

November 9, 2004

Held

OPENING OF MEETING

Mr. Corman called the meeting to order at 6:30 PM with Mr. Corman, Mr. Fiedeldey, Mrs. Rielage, and Mrs. Harlow in attendance

EXECUTIVE SESSION

Mr. Reuter requested the Board go into executive session for the purpose of discussing matters relating to the compensation of a public employee, contracts involving the purchase of property and pending litigation. At 6:31 PM, Mrs. Rielage made such motion to meet in executive session, and Mr. Fiedeldey provided the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

Mr. Corman reconvened the meeting for the purpose of the regular meeting at 7:14 PM

PLEDGE – INVOCATION

Dr. Larry Smith of Lincoln Park Baptist Church offered the Invocation. The Pledge of Allegiance was led by Boy Scouts Pack 7, Den 7 from St. John's on Dry Ridge

APPROVAL OF PREVIOUS MEETING MINUTES

Mr. Corman asked for a motion to approve the minutes of the October 26, 2004, regular meeting of the Board of Trustees. Mrs. Rielage made such motion and Mr. Fiedeldey offered the second.

Mr. Fiedeldey requested his comments be added under the Greenspace Conservationists

Mrs. Rielage motioned to approve the minutes as amended and Mr. Fiedeldey provided the second.

Without further discussion, the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

SHERIFF REPORT

Sgt. Scudder with the Hamilton County Sheriff's Department gave the reports to Chief Sarver

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TRUSTEES' REPORT

MRS. RIELAGE

Mrs. Rielage had nothing to report.

MR. FIEDELDEY

Mr Fiedeldey said he received an e-mail from a resident complaining about the lack of a stop sign on Gains Rd. at Beckridge. There have been two accidents at this location in the previous week. Mr Foglesong provided some history about the situation, including back to a 1997 letter to the County Engineer. There was follow-up in November 2002 and January 2003. A day or so ago, the Public Works Department spoke to the County Engineer's office who said the intersection does not warrant a traffic control device.

Mr Fiedeldey said he would like to see how many accidents have occurrence in the area. He said he does not want to wait for someone to be killed to take action on this definite "blind spot." He asked for advice about where to go from here.

Mr Corman said if one is heading south on Gaines Road and turns on Beckridge, visibility is practically nil. Heading north, the visibility is better. He suggested that we should pursue the County Engineer as this is a great concern of ours. Drivers travel at a high rate of speed. He said we should stress the point about needing some sort of traffic control device, such as flashing lights or a sign.

Mr. Fiedeldey said Gains is used for "hill-hopping." He asked Chief Sarver if we could look at history at this intersection. Chief Sarver said this is possible. Mr Fiedeldey asked if we should do this before we contact the Engineer. Mrs Rielage said it would strengthen our argument to have the facts with us.

MR. CORMAN

Mr. Corman said the parking situation along Cheviot Road near St. James ball field is dangerous. There are cars parked into curb area, which kills the site ability out of the drives. He said we should get with the engineer to place signage and ticket the cars. Also, this is difficult for those living in the apartments.

Mr Corman said we have had the dedication to two new buildings since the last meeting, the Public Works Building and Fire Station #109. Both are nice, much-needed facilities and are more than happy to give tours. The Public Works Building gives us the opportunity to begin an aggressive public works program in the township.

CITIZEN ADDRESS

Ray Schneider of Colerain Circle Storage on Struble Road asked the Board for permission to allow his grass to be left dormant. He said the Township came and cut his grass. He would like to leave the excess grass grow. He said an individual complained about the grass and the Township came in and cut it. His neighbors have never been asked to cut their grass and it is higher than his.

Mr Fiedeldey said they can't do anything without seeing it.

Mr Schneider said he wants to be treated like his neighbors.

