

Held

September 11, 2007

OPENING OF MEETING

Mr. Fiedeldey called the meeting to order at 6:05 PM with Mr. Corman, Mr. Fiedeldey, Mr. Ritter, and Mrs. Harlow in attendance.

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing matters related to pending and imminent litigation, the appointment of a public official, and the negotiation of a contract to which the Township is a party.

At 6:07 PM, Mr. Corman made a motion to enter executive session and Mr. Ritter offered the second. No discussion and the roll was called:

Mr. Corman. "Aye"
Mr. Fiedeldey. "Aye"
Mr. Ritter. "Aye"

Mr. Fiedeldey reconvened the meeting at 7:10 PM. Mr. Reuter said no decisions or actions were made in executive session.

INVOCATION

Mrs. Harlow offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

PRESENTATION/PUBLIC HEARING**Police Department – Presentation to Creekwood Village Condo Association**

Chief Sarver said the Police Department practices a Community Oriented Policing philosophy. The Creekwood Village Condo Association community stepped-up and did what they needed to do to make their community a better place. Officer Tyus said there was an issue with loitering and drinking, etc. in a wooded lot. This community took the initiative to solve this problem by cutting down trees, etc. She said the transformation is amazing. Chief Sarver said the juveniles could see the police coming and would scatter.

Bill Horst, president of Condo Association, introduced Bev Anderson and Debra Hester, trustees for the association. He commended his fellow board members for addressing a community problem on their property. They came forward with the money, \$6,500, to get the lot cleared. He is proud of the board to recognize the problem and take care of it.

Chief Sarver presented a certificate to the Creekwood Village Condo Association.

Fire Department – Promotion Swearing-in Ceremony

Chief Smith administered the oath to new officers, Alan Walls, Division Chief of Training and Chris Ruwe, Captain.

Northgate Mall and KKG – Northgate Mall Square

Mr. Birkenhauer introduced Jerry Weller from Northgate Mall. Mr. Weller said he is accompanied by some of their consultants and he was in attendance to address the BP corner and the neighborhood in general.

The representatives from KKG, the Mall's consultant, discussed some of the Board's likes/dislikes from the working session. They discussed some of the issues, such as lack of pedestrian friendly areas, lack of defined gateways or

Held

September 11, 2007

way finding elements. There is the opportunity to develop an identity for the district, Colerain Ave. enhancements, Springdale Road enhancements, and the Northgate gateway intersection. He offered a sample sketch for how to possibly tackle the pedestrian issues, including moving the sidewalk up in the parking lot, away from the road. He said plantings could help to hide the retaining wall. He offered a sample rendering of the bridge, which can be an element to promote the district or serve as a gateway, creating a sense of identity. He offered some enhancements to Springdale Road, including a bikeway connection to the Township Government Complex and residential areas. To reduce "clutter," he suggested elimination of span-wire traffic signals and consider mast arm signals. He offered some gateway development opportunities for the corner of Colerain and Springdale. This must be both visual and functional, be an active use space and economic engine, and establish a strong pedestrian link between mall, corridor and the Township Complex. He presented high range cost allowances: gateway: \$1.2 million; Colerain Ave.: \$3.6 million; and Springdale Road: \$1.7 million.

Mr. Ritter asked about the issues with wiring traffic signals, etc. and asked about the ideal height of tower. The consultant said 30', but there are ways to make it look taller, with light cannons, etc. He said there are two ways to view this: from the car or from the pedestrian level.

Mr. Ritter asked about outdoor seating at the restaurant sites. The consultant said this is part of the design and he suggested those be elevated a bit to allow a better view of the area. The fountain should be lively, to mask the traffic sounds in the area.

Mr. Ritter asked about the "bump out" on Colerain Avenue, preventing a continuous lane from Stone Creek Town Center to Northgate Mall. KKG said that ODOT probably would not approve this.

Mr. Corman complimented them on the job. He feels strongly that it follows our comprehensive plan for the retail district. It brings a positive impact to our community and those who visit us. This could be the shot in the arm to help our community with development.

