

Held

May 12, 2009

**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 compensation and employment of public employees.

At 6:01 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 7:05 PM. Mr. Reuter said the Board reviewed a proposed settlement for a Bureau of Workers Compensation claim. He recommended the Board pay \$15,000 toward the settlement of that claim, which would extinguish the appeal and close the case. The claim is with former employee Michael Kain.

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. Fiedeldey asked Mr. Reuter about the total settlement. He said it was \$50,000, with the Bureau of Worker's Compensation paying \$35,000. Of this \$30,000 will be posted against our experience and \$5,000 is charged against a prior claim.

**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 April 28, 2009, regular meeting minutes. Under the discussion about Limited Home Rule, Mr. Ritter asked his comments say, "the ability to retain" the prosecutor. Also, he asked his comments read as the community court is not "the soul" motivation. Mr. Fiedeldey motioned to waive the reading and approve the minutes as amended. Mr. Wolterman offered the second. The roll was called:

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

Held

May 12, 2009

Mr. Ritter asked for corrections to the April 30, 2009, special meeting minutes. There were none. Mr. Fiedeldey motioned to waive the reading and approve the minutes. Mr. Wolterman offered the second. The roll was called:

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

#### PRESENTATIONS - Hamilton County MRDD

Kate Hawkins, John Romer and Linda Kunich approached the Board to share the MRDD's strategic plan for next five years. Mr. Romer said the Board serves our residents and wanted to share what they do. Ms. Kunich said she works for the Residence Home in Monfort Heights and for the Board. She is an advocate for people with disabilities and teaches people how to be an advocate for themselves. Though she has a disability herself, she teaches a class on "how to be a butterfly," where she teaches others how to go out and advocate for themselves. She has been doing this for more than two years.

Mr. Romer said they held café conversations, where they listened to what was most important to people with disabilities and their families in Hamilton County – listened for what they would like their life to be like. They identified five themes:

- Experiencing respect and participating in community life
- Making a house my home
- Getting where I want to go
- Enjoying positive relationships with friends and family
- Planning for my future

#### PUBLIC HEARING – Limited Home Rule, Continued

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

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

Mr. Ritter said LHR would be in the best interest of our citizens. He is supportive of moving forward.

Mr. Wolterman said he was skeptical. After speaking with Mr. Reuter and Mr. Foglesong as well as listening to Mr. Dolive, he is also supportive of moving forward. He said he would not support any changes to the legislation. Mr. Ritter asked Mr. Wolterman if a companion debt ceiling resolution would be a "poison pill." He said he would not pledge anything that would alter his clear view of situations in the future. Mr. Ritter said that he has received many e-mails about this and many people do have angst about the level of government spending. Mr. Ritter said that we can ease people's minds about expanding our debt ceiling, if we passed the companion resolution. Mr. Wolterman said that his decisions have not hurt the Township's financial situation.

Held \_\_\_\_\_

May 12, 2009

Mr. Fiedeldey said going back quite some time, he has been a proponent for LHR and we could potentially get some things done by having LHR. We must follow state law and cannot change statute with LHR. The general assembly has done some things for larger townships. He has been a proponent of LHR, but always concerned about the ability to go deeper in debt. Government is supposed to be of the people, by the people and for the people. We don't need to go into debt deeper than we are allowed to now. He won't vote for it tonight. He wants to let it be up to the voters since this is so important.

Mr. Wolterman said he would table any motion since this is an election year. Let it ride until next year when we should all be back. If not someone else will be in these chairs. Leave it on the back burner.

Mr. Fiedeldey said his position was never opposite. He never changed his position.

Mr. Ritter said he would like to think about it.

Mr. Fiedeldey said it would behoove us to have it on this year's election since more would be out for the Township's elections.

Mr. Wolterman asked, as a point of order, if the issue is closed and about the public hearing. Mr. Fiedeldey said we should not drag this out.

Mr. Wolterman motioned to continue the public hearing. Mr. Ritter offered the second.

Mr. Fiedeldey said that it's already been closed. Mr. Reuter said we should rescind the original motion.

Mr. Fiedeldey motioned to rescind the prior motion and continue the public hearing to the next meeting. Mr. Ritter offered the second. The roll was called:

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

**POLICE REPORTS**

Lt. Schoonover of the Hamilton County Sheriff's Office and Police Chief Meloy said the statistics would be available at the next meeting.

