

Held

December 9, 2008

**OPENING OF MEETING**

Mr. Ritter called the meeting to order at 6:00 PM. Mr. Fiedeldey, Mr. Wolterman, and Mrs. Harlow were in attendance.

**EXECUTIVE SESSION**

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing pending and imminent litigation and the negotiation of a contract

At 6:00 PM, Mr. Fiedeldey made a motion to enter executive session and Mr. Wolterman offered the second. No discussion and the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Ritter reconvened the meeting at 7:02 PM. Mr. Reuter said no decisions or actions were made in executive session.

**INVOCATION**

Mr. Ritter offered the invocation.

**PLEDGE OF ALLEGIANCE**

All recited the pledge of allegiance.

**APPROVAL OF MINUTES**

Mr. Ritter asked for corrections to the November 18, 2008, regular meeting minutes. Mr. Fiedeldey said that under the lighting district, it should read "will have to" take on the cost. Under his Trustee report, Mr. Fiedeldey requested his comments read, "But, we do not need to pay landlords a bonus to provide an incentive for the Section 8 vouchers to come here." He also requested the letter to the CMHA Board be placed in the minutes, not as an attachment. Also, he requested the minutes add, "We need to let them know to eliminate the 10% bonus." Under Mr. Ritter's report, Mr. Fiedeldey requested the minutes include that reallocation of police personnel "would not include overtime." Mr. Wolterman requested his comments about the sidewalks on Poole Road be made into a new paragraph and the words, "of certain students" be added. Mr. Fiedeldey said his comments about the Northgate Mall TIF should indicate that no developer would take a slice of the property and remove their options.

**PRESENTATION****Clippard Park Schematic Design**

Mr. Hoagland from Brandstetter Carroll brought an update to the Board. He showed the Board two different designs for the park. The largest difference was placement of the skate park.

Mr. Fiedeldey suggested they move the shelter a bit further from the walking trail.

The Board agreed that they like the option with the skate park further from the residences as this could allow for future expansion.

Mr. Hoagland discussed the water and sewer issues. He said that he met with MSD and feels we will be able to work things out and to keep costs down.

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The Board discussed the spray ground and if the water should re-circulate or drain. They agreed to re-circulate the water as you cannot waste that much water.

Mr. Fiedeldey asked about irrigation for the fields. Mr. Schwartzhoff said this is included.

Mr. Wolterman said that this park will be designed so that it could be modular, in that we could phase-in construction. He said that when we have our parameters from MSD, we can make good decisions there.

In response to Mr. Foglesong, the Board agreed that if the MSD information is received, then Mr. Hoagland can move on to the design phase. Mr. Hoagland said this is more design-development. Mr. Hoagland said Brandstetter Carroll is hiring a consultant to design the skate park.

#### PUBLIC HEARING

##### Blue Meadow Phase II Lighting District

Mr. Foglesong said the Colerain Township Board of Trustees was presented with a petition on November 17, 2008 for a lighting district located on Blue Meadow Lane (Blue Meadow – Phase II) within Colerain Township.

The required 51% front footage signatures have been received with 100% in favor. This is a new development, currently one owner.

The cost of the lighting to this property owner for the first year is approximately \$981.88.

Four new lights are to be installed in this phase after January 1, 2009 as scheduled by Duke.

Mr. Fiedeldey made a motion to open the public hearing and Mr. Wolterman offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

No one wished to speak.

Mr. Wolterman made a motion to close the public hearing and Mr. Fiedeldey offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution 84-08, "Blue Meadow Farm Phase II Lighting District."

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

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**POLICE REPORTS**

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in October 2008:

- 100 cases were assigned to the Sheriff's Criminal Investigation Section and 52 were closed, with \$63,935.00 in stolen property recovered.
- 5 D.U.I. arrests by County contract and non contract Deputies. 200 citations were issued by Hamilton County Sheriff's Office Colerain Contract Cars. 155 cites by non contract Deputies with a total of 355.

Police Chief Meloy said the Township's department issued 423 citations with 14 arrests for DUI.