Mr. Fiedeldey discussed the "bite sized pieces" and liked the comment from the consultant. He asked about the right in/right out only at the intersection, additional curb cuts. Mr. Fiedeldey said they should do the main corridor before they begin the side streets.

Mr. Fiedeldey and KKG discussed the public/private issues.

Mr. Ritter asked Mr. Birkenhauer for his opinion on the project. He said the public/private issues are not uncommon and can be taken care of easily. Mr. Weller discussed the budget. He said they are trying to remain competitive in the playfield, with Kenwood, Tri-County, etc.

Richard LaJeunesse with Graydon, Head and Ritchey said that with the design and dollars, we will be able to determine what is public/private.

Mr. Corman asked if we're giving them the OK to go ahead and get us more for the next meeting. He said we should make it a priority to work on the power lines. Mr. Ritter said that we need a time frame for next steps and prioritize what needs to be done. He asked that the mall give the Board the budgets for each of these three ideas. Mr. Corman said that we just need to keep moving on it.

Held

September 11, 2007

Mr. Fiedeldey asked if the mall owns the BP property yet. Mr. LaJeunesse said that there are three parcels and there is environmental remediation. Mr. Birkenhauer said that with BP's contract, there must be a public component.

CITIZEN ADDRESS

Sheila Shreve said she and her husband are developing the property on Meadow Lake Estates. They invested all they have and are trying to make the community better. She would like to see better restaurants and better shops. She is happy to support the TIF proposal.

Carrie Davis spoke to the Board about their failure to act proactively. She said that reporters from the top three newspapers in the state have investigated. Something really bad happened in Colerain Township: the taxpayers have been fleeced. Mr. Fiedeldey said she had her say last meeting. If this Board did something wrong, then go to whatever agency and file charges. She wants the Board to reconsider this and negotiate. Contract is still a direct violation of state law, but they can work to fix it now. Mr. Fiedeldey said ODNR would let us know if we did something. She said we're in a corrective action plan. He said that the volunteers fixed up the property and the kids have a place to play. Again, there will be a park created at no cost to the Township. Mr. Reuter said there is a meeting set-up for next week. ODNR chief auditor came down and did a review, complete report. If we did something wrong, we'll fix it. Ms. Davis said that this lease needs to be amended so we are not risking the money. She said we are being investigated by the Attorney General and EPA.

Mr. Ritter thanked Mrs. Shreve for her support of the community.

TRUSTEE REPORTS

MR. RITTER

No report.

MR. CORMAN

Mr. Corman said that we have a tradition of recognizing German societies in Colerain Township at the time of their Oktoberfest. It is now time for the Donauschwaben Society Oktoberfest. Mr. Corman read the certificate, which will be presented to them at the festival on October 6.

At the request of Dr. Tolzmann of the University of Cincinnati, Mr. Corman recognized September as the 19th annual German-American Heritage Month.

Mr. Corman said that we have received complaints from the public about offensive vapors from the landfill. He suggested we ask the Health District to see what it would take to establish a 24/7 on-site station and lab. He estimates it would cost \$350,000 to construct, with \$150,000 in equipment and \$250,000/year in salaries.

Mr. Fiedeldey asked who would pay for it. Mr. Corman said the Solid Waste District.

Mr. Ritter said he supports the concept, but would not support spending Township funds on this.

Mr. Corman said that there are two problems: one is with the time frame of the response and the other is with who has the jurisdictional authority.

Held

September 11, 2007

He congratulated the residents at Creekwood for their diligence.

Mr. Fiedeldey said that he thinks Mr. Ingram would support this. The Hamilton County Solid Waste District Policy Committee set aside \$60,000 for additional inspections. He said he would propose this at the next meeting of the Policy Committee, which is supported by the landfill's fees. Mr. Corman said that he has spoken with Mr. Ingram about this.

MR. FIEDELDEY

Mr. Fiedeldey suggested we place a "Welcome" sign on the bridge over Colerain Avenue as a way to welcome travelers to Colerain Township.

