

Held \_\_\_\_\_

September 25, 2007

**OPENING OF MEETING**

Mr. Fiedeldey called the meeting to order at 6:05 PM with Mr. Corman, Mr. Fiedeldey, and Mr. Ritter. Mrs. Harlow was absent, attending another meeting.

Mr. Corman motioned to appoint Mr. Foglesong as acting Fiscal Officer for the purpose of recording minutes and Mr. Ritter offered the second. No discussion and the roll was called:

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

**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 7:03 PM. Mr. Reuter said no decisions or actions were made in executive session. Mrs. Harlow joined the Board at this time.

**INVOCATION**

Mr. Ritter offered the invocation.

**PLEDGE OF ALLEGIANCE**

All recited the pledge of allegiance.

**APPROVAL OF MINUTES**

Mr. Fiedeldey requested changes to the minutes of the August 14, 2007, regular meeting. Mr. Ritter and Mr. Corman offered some typographical corrections. Mr. Fiedeldey requested his comments about the Valvoline building be amended to say, "the red stone would look with the red sign" and that the "current colors they have work."

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"

**PRESENTATION/PUBLIC HEARING****Relay For Life**

Michelle Stone and Sarah Wilzbach, co-chairs of the Colerain Township Relay for Life, approached the Board. They provided the Board with an overview of the program. Relay for Life has been in Colerain Township for seven years and has raised \$463,000. The 2007 event was a record year, raising \$85,000 with over

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600 participants. Weigel Elementary's team raised \$10,000! The 2008 event will be in May. Participants walk laps over an 18-hour period in honor or memory of a loved one or in celebration of their own surviving cancer.

Ms. Stone requested the Board's endorsement of the event and to have it listed as a Township event on the website. She also requested the Board consider hosting the event on Township property at the Administration Building.

Mr. Corman said he appreciates that they came tonight. He said that it would only be right to stand behind this endeavor. He said the Township could form a team.

Mr. Corman made a motion to endorse the Relay for Life. Mr. Ritter offered the second. The roll was called:

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

The Board also agreed to investigate hosting the program on our site.

#### POLICE REPORTS

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

- 116 cases were assigned to the Sheriff's Criminal Investigation Section and 62 were closed, with \$71,430.00 in stolen property recovered.
- 13 D.U.I. arrests by County contract and non-contract Deputies
- 112 citations were issued in August by Hamilton County Sheriff's Office Colerain Contract cars and 158 by County Deputies. Total 270.

Chief Sarver said the Township's department issued 215 citations with 20 arrests for DUI.

#### TRUSTEE REPORTS

##### **MR. RITTER**

Mr. Ritter spoke about Volley for the Cure, in which volleyball games are played to raise money in the fight against breast cancer. He said there was a game with Northwest and Colerain High Schools. He thanked Mrs. Key for covering the event. He said there would be a game played at McAuley versus Seton on Thursday night.

##### **MR. CORMAN**

Mr. Corman offered his kudos to the police department for the "rolling meth lab" bust.

Mr. Corman spoke about the transportation improvement program with OKI. He said there is a request for an Ohio highway project: US 27 at Kemper and East Miami River Roads.

Mr. Corman said that in light of the upcoming anniversary of September 11, there will be a tribute at the Cincinnati Firefighters Memorial to honor first responders. The event will be September 29 at 10AM.

Mr. Corman wished Mrs. Harlow a happy birthday.

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**MR. FIEDELDEY**

Mr. Fiedeldey said on October 3, he will attend the first meeting with the Northwest School District, which will discuss opportunities for working together. He also said that on October 11, there will be a meeting with Township officials, the Hamilton County Health Department, and landfill representatives regarding the complaints about odor. He hopes to find some resolution to that.

**PRESENTATION/PUBLIC HEARING****Northgate Mall and KKG – Northgate Mall Square**

Andrew Brossart with 5/3 Bank presented the projections on the Northgate Mall TIF. He said it is a 10-year TIF at 75% of a \$35 million increment. It will yield \$489,000 for the first two years, \$6.4 million total, and at 75%, the TIF would make \$4.8 million total available public improvements.

Mr. Fiedeldey discussed the original proposal and why the proposal has increased.

Mr. Ritter asked if the \$35 million is conservative, generous, or middle of the road. Mr. Brossart said it is conservative, given it's a \$60 million investment.

Richard LaJeunesse with Graydon, Head and Ritchey, is representing the Northgate Mall owner. He said there has been substantial progress made. He is sure that this will be mutually beneficial, including public infrastructure requirements. Mr. Fiedeldey said the Board has wanted connectivity with sidewalks. He is amendable to that, but must work the technical details through the mall ownership.