**TRUSTEE REPORTS****MR. FIEDELDEY**

Mr. Fiedeldey asked for an update on the Raisch property. Mr. Reuter said the last draft of the forebarence agreement was October 27 and this was the 3rd draft. Their attorney had sent a marked-up draft, which Mr. Reuter has not yet received. The deadline in that agreement was October 1, 2010. Mr. Reuter said it is a fairly liberally worded document and with a good faith effort, we could grant an extension. Their attorney said some progress has been made. Mr. Reuter said he does not have a signed agreement, but expected he would have one by now. Mr. Fiedeldey said that the attorney should know that we have other options at our disposal

Mr. Fiedeldey said there are a lot of pros to home rule. He requested the Board allow Mr. Reuter to give them a presentation of why or why not. Mr. Fiedeldey said he talked to other legal counsels who said this is the only way to go. He would like to discuss this after the first of the year. Mr. Ritter says that he supports looking at this and also wishes to look into establishing a community court. He said he hoped Mr. Reuter's presentation would include how to get there, pros and cons, and impact. He also hoped for a thoughtful intrepeparation of the implications. Mr. Wolterman said that he is not opposed to looking to any improvements, but he understands there are many liabilities. Mr. Fiedeldey said that many of the criteria for home rule, we have already established.

Mr. Fiedeldey wished everyone a Merry Christmas.

**MR. WOLTERMAN**

Merry Christmas, Happy New Year.

**MR. RITTER**

Mr. Ritter discussed the junk in the right-of-way on Harry Lee Lane. He wants to allow Mr. McClain's department to pick-up things like this. He said this is one way to stay on top of the foreclosure crisis. He said that Rumpke will allow disposal for no cost.

Mr. McClain said that we have a responsibility to ensure the right of way is clear and safe. He said that between his department and Zoning, they can follow a due process to contact the property owner.

Mr. Wolterman said he has no problem with this. He said we should use general fund money for this, not public works or zoning.

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Mr. Foglesong asked if this would be on county and state routes, as well as Township roads

Mr. Wolterman suggested establishing a policy.

Mr. Fiedeldey suggested that this might be an isolated problem. We need not go through the process of establishing an appropriation line for this and should just take care of it.

#### CITIZEN ADDRESS

John Fries of 8282 Daleview approached the Board because he got a letter about the brushpile at the end of his property. He said the pile has been there forever. He said it is just limbs and trees that have come down on his property and there is no trash in it. He said the closest house is 100 feet away.

Jo Dossenback of 8290 Daleview is a Springview Estates resident. She is asking for an official nuisance complaint. This is in front of their homes. Mr. Fries is adding to the pile.

Joyce Crouch of 8286 Daleview said she moved in 1999 and contacted zoning about this then. There is concrete and a sink in the pile. There are snakes and rats in the pile.

Mr. Ritter feels we need to enforce the code. Mr. Fiedeldey agrees and said that the tree logs are valuable firewood. Please be considerate of your neighbors. Mr. Wolterman said that if this was a natural area, he would have no problem. It is dangerous as it has caught on fire. This needs to be cleared.

Mr. Freeze requested more time. Mr. Fiedeldey suggested the first of May. The Board agreed.

Pam Collins of Sagebrush Lane said she received word from MSD that sewers are coming. Can Colerain Township help them with the costs? Mr. Ritter said he is worried about the precedent, but is not opposed to talking and listening.

Mr. Fiedeldey said this is the classic MSD, where they say, "this is what we're going to do" and it falls in a black hole and comes back later more expensive. He said we had the same issue on Cranbrook Drive and we were able to get sewer costs reduced. He said what really bothered him here is that in the last few years, the health department told people that the septic system is failing and the residents installed a new one. Now, those same people are being told to connect to sewer.

Mr. Wolterman said that we cannot spend public money on private property. He said that we can work with the agency to affect the costs.

Mr. Fiedeldey suggested that we ask MSD to put a moratorium on these sewer installations. Mr. Wolterman suggested we help because these residents could not sell their homes.

Mr. Ritter asked Mr. Foglesong to open a dialogue with MSD and report back to the Board.

Mr. Collins suggested opening a dialogue with the Department of Health as well. He said we need enforcement of systems that are not operating properly.

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**UNFINISHED BUSINESS****POLICE DEPARTMENT****Hiring of Police Officer**

Chief Meloy requested the Board approve the hiring of Michael Stockmeier as Colerain Township's newest police officer. Michael prefers to go by "Mike" and is a resident of the Township. Mike is 24 years of age, single and most recently a member of the Hamilton County Sheriff's Special Deputy Corp. He successfully completed the written, fitness, oral interview, background, medical and psychological screening to reach this point in our hiring process. Although he has not worked as a police officer, we feel as though his enthusiasm and willingness to learn will provide him an excellent opportunity to be an asset to the Police Department and the community.