POLICE REPORTS

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in July 2007:

- 97 cases were assigned to the Sheriff's Criminal Investigation Section and 47 were closed, with \$93,520.00 in stolen property recovered.
- 15 D.U.I. arrests by County contract and non-contract Deputies. 180 citations were issued in July by Hamilton County Sheriff's Office Colerain Contract cars and 144 by County Deputies. Total 324.

Chief Sarver said the Township's department issued 317 citations with 9 arrests for DUI.

At 9:05PM, Mr. Ritter motioned for a 5-minute recess. Mr. Corman offered the second.

- Mr. Corman "Aye"
- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"

The Board reconvened at 9:10PM.

UNFINISHED BUSINESS

PARKS AND SERVICES

Electric to Heritage Park

Mr. Schwartzhoff presented the Board with recommendations for the electric services for the lighting and well pump at Heritage Park. He said that Butler Rural Electric is less expensive than Duke Energy. He also provided price estimates from a company for each phase of the project.

Mr. Schwartzhoff and the Board had a discussion about an irrigation system for the ball fields. Mr. Ritter said this was tabled last year and the fields were to be watered manually as there was too long of a pay-back period on the irrigation system. Mr. Schwartzhoff said the manual irrigation is not as good. Mr. Fiedeldey said that this is assuming that future years will have a draught as bad as this year. He said that we installed underground drainage. Mr. Corman said these fields get more trampled than a home lawn.

Mr. Fiedeldey reminded Mr. Schwartzhoff that this project will still need to be bid by other private enterprises, not just the one estimate we have already received.

ZONING

Resolutions for Journalization – ZA2007-02 and ZA2007-03

Dr. Roschke read Resolution 41-07, Metalworking Group

Held _____

September 11, 2007

Mr. Corman made such motion and Mr. Ritter offered the second. The roll was called:

Mr. Corman. "Aye"
Mr. Fiedeldey. "Nay"
Mr. Ritter. "Aye"

Dr. Roschke read Resolution 42-07, Valvoline.

Mr. Ritter made such motion and Mr. Corman offered the second. The roll was called:

Mr. Corman. "Aye"
Mr. Fiedeldey. "Aye"
Mr. Ritter. "Aye"

LEGAL

Daytime Curfew Resolution

Mr. Reuter said that at the last meeting, the Board asked for members of the public to review and comment on this. He said the draft resolution has not changed.

Mr. Fiedeldey suggested getting more public comment, possibly placing on website or asking Mrs. Key to place in the Northwest Press.

In response to Mr. Fiedeldey, Chief Sarver explained the origins of the resolution, which is in the result of community feed back.

Mr. Ritter said he sees value in the public comment.

Mr. Foglesong was directed to convey the message to the press.

Township Sex Offender Resolution

Mr. Reuter said this issue was brought up by Jason Tonne at the last meeting during Citizen Address. Under amended SB 97, Townships can adopt broader sex offender residency requirements. He said that the new legislation authorizes townships to act as charter cities in this respect. He would like to review it further as there is a federal decision in Akron which struck down Ohio's laws, as it applies to those who were convicted before the effective date of the statute.

NEW BUSINESS

FIRE DEPARTMENT

Part-time Pay Rate Change

Chief Smith requested the Board approve the following pay rate increases:

- Jason T. Weghorn to Basic Firefighter/EMT, \$12.59/hour, effective 9-6-07.
- Matt Vangen to Firefighter/Paramedic, \$13.83/hour, effective 8-24-07.

Mr. Ritter made such motion and Mr. Corman offered the second. The roll was called:

Mr. Corman. "Aye"
Mr. Fiedeldey. "Aye"
Mr. Ritter. "Aye"

PUBLIC WORKS

Schuster Drive Reconstruction

Mr. McClain said the Ohio Public Works Commission (OPWC) has granted the Township's request for a \$245,000.00 grant (residual funds) to reconstruct

Held

September 11, 2007

Schuster Drive. He requested the Board authorize \$105,000.00 30% match expenditure which was part of our SCIP application. The project estimate is \$350,000.00. He said they have \$21,245 that was allocated to the Hamilton County Engineer Blue Rock Road improvement project that has been canceled and is now freed up to use toward this expenditure.