Mr. Ritter asked Mr. LaJeunesse if Mr. Brossart's numbers are acceptable with what has been communicated. He said yes.

Mr. Fiedeldey asked if they will have agreement in two weeks. Mr. LaJeunesse said that is their goal. Mr. Fiedeldey said he is inclined to support the project, but would like to have some time lines and commitments.

Mr. Corman said he feels very optimistic about this project. He said this is an important step to get folks to come to Colerain Township.

**CITIZEN ADDRESS**

Paul Schreve of 9093 Lockwood Hill Road said he is the developer for Meadow Lake Estates on Day Road. He said the Board should keep the Springdale Road corner project moving forward. He would like to see something of high caliber at this corner. He said the Board should keep this resolve to keep the project moving.

Donnie Kelley is a realtor who lives in the Township who said he was in attendance to learn and pass the information to his associates. He said the large majority of people he speaks to are excited about the corner project. He said that it will enhance property values in area.

David Scott of Libra Lane approached the Board about Heritage Park. He said it is a site of historical significance and asked the Board if there are plans to add small museum or marker to signify the significance of the park. Mr. Fiedeldey said they recently replaced the monument to Dunlap Station and said that we all recognize what he is saying and told him rest assured we will not bulldoze it.

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away. Mr. Corman said that he pressed for the preservation of the historical significance. He said that we have set-aside five acres because of potential artifacts.

### UNFINISHED BUSINESS

#### **PARKS AND SERVICES**

##### **Heritage Park Phase III**

Mr. Schwartzhoff said they have several projects to complete at a cost of \$300,000. He said they have grant money which must be spent.

Mr. Fiedeldey questioned the larger picnic shelters. He also suggested that for the bleacher, we may be able to put up something permanent.

Mr. Ritter reminded Mr. Schwartzhoff that he does not feel the irrigation system will have a quick enough pay back time.

Mr. Corman said that "rain bird" is the preferred irrigation system. Mr. Schwartzhoff agreed and said that they could water the ball fields when not in use and even over night.

Mr. Corman asked about the location of the shelters and climbing boulders. Mr. Schwartzhoff said the climbing boulders would be close to existing playground equipment, and the shelters will be close to the river and near the ball fields.

Mr. Ritter made a motion to proceed with getting bids on the list as presented. Mr. Fiedeldey offered the second. The roll was called:

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

### **ZONING**

#### **Property Maintenance Code Update**

Dr. Roschke said they have had pretty good compliance with the property maintenance code, but do have people who need help getting the work done. She said we have ways to address this now, with CDBG money and volunteers from local church groups. White Oak Christian Church has chosen an October date and has been matched with a house that particularly needs help. We will receive help from Rumpke, too.

Mr. Fiedeldey commended Dr. Roschke and her department for the work they are doing with this.

Mr. Ritter made a motion for a five-minute recess and Mr. Corman offered the second. The roll was called:

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

The Board reconvened at 8:17PM.

### **LEGAL**

#### **Daytime Curfew Resolution**

Mr. Reuter said this is the same resolution he read at August 14<sup>th</sup> meeting. He said the Board considered it on September 11, 2007 and postponed until this meeting, to allow for public comment. He said the only comment received was

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from the police chief about the applicability of the resolution on a home schooled child. Mr. Reuter said he feels this adequately covered Sandra Agee on Melcar Drive, off Springdale Road said she sees kids riding their bikes when they should be in school. We need a curfew during the day.

Alice on Melcar Drive said she sees many kids playing and smoking. She said we need more curfew hours and is very supportive.

James Emerson of Sunlight Drive said this should not be debatable. Other communities have this day time curfew. We need to pass it and get it behind us.

Mr. Reuter read Resolution 44-07, "Resolution Establishing a Daytime Curfew for Minors."

Mr. Corman suggested that the resolution be printed in the newspaper. Mr. Foglesong suggested that it would also be posted on the Township website and wasn't sure if they would provide that much press. Mr. Fiedeldey suggested that we contact the schools about this especially with suspended students. Chief Sarver discussed practically how the policy would be implemented.

The effective date of the curfew is 30 days from today, October 25, at 8AM.

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

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

#### **ADMINISTRATION**

##### **Part-time Personnel**

Mr. Foglesong requested the Board hire Judith (Judy) Wernicke to the position of part-time receptionist. This is a three-day a week position, Tuesday, Wednesday, and Friday, 8:00AM to 4:30PM, at a rate of \$11/hour, with a starting date of September 25, 2007.

