no reason to contest this request, therefore, recommending that the Board of Trustees pass a motion approving the new liquor permit and do not request a hearing with the Ohio Department of Liquor Control on this matter.

- Resolution 071-2023 to amend an appropriation of funds for 2023.
- Public Works Director John Schweickart presented the following:
 - Resolution 072-2023 to declare surplus property and authorize the sale of said property.
- Township Administrator Chris Snyder presented the following:
 - Resolution 075-2023 to approve an amendment to an agreement.
 - Resolution 076-2023 to authorize the Township Administrator to engage a consultant.

PUBLIC COMMENTS

Trustee Morris opened the floor for public comments. Seeing none, Trustee Morris closed the public comments period.

DEPARTMENT HEAD COMMENTS

Township Administrator Chris Snyder stated that the annual Veteran’s Breakfast will be Thursday, November 9 at the Hilton Garden Inn at Austin Landing. More details to come in October. He reminded everyone that we are in an electric aggregation agreement and new residents can reach out to Trebel Energy with any questions. Mr. Snyder also congratulated Community Development Director Alex Carlson for his success on obtaining and ODOT grant for updates to Kingsridge Drive.

Mr. Carlson stated that the grant will be used to make safety improvements to Kingsridge Drive including adding sidewalks.

Public Works Director John Schweickart stated that leaf collection will start at the end of October. There will be daily updates on the Township website under Public Works along with information on the Enews letter and social media.

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COMMENTS FROM THE BOARD

Trustee John Morris added to Mr. Snyder’s comments on the aggregation agreements and noted that they have not found a rate on gas low enough to enter into an agreement.

Trustee Morris paused the meeting at 6:34PM pending the arrival of a second trustee.

Trustee Culp arrived and the meeting reconvened at 6:51PM.

Attendance was as follows:

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

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: August 23, 2023
- B. Purchase Orders through #2023000654
- C. Payments totaling \$153,228.41 consisting of:
 - Checks: #77443 – #77501, and
 - Electronic Transfers: #2023000536 – #2023000542
- D. Payroll #18, Check Date: 9/8/2023 totaling \$215,352.99

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

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

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CONSIDERATION OF RESOLUTIONS AND MOTIONS

Motion for a Liquor Permit for Aldi Inc Ohio, 2619 Miamisburg Centerville Road

Trustee Morris motioned, and Trustee Culp seconded the motion to **approve** the motion for a new C2 Liquor permit.

Trustee Morris called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

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

Resolution 071-2023

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 071-2023 to amend an appropriation of funds for 2023.

Trustee Morris called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

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

Resolution 072-2023

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 072-2023 to declare surplus property and authorize the sale of said property.

Trustee Morris called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

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

Resolution 075-2023

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 075-2023 to approve an amendment to an agreement.

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Trustee Morris called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

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

Resolution 076-2023

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 076-2023 to authorize the Township Administrator to engage a consultant.

Trustee Morris called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

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

PUBLIC HEARINGS

Zoning Case 459-23

Resolution 073-2023, a resolution to adopt a text amendment to the Miami Township Zoning resolution.

Trustee Morris motioned, and Trustee Culp seconded the motion to open public hearing for Zoning Case 459-23 as stated above.

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

After describing the public hearing process, Trustee Morris asked Community Development Director Carlson if the legal requirements for the case had been met. Mr. Carlson replied affirmatively and stated the "B-3" Business District is intended for commercial uses that are contained within a structure, with all merchandise stored indoors. The "B-4" Business District is the district intended to allow outdoor storage of merchandise. Currently, the "B-3" Business District allows vehicle rental as a principle permitted use, allowing for unlimited exterior storage of vehicles, where even the "B-4" Business District lists this use as a conditional use requiring intense landscape screening for any storage areas. The Zoning Commission recommends removal

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of "Automobile Rental and Lease" from the "B-3" Business District with the belief that the district is not best suited for this use.

The Miami Township Zoning Commission recommended approval in a 4 to 0 vote. There were no stipulations of approval.

Trustee Morris opened the floor for Proponents of the case to step forward and speak.
No one came forward to speak.

Trustee Morris then opened the floor for Opponents of the case to step forward and speak.
No one came forward to speak.

Trustee Morris motioned, and Trustee Culp seconded the motion to close public hearing for Zoning Case 459-23.

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

Trustee Morris motioned, and Trustee Culp seconded the motion to approve Resolution 073-2023 to **APPROVE** Zoning Case 459-23 and **UPHOLD** the Zoning Commission recommendation.

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

PUBLIC HEARINGS

Zoning Case 458-23

Resolution 074-2023, a resolution to adopt a zoning map amendment from the "I-1" Industrial District and "PD-3" Planned Business District to the "SP-PUD" Special Purpose Planned Unit Development District under Zoning Case 458-23.

Trustee Morris motioned, and Trustee Culp seconded the motion to open public hearing for Zoning Case 458-23 as stated above.

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

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After describing the public hearing process, Trustee Morris asked Community Development Director Carlson if the legal requirements for the case had been met. Mr. Carlson replied affirmatively and stated any future development will be reviewed as part of a Final Development Plan application process. Should the Board of Trustees have any concerns with the development standards or preliminary plan as presented, the recommendation of the Zoning Commission may be modified.

The Miami Township Zoning Commission recommended approval in a 4 to 0 vote. There were no stipulations of approval.

Trustee Morris opened the floor for Proponents of the case to step forward and speak.
No one came forward to speak.

Trustee Morris 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.

Fiscal Officer Clingerman 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 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.: Absent, 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.: Absent, 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.: Absent, Trustee Morris: True, Trustee Culp: True

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

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

Trustee Morris motioned, and Trustee Culp seconded the motion to close public hearing for Zoning Case 458-23 and find that **ALL OF** the required standards have been met by the evidence presented during this public hearing.

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

Trustee Morris motioned, and Trustee Culp seconded the motion to **APPROVE** Resolution 074-2023 to **APPROVE** a major modification to a final development plan for Zoning Case 458-23 and **UPHOLD** the Zoning Commission recommendation.

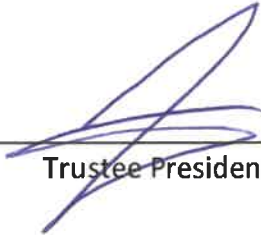
With no further discussion brought forth, Mr. Clingerman called for a vote.

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

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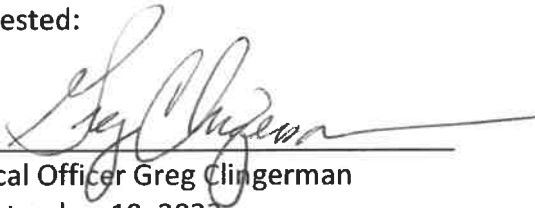
ADJOURNMENT

Trustee Morris adjourned the meeting at 7:13PM.



Trustee President John Morris

Attested:



Fiscal Officer Greg Clingerman
September 19, 2023