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

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Stockmeier was in attendance and was welcomed by the Board.

**Letters to Ohio Representatives on 9-1-1**

Chief Meloy requested the Board send letters to local state legislators to ask them to vote in favor of Wireless 9-1-1 Funding Legislation. The passage of this bill will save the Township approximately \$100,000.00 between the Police and Fire Departments. The Board agreed and signed the letters, which Chief Meloy prepared.

**PUBLIC WORKS****Hiring of Full-time Maintenance Worker**

Mr. McClain requested the Board to hire Mr. Kraig Rieman as a full time Road Maintenance Worker I at \$17.33 hour contingent and effective upon the successful completion of his physical examination and drug & alcohol testing.

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

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

**ADMINISTRATION****Streetscape Architect**

The Board rated the top two for additional consideration and possible 2nd interview: #1: Kleingers & Associates, #2 KKG, #3 McGill Smith Punshon, Inc., #4 Meisner & Associates.

The Board agreed to interview the first two. Mr. Foglesong will set-up special meetings for this.

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**NEW BUSINESS****FIRE DEPARTMENT****Pay Rate Changes**

Chief Smith requested the following pay-rate changes:

Name	Pay Rate	Rank	Effective Date
Raymond Fitzjarrell	\$13.60	FF/EMT	11-13-08
Dave Lille	\$13.60	FF/EMT	11-13-08
Paul Littlefield	\$13.60	FF/EMT	11-13-08
Brian Lynch	\$13.60	FF/EMT	11-13-08
Jay Schneider	\$13.60	FF/EMT	11-13-08
Kyle Temple	\$13.60	FF/EMT	11-13-08
Kenneth L. Reardon	\$16.38	FF/Medic/FAO	11-20-08
Robert Stockmeier	\$15.38	FF/Medic/FAO	11-19-08
Matthew Behr	\$14.08	FF/MET/FAO	12-8-08

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

Mr. Fiedeldey. "Aye"  
 Mr. Ritter. "Aye"  
 Mr. Wolterman. "Aye"

**Donations Acceptance**

Chief Smith requested the Board accept the following donations:

Denise Couch -- \$100, In Memory of Yvonne Kidwell  
 John & Denise Couch -- \$100, In Memory of Yvonne Kidwell  
 James & Carol Strotman -- \$25, In Memory of Yvonne Kidwell  
 Colerain Township Business Association -- \$275, for Citizens Fire Academy

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

Mr. Fiedeldey. "Aye"  
 Mr. Ritter. "Aye"  
 Mr. Wolterman. "Aye"

**PUBLIC WORKS****Pay Rate Changes**

Mr. McClain requested the Board approve hourly pay-rate changes for seasonal employees. Seasonal (casual) snow & ice removal employees are on a call-in basis as and when needed and are coordinated with our needs in correlation with their schedules of availability.

- Greg C. Hardig, \$16.50
- Henry C. Egbert, \$12.00
- Robert L. Gentry, \$12.00
- Gary Martin, \$12.00
- Kenny Caddell, \$11.00

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

Mr. Fiedeldey. "Aye"  
 Mr. Ritter. "Aye"  
 Mr. Wolterman. "Aye"

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**Pay Journalization**

Mr. McClain said we have two employees scheduled for a step increase to Maintenance Worker I (classification 2-D) in accordance with the collective Bargaining agreement:

- Mr. Paul L. Schwab II, effective January 3, 2008
- Mr. Daniel R. Schulte, effective January 29, 2008

**ZONING**

**Set Two Public Hearings on Text Amendments: Cases ZA2008-04 & ZA2008-05**

Dr. Roschke requested the Board set these hearings for the January 13, 2009, regular meeting at 8:30PM.

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

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

**Nuisance Abatement**

Dr. Roschke read Resolution 85-08, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

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

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

**LEGAL**

**Initiate Zoning Text Amendment for Group Home**

Mr. Reuter read Resolution 86-08, "A Resolution Initiating Text Amendments to the Colerain Township Zoning Resolution Regarding Spacing of Group Homes for Children and Related Matters." He said this relates to group homes, not foster homes.

