

July 12, 2005

Held**OPENING OF MEETING**

Mr. Fiedeldey called the meeting to order at 6:02 PM with Mr. Fiedeldey, Mrs. Rielage, and Mrs. Harlow in attendance. Mr. Corman was absent due to illness.

**EXECUTIVE SESSION**

Mr. Reuter requested the Board go into Executive Session for the purpose of discussing matters relating to imminent litigation involving the Township, negotiation of benefits under collective bargaining, and contracts involving the Township.

At 6:03 PM, Mrs. Rielage made such motion and Mr. Fiedeldey offered the second. No discussion and the roll was called:

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

The Board reconvened at 7:14 PM

**PLEDGE – INVOCATION**

Mrs. Rielage announced that The Pledge of Allegiance would be led by Girl Scout Troop 2925 from Colerain High School and that Pastor Jerome Byrd of Good News Baptist Church would offer the invocation.

**APPROVAL OF PREVIOUS MEETING MINUTES**

Mrs. Rielage motioned to waive the reading and approve the minutes of the May 17, 2005 special meeting. Mr. Fiedeldey offered the second.

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

Mrs. Rielage motioned to waive the reading and approve the minutes of the May 24, 2005 regular meeting. Mr. Fiedeldey offered the second.

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

Mrs. Rielage motioned to waive the reading and approve the minutes of the May 26, 2005 special meeting. Mr. Fiedeldey offered the second.

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

Mrs. Rielage motioned to waive the reading and approve the minutes of the June 23, 2005 special meeting. Mr. Fiedeldey offered the second.

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

Mr. Fiedeldey requested that Mr. Reuter review the minutes of the May 10, 2005, regular meeting.

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**PRESENTATION – GRACE ACRES LIGHTING DISTRICT**

Mr. Foglesong reported that the Colerain Township Board of Trustees was presented with a petition on June 20, 2005 from property owners on Millie's Court, for an additional streetlight to be placed on Wuest Road, within Colerain Township. The required 51% front footage signatures have been received with 77% in favor. Total front footage of 2,573' necessary and 1,969 04' received. Additional lighting cost to each property owner is approximately \$ 48 month. One new light will be installed as scheduled by Cinergy depending on workload.

Mr. Fiedeldey asked for public comment. There was no one wishing to address the Board. Mrs. Rielage motioned to close the public comment section and Mr. Fiedeldey seconded.

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

Mr. Foglesong read resolution #25-05, Grace Acres Lighting District Lighting District – Addition. Mrs. Rielage made such motion and Mr. Fiedeldey seconded.

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

**SHERIFF REPORT**

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

**PRESENTATION – "ACTIVE FOR LIFE"**

Mrs. Klosterman introduced Stacy Wegley from the Hamilton County Health District, who made a presentation about the "Active for Life" program. This program, held at the Colerain Senior Center, helps adults age 50 and older to become more physically active in their everyday life. There have been about 500 participants in the program locally, with about 70 from the Colerain area.

**TRUSTEES' REPORT**

**MRS. RIELAGE**

Mrs. Rielage read a note from Kathy Dale, a Semloh Ave. resident and the Township's Land Use Planner, thanking the Public Works Department for a job well done on cleaning up the debris from a very large tree falling the night before at a neighbor's residence.

Mrs. Rielage also read several notes from residents expressing their delight with the Fourth of July Fireworks Spectacular. Shelly Smith said, "Spectacular! Thank you for another wonderful show." Mr. and Mrs. Paul Drago said "The fireworks/laser show were the best ever." Pamela Collins said, "Thank you!!! The fireworks were fantastic." Kathy from Northgate Mall said, "Wow! The fireworks and laser show were great."

**MR. FIEDELDEY**

Mr. Fiedeldey said there was some e-mail correspondence, which puts the Board in a bad light with a resident. The resident asked for help and one Board member replied.