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

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

#### **NEW BUSINESS**

##### **PUBLIC WORKS DEPARTMENT**

##### **Part-time Seasonal Hire**

Mr. McClain requested the Board approve the following hiring:  
Jillian A. Best, Aaron D. Kohlmorgen and Joshua Johnson to Part-time Seasonal  
(Classification 13-B) \$9.23 hour effective September 26, 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"

##### **Pay Journalization**

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Mr. McClain reported a pay journalization:

Frank D. Short scheduled step increase to Maintenance Worker I (Classification 2-c) in accordance to the collective Bargaining agreement which took effect September 25, 2007

He said Mr. Short is commended for a perfect attendance record for the past 12 months.

#### SENIOR AND COMMUNITY CENTER

##### Community Health Fair, September 26

Mrs. Klosterman reminded everyone about the Health Fair on September 26, 9PM-2PM. Everyone 21 and over is welcome and everything is free!

#### PARKS AND SERVICES

##### Personnel Position Change

Mr. Schwartzhoff recommended the Board hire Joseph Molter as a part-time permanent employee, effective October 8, 2007, at the rate of \$9.60/hour.

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

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

##### Heritage Park Grand Opening

Mr. Schwartzhoff reminded the Board about the dedication for Heritage Park on October 6, 2007, at 10:00AM. He said the dedication of the park to Greg Snyder will be at 10AM, followed by events and demonstrations by OKI and Friends of the Great Miami.

#### ZONING

##### Nuisance Abatement Resolution

Dr. Roschke read Resolution 45-07, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

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

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

##### Request Public Hearing ZA2007-04 and ZA2007-07

Mr. Roschke requested the Board set public hearings for the text amendments on October 9, 2007, at 8:30PM.

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

##### Community Development Block Grant Funds

Mr. Foglesong requested the Board authorize him to send a letter to the Hamilton County Community Development Department on the acceptance of the previously approved 2008 community development funding. Our 2008 approved funding is:

- Skyline Community Center management: \$50,000

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- Code enforcement/rehabilitation: \$30,000
- Various Street Improvements: \$100,000

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

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

#### **PUCO Aggregate Program**

Mr. Foglesong requested the Board's authorization to complete and sign the PUCO recertification renewal. This is necessary to continue with our electrical aggregation program.

Mr. Fiedeldey said we need to monitor the rates as it should be a benefit to our residents. This keeps Duke Energy in check and makes them be competitive.

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

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

#### **Public Records Policy**

Mr. Foglesong said that the recently enacted HB 9 has required an upgrade to the public records policy of each Township. As such, he presented a revised public records policy for the Board's consideration

Mr. Ritter made a motion to approve the revised public records policy and Mr. Corman offered the second. The roll was called:

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

Mr. Foglesong said that part of the regulation is that all public officials attend training over the term of office.

Mr. Ritter made a motion to appoint Mrs. Harlow as the Board's designee, both as a Board in the whole and as individuals to attend the training on their behalf, and Mr. Corman offered the second. The roll was called:

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

#### **Groesbeck Park**

Mr. Foglesong said that work is finished at the new Groesbeck Park and there is some debris which needs to be removed. He requested the Board approve a change order to remove debris and have an appropriate surface placed, in the amount of \$8,000.

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

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

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Mr. Corman asked if the debris contained hazardous materials. Mr. Foglesong said it is bricks, mortar, etc. from some sort of building

Mr. Corman made a motion for a five-minute recess and Mr. Ritter offered the second. The roll was called:

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

The Board reconvened at 8:59PM.

#### PUBLIC HEARING – ZA 2007-06, STARBUCKS

Dr. Roschke presented the staff report. The action requested is the approval of a major amendment to the final development plan and the rezoning of one parcel from B-2 to PD-8 for the construction of a Starbucks restaurant. She said it was not included in the original zone change because the parcel was not yet owned by the developer.

Mark Smith with Trinity Development spoke for the applicant. He said when they purchased all the property, the Sumerel Tire property was not owned by them. He confirmed that this will be a brick and stone building.

Mr. Ritter asked if the B-2 district set-back is 50' and this is 32'. Why will this not compromise the building and the development? Mr. Smith said that part of the character of the center is the smaller buildings, and this was a part of the development from the original plans. Mr. Ritter said this is consistent with the other building that is already under construction.

Mr. Fiedeldey said this was not on the preliminary plan that the board approved. It's a mystery as to how this got here now. He said this went through the BZA because of the set-back off of Colerain, but when did this parcel become part of the development? He said it should be set back the proper distance. How could they go ahead when they don't have approval from zoning?

