

May 24, 2005

Held \_\_\_\_\_

**OPENING OF MEETING**

Mr Fiedeldey called the meeting to order at 6:30 PM with 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 imminent litigation involving the Township.

At 6:32 PM, Mrs. Rielage made such motion and Mr Fiedeldey offered the second. No discussion and the roll was called:

- Mr. Fiedeldey. "Aye"
- Mrs Rielage "Aye"

The Board reconvened at 7:03 PM

**PLEDGE – INVOCATION**

Mrs Rielage announced the Pledge of Allegiance would be lead by Webelos Pack 826

**APPROVAL OF PREVIOUS MEETING MINUTES**

Mr Fiedeldey suggested the Board not approve previous meeting minutes since Mr. Corman is not in attendance.

**SHERIFF REPORT**

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

**TRUSTEES' REPORT**

**MRS. RIELAGE**

Mrs. Rielage read three thank you notes. Girl Scout Troop 2926 wrote to thank the Trustees for supporting the Earth Day event at Colerain Park and helping them to earn their Bronze Award. Richard Kuntz of Jackies Drive thanked the Department of Public Works. He reported dips in the roadway of his street on Friday and called back on Monday to say "thanks" for the quick response and the professional and courteous way his was treated. Pam and Mike Collins of Sagebrush Lane wrote to the Trustees and Zoning Commission to express their thanks for the Boards listening to their concerns, "We appreciate the difficulty in trying to balance the needs of the Township versus the needs of our little tranquil subdivision "

**MR. FIEDELDEY**

Mr Fiedeldey reminded everyone about the May 30<sup>th</sup> Memorial Day gathering at 10:15 AM at the Heritage Memorial. At this gathering, we will honor veterans and all are welcome.

**CITIZEN ADDRESS**

Larry Schad of 11611 Stonemill Road came before the Board as he is the developer on a couple of subdivisions which he has requested variances on

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constructing sidewalks He thought about what he and his client could give to the township if they give the variance on the sidewalks Already, he feels they have given three things: followed 18% rule, which means they gave up two lots or \$250,000 value; removed the driveway cut from Prechtel, reduced; and given them the opportunity to vote on this While he understands what the Board is trying to do, he feels that it is a remote area where the sidewalks will go from no where to no where Mr Fiedeldey said he received a variance to set eight lots, instead of six Further, if we keep making exceptions, we will never have sidewalks

Carl Schramel of 3719 Sagebrush Lane came before the Board in reference to Yellowstone Lighting Last time, requested Sagebrush and Flattop be removed from the lighting district If other streets want it, that is fine He does not know where the front footage came from and why this is used Mr Reuter explained that this is the law

Mrs. Rielage said a new assessment was done by staff Mr Reuter said that if these streets are removed, the approval percentage increases Mr Reuter said we need not start over Mr Schramel again requested Sagebrush and Flattop be removed from the lighting district

Mr. Fiedeldey said the reason for the lights is in conjunction with the block watch program He wants to be sure this is for the whole community

Mr. Reuter said the district was originally for all of the streets The Board has the right to approve the entire district The new proposal is to take out two streets and the Board has the authority to do this, too

**UNFINISHED BUSINESS**

**PUBLIC WORKS**

**2005 Road Contract Awards**

Mr McClain requested the Board award the road contracts:

05-2	Surface Treating	Pavement Technology	\$65,736.12
05-3	Concrete Work	R A Miller Const	\$369,062.75
05-3A	Concrete Work (CD & Twp funded)	Brock & Sons	\$22,824.11
05-4	Resurfacing	Barrett Paving Materials	
	\$39,218.00		

Mrs Rielage made such motion and Mr Fiedeldey offered the second In response to Mr Fiedeldey's question, Mr McClain said the bids came in low and they only had to cut one street, instead of the two which were planned

The roll was called:  
Mr Fiedeldey "Aye"  
Mrs Rielage "Aye"

