

November 23, 2004

Held \_\_\_\_\_

**OPENING OF MEETING**

Mr Corman called the meeting to order at 6:35 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 pending litigation and employment of a public employee At 6:36 PM, Mr Fiedeldey made such motion to meet in executive session, and Mrs Rielage 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 7:11 PM.

**PLEDGE – INVOCATION**

Pastor Steve Brown from Abundant Life Faith Fellowship Church offered the Invocation. The Pledge of Allegiance was led by Cub Scout Pack 660, Webelos, from St Ann Church.

**APPROVAL OF PREVIOUS MEETING MINUTES**

Mr Corman asked for a motion to approve the minutes of the November 9, 2004, regular meeting of the Board of Trustees. Mrs Rielage made such motion and Mr Fiedeldey offered the second.

Mr. Fiedeldey asked for an addition under Citizen Address to indicate that his comment to Mr Schneider was to complain about the neighbors if they are not maintaining their lawns

Mrs Rielage requested an addition under the Youthland Academy hearing to show Mr Seyfried's comments included that he prefers the playground where it is, since he prefers children playing near his home as opposed to near a dumpster. Further, the Board agreed to leave the plan as-is

Mr. Corman also requested an addition under the Youthland Academy hearing concerning his comments that he would rather see a development like this as opposed to economic depression

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"

Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

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**SHERIFF REPORT**

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

In response to Mr. Corman's questions at the last meeting, Sgt. Scudder said there were four auto accidents in 2004 at the intersection of Beckridge and Gaines

**TRUSTEES' REPORT****MRS. RIELAGE**

Mrs. Rielage noted that we have a Boy Scout from Troop 828 in attendance working on the Communication Merit Badge. His troop is selling Christmas trees at Groesbeck United Methodist Church on Colerain Ave. Mr. Foglesong's son's baseball team is also selling at trees at Garden Park Unity Church, near the corner of Cheviot and Galbraith roads. She suggested residents support one of these groups when purchasing their tree this year.

Mrs. Rielage read a letter from Jean Braun to Chief Sarver. Ms. Braun said that she caused an unavoidable accident, which totaled her car. Of course, she was shaken, but with the patience and kindness of Officer Meyer, it was not as traumatic as it could have been.

Richard Montgomery, acting Fire Marshal in the State of Alabama, also wrote a letter of thanks to Chief Sarver. Mr. Montgomery said one of his deputies was in the Colerain Township area trying to locate a person whose interview was vital to a criminal investigation. He said Detective Deaton went above and to assist in locating this person. Thanks to his dedication and professionalism, this person was found and important information was documented.

Mrs. Rielage said the Township's resolution prohibiting parking commercial trailers, etc. was done in March 1992, and is a little old and outdated. Mrs. Rielage suggested we need to take this opportunity to be sure this coincides with the zoning code, as there are glaring omissions in the resolution. She requested Chief Sarver work with Mr. Spriggs and Mr. Reuter on this matter.

**MR. FIEDELDEY**

Mr. Fiedeldey is on the Hamilton County Solid Waste Management District's Policy Committee, which has an emphasis on recycling. He said the Township's recycling rate is rather low and we receive residential recycling incentive funds based on tonnage. He asked Mr. Foglesong to put something in the newsletter. He said about \$25 for each ton of items recycled will come back to the Township.

Mr. Fiedeldey asked about the streets that are not finished. Mr. McClain gave an update on Darbi Dew Lane. He said they sent a letter to the Hamilton County Engineer on December 21, 2001. The performance bond had expired and the developer filed bankruptcy.

Mr. Fiedeldey said he is questioning this process and how to stop it in the future. He said the idea of the bond is to protect the bond holder, in case the contractor does not perform the work. He also does not understand how the bonds can expire. Mr. Reuter said the bonds do expire, but are longer than the time to complete the work. The engineer is to ensure the completion. Mr. Reuter will check on this.

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Mr. Fiedeldey said Thursday is Thanksgiving Day. He reminded everyone to keep it safe, enjoy yourself, and be thankful.

#### MR. CORMAN

Mr. Corman asked if there is a policy for us to be notified on the status of the developer's bonds. Mr. McClain said there is not and this is under the County Engineer. Darbi Dew had a \$6,000 bond. The bond is determined by the length of the street, by feet.

