

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023

CALL TO ORDER

Trustee President John Morris called the Miami Township Board of Trustees Regular meeting to order on Tuesday, October 3, 2023, at 6:00PM and led in the reciting of the Pledge of Allegiance. 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 Stieglmeyer	Police Chief	X	
Rex Gore	Parks Supervisor	X	
Max McConnell	Senior Planner	X	

RECOGNITION OF FIRST RESPONDER CASUALTIES

Chief Stieglmeyer read the First Responders Casualties for September 20 – October 3, 2023.

- **Police Officer Darrin McMichael**, Arlington Police Department, TX

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

RECOGNITION OF GUESTS

Trustee Morris stated that there were no guests or presentations.

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: September 19, 2023
- B. Purchase Orders through #2023000687
- C. Payments totaling \$139,618.27 consisting of:

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023

- Checks: #77529 – #77569, and
 - Electronic Transfers: #2023000556 – #2023000570
- D. Payroll #20, Check Date: 10/06/2023 totaling \$217,024.37

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

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

NEW BUSINESS

- Police Chief Charlie Stieglmeyer presented the following:
 - **Resolution 085-2023** to enter into a contract with the City of Franklin for use of their firearms range facility.
- Finance Director Clay McCord presented the following:
 - **Resolution 086-2023** to approve amendments to the appropriation of funds for 2023.
- Township Administrator Chris Snyder presented the following:
 - **Resolution 087-2023** to authorize the Township Administrator to engage Calfee, Halter, & Griswold LLP for legal services.
 - **Resolution 088-2023** to authorize the Township Administrator to engage Bailey Cavalieri LLC for legal services.

PUBLIC COMMENTS

Trustee Morris opened the floor for public comments and reminded those who wish to speak that the public comment period is an opportunity for the public to address the Board rather than dialogue.

Matthew Turton, 6600 Jamaica Rd., Mr. Turton updated the Board of Trustees on the events held over the last three weekends at the Event Center and expressed his continued concerns with his neighbors.

**Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023**

Kacee Epstein, 5493 Crains Run Rd., Ms. Epstein expressed multiple concerns with the Dayton Mall area including safety, abundance of signs and the dilapidation of businesses.

Robert Jensen, 6986 Rosecliff Pl., Mr. Jensen revisited the traffic issues on Vienna Parkway. He stated his frustration with increased speed, increased litter and increased traffic.

Michelle Boxer, Ferndown, Ms. Boxer addressed the Board of Trustees for guidance on how to proceed with a neighbor who is harassing her.

Pam Strader, Spring Blossom, Ms. Strader stated that she is being harassed by her neighbor. Her HOA has a restraining order.

CONSIDERATION OF RESOLUTIONS AND MOTIONS

Resolution 085-2023

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to approve Resolution 085-2023 to enter into a contract with the City of Franklin for use of their firearms range facility.

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 086-2023

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to approve Resolution 086-2023 to approve amendments to the 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 087-2023

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to approve Resolution 087-2023 to authorize the Township Administrator to engage Calfee, Halter, & Griswold LLP for legal Services.

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 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		

Trustee Culp stated that it is too soon and there is not enough information.

Resolution 088-2023

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to approve Resolution 088-2023 to authorize the Township Administrator to engage Bailey Cavalieri LLC for legal services.

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 460-23

Resolution 089-2023, a resolution to adopt a text amendment to the Miami Township Zoning Resolution.

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to open the public hearing for Zoning Case 460-23 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 that the purpose of this text amendment is to remove and replace dated references in order to keep the Zoning Resolution up to date.

- Miami Township Fire Department updated to Miami Valley Fire District

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023

- Planning and Zoning Department/Director updated to Community Development Department/Director
- Austin Interchange Land Use and Development Plan Oversight Committee
 - o Committee no longer meets for plan review
- Planning Commission
 - o Miami Township does not utilize the Montgomery County Planning Commission for formal review of plans/documents

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 Posey, Jr. seconded the motion to close public hearing for Zoning Case 460-23.

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

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to approve Resolution 089-2023 to **APPROVE** Zoning Case 460-23 and **UPHOLD** the Zoning Commission recommendation.

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

Zoning Case 457-22

A final development plan for Taco Johns.

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion to open the public hearing for Zoning Case 460-23 as stated above.

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023

	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 that the Zoning Commission felt that they were able to recommend approval based on the plan set that was originally presented, as well as affirmations received from their conversation with the applicant, the Zoning Commission recommended several stipulations. Some of these require major amendments to the originally approved plan set.

The applicant has requested a continuation of the case until the November 8 meeting for additional time to respond.