**LEGAL**

**Fire Demolition Fund**

Mr Reuter read resolution 18-05, "Providing for the Removal, Repair, or Securance of Insecure, Structurally Defective, or Unfit Buildings or Structures and Authorization of Demolition Expense Fund

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Mrs Rielage made such motion and Mr. Fiedeldey offered the second The roll was called:

Mr Fiedeldey "Aye"  
Mrs Rielage "Aye"

**Yellowstone Lighting District**

Mr Fiedeldey asked Chief Sarver about the lights He said the lighting district is a crime prevention in and of it self. The block watch is another proactive step. If lighting is part of it, that sends a signal to would-be criminals Partial lighting would be better than none

Mr Reuter said that these two streets could be added later. Mr. Fiedeldey said we have heard nothing from the people on Flattop

Karen Vanc of 9740 Flattop Drive said that she did not want lighting. They already have a light on the corner. She asked about how the cost would be divided and Mr Reuter explained.

Mike Collins of 3790 Sagebrush said that if they thought they had a problem with crime, they would welcome the lights. This is a very stable neighborhood with long-term residents. They watch out for each other

Mr Reutuer suggested that they Board could approve this for approve for Yellowstone and Susanna only

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

The roll was called:

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

**ADMINISTRATION**

**Community Development Block Grant Opt Out Program**

Mrs. Rielage motioned that the Township stay in the Community Development Block Grant Program for the next funding cycle. Mr. Fiedeldey offered the second

The roll was called:

Mr Fiedeldey "Aye"  
Mrs Rielage "Aye"

**NEW BUSINESS**

**FIRE DEPARTMENT**

**Vehicle Life Purchase**

Chief Smith requested the Board authorize him to purchase a floor mounted vehicle lift for the vehicle maintenance shop. The lift will have a capacity of 15,000 pounds, which will handle all of the EMS units and staff vehicles. The cost for a Rotary Inbay S151 is \$9,855.00, installed from Savage.

Mrs Rielage made such motion and Mr Fiedeldey offered the second

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Mr. Fiedeldey said the Department will pay for this by not filling the second maintenance position.

The roll was called:

Mr Fiedeldey "Aye"

Mrs Rielage "Aye"

#### **EMS Units, Force Main Connection, Compressor**

Chief Smith said that at the next meeting, he will bring to the Board information about replacement of the EMS units and quotes to do the connection to the force main at station 103. He also said that they are developing the bid specifications for the SCBA air compressor. They have placed this on a grant request, but are not able to wait for the grant.

#### **POLICE DEPARTMENT**

##### **Donation Acceptance**

Chief Sarver said the Department has received three more pieces of fitness equipment at a value of \$3,100. He said the Department is elated with equipment they have received.

Mrs. Rielage motion to accept the donation and Mr. Fiedeldey offered the second.

The roll was called:

Mr Fiedeldey "Aye"

Mrs Rielage "Aye"

Chief Sarver also reported that the Department held a DUI check point on Friday, May 20, 2005 from 11PM to 3AM. They stopped 192 vehicles and found 6 citations for DUI, 45 citations for not wearing seat belts; and 2 drivers were driving under suspension.

#### **PUBLIC WORKS**

##### **Advertise for Full-time supervisor**

Mr. McClain requested that the Board advertise for the full-time Public Works Road Supervisor position. This is a new position exempt from the collective bargaining agreement.

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

The roll was called:

Mr Fiedeldey "Aye"

Mrs Rielage "Aye"

#### **SENIOR CENTER**

##### **Acceptance of Landscape Bid**

Mrs. Klosterman requested the Board approve the landscaping bid from JPK Lawn and Landscaping, Inc. of \$3,000.