In response to Mr. Ritter's question, Mr. McClain said this will come from 2007 funds.

Mr. Corman made such motion and Mr. Ritter offered the second. The roll was called:

- Mr. Corman. "Aye"
- Mr. Fiedeldey. "Aye"
- Mr Ritter. "Aye"

Estates at Squirrel Creek Subdivision Acceptance

The County Engineer has presented us THE ESTATES AT SQUIRREL CREEK SUBDIVISION consisting of Squirrel Run Lane Extension and Walt's Way for the Colerain Township Board of Trustees to assent to the acceptance. Although 6 of the 20 lots have not been built on yet and therefore sidewalks have yet to be installed, we do have a maintenance bond.

We recommend the Board assent to the acceptance, and establish:

- A STOP SIGN
 - o On Walt's Way at Squirrel Run Lane on the northwest corner.
 - o On Squirrel Creek Drive at Squirrel Run Lane on the northwest corner.
- A 25 MPH SPEED LIMIT ZONE:
 - o On Squirrel Run Lane from the East property line of 5508 Squirrel Run Lane Eastwardly to the Cul-de-sac totaling 424 feet.
 - o On Walt's Way from Squirrel Run Lane to the cul-de-sac totaling 505 feet.
- A NO PARKING FIRE LANE ZONE
 - o On the north side of Squirrel Run Lane, including the cul-de-sac from the east property line of 5508 Squirrel Run Lane eastwardly to the west property line of 5479 Squirrel Run Lane for a distance of 557 feet.
 - o On the West side then the north side of Walt's Way, including the cul-de-sac to 88 feet west of the west property line of 7574 Walt's Way for a distance of 639 feet.

Mr. Ritter made such motion and Mr. Corman offered the second. The roll was called:

- Mr. Corman. "Aye"
- Mr. Fiedeldey "Aye"
- Mr. Ritter. "Aye"

**SENIOR AND COMMUNITY CENTER
Community Health Fair, September 26**

Mrs. Klosterman reminded everyone about the Health Fair on September 26. Everyone 18 and over is welcome and everything is free!

ZONING

Nuisance Abatement Resolution

Dr. Roschke read Resolution 43-07, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

Held

September 11, 2007

Mr. Ritter made such motion and Mr. Corman offered the second. The roll was called:

Mr. Corman. "Aye"
Mr. Fiedeldey. "Aye"
Mr. Ritter. "Aye"

Request Public Hearing ZA2007-06, Major Amendment to ZA2005-03

Dr. Roschke said the purpose of the amendment is to add the Sumerel Tire tract to the Stone Creek district. She requested the Board set the hearing for September 25 at 8:30 PM.

Mr. Ritter made such motion and Mr. Corman offered the second. The roll was called:

Mr. Corman. "Aye"
Mr. Fiedeldey. "Aye"
Mr. Ritter. "Aye"

ADMINISTRATION

Request from County Engineer

Mr. Foglesong said that the Hamilton County Engineer has requested financial assistance for an OPWC project for improvements to the intersection of Blue Rock and Cheviot. The Engineer has requested a commitment from the Board of 2% of the project or \$20,000.

Mr. Ritter asked about the problems with Blue Rock and Cheviot and how this will make it better. Mr. Corman said this is part of the Hamilton County Engineer and OKI's plans for the area. It's a three-phase process, first, with alignment of Hanley and Banning, second phase would be this, and the third phase would be near the old Chili Company. It would help with safety and traffic flow. Mr. Ritter said that we will follow-up with their commitment to get public input in the process sooner. Mr. Foglesong said that it would also allow a left onto Cheviot from Blue Rock.

Mr. Fiedeldey asked about the service station on the corner at Blue Rock. Mr. Foglesong confirmed that it will have a curb cut to get on Cheviot?