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Mrs Harlow read a letter from Mr Corman about this topic:

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To the Board:

On July 7, the Board of Trustees was forwarded an E-mail from a constituent, Mr Josef Strecker, inquiring about loud noises he has been hearing during the past couple of months. The e-mail was forwarded to all members of the Board as well as related department heads

In response, one of the trustees took it upon their self to refer the question to their spouse for reply. First of all, as a member of this board, I am far from being pleased to have any inquiry from anyone, especially a constituent, to be forwarded to any person other than an official of the Township for any reply. This gives the impression that the answer is official and is the policy of this local government. Furthermore, it sends a message that the elected officials have a lack of confidence in their department heads answering such questions properly. Last, it is in no way proper procedure

It is my opinion this type of action can not be tolerated and thereby, I resolved, we introduce an official policy that all statements in regards to the township government be through the board and/or department heads.  
**NO EXCEPTIONS!**

Keith N. Corman  
Colerain Township Trustee

Mr. Fiedeldey said that Mr Rielage is not an official of this Township in any matter. His response to a resident is contradictory to what our own Capt. Walsh indicated to the resident. He said this is not about Mr Rielage, but about representing the Township. He read from the e-mail, which said that an innocent woman was shot in Over-the-Rhine, and there issues of more importance in that area than fireworks

He said to Mrs Rielage: it is not appropriate when a resident comes to the Board, to have another resident give an official answer. Further, to basically tell them that the issue is not of importance is upsetting to him personally. He wondered how much more has this happened?

Mr. Fiedeldey said the resident replied and said he was disappointed with the reply he received

Mr. Fiedeldey said this type of response to a resident is out of line. It is not the feeling of Mr. Corman and not of himself. He asked how we prevent this from happening in the future

Mrs. Rielage said that she regrets that was taken as representing the Township as she did not mean it was official for the Township. She regrets that she upset the resident. She said that she did not have the expertise to answer, so turned it over to someone for more information. She said she wanted to answer quickly since it was the weekend. Mr Fiedeldey said it was July 5<sup>th</sup>, not the weekend

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Mr Fiedeldey said Mr Snyder gave him notice about a clean sweep of the Great Miami River, July 22-23, which will go from Indian Lake to the Ohio River

**CITIZEN ADDRESS**

**Delores Kuhn of 9878 Loralinda Drive** said she has been before the Board before about the vacant house next door They have not cut the grass at all this year She notified the Township in May Mr Fiedeldey said this is on the resolution we will pass tonight: we will cut the grass and charge them for that, plus a \$250 fee Ms Kuhn also said there is a gate in poor repair Mr Spriggs said we will look at this

**David Tiettmeyer of 6083 Thompson Road** spoke before the Board about the Trails of Thompson development Since there was some activity on site, he wondered if some agreement was reached with the developer Mr Fiedeldey said that we have not and discussed some of the specifications.

**Kim Grynienski of 2966 Atwater Drive** and several of her neighbors spoke before the Board about the property at 2987 Atwater Drive She said she ontacted CMHA and they said to come here because this is a Section 8 property She said the condition of home and tenants' behavior is not appropriate CMHA said the problem is with the landlord.

Mr Fiedeldey asked Mr Foglesong what we can do Mr Foglesong said he will contact the County Community Development as they can revoke a voucher He said we can also contact property owner and remind them of their responsibilities Mr Fiedeldey told her not to wait four years if this is a problem She gave copy of letter she sent to CMHA to the Clerk for dissemination to the proper Township employees and officials

**Millie Dorn of 2979 Atwater** relayed the condition of the house She said Thunder Realties on Colerain Ave owns the house.

**John O'Brian of 4869 Springdale Road** spoke to the Board because retaining wall in his yard is starting to crack and there are water leaking issues Springdale and Poole roads are county roads Mr McClain said if it is in the right-of-way, this is the County's responsibility He will contact the appropriate authorities and call Mr O'Brian

Steve Preston lives across the street from the house in question. He discussed the behavior of the tenants and the condition of the house When he called the property owners, they told him to mind his own business and "get a life," then hung up on him

**Gayle Epure of 11607 Pippin Road** offered her thanks to thanks to Misters Spriggs, Fiedeldey, Reuter, and Birkenhauer for their work with the Rumpke request to the Hamilton County Regional Planning Commission

**Leo Sampson of 2990 Merino Drive** has the same issues on Atwater. He said Section 8 has the authority to cut off the subsidy. Section 8 has toured the house He recently found a large tire leaning against his fence, filled with water He has called the Township police department. He said this is a terrible situation that must be taken care of ASAP Mr Fiedeldey said they should have come to the Board sooner

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**UNFINISHED BUSINESS**  
**SERVICES****Heritage Park Update**

Mr. Snyder discussed prices for the installation of ball fields at Heritage Park: \$30,000 per field, backstops, safety fence, dugouts, etc , for \$120,000 total. He contacted Human Nature for an estimate to design it because he wants it to be like Colerain Park.