The Miami Township Zoning Commission recommended approval in a 4 to 0 vote with the following stipulations.

1. The landscaping plan must include additional plantings and removal of the fence within the stormwater basin off Alex Bell Pike that meet the objectives of the Meijer Planned Development Standards. The Meijer Planned Development requires that all stormwater basins be aesthetically improved when the nearest development lot is initiated. Taco John's Commission requested additional details on the planting within the basin as well as the removal/replacement of the existing fence.
2. The landscaping plan must show tree/bush plantings around site mechanicals that meet the screening standards of Article 7. Under Article 7, site mechanicals should be screened from view using fences or landscaping. The applicant stated that they would prefer landscaping.
3. The site plan must be updated to include dumpster enclosure details that meet the standards of Article 7. The applicant stated that they had no concerns with this requirement and would be providing the rendering/elevation drawing.
4. An updated lighting plan must be provided that meets Article 7 for maximum brightness levels and light pole requirements. The original lighting plan did not include lighting pole detail drawings, though the applicant did not have concerns with the requirements. There were also a few locations on the plan where the light levels were too high.
5. Updated elevations must be provided that meet Article 7 design standards, particularly for brick/stone material requirements. Staff notified the applicant ahead of the meeting that their original submittal for building design was not in line with the design standards of Article 7, particularly lacking brick/stone material. The applicant brought updated elevations to the

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023

meeting that showed brick/stone material added to the general satisfaction of the Zoning Commission but encouraged the applicant to discuss with staff ahead of the Trustee’s final hearing that all other requirements have been met. The applicant is working on final tweaks ahead of the October 17th meeting.

6. Creative branding elements may be added to elevations where they do not interfere with the standards of Article 7. In discussion with the applicant, the Zoning Commission felt that many of the unique branding elements presented by Taco John’s should be integrated into the design but not at the expense of quality building materials. The Zoning Commission felt that creative design features should be added in addition to the required building materials/glass requirements.

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 Posey, Jr. seconded the motion to continue until November 8, 2023.

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

DEPARTMENT HEAD COMMENTS

COMMENTS FROM THE BOARD

WORK SESSION

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion at 6:35PM to go into Work Session.

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023

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

The following topics were discussed in Work Session.

- **Miami Township Parks and Trails Plan**
 Community Development Director Carlson presented a draft document detailing recommended capital expenditures within the parks system. The document presented is a component of the Miami Township Parks and Trails Plan, an in-progress planning initiative conducted by the Community Development Department and Public Works Department. Mr. Carlson stated that the goal of the work session was to initially present recommended investments in the parks should the Board elect to divert American Rescue Plan to township parks.
- **Board Meeting Room Audio and Video**
 Community Development Director Carlson discussed recommended updates to the primary board meeting room. As much of the equipment is dated and reaching the end of its useful life cycle, staff request quotes from audio/video system companies. Mr. Carlson discussed the desire to bring back a resolution entering into an agreement with one of the contractors to install the updates. The Board recommended preparing a quote for formal discussion.
- **Application to MVRPC for STP funding**
 Community Development Director Carlson discussed eligible projects for funding within the township for Surface Transportation Funding through the Miami Valley Regional Planning Commission. Mr. Carlson stated that he is working with Public Works Director Schweickart to submit an application for resurfacing funding for Spring Valley Pike. This funding would not be budgeted until FY2029.

RETURN TO REGULAR SESSION

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion at 7:21PM to leave Work Session and return to Regular Session.

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

EXECUTIVE SESSION

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion at 7:22PM to go into Executive Session for the purpose of:

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
October 3, 2023

- Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action; in accordance with ORC 121.22 (G)(3).

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

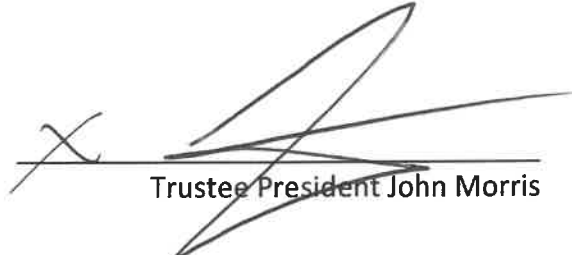
RETURN TO REGULAR SESSION

Trustee Morris motioned, and Trustee Posey, Jr. seconded the motion at 7:39PM to leave Executive Session and return to Regular Session.

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

ADJOURNMENT

Trustee Morris adjourned the meeting at 7:40PM.


Trustee President John Morris

Attested:


Fiscal Officer Greg Clingerman
November 8, 2023