Mr. Fiedeldey asked if this is a 100% performance and payment bond. Mr. McClain said it is not. Mr. Corman said this is worth discussing with the County Engineer. Mr. Foglesong said the Township Association should get involved with this. Mr. Fiedeldey said it does not cover the costs of finishing the street and seems outdated.

Mr. Corman said he received an e-mail from a citizen living behind Clippard Park. The citizen is having a problem with coyotes in the park. Everyone is nervous, as they are getting braver and coming out in the daytime. Mr. Corman said he knows this is a problem in the Township and suggested we call the Game Warden or the Hamilton County Parks. Mr. Fiedeldey volunteered to call the Game Warden.

#### CITIZEN ADDRESS

Mr. Corman said no citizens signed up to address the Board.

#### UNFINISHED BUSINESS

##### FIRE DEPARTMENT

##### Full-time Personnel

Chief Smith requested that the Board hire Joe Stallo and Nick Hauser as full-time personnel, effective November 26. Mrs. Rielage made such motion and Mr. Fiedeldey offered the second. Without further discussion, the roll was called:

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

##### POLICE DEPARTMENT

##### Gaines Road

Chief Sarver said there have been 11 accidents at the intersection of Gaines and Beckridge since January 1, 2002 (4 reported by the Sheriff's office and 7 by the Township). He said that, after spending time personally at the intersection, the intersection is not the issue. The true problem lies with the private driveways on Gaines, to the north and south of Beckridge.

Chief Sarver said the area needs a flashing light or hidden drives sign. He said that something needs to be done. Mr. Corman said we should write a letter to the County Engineer.

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**Cheviot Road Parking**

Chief Sarver followed-up with Mr. Corman's question about parking on Cheviot Road near St. James' athletic fields. There have been no auto accidents reported, but people are parking near the curb. This is not a consistent problem.

Mr. Corman said the problem is also on the other side of the street near the apartments.

**Speed Trailer**

Chief Sarver said he hoped everyone saw this on the way in. The Department took delivery of the trailer on Friday. Traffic Officer Mark Meyer will ensure that this is placed in all parts of the community and at residents' request.

**Grant Award**

Chief Sarver said the Department has been unofficially offered a \$50,000 grant from the Department of Homeland Security. This must be used in conjunction with Northgate Mall.

**NEW BUSINESS**

**FIRE DEPARTMENT**

**Pay Rate Changes**

Chief Smith requested two pay rate changes:

- Ron Everman to Firefighter/Paramedic at a rate of \$12.72/hour, effective November 16, 2004
- Ben Narnhorst to Firefighter/Medic at a rate of \$13.09/hour, effective September 1, 2004

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

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

**Part-time Pay Rates**

Chief Smith recommended the following hourly pay rate changes. The increases are for our part-time positions for 2005 and represent a 2.5% increase, equal to the contract increase for career personnel. These rates are effective December 5, 2004.

First Year Recruit Graduate	\$10.98
Firefighter/EMT	\$11.86
Firefighter/EMT/FAO	\$12.29
Paramedic	\$12.69
Firefighter/Medic	\$13.04
Firefighter/Medic/FAO	\$13.42
Lieutenant	\$14.02
Captain	\$15.14
Division Chief	\$17.65

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

Mr. Corman "Aye"  
Mr Fiedelvey "Aye"  
Mrs Rielage "Aye"

#### POLICE DEPARTMENT

##### Pay Journalization

Chief Sarver presented a pay journalization for Eric Renner to step 5, at an annual rate of \$53,593 41, effective December 4, 2004

#### ZONING

##### Request for Public Hearing for Springdale Nursing Home

Mr Spriggs requested the Board set a Public Hearing for the Springdale Nursing Home on Springdale Road for December 14, 2004, at 8:30 PM.

Mr Fiedelvey asked when they will have the information Mr. Spriggs said the Board will have it two weeks prior to the meeting, on December 3.