For the parking area, he would like to grade it out and install dry wells. He said there might be an issue with Texas gas, but that can be done as a change order.

**LEGAL****Nuisance Property Update**

Mr. Reuter read resolution 26-05, "Resolution for Securance and Removal of Unsafe Structure at 10238 Season Drive "

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

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

Mr. Reuter also gave the Board an update about the property at 8992 Pippin Road. He said that the building department did not condemn this structure. Jerry Quinn has had contact with the estate attorney of the deceased owner. He said that we must move more carefully since it has not been condemned. The property has been declared unsafe and a nuisance. Mr. Reuter will speak with the estate's attorney on this matter.

**Employee Personnel Policies**

Mr. Reuter said this is a collection of employee personnel policies. He would like this to be deferred to the August regular meeting.

**ADMINISTRATION****2006 Estimated Budget**

Mr. Foglesong said this is a public hearing for the 2006 budget. He provided the entire budget to the Board for review. Mr. Foglesong read the summary of the budget for the Board.

Mrs. Rielage motioned to approve the estimated budget and Mr. Fiedeldey offered the second. Mr. Fiedeldey asked how this compares to the 2005 budget. It is less than 2005. The roll was called:

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

**Electric & Gas Aggregation**

Mr. Foglesong said that he received more information today on this. He suggested the board hold a special meeting with a public hearing on this issue or wait until the August regular meeting. He said that we will have subsequent hearings on this as well. Mrs. Rielage suggested we do this as a special meeting.

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Mrs Rielage motioned to set a special meeting on July 26, 2005, at 5:30 PM for executive session, with the public forum for electrical aggregation and other business at 7:00 PM Mr Fiedeldey offered the second The roll was called:

Mrs Rielage "Aye"  
Mr Fiedeldey "Aye"

**NEW BUSINESS**

**FIRE DEPARTMENT**

**Part-time Seasonal Hire**

Chief Smith said that one of the seasonal employees submitted his resignation from one of the seasonal hydrant positions Chief Smith requested the Board hire Timothy Michael at the rate of \$9.00/hour to fill the position Mrs Rielage made such motion and Mr Fiedeldey offered the second No discussion and the roll was called:

Mrs Rielage "Aye"  
Mr Fiedeldey "Aye"

**Pay Rate Adjustment**

Chief Smith requested a pay rate adjustment for Jeremy Metz, taking him to \$12.29/hour, effective June 21, 2005.

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

Mrs Rielage "Aye"  
Mr Fiedeldey "Aye"

**Pay Journalization**

Chief Smith reported several step increases, all effective July 13, 2005:

- Tim Beach to \$63,261.56/year
- Darian Edwards to \$63,261.56/year
- Chris Hopkins to \$63,261.56/year
- John McNally to \$63,261.56/year
- Allen Walls to \$63,261.56/year

**POLICE DEPARTMENT**

**Pay Journalization**

Chief Sarver noted a pay journalization for Joseph Redmond, effective 7/16/05, to step 5, with a rate of \$53,593.41 per year.

**PARKS**

**Window Installation Quote Approval**

Mr Snyder requested approval to replace windows in the Parks Office garage. He said they priced the job two ways. The first option was to use split-faced brick to reduce the window size and install sliding glass windows. The second option was to replace the existing windows with glass block. He recommended the Board approve this option because of price, security, and the additional lighting it will provide. He recommended that the Board approve Mid-America Glass Block for \$6,275.00.

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

Mrs Rielage "Aye"

Mr Fiedeldey "Aye"

#### Heritage Park Change Order Approval

Mr Snyder requested approval of a change order for the fence along East Miami River Road at Heritage Park They have changed the design of the fence, resulting in the ability to purchase more fence at no additional cost.

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

Mrs Rielage "Aye"

Mr Fiedeldey "Aye"

#### ZONING

##### Request to Set Public Hearing: Klei Mowers on Colerain Ave.

Mr Spriggs said the applicant has requested a zone change from residence to planned retail He requested the Board set a public hearing for August 9, 2005, at 8:30 PM

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

Mrs Rielage "Aye"

Mr Fiedeldey "Aye"

#### Weed Abatement Resolution

Mr Spriggs read resolution 27-05, which authorizes the abatement, control or removal, of any vegetation, garbage, refuse, or other debris

Mr Fiedeldey made such motion and Mrs Rielage offered the second. Mrs Rielage said the property on Greenriever has a realtor sign. Mr Reuter said the realtor takes care of the property if retained as a property manager by the owner.