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

The roll was called:

Mr Fiedeldey "Aye"

Mrs Rielage "Aye"

**SERVICES**

**Request to Hire Part-time Seasonal Employees**

For Mr. Snyder, Mr Reuter requested approval to hire two new part-time seasonal employees to work with the summer program at Colerain Park at a starting rate of \$8 54/hour Andrew Even and Alex Meyer have volunteered with the program for several years and are now old enough to be hired on as employees

Mrs Rielage made such motion and Mr Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Fiedeldey "Aye"

Mrs Rielage "Aye"

**Part-time Pay Rate Increases**

For Mr Snyder, Mr Reuter requested pay increases for the following part-time employees, effective May 22, 2005:

Maintenance:

Tom Hines, part-time/permanent, to \$10 33/hour

Ryan Burgess, part-time/permanent, to \$10 07/hour

Gary Lauer, part-time/permanent, to \$9 78/hour

Paul Koch, part-time/permanent, to \$9 49/hour

Summer Program:

Krista Thiel, director, to \$11 39/hour

Greg Insko, counselor, to \$9 51/hour

Katie Thiel, counselor, to \$9 01/hour

Kaleb Meloy, counselor, to \$8 64/hour

Mr Fiedeldey made such motion and Mrs Rielage offered the second. Without discussion, the roll was called:

Mr. Fiedeldey "Aye"

Mrs Rielage "Aye"

**ZONING**

**Request to Set Public Hearing for Text Amendment**

Mr. Spriggs suggested the Board set their next regular meeting June 14, 2005, at 8:30 PM as the public hearing for Case ZA2005-07, the Text Amendment for the Open Space Development Regulations.

Mrs Rielage made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr Fiedeldey "Aye"

Mrs Rielage "Aye"

**Weed Abatement Resolution**

Mr Spriggs read Resolution 20-05, which allows for the abatement of weeds and debris at the noted properties

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Mrs Rielage made such motion and Mr Fiedeldey offered the second. Without discussion, the roll was called:

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

**Pippin Road Update**

Mr Spriggs updated the Board on actions relating to the property at 8992 Pippin Road. There have been numerous complaints about grass as well as the structure. The owner has been served a letter by the County building department with an order to repair. The Township will take action after the deadline to condemn the structure.

**Season Drive Update**

Mr Spriggs said that 10238 Season Drive has been condemned. He will come to Board with demolition resolution.

**Updates**

Hillendale Communities will go to public hearing.

**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 Fiedeldey "Aye"
- Mrs. Rielage "Aye"

The Clerk has received the following receipts:

REC	VENDOR	FOR	AMOUNT
277-05	Sr. & Community Center	Fees, don, lunch	83.50
278-05	Police Department	Court reimbursement	42.00
279-05	OTARMA	4-5 Board meeting	689.10
280-05	Police Department	Drug, DUI, State fines	732.50
281-05	Sr. & Community Center	Fees, rent, donation	1,040.01
282-05	Zoning Department	Certificates, BZA	733.04
283-05	Police Department	Court reimbursement	12.00
284-05	Fire & EMS Department	Permits	25.00
285-05	David F. & Frank B.	Cell calls	43.22
286-05	COA	COA for April	11,080.64
287-05	Administration	Escrow int. overpay	7.57
288-05	Fifth Third Bank	Investment primary	22,206.04
289-05	Star Ohio	Star interest - April	5,238.42
290-05	Hamilton County Auditor	1 <sup>st</sup> Qtr lodging tax	1,290.38
291-05	Memo Receipt		
292-05	Memo Receipt		
293-05	Memo Receipt		
294-05	Public Works Department	Signs, contract, permits, cells	393.26
295-05	Fire & EMS Department	Plan review & foster care	50.00
296-05	Sr. & Community Center	Fees, don, lunch	176.50
297-05	Police Department	SRO for April	4,228.60
298-05	Police Department	Court reimbursement	18.00
299-05	Sr. & Community Center	Don, lunch, refresh	136.00