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Mr. Corman said to check up on this Mr. Fiedeldey said we go on a complaint basis and suggested he complain about his neighbors

Mr. Schneider said he is asking for the area to be left dormant, like his neighbors, for next year. Mr. Fiedeldey said if it is his lawn, it should be cut

Mr. Corman asked Mrs. Dale for all of this information. Mrs. Dale has some of the information available. The property was on the September 28 Weed Abatement Resolution. The original complaint was September 3. The property owner was given two notifications, both of which were signed-for. The grass was cut about two weeks ago

Mr. Schneider asked the area to remain dormant like his neighbors. He wants to know if it should be cut back 50' or 100'. Mr. Fiedeldey wanted to know why he quit cutting it. Mr. Schneider said there are wet spots. Mr. Corman said that Mr. Schneider has the right to complain about his neighbors if they are not maintaining their lawns. Mr. Corman said he would like to see the property

John Knab of 8238 Eagle Creek has 7 acres. He explained that the problems with his neighbor began two years ago when the neighbor called him and said that he put a 18" pipe on Mr. Knab's property. The next night, Mr. Knab noticed someone cut down the fence between their properties

Colerain Township Police Officers Quinn and Demeropolis said it was a civil issue.

Last fall, backhoes dug a hole 20' deep where spring was on the neighbor's property, which blocked the spring from coming to Mr. Knab's pond. There is now a pile of dirt 11 5 feet tall on the property line.

The Soil and Water District approved the neighbor's actions. The neighbor has threatened to sue Mr. Knab for harassment.

Mr. Fiedeldey said he has several issues. Mr. Corman suggested he check with ODNR to see if this is a wetlands issue. Mr. Reuter said there are two issues, whether or not Hamilton County was correctly interpreting their own rules. He does not feel the Board can give any relief on this and it might be time to file suit.

Mr. Knab said the neighbor is running a business out of his home. Mr. Corman said we should check this out. Mr. Fiedeldey suggest he "post" the property with "no trespassing" signs

UNFINISHED BUSINESS

LEGAL

Vicious Dog Control Resolution

Mr. Reuter asked this be deferred

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NEW BUSINESS

FIRE DEPARTMENT

Pay Rate Changes

Chief Smith requested the following pay rate changes:

- Robert Bittner to firefighter/EMT, \$12.72/hour, effective August 25, 2004
- Jacob Lawrence to basic firefighter/EMT, \$11.57/hour, effective November 1, 2004
- Robert Lehman to basic firefighter/EMT, \$11.57/hour, effective November 1, 2004
- Craig Niehaus to basic firefighter/EMT, \$11.57/hour, effective November 1, 2004
- Ken Reardon to basic firefighter/EMT, \$11.57/hour, effective November 1, 2004
- David Strittholt to basic firefighter/EMT, \$11.57/hour, effective November 1, 2004
- Ryan Watson to basic firefighter/EMT, \$11.57/hour, effective November 1, 2004
- Travis Worrell to basic firefighter/EMT, \$11.57/hour, effective November 1, 2004

Mrs Rielage made such motion and Mr Fiedeldey offered the second. No discussion and the roll was called:

Mr. Corman "Aye"
Mr Fiedeldey "Aye"
Mrs. Rielage "Aye"

Part-time Hires

Chief Smith requested the following be hired at the recruit level, \$10.71/hour: Jeffrey Bischoff, Brian Heid, Randy Hill, David Huckleby, Thomas Huston, Patrick Jennings, Brian Lakes, David Leverage, Rayn Monahan, Janet Prows, Patrick Seyfried, Michael Vadnais, Justin Bogolo, Kenny Cole, Christopher O'Hara, Richard Simmons, Charlton Thomas, Aaron Westerfield, and Stephen Zerkle.