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

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

**ADMINISTRATION**

**2009 Temporary Appropriation**

Mr. Foglesong read the 2009 Temporary Appropriations for 2009 in summary form:

FUND ACCOUNT		TEMPORARY APPRO.
NUMBER	NAME	AMOUNT
1000	GENERAL	\$ 9,909,635.00
2011	MVLT	\$ 36,000.00
2021	GASOLINE	\$ 342,000.00
2031	ROAD & BRIDGE	\$ 1,200,000.00

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2081	POLICE DISTRICT	\$ 4,893,200.00
2111	FIRE DISTRICT	\$ 12,402,000.00
2141	ROAD DISTRICT	\$ -
2181	ZONING	\$ 540,000.00
2231	PMVLT	\$ 450,000.00
2261	PD DRUG ENFORCEMENT	\$ 17,500.00
2271	PD DUI	\$ 6,000.00
2281	EMSS	\$ 1,340,000.00
2901	NGM TIF/ Target TIF after 2000	\$ 200,100.00
2902	RECYCLING INCENTIVE	\$ 60,000.00
2903	COLERAIN SQUARE TIF	\$ 527,000.00
2904	PROJECT IMPACT FEMA	\$ -
2905	HMPG	\$ 33,912.00
2906	FEMA -snow	\$ 2,122.81
2908	CDBG (pass through)	\$ 80,000.00
3101	BOND RETIREMENT(GOV BLDG)	\$ 113,000.00
3102	BOND RETIREMENT(PARKS)	\$ 316,700.00
3103	BOND RETIREMENT(PW BLDG)	\$ 222,500.00
3301	BOND RETIREMENT(FIRE DIST)	\$ 251,000.00
2401	LIGHTING ASSESMENTS	\$ 152,600.00
4402	SCIP (Allet Ave.)(pass through)	\$ 369,600.00
4403	SCIP (Bellhaven)(pass through)	\$ 282,590.00
	TOTAL	\$ 33,747,459.81

Mr. Ritter said there is no growth in non-safety positions. The temporary appropriations do include salary for replacing part-time employees with full-time employees.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

#### 2009 OTARMA Renewal

Mr. Foglesong requested the Board approve the 2009 OTARMA (property and casualty coverage), at a cost of \$\$200,625.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

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**2009 Scheduled Meetings**

Mr. Foglesong presented the Board with a schedule for the regular meetings in 2009 and requested approval.

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

- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"
- Mr. Wolterman "Aye"

**2009 Holiday Schedule**

Mr. Foglesong presented the Board with a schedule for the holidays for non-contract employees in 2009 and requested approval.

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

- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"
- Mr. Wolterman "Aye"

Mr. Foglesong said Mrs. Klosterman had a difficult surgery, but he has no further updates. She is certainly in our thoughts and prayers.

**FISCAL OFFICER REPORT**

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

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

- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"
- Mr. Wolterman "Aye"

The Fiscal Officer has recorded the following receipts:

REC	VENDOR	FOR	AMOUNT
643-2008	PayPal	PayPal Verification	0.34
644-2008	State of Ohio	Liquor Permit Fees	8,909.25
645-2008	Council on Aging	COA	8,799.29
646-2008	Star Ohio	Star Ohio	4,745.20
647-2008	Fifth Third Bank	Gen & Now Int Oct	30,250.15
648-2008	Hamilton Cnty Auditor	Third Qtr. Lodging Tax	1,623.67
649-2008	Hamilton Cnty Auditor	Tipping Fees Aug	588.77
650-2008	Hamilton Cnty Auditor	Permissive Motor Veh Oct, Local Gov Hgwy Nov, Motor Veh Reg Oct	44,619.74
651-2008	Hamilton Cnty Auditor	TPP Reim	330,606.13
652-2008	CT Police Dept	Reports Oct	5.05
653-2008	Time Warner Cable	Franchise Fees 3 <sup>rd</sup> Qtr	81,958.89
654-2008	Kay Klosterman	Reimbursement for Sams	50.36
655-2008	CT Sr. & Comm Cen	Prog Fees, PC Don, HDM Don, Lunch	138.50
656-2008	CT Police Dept	Court Reimb	42.00
657-2008	CT Police Dept	Court Reimb	18.00
658-2008	CT Police Dept	Juvenile Traffic Fines Oct	26.50