**TRUSTEE REPORTS**

**MR. FIEDELDEY**

Mr. Fiedeldey said he received a letter about a privacy fence on Jack Frost Way. Dr. Roschke said this is a corner lot. The resident has been asked to request a variance. The letter is asking the Board to waive the fee. The Board asked if the fence is already up. Mr. Wolterman said it was damaged by wind and he repaired/replaced it. It's his opinion that it's there now. Mr. Fiedeldey said the letter indicates the resident applied for and received a permit more than five years ago. This was against the zoning code then. The new fence was installed in exactly the same place.

Mr. Reuter said we would be better served if we review this and explore the background. He said that if we start down the path of waiving fees, will be inundated with requests. He suggested we wait until the next meeting. The Board agreed.

Held

May 12, 2009

**MR. WOLTERMAN**

Mr. Wolterman said he passed resident requests along to the managers and received responses.

**MR. RITTER**

Mr. Ritter said he asked Mr. Birkenhauer to supply him with CMHA actual year-end numbers. He would like to show the data to the Board at the next meeting. Mr. Wolterman would like this before-hand in case he has questions.

**CITIZEN ADDRESS**

Marilyn Ford of 3392 Alexis offered her thanks for the State of the Township. The employees did a great job.

**UNFINISHED BUSINESS****POLICE DEPARTMENT****Sergeant Promotion**

Chief Meloy requested the Board approve the promotion of police officers Michael Owens and Joseph Redmond to assume the two sergeant positions, effective May 26, 2009. He said the two must complete a 40-hour "First Line Supervision" course, a four-week "Field Training for Supervisors" training and a one-year probationary period. The rate of pay for probationary sergeants is \$63,953.01. Chief Meloy said he intends to publically swear-in the four newly promoted supervisors at the May 26, 2009, regular meeting.

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

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

**Skyline Acres**

Chief Meloy said the Neighborhood Resource Officers conducted a canvas of the Skyline neighborhood affected on May 5, 2009. He said the officers and volunteers made contact with 70 residents. They are compiling the data and developing responses.

Mr. Ritter said he visited with Mr. Emmerson last week. He saw what Mr. Emmerson was talking about at the last meeting.

**PUBLIC WORKS****Belhaven / Flamingo Reconstruction Engineering**

Mr. McClain said the Ohio Public Works Commission notified us earlier this year that our grant application to reconstruct Belhaven Drive and Flamingo Lane was approved. Upon our request and in our behalf, The Hamilton County Engineers Office obtained, reviewed and scored Statements of Qualifications from engineering firms.

We concur with Mr. Tim Gilday's recommendation of hiring the highest scoring Engineering firm being JMA Consultants at the quoted fee not to exceed \$40,500.00.

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

Mr. Fiedeldey. "Aye"

Held \_\_\_\_\_

May 12, 2009

Mr. Ritter "Aye"

Mr. Wolterman "Aye"

**PARKS & SERVICES****Clippard Park Bid Schedule**

Mr. Schwartzhoff said this has gone out for bid and will be advertised on May 10, 17, and 24. They will open bids on June 2, 2009, and will bring a recommendation to the Board on June 9, 2009.

**ZONING****Neighborhood Partnership Program**

Dr. Roschke said that all incoming complaints are treated objectively and equally. If necessary, the Neighborhood Resource Officers will be asked to assist. In the instance of "large scale" problems, Zoning will ask the complainants to call the Police when they observe a violation occurring outside of the Zoning Inspector's general working hours. Police will be dispatched to respond to after-hours/weekend complaints of zoning/nuisance issues.

Dr. Roschke said Planning and Zoning has produced a *Good Neighbor Guide* with general guidelines for the complaint process and contact information for various violations and other common issues handles by Township Departments and other agencies.

Mr. Fiedelvey asked about outside of normal hours of zoning inspections. Dr. Roschke said this is evenings or weekends. Mr. Fiedelvey said the Board has given the Zoning Department the authority to work the inspectors the hours necessary to follow-up.

Mr. Wolterman said he is glad the Township employees are working together for the betterment of the residents.

**