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300-05	Rumpke	Solid waste disposal	41,205.54
301-05	Zoning Department	Jury duty reimbursement	95.00
302-05	Fire & EMS Department	Plan review	525.00
303-05	Parks & Services Dept.	Shelter reserve, refund	235.00
304-05	Fire & EMS Department	CPR, reports, tower, cell, sign, permit, etc.	1,859.47
305-05	Fire & EMS Department	EMS billing	36,318.65
306-05	Fire & EMS Department	Donations made in memory of Corky Snyder	875.00
307-05	Sr. & Community Center	Fees, don, lunch	1,056.50
308-05	Police Department	Imm & non vol. fees	580.00
309-05	Police Department	Ham. Co. DUI task force	3,134.16

Mrs Harlow requested the Board approve two appropriations adjustments:

Take \$418.48 from 1000-110-345-0005 (Advertising – Legal Advertising) and adjust that to 1000-110-345-0000 (Advertising)

Take \$1816.01 from 2903-110-599-0000 (TIF Colerain Square, other – other expenses) and adjust that to 2903-110-314-0000 (property tax collection fees).

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

Mr. Fiedeldey "Aye"  
Mrs Rielage "Aye"

Mrs Harlow reported that the Ohio Division of Liquor Control sent notice about a new license for Laila Alghanim DBA Food Mart at 3520 Springdale Road. Chief Sarver indicated that no public hearing would be necessary and the Board agreed.

Mrs Harlow also provided an update on the FEMA grant the Township received earlier this year to reimburse for part of the expenses to the major snow storm this winter. The federal grant covered 75% of the expenses, but the State has now come forward with the other 25%.

Mrs Rielage said that she knows staff has been working for a while on an update to the personnel policies. She suggested a July deadline for this project's completion. Mr. Reuter agreed.

Mrs Rielage motioned the Board recess until 8:30 PM. Mr Fiedeldey offered the second.

Mr Fiedeldey "Aye"  
Mrs. Rielage "Aye"

The Board reconvened at 8:31 PM

Mrs Rielage motioned to set a Special meeting of the Board on Thursday, May 26, 2005, at 5:00 PM, for the purpose of discussing the TIF for the Stone Creek and going into Executive Session for the purpose of discussing pending litigation. Mr. Fiedeldey seconded the motion.

Mr Fiedeldey "Aye"  
Mrs Rielage "Aye"

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**PUBLIC HEARING****ZA2005-05 Circle Storage Phase II**

Mr. Spriggs read the staff report. This is a major amendment to a previous zone change.

**Rick and Sue Reitenback of 3579 Struble Road** are not able to attend, but wanted to voice their concerns in a letter to the Board. They have problems with lights shining into their home and request an 8' privacy fence be installed.

Mrs. Rielage asked about condition 9. Mr. Spriggs said this is dealing with the ODOT area.

Mr. Fiedeldey said the blue spruce now do not provide the opacity required.

Mr. Fiedeldey asked about condition 6B. This came from phase 1.

Mr. Tom Abercrombie, engineer for the applicant, 3377 Compton Road, said the project was originally approved in 2000. The Rumpke industrial park has gone ahead and sanitary sewer run across the western part of the property. This project is two additional storage buildings and three office/warehouse buildings. Also, there is outside storage for motor homes, boats on trailers, etc.

Mr. Filippi wrote a letter to Board about the conditions set-forth by the zoning commission.

**Nick Filippi, 10988 Deerfield Road, Grasshopper Investments** said the plan is in process and previous conditions have not been met. They anticipated developing sooner, but their client has changed. They are now fully prepared to meet all of the conditions with a very attractive plan. They want to be treated fair in the neighborhood and will take care of things to be a good neighbor. They do intend to keep the grass cut.

Mr. Fiedeldey asked about the ODOT moratorium since 2004. Mr. Philip said the landscaping was from the last application, but it was not installed. There were some bushes mowed down in the right of way. They are still working with ODOT.

Mr. Fiedeldey asked about moving the blue spruce from the fence line to the frontage. Mr. Filippi said this it to start new at the western property line and these are viable trees.