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

Mr. Corman "Aye"  
Mr Fiedelvey "Aye"  
Mrs Rielage "Aye"

##### Resolution for Journalization Youthland Academy

Mr Spriggs read resolution 42-04, Case No ZA-2004-08, Youthland Academy, Approval of Application for Zone Change from an Existing "B-2" Single Family Residence to an "OO" Planned Office District

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

Mr Corman "Aye"  
Mr Fiedelvey "Aye"  
Mrs Rielage "Aye"

#### Zoning Updates

Mr Spriggs said he provided the Board with the Board of Zoning Appeals' agenda They will meet tomorrow at 7 PM

#### ADMINISTRATION

##### Rumpke Blasting Presentation 12-14-04

Mr Foglesong said the consultant is not available for the Board's meeting on December 14 This will be postponed until after the first of the year

##### Temporary Appropriation Resolution 12-14-04

Mr. Foglesong said the temporary appropriation resolution will be to Board 10 days prior to the next meeting for their review

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Mr. McClain wished everyone a Happy Thanksgiving. Mrs. Klosterman invited everyone to the Holiday Evening Concert on December 3 at 6:30 PM at the Senior and Community Center

**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 September and October bank reconciliations. Mr. Fiedeldey said he has seen it. 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:

<b>REC</b>	<b>VENDOR</b>	<b>FOR</b>	<b>AMOUNT</b>
616-04	Fire & EMS Department	Plan review fees	325.00
617-04	Public Works Department	Phone refund	53.61
618-04	Fire & EMS Department	Plan review, foster care insp., fee & don	120.00
619-04	Police Department	Reimbursement	10.00
620-04	Public Works Department	Snow removal	46.20
621-04	Frank Birkenhauer	Cell calls	7.41
622-04	Wal-mart	Donation	1,000.00
623-04	Police Department	Reimbursement, court re	2,930.48
624-04	Sr. & Community Center	Fees, don, rent, lunch, repress	867.95
625-04	Police Department	Handicap parking & state, drug, DUI fines	626.00
626-04	Police Department	Fines, court reimb.	346.00
626-04	Police Department	Neg. revenue adjust	340.00
627-04	Council on Aging	COA for October	6,596.66
628-04	STAR OHIO	Invest star – Oct. int.	3,185.67
629-04	Fifth Third Bank	Invest prim – Oct. int.	14,527.16
630-04	Dusty Rhodes	Taxes, Municipal court	27,110.72
631-04	OTARMA	11-4 Board meeting	696.26
632-04	Rumpke	Solid waste disposal fee	41,109.05
633-04	Fire & EMS Department	Comm, cell, reports, don, signs, plan, etc.	9,790.71
634-04	Fire & EMS Department	EMS Billing	4,553.26

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

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

A recess was taken at 7:59 PM

The Board reconvened at 8:30 PM

**PUBLIC HEARING**

**ZA2004-09 Rumpke Light Industrial Development II**

**PUBLIC HEARING**

**ZA2004-09 Rumpke Light Industrial Development II**

Mr. Spriggs presented the Staff Report

Mr. Corman asked the applicant to make their presentation. Tom Abercrombie is the engineer on the project. Mr Abercrombie said this is a complex and confusing project. He was brought on to the project when Rumpke wanted to do this section, the portion zoned "FF" Light Industrial. The "notch" removal made the area more uniform. They have added buildings to the site, increasing the square footage with the acreage with the addition of the subject five parcels.

Larry Riddle of Rumpke said the original drawings showed Rumpke going to the EPA to place waste over the old slide area. EPA suggested they not put the waste over this exclusion area. Rumpke developed a new plan, which grades the west side. This drawing shows the revised grades. Rumpke now owns the Messner property and will re-grade for a 3:1 slope.

Mr Fiedeldey asked if the Messners owned the whole piece. The Messner machine shop is still located in this area, but not owned by Rumpke.

Mr. Fiedeldey said that as we go down Hughes Road, we are rezoning two acres to put in a retention pond. This is a poor use of the property as the Township gets no tax base on it. Mr. Riddle said a pond was always indicated in this area and it is not able to be developed. They are able to fill the area and it makes sense from a topographical and engineering perspective. Mr. Fiedeldey said the water goes where it does because they are making it go there.

Joe Trauth, attorney for Rumpke, said they took a residential property and are re-zoning it for light industrial.

Mr. Trauth added that Mr Reuter and he spoke about conditions #30-#34 in the consent decree. These can be handled by resolution by stating that as a result of the change from residential to light industrial that the residential set backs variances are no longer applicable. Those conditions are now moot.

Mr Corman called for the public address. No one signed-up to address the Board. Mr. Corman asked if anyone would like to address the Board.

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

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BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

Mr Fiedeldey asked about dumpster enclosures. Mr Spriggs said this is included in the plan per our regulations, with no variances in the landscape plan. It is bermed and landscaped along Struble Road. The rear of buildings are also landscaped with a 150 foot buffer, where it joins the EF district.