Mrs Rielage made such motion and Mr Fiedeldey offered the second. No discussion and the roll was called:

Mr Corman "Aye"
Mr Fiedeldey "Aye"
Mrs Rielage "Aye"

PUBLIC WORKS

Joshua Run Block B

For Mr. McClain, Mr Foglesong said the Hamilton County Engineer has notified us that the Developer for Joshua's Run Subdivision, Block 6 has filed bankruptcy and does not intend to complete the remaining work. While the county is reviewing their options on this matter, we are recommending the Township install street signs for traffic control by the Board establishing the following:

- A 25 MPH speed limit zone on Darbi Dew Lane from Burgess Drive to the cul-de-sac, totaling 518 feet
- A no parking fire lane zone on the north side of Darbi Dew Lane including the cul-de-sac from Burgess Drive to 31 feet east of the west property line of 3053 Darbi Dew Lane for a distance totaling 621 feet

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Mrs Rielage made such motion and Mr Fiedeldey offered the second. No discussion and the roll was called:

Mr Corman "Aye"
Mr Fiedeldey "Aye"
Mrs Rielage "Aye"

Mr Fiedeldey asked if the street is finished Mr. Foglesong said it is not. An unsafe condition with vehicles parking on both sides of the street was reported to the Township. The County Engineer is working on the punch list issues. Mr Fiedeldey said the builder had a bond and this should be corrected now while it is fresh. He suggested Mr. Foglesong write a letter to the Engineer saying that the road must be brought to standards. Mr. Foglesong said they will check to be sure the bond still exists and request that the road much be repaired.

ZONING**Weed Abatement Resolution**

Mrs Dale read resolution 40-04 to remove and abate the nuisances at the noted properties.

Mrs Rielage made such motion and Mr Fiedeldey offered the second. No discussion and the roll was called:

Mr Corman "Aye"
Mr Fiedeldey "Aye"
Mrs Rielage "Aye"

Resolution for Journalization Land Use SE Sector

Mrs Dale read resolution 41-04, Case No. LUPA 2003-04, Southeast Sector.

Mrs Rielage made such motion and Mr Fiedeldey offered the second. No discussion and the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs Rielage "Aye"

Updates

Mrs Dale reported that the Comprehensive Plan meeting will be cancelled on November 11. The Zoning Commission will meet on November 16 and will have one hearing, the Springdale Road nursing home. The Board of Zoning Appeals has two hearings on November 24. At the next meeting, the Board of Trustees will have a hearing for the Rumpke Light Industrial Modification.

Mr. Fiedeldey asked about the posting the property which is coming before the Board. Mrs Dale said they received this signs this afternoon.

Mr. Corman asked Mrs Klosterman, Chief Sarver, and Mr. Snyder if they had any matters to bring before the Board. They had nothing and Mr. Corman thanked them for their attendance at the meeting.

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CLERK'S REPORT

Mrs Harlow asked for approval of payroll, purchase orders, and receipts Mrs. Rielage made such motion and Mr Fiedeldey offered the second No discussion and the roll was called:

Mr Corman "Aye"
Mr Fiedeldey "Aye"
Mrs Rielage "Aye"

Mrs Harlow asked for approval of the August bank reconciliation. Mrs. Rielage made such motion and Mr. Fiedeldey offered the second No discussion and the roll was called:

Mr. Corman "Aye"
Mr Fiedeldey "Aye"
Mrs Rielage "Aye"

The Clerk has received the following receipts:

REC	VENDOR	FOR	AMOUNT
582-04	Council on Aging	COA - Sept.	9,236.19
583-04	STAR OHIO	STAR interest – Sept.	2,919.27
584-04	Fifth Third Bank	Interest for Sept.	33,989.82
585-04	Memo Receipt		
586-04	Dusty Rhodes	Adv. 2 nd Half Pers Prop	800,000.00
587-04	Dusty Rhodes	Motor veh, rev assist, fin	79,613.13
588-04	Dusty Rhodes	Highway tax – Oct.	2,695.86
589-04	Police Department	Cell phone reimb.	197.82
590-04	Zoning Department	Certificates & BZA	2,518.70
591-04	Fire & EMS Department	Cell, permit, cpr, don, name plates, reports	219 75
592-04	Fire & EMS Department	Donation	100,000.00
593-04	Fire & EMS Department	EMS billing	676.91
594-04	Sr. & Community Center	Fees, don, lunch	156.05
595-04	Rumpke	Solid waste disposal fee	41,233.58
596-04	Public Works Department	Vandalism	40 00
597-04	Fire & EMS Department	Plan review	325.00
598-04	Parks & Services Department	Theater Rental	100 00
599-04	Betty Montgomery	Liquor permit fees	2,537.85
600-04	Fire & EMS Department	Inspection fees	50 00
601-04	Handy Tool	Overpay of invoice	2,524.00
602-04	Time Warner Cable	3 rd Qtr Franchise fee	77,466.36
603-04	Tragesser Ford	Overpay of invoice	979.01
604-04	Fire & EMS Department	Inspection fee	15.00
605-04	Sr & Community Center	Fee, don, lunch	698 33
606-04	Police Department	Reimb for DUI task force	501.39
607-04	Police Department	Case #M040168	1,800.00
608-04	Police Department	Donation/Court Reimb	2,078 00
609-04	Mark Walsh	Postage	0.45
610-04	Sr. & Community Center	Fees, lunch	40.00

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611-04	Sr. & Community Center	Crafts, fees, don, lunch	116.50
612-04	Police Department	Court reimbursements	24.00
613-04	Parks & Services	Concessions rental	250.00
614-04	Wayne Kreidenweis	Insurance payment -Oct	279.37
615-04	Sr. & Community Center	Fees, don, lunch	148.50

Mrs Harlow requested an appropriation adjustment for Administration Take \$700 from 2905-190-710-0000 (Land) and adjust to 2905-190-599-0000 (Other-Other Expenses)

Mrs Rielage made such motion and Mr Fiedeldey offered the second No discussion and the roll was called:

- Mr Corman "Aye"
- Mr Fiedeldey "Aye"
- Mrs Rielage "Aye"

Mrs Rielage motioned for a recess and Mr Fiedeldey offered the second Without discussion, the roll was called:

- Mr Corman "Aye"
- Mr Fiedeldey "Aye"
- Mrs Rielage "Aye"

A recess was taken at 8:32 PM

The Board reconvened at 8:40 PM

PUBLIC HEARING

ZA2004-08 Youthland Academy

Mrs Dale read the staff report

Mr. Abercrombie is the engineer for the project. He feels this is a perfect location for the project. The area is not suitable for single-family homes. They are currently planning for landscape buffering and will integrate the existing trees

Mrs Rielage asked about the drop-off area Mrs Steinbach described the procedure

Mrs Rielage said 50 square feet is fine for the sign

Mr. Fiedeldey asked about the surface of the play area Mrs Steinbach said this has not been finalized, but she hopes to use soft foam, which is permeable.

Mrs Rielage asked about measurements for outdoor play area Mrs Steinbach said there are two different areas, service no more than 25 children at a time.

Mr. Fiedeldey asked if there is enough parking Mrs Steinbach said parents are dropping off and picking up all day long There will be a maximum of 10 employees

Mr Corman asked about playground equipment Mrs Steinbach said that all equipment must be licensed

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Mr. Corman suggested the exit and entrance is a right turn only. Mr. Abercrombie did not disagree that it can be difficult to turn left.

Mr. Corman asked about the fence in the back. Mr. Abercrombie said neighbors requested fence to cut-down on cut thoughts. They agreed to put up a 6' chain link fence.

Mr. Fiedeldey asked about lighting and landscape plans. Mr. Abercrombie said this is required on the final development plan. Mr. Fiedeldey said there is a lot we do not have here before us.

Mr. Corman said no one signed-up for public comment. Mrs. Rielage motioned to close the public address. Mr. Fiedeldey provided the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

Mr. Fiedeldey said the berm in front is less than a 1:1 slope. Mr. Abercrombie said it would come up on a 45 degree angle. The berm was added by RPC staff or Township staff. Mr. Abercrombie agrees this would be difficult.