The roll was called:

Mrs Rielage "Aye"

Mr Fiedeldey "Aye"

#### Updates

Mr Spriggs said the Hamilton County Regional Planning Commission unanimously approved the Rumpke Land Use Map request to change over 400 acres of the RPC version of the land use map from residential to heavy industrial/PMUE/Greenspace for the purpose of landfill expansion

Mr Spriggs said that the Hillandale Communities – Livingston Road Retirement case ZA2005-08 was recommended with a 4-0 approval to the Colerain Township Zoning Commission by the Hamilton County Regional Planning Commission The Colerain Township Zoning Commission will hold its public hearing on July 19, 2005, at 7:00 PM

Mr Fiedeldey said that one of the signs is not legible Mr Spriggs said that this will be corrected

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**LEGAL**

**Resolution Placing Fire Levy Renewal on the November Ballot**

Mr. Reuter read resolution 28-05, "Resolution Certifying Proposed Fire Levy Renewal Questions to Hamilton County Auditor."

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

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

**ADMINISTRATION**

**2005-2006 Health Care Coverage Cost**

Mr. Foglesong said this is still in review by committee for consideration and recommendation to the Board. Mr. Foglesong requested authorization to renew the coverage at the highest level. Mrs. Rielage motioned to renew at rates not to exceed the highest level and Mr. Fiedeldey offered the second.

Mr. Fiedeldey said we joined a consortium to lower the price. Mr. Foglesong explained the benefits and costs. Mrs. Rielage suggested we wait until the next meeting and gather more information. Mr. Foglesong will compare the plans with what we had previously.

**Appointment of Member to 911 Planning Committee**

Mr. Foglesong said that the City of Cincinnati has initiated the convening of a 911 Committee. In the resolution they passed, the committee stated that Colerain Township, as the most populous unincorporated area, has a seat on the 911 Committee. He requested the Board select a member to serve on this committee, which is scheduled to meet within the next 30 days.

Mr. Fiedeldey asked if the County will go ahead with this as well.

Mr. Fiedeldey motioned to nominate Mrs. Rielage to serve on the committee.

At 9:46 PM, Mrs. Rielage motioned for a five minute recess and Mr. Fiedeldey offered the second. The roll was called:

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

The Board reconvened at 9:56 PM.

**PUBLIC HEARING**

**Circle Storage**

Mr. Spriggs said they presented the staff report a month ago. At that time, the Board said there were some details, which they could not approve, including work in west buffer.

Mrs. Rielage asked if it is odd for an applicant to ask for a phase 2, when phase 1 was not complete.

Mr. Spriggs showed photos of the work that has been completed. The Landscape Advisory Committee performed a field inspection. While they had



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some concerns about the installation practices, they felt that was out of the authority.

Nick Phillipi of Grasshopper Investments is the developer

Mrs. Rielage asked the developer to explain the site plan, the purpose of each building, and when each building would be built

Mr. Fiedeldey said the Zoning Commission should not set policy for this Board. Outside storage should be put under roof

Mrs Rielage said that the Township is giving up an office building because that is what we had previously. She can see a need for the office, but not for the outside parking. Mr. Fiedeldey said to build the buildings, but put the vehicles inside.

Mr Phillipi said the area for the parking lot has other potential. Mr Fiedeldey suggested they revise the drawing to reconfigure the buildings

Mr. Phillipi said they planned according to the zoning and asked the Board to vote on the conditions and the development plan.

Mr. Fiedeldey asked if anyone would like to address the Board. There was no one. Mrs Rielage motioned to close the public hearing and Mr Fiedeldey offered the second. The roll was called:

Mrs Rielage "Aye"  
Mr. Fiedeldey "Aye"

Mrs Rielage motioned to approve the zoning commission's recommendation for approval of the plan and Mr Fiedeldey offered the second.

Mr. Fiedeldey said that this case was originally presented to the Board was a zone change from residential to light industrial. One of the original covenants was no outside storage. This is in opposition to those covenants.