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659-2008	CT Public Works Dept	Permits	36.00
660-2008	CT Zoning Dept	Certificates, BZA	611.28
661-2008	CT Police Dept	Grant Money for Saturation Grant	3,178.92
662-2008	CT Police Dept	Court Reimb	108.00
663-2008	CT Police Dept	Forfeited Funds	1,222.61
664-2008	Target	Target TIF Payment	102,148.44
665-2008	Rumpke Sanitary Landfill	Solid Waste Disposal Fee Oct	83,698.22
666-2008	CT Sr. & Comm Cen	Prog Fees, HDM Don, Lunch	81.35
667-2008	CT Police Dept	Forfeited Property	2,950.00
668-2008	CT Police Dept	Forfeited Property	205.00
669-2008	CT Public Works Dept	Refunded Roadeo Fees	140.00
670-2008	CT Police Dept	Pole Test Fees	6.25
671-2008	CT Parks & Services	Butler Rural Capital Credit Allocation	21.65
672-2008	Ct Parks & Services	Paper Recycling at Parks	16.36
673-2008	Hamilton Cnty Auditor	LGF Nov, Nov Fin, Estate Tax Advance	256,470.20
674-2008	CT Fire & EMS	Signs, Commissary, Reimb, Capt Credit, Reimb Training, CTTC Elect Reimb, Rept, Cell Calls, Donations	7,873.29
675-2008	CT Fire & EMS	EMS Billing	17,249.02
676-2008	CT Zoning Dept	Certificates	562.50
677-2008	CT Police Dept	Court Reimb	6.00
678-2008	CT Police Dept.	Salaries	2,251.93
679-2008	M. Walsh & J Molter	Postage	0.84
680-2008	CT Fire & EMS	Plan Reviews	175.00
681-2008	OTARMA	Nov Board Meeting	900.06
682-2008	Ohio Public Works Com	Request #11 Payment	0.00
683-2008	Ohio Public Works Com	Request #3 Payment	0.00
684-2008	Hamilton Cnty Auditor	Gas Tax Nov	25,564.63
685-2008	CT Police Dept	Forfeited Funds	1,740.00
686-2008	CT Police Dept	Forfeited Funds	39.00
687-2008	CT Police Dept	Forfeited Funds	16.00
688-2008	Robert Koester	Memorial Donation	50.00
689-2008	CT Zoning Dept	Certificates, BZA	1,242.30
690-2008	CT Police Dept	Nov Reports	13.46
691-2008	CT Police Dept	Court Reimb	12.00
692-2008	CT Police Dept	Investigative Services	16,420.14
693-2008	CT Police Dept	Court Reimb	60.00
694-2008	CT Police Dept	Drug Forfeiture	890.50
695-2008	CT Sr. & Comm Cen	Prog Fees, Rent Even Fee, HDM Don, Tran Don, Lunch	428.75
696-2008	CT Police Dept	Drug Test Reimb	200.00
697-2008	Frank B & David F	Cell Phone Usage	38.00
698-2008	CT Fire & EMS	Plan Review	35.00

Mrs Harlow requested the Board make the following appropriation adjustments:  
For the General Fund:

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- Take \$9,000 from 1000-110-381-0000 (property insurance premiums) and take \$17,000 from 1000-110-382-0008 (liability insurance premiums – general liability) and adjust the whole amount to 1000-110-382-0000 (liability insurance premiums).
- Take \$65,000 from 1000-930-930 and adjust to 1000-110-141-1000 (Legal)

For the Police Department:

- Take \$4463 from 2081-210-599-0501 (other expenses) to 2081-210-382-0000 (liability insurance premium).

For Public Works:

- Take \$11,000 from 2231-330-360 (contracted services) and take \$7,000 from 2231-330-221 (medical) and adjust to 2231-330-211 (PERS)

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

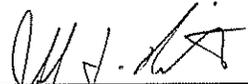
- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"
- Mr. Wolterman "Aye"

**ADJOURNMENT**

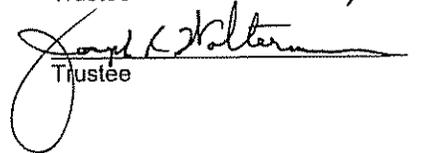
With no further business to come before the Board, at 9:09 PM, Mr. Wolterman motioned for adjournment. Mr. Ritter offered a second.

- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"
- Mr. Wolterman "Aye"

  
Fiscal Officer

  
Trustee

  
Trustee

  
Trustee