Mr Riddle said this area will be constructed and the landscape plan shows this. He said they are trying to save trees as they develop the area. Mr Trauth said you would not be able to see the buildings because of the berming and landscaping along Struble Road.

Mrs Rielage said four years ago, we didn't have a Landscape Advisory Board (LAB). Mr Spriggs said the LAB would review each submitted final development plan.

Mr Riddle said parcel #1 is a truck maintenance facility. At this point he is not sure how many operations will move to this area. For example, he is not sure if there will be space for the tire shop to move in with the maintenance facility. The company does not want to use everything, so they can lease out to others.

Mr Fiedeldey asked about tire shredding and outside storage. Mr Riddle confirmed there would be no outside storage; gas treatment and tire shredding are prohibited in the "FF" Light Industrial District.

Mr Fiedeldey asked, in light of ORC 3734 01, if any facility listed under solid waste uses will not be in the "FF" Light Industrial District. Mr Trauth said they can only put "FF" Light Industrial uses in there. Mr Riddle said each parcel will have its own final development plan.

Mr Fiedeldey asked Mr Trauth about item #40 of the consent decree to confirm that an additional fee of 20 cents per ton goes to the Township upon the opening of the 95 acres described in the OPEA application (which includes the 65 acres which was the subject of the consent decree in November, 2000) for waste disposal. Mr Trauth said this is the case.

Mr Fiedeldey asked about the composting operation. Mr Riddle said it will be relocated behind the large entry wall, near the scale house. Mr Corman said it is more in the EF area, the footprint of the southern expansion. Mr Riddle said they are anxious to move this, especially by the spring of 2005.

Mr Fiedeldey said they pay no tipping fees on composting, but the ORC section says compost is solid waste and they should be paying the 20 cents. Mr Riddle said that was not the intent.

Mr Fiedeldey asked about tremendous amount of parking for the buildings. He would like to propose that the parking spaces may be reduced if requested by the applicant. He said this would not be for building increases, nor to increase the impervious surface. Mrs Rielage said this will be covered in the final development plan process. Further, she said that, by then, the new zoning code will be adopted. Mr Abercrombie said he agrees with Mr Fiedeldey and they will reduce the parking if required by a particular user. Mrs Rielage and Mr Corman said this should be developed in the final plan.

Mr Fiedeldey confirmed that there is no parking of waste collection trucks in the "FF" Light Industrial Districts.

Mr Corman asked if the notch removal is an increase in volume. Mr Riddle said there will be solid waste going into that area.

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Mr. Fiedelvey asked about entrances. Mr. Riddle said they relocated Locharbour to conform to Hamilton County's comments. There are no entrances located through the "FF" Light Industrial District to access the "EF" District. They come in and out through the landfill side.

Mr. Corman asked about issue #30 in the consent decree to be sure it is addressing the notch only. Mr. Spriggs confirmed this.

Mr. Corman asked for an agreed entry with the Court of Common Pleas addressing items #30-#34 and why they have been changed.

Mr. Trauth said there are a number of ways to do this. Mr. Fiedelvey asked Mr. Reuter about this. Mr. Reuter said it would be to the advantage of the applicant to confirm by resolution.

Mr. Corman said the only change is the 20 cent tipping fee is more clarified under #40 of the consent decree, items #30-#34 from the Zoning Commission, and modifications to "FF" Light Industrial District and the grading of the "EF" District.

Mr. Fiedelvey asked about Locharbour. Mr. Abercrombie said this is a dedicated road, which will be vacated.

Mr. Spriggs read the items to be stricken, items Nos. 32, 33, 34, and 30, which is the notch. Item #40 is to cover tonnage subject to the south expansion (95 acres), including the elevation modification request in the new FF and EF zone areas, and Staff's two additional conditions in the staff report.

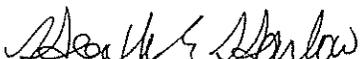
Mrs. Rielage made such motion and Mr. Fiedelvey offered the second.

Mr. Corman "Aye"  
Mr. Fiedelvey "Aye"  
Mrs. Rielage "Aye"

**ADJOURNMENT**

With no further business to come before the Board, at 9:54 PM Mrs. Rielage motioned for adjournment. Mr. Fiedelvey offered a second.

Mr. Corman "Aye"  
Mr. Fiedelvey "Aye"  
Mrs. Rielage "Aye"

  
Clerk

  
President