Mrs. Dale said the 10' distance is not a set requirement. The 4' height is a minimum of the zoning code.

Mr. Abercrombie said they could reduce the length of the parking stalls and increase the streetscape.

Mr. Corman said the playground structures should be exempt from item #7. And, the exit should be right turn only. With children involved, safety should be paramount. Mrs. Rielage said this should be up to the drivers.

Mr. Fiedeldey said he looked at the site today. The homes on Galbraith Road, which have been changed to offices, provide a nice transition to this site. To the east, the homes are well kept. Behind, on Sheldon, the homes are well-kept. Most of the homes are 30-40' wide, but we're putting a building that is 160' long. He can not believe this will not have an impact on the adjacent area. He does not feel anyone would want this building next to their home. We should all think about this. Now, there is a transition, they look like homes. Now we are putting a large building in an area surrounded by single-family homes. He asked if this would de-value the homes.

Mr. Fiedeldey said the building maximizes the space and asked if the owner would consider not doing the office. Mrs. Steinbach said it will help with some of the costs. She said some of the neighbors said they would rather see this than what is there now.

Mr. Fiedeldey asked about the 6' tall fence. Mr. Abercrombie said this is what the neighbors requested. Mr. Fiedeldey feels the neighbors did not know what they were asking. Mr. Abercrombie said the chain link will allow the landscaping to be visible.

Mr. Fiedeldey said this does not comply with our land-use plan. He said that when we did the land use plan at the last meeting, we talked about this site and tried to accommodate this. He read the minutes from the meeting about this site. He has concerns and would like to give up the office space to get larger setbacks. Mrs. Steinbach said without the office, she may not be able to afford the

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ease She said this building is suited for the property and will look gorgeous
Mr Fiedeldey said he is concerned about the neighboring residences

Mrs Rielage would like to have the play area on the other side of the building

Mr Corman would rather see this than residential offices or economic depression. For a community to progress, we need to have areas like this. If neighbors came to complain, he would have more of a concern. We have a church, school, and library right across the street. The services offered would be a benefit to attract younger families to the area. The land use has been changed in the area for this purpose.

Mr. Abercrombie said they could also put the playground in the rear of the building. Mr. Fiedeldey said this would be too close to the neighbors to the rear.

Mr Fiedeldey asked for consensus about dropping off the office building. This is too big and over 60% surface.

Keith Seyfried of 2920 Sheldon Ave. said he would rather see Youthland than an apartment complex or duplex. He indicated he would like to see the playground where it is, since he prefers children playing near his home as opposed to near a dumpster.

The Board agreed to leave the plan as-is.

Mr. Fiedeldey said the 2 pole lights should not exceed 12' in height. The candle lights must be zero at the property line. Henry Greeb of 6580 Dry Ridge Road said that it is not physically possible to have zero candle lights.

Mr. Fiedeldey inquired about the fencing. Mr. Seyfried said 6' or 4' does not matter, but something is needed. Mr. Corman suggested 4'.

Mr. Fiedeldey said the front berm should be 15' wide and 3' tall, fully landscaped.

Mr. Corman said the dumpster screening should be designed to look like the building.

Mr. Fiedeldey asked Mr. Abercrombie to check his calculations on the pervious surface.

Mrs. Dale read the conditions.

Mrs. Rielage motioned to approve with the conditions as modified and Mr. Fiedeldey provided the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

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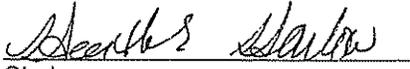
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ADJOURNMENT

With no further business to come before the Board, at 10:13 PM Mrs Rielage motioned for adjournment Mr Fiedeldey offered a second.

Mr Corman "Aye"
Mr Fiedeldey "Aye"
Mrs Rielage "Aye"


Clerk


President