Mr. Fiedeldey wants to be sure there is no abandoned road there. Mr. Corman said the county engineer assures him that the proper abandonment would occur.

Mr. Corman made such motion and Mr. Ritter offered the second. The roll was called:

Mr. Corman. "Aye"
Mr. Fiedeldey. "Aye"
Mr. Ritter. "Aye"

Mr. Foglesong said the County Engineer has requested assistance from the Board to close the gaps in the sidewalks from Colerain to Cheviot on Galbraith Road. The first gap is from Firshade west to Vegas, a distance of 450LF. The cost for this section would be approximately \$9,180.00. The second gap is from Vegas to 300' west (end of project), a distance of 350LF. The cost for this section is \$7,140.00. Mr. Foglesong said that if the Board wishes to participate, the Engineer will need a letter committing the \$16,370 for the construction of the sidewalks and drive entrances.

Mr. Ritter made such motion to commit the funds and Mr. Corman offered the second. The roll was called:

Held

September 11, 2007

Mr. Corman. "Aye"
 Mr. Fiedeldey. "Aye"
 Mr. Ritter. "Aye"

Mr. Foglesong said he received word from the Northwest Local School District superintendent of their interested in establishing a committee between the Colerain Township Board of Trustees and the school board, for the purpose of discussing common good. Bruce Gehring will serve as the school board representative. Mr. Fiedeldey offered to serve on the committee as the Township representative.

Mrs. Harlow said she had the opportunity this morning to attend the annual Snow Plow Rodeo, which is the Public Works Department's initial training event for their snowplow drivers was successful. She announced that two of our drivers out of the total of 50 were within the top ten scorers: Mike Baumer was 5th top scorer and Paul Schwab was 7th. She congratulated them along with all of our drivers.

FISCAL OFFICER REPORT

Mrs. Harlow asked for approval of payroll, purchase orders, and receipts.

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

Mr. Corman. "Aye"
 Mr. Fiedeldey. "Aye"
 Mr. Ritter. "Aye"

The Fiscal Officer has recorded the following receipts:

REC	VENDOR	FOR	AMOUNT
399-2007	Sr & Community Center	Fees, Don, Rent, Lunch	1,311.91
400-2007	Police Department	Test Money	440.00
401-2007	Parks & Services	Summer Program	1,238.50
402-2007	Fire & EMS Department	Web Check by PD	15.00
403-2007	Parks & Services	Paper Recycle Money	16.03
404-2007	Police Department	DUI Task Salarie, Court	224.00
405-2007	Rumpke	Solid Waste Disposal	44,013.43
406-2007	Public Works Depart	Permits	87.00
407-2007	Fire & EMS Department	Permit Fee	125.00
408-2007	Independent Energy	Shared Comm for Gas	562.08
409-2007	Fire & EMS Department	Permit & Foster Care	90.00
410-2007	Dusty Rhodes	Municipal Court Fines	6,001.08
411-2007	Dusty Rhodes	Cigarette Settlement	1,210.89
412-2007	Dusty Rhodes	Property Maintenance	500.00
413-2007	Dusty Rhodes	2 nd Qtr Lodging Tax	1,641.25
414-2007	Dusty Rhodes	Tipping Fees	690.18
415-2007	Parks & Services	Summer Program, Cell	343.00
416-2007	Zoning Department	Certificates, Other	1,649.80
417-2007	Police Department	Court Reimbursement	48.00
418-2007	Elizabeth Lewis	Web Check	15.00
419-2007	Parks & Services	Amphitheater, Shelter	330.00

Held

September 11, 2007

420-2007	Parks & Services	Shelter Rental	65.00
421-2007	Frank Birkenhauer	Cell Calls	17.00
422-2007	Fire & EMS Department	Plan Review Fees	195.00
423-2007	Fire & EMS Department	Loss of Squad, CTTC, Reports, Reimb, Cell	3,682.01
424-2007	Fire & EMS Department	EMS Billings	18,611.32
425-2007	Sr & Community Center	Fees, Rent, Don, Lunch	834.88
426-2007	Fire & EMS Department	Plates, Cell, Rent, CtTC Reports, Reimb, Class	5,989.74
427-2007	Fire & EMS Department	EMS Billings	66,717.83
428-2007	Police Department	Court Reimbursement	90.00
429-2007	Jenny Key	Copies	1.50
430-2007	Sr & Community Center	Fees, Rent, Don, Lunch	448.00
431-2007	Police Department	DUI Grant for Salaries	3,211.80
432-2007	Mark Unger	Copy Fees	3.09
433-2007	Fire & EMS Department	Foster Care & Plan Rev.	105.00
434-2007	Linda Snyder	Postage	19.68
435-2007	Zoning Department	Certif, BZA, Amend, Oth	2,323.26

Mrs. Harlow requested several appropriation adjustments:

Administration:

- \$2,000 from other expenses (misc) (1000-110-599-0009) to legal advertising (1000-110-345-0005)

Senior Center:

- \$7,500 from Improvements to Site to Health Insurance

Police Department:

- \$35,000 from Other Expenses (2081-210-599-0501) to Medical-Hospitalization (2081-210-221-0000)
- \$45,000 from Payment to another Political Subdivision (2081-210-370-0000) to Medical-Hospitalization (2081-210-221-0000)

Public Works

- \$7,395.00 from line 2031-330-420-0000 Operating supplies (2031-330-420-0000) and add to line 2031-330-360-0000 (2031-330-360-0000) Contracted Services
- \$31,250.00 from salaries (2031-330-190) to health insurance (2031-330-221)

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

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

Mrs. Harlow said she received notice from the Ohio Division of Liquor Control about a stock transfer for Hayashi, Inc. DBA Kabuto Japanese Steakhouse and Sushi Bar, 9879 Colerain Ave. She said Chief Sarver did not recommend the need for a public hearing. The Board agreed.

APPROVAL OF MINUTES

Mr. Fiedeldey asked for corrections to the June 12, 2007, regular meeting minutes. The Board offered some typographical changes.

Held

September 11, 2007

Mr. Corman made such motion to approve the minutes as amended and Mr. Ritter offered the second. The roll was called:

- Mr. Corman. "Aye"
- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"

Mr. Fiedeldey asked for corrections to the July 10, 2007, regular meeting minutes. The Board offered some typographical changes. Mr. Ritter requested that his comment under the discussion about the drag strip in Crosby Township read as, "Mr. Ritter said he needs to review the situation. He asked if this is something we want to get involved in. Would we like it if Anderson Township wrote a letter to Colerain Township advocating the expansion of the Rumpke landfill?"

Mr. Corman made such motion to approve the minutes as amended and Mr. Ritter offered the second. The roll was called:

- Mr. Corman. "Aye"
- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"

Mr. Fiedeldey asked for corrections to the June 24, 2007, special meeting minutes. There were none.

Mr. Corman made such motion to approve the minutes and Mr. Ritter offered the second. The roll was called:

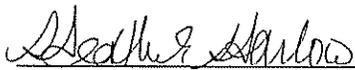
- Mr. Corman. "Aye"
- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"

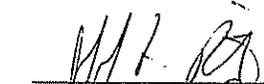
Mr. Fiedeldey asked about the donation of the land on Woodthursh Drive and if we acknowledged the donor in some fashion. Mr. Reuter said he still needs to provide the donor with the dollar amount, for the reporting tax value

ADJOURNMENT

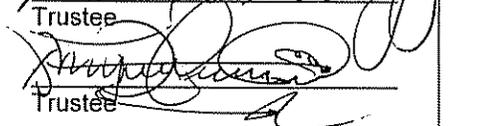
With no further business to come before the Board, at 10:11PM, Mr. Ritter motioned for adjournment. Mr. Corman offered a second.

- Mr. Corman. "Aye"
- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"


 Fiscal Officer


 Trustee


 Trustee


 Trustee