Mr. Filippi, Mr. Abercrombie and Mr. Cookenbook from Tepe Landscaping showed the Board a new landscaping plan.

Mr. Fiedeldey asked about plantings required by the original plan. Mr. Filippi said Mr. Schneider felt that if the sewer was coming though they would be removed. Mr. Filippi said that they are now willing to take that risk. They are also willing to put up a fence before they begin construction.

Mr. Fiedeldey asked Mr. Abercrombie asked about the retention pond. He said the original pond was meant for the whole site. It drains toward the Furrow site and to Blue Rock Creek.

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Mr. Abercrombie discussed the sidewalks and said that Rumpke and Colerain RV were not required to install sidewalks

Mrs. Rielage said that it is not the developer's place to reject or accept conditions. This is perhaps not a good choice of words. Mr. Filippi apologized

Mr. Filippi discussed the conditions to which they object and requested modification.

The outdoor parking is "corralled" in the middle of the buildings. This is meant for road-worthy vehicles or trailers. The buildings were modeled after the Colerain Administration building with a green roof and bricks. The fence will screen the storage areas. The dumpster will be along the retaining wall on eastern boundary adjacent to Colerain RV. There is a privacy fence on three sides, for ease of use by clients.

Mrs. Rielage motioned for a five-minute recess. Mr. Fiedeldey offered the second

Mr. Fiedeldey, "Aye"

Mrs. Rielage "Aye"

The Board reconvened at 10:01 PM

Mr. Filippi said condition #7 referred to the clearing limits, but the site is now cleared. The old garage and surrounding trees will be torn down and vegetation to be replaced with grass.

Mr. Filippi said he is fully supportive of Condition 8. There is a grass island anticipated along the storage building and additional landscaping as needed.

Mr. Filippi said that with condition 14, the lighting poles will be reduced 12'. The lens on light provides a direct casting into the neighbor's property. A deflector will be placed to alleviate this and provide the necessary foot candles. The wallpacks on the western sides of the building will be removed.

Mr. Filippi said condition 15 is a carry over from the first resolution as the access has not changed; this seems to be irrelevant.

Mr. Fiedeldey called for citizen address. No one signed up for citizen address.

Mr. Fiedeldey said that based on phase 1 drawings and what the developer did not do, he is reluctant to buy into what Mr. Filippi said. He wants to be sure it will really be done as it was not done in the first phase. He sees two options:

1. Continue meeting until everything from phase 1 is complete
2. Withdraw this submittal

Mr. Philip said he would be willing to accept the first, but would like a clearer definition of what should be completed. Mr. Fiedeldey said this is clear on the drawings.

Mrs. Rielage said the landscaping island is very similar to the one in the original plan.

Mr. Spriggs asked what in phase 1 they are not able to complete. Mr. Filippi said the plans have changed. The landscaping was not completed for the plan. His goal is to reach the end product sooner and could install the plant material before approval to improve their property.

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

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 8101

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Mr. Fiedeldey said the white pines need to be installed at the retention pond. The buffer on the western border needs more in-fill. The landscaping on Struble Road must be installed.

Mrs. Rielage said there will probably be more conditions the next time. Mr. Fiedeldey said they are cleaning up what they agreed to do three years ago and have not done.

Mr. Filippi asked for a continuation of the case until the conditions of phase 1 can be complete.

Mrs. Rielage moved to continue case to a future meeting, per the applicant's request and Mr. Fiedeldey offered the second.

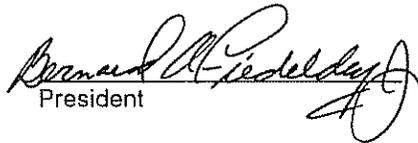
Mr. Fiedeldey "Aye"  
Mrs. Rielage "Aye"

**ADJOURNMENT**

With no further business to come before the Board, at 10:24 PM, Mrs. Rielage motioned for adjournment. Mr. Fiedeldey offered a second.

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

  
Clerk

  
President