Mr. Fiedeldey confirmed that the landscaping will be irrigated. Mr. Fiedeldey said the area between the building and street should be bermed. Mr. Fiedeldey said the parapet wall should be tall enough to hide the HVAC on the roof. The developer will double check this tomorrow. Mr. Fiedeldey asked about the dumpster, and the developer said it is fully screened and faces into the parking lot.

Mr. Smith said the only signage is on the building. Mr. Fiedeldey said this must meet the standards of our Zoning Code.

Mr. Fiedeldey said much of the landscaping is summer-only and would be barren in the winter. Mr. Smith will suggest to the landscape designer that we need some evergreen plant material.

Mr. Fiedeldey opened the public input. No one wished to speak.

Mr. Corman made a motion to close the public input and Mr. Ritter offered the second. The roll was called:

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

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Mr. Ritter read the conditions:

- 2' berm at Colerain Avenue
- Parapet must conceal the HVAC
- Increase the winter interest landscaping
- Signage must conform to our zoning code
- Trash container must be screened

Mr. Corman made a motion to approve the recommendation with the conditions noted and Mr. Ritter offered the second The roll was called:

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

#### FISCAL OFFICER REPORT

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

Mr. Corman made such motion and Mr. Fiedeldey 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
436-2007	Dusty Rhodes	Motor Veh July, Perm July, Local Hwy Aug	45,568.54
437-2007	Police Department	DUI Task Force, Court Reimb, ADESA	4,773.85
438-2007	Parks and Services	Amphitheater Rental	200.00
439-2007	Zoning Department	Certificates, BZA, Amendments	2,387.10
440-2007	Fire & EMS Department	Plan Reviews, Foster Care	165.00
441-2007	Police Department	June, July, Aug Repts	38.00
442-2007	Sr. & Community Centr	Prog Fees	777.80
443-2007	Tina Burns	Reimb for Supplies	9.67
444-2007	Parks & Services	Shelter Rentals	195.00
445-2007	Linda Snyder	Postage	0.82
446-2007	Frank B for Mr. Emmerson	Copies	0.70
447-2007	Zoning Department	Certificates, Other	845.00
448-2007	Parks & Services	Paper Recycling Bins	17.64
449-2007	David F & Frank B	Cell Calls	37.85
450-2007	Linda Snyder	Postage	9.43
451-2007	Fire & EMS Dept.	Plan Reviews	725.00
452-2007	Police Department	Forfeiture Funds	9,394.00
453-2007	Dusty Rhodes	Municipal Court Fines, Aug.	3,733.77
454-2007	Dusty Rhodes	1 <sup>st</sup> Qtr. 2007 RRI Awards	13,228.62
455-2007	Dusty Rhodes	SIF Aug, Rev Assist Aug, TPP Reimb	294,588.82
456-2007	Ohio Public Works Comm	Memo Receipt	
457-2007	Ohio Public Works	Memo Receipt	

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	Comm		
458-2007	Fire & EMS Dept.	Web Checks, Cell Calls, Reports, Signs, Donation, Commissary, CTTC Elect Reimb	2,723.66
459-2007	Fire & EMS Dept.	EMS Billings	42,934.97
460-2007	Parks & Services	Cell Calls	12.00
461-2007	Administration	Aggregate Pay July	442.73

Mrs. Harlow requested \$55,000.00 be taken from line 1000-760-730-0000 (Improvement to Sites) and placed in line item 1000-110-221-0000 (Medical/Hospitalization).

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

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

Mrs. Harlow requested the Board transfer funds from the General Fund (1000-910-910-0400 Transfers Out) into the Zoning Fund (Zoning 2181-931-0000 Transfers In) in the amount of \$150,000.00.

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. Reuter read Resolution 46-07, "Resolution that Colerain Township Will Pick-up the Employee's Statutorily Required Contribution to the Public Employees Retirement System of Ohio for Assistant Administrator/Economic Development Director." He said this is a revised resolution as we should only have the position's name not the individual.

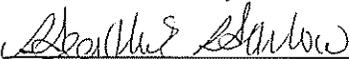
Mr. Corman made such motion and Mr. Ritter offered the second. The roll was called:

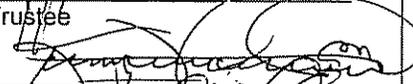
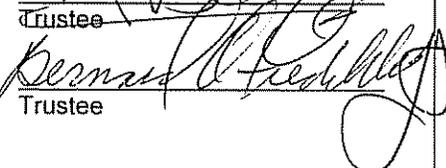
- Mr. Corman. "Aye"
- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"

**ADJOURNMENT**

With no further business to come before the Board, at 9:46PM, Mr. Corman motioned for adjournment. Mr. Ritter offered a second.

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

  
Fiscal Officer

  
Trustee  
  
Trustee  
  
Trustee