Mrs Rielage "Nay"  
Mr Fiedeldey "Nay"

#### 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. The roll was called:

Mrs Rielage "Aye"  
Mr Fiedeldey "Aye"

The Clerk has received the following receipts:

REC	VENDOR	FOR	AMOUNT
343-05	Dusty Rhodes	Municipal court fines	7,503.10
344-05	Memo Receipt		
345-05	Fire & EMS Department	Plan review	75.00
346-05	Parks & Services	Shelter reserve & t-shirts	95 00
347-05	David F. & Frank B.	Cell calls	47.51

**RECORD OF PROCEEDINGS**  
REGULAR

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

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

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348-05	Fire & EMS Department	Inspection fee	30.00
349-05	Police Department	Detail car	24.00
350-05	Sr. & Community Center	Rent, don, lunch	528.91
351-05	Police Department	Court reimbursement	6.00
352-05	Sr. & Community Center	Fees, don, lunch	105.00
353-05	Bureau of Workers Comp	Workers comp p refund	1,132.88
354-05	Sr. & Community Center	Crafts, fees, don	119.60
355-05	Zoning Department	Certificates, BZA, amendments, other	2,581.96
356-05	Police Department	Court reimb, resource officer, fees	4,618.88
357-05	Sr. & Community Center	Fees, don, lunch	96.75
358-05	Police Department	Court reimbursement	6.00
359-05	Parks & Services	T-shirts, shelter rental	416.00
360-05	Fire & EMS Department	Plan reviews	150.00
361-05	Rumpke	Solid waste disposal fee	43,282.82
362-05	Dusty Rhodes	Real estate settlement	1,765,000.00
363-05	Dusty Rhodes	Gov high, perm, motor	42,405.65
364-05	Memo Receipt		
365-05	Police Department	OJP – may	13,409.00
366-05	Council on Aging	COA – may	11,163.97
367-05	Fifth Third Bank	Invest interest, gen inter	76,848.11
368-05	Fifth Third Bank	Now interest – may	19,032.67
369-05	Fifth Third Bank	Bond interest – may	4,379.90
370-05	Star Ohio	Investment Star	5,746.39
371-05	Police Department	Reports & fingerprints	168.00
372-05	Fire & EMS Department	Revenue Adjustment	235.00
373-05	Zoning Department	Certificate	35.00
374-05	Parks & Services	Shelter reservation	70.00
375-05	Sr. & Community Center	Fees, rent, lunch	1,072.50
376-05	Sr. & Community Center	Fees, rent, don, lunch	308.75
377-05	Dusty Rhodes	SIF, Rev assist, fin inst	81,430.00
378-05	Dusty Rhodes	Gas tax – april	15,320.23
379-05	Dusty Rhodes	Gas tax, real estate adv	2,190,909.37
380-05	Fire & EMS Department	Memo Receipt	
381-05	Fire & EMS Department	Inspection fee	25.00
382-05	Zoning Department	Certificates, BZA, other	1,591.80
383-05	Police Department	Cell phone reimburse	181.79
384-05	Sr. & Community Center	Fees, don, rent, lunch	928.20
385-05	Police Department	Voice stress payment	200.00
386-05	Dell	Overpayment refund	210.10
387-05	Fire & EMS Department	Plan review fees	325.00
388-05	Parks & Services	Amphitheater & shelter	135.00
389-05	Police Department	Court reimbursement	12.00
390-05	Sr. & Community Center	Crafts, rent, don, lunch	769.07
391-05	Police Department	Court reimbursement	48.00
392-05	Zoning Department	Permits, appeal case, other	1,106.80
393-05	Fire & EMS Department	Cell, reimb, reports, cttc rent, clean equip, signs	6,629.75
394-05	Fire & EMS Department	Inspection fee	15.00
395-05	Fire & EMS Department	EMS billing	74,129.87

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Mrs. Harlow requested an appropriation adjustment in the amount of \$23,350.00 from 1000-930-930-000 (contingencies) to 1000-190-370-0015 (Storm Water District). Mrs. Rielage made such motion and Mr Fiedeldey offered the second

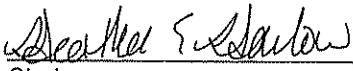
The roll was called:

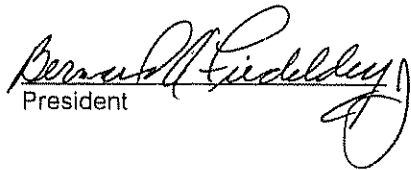
- Mrs Rielage "Aye"
- Mr Fiedeldey "Aye"

**ADJOURNMENT**

With no further business to come before the Board, at 10:38 PM, Mrs Rielage motioned for adjournment. Mr. Fiedeldey offered a second

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

  
 \_\_\_\_\_  
 Clerk

  
 \_\_\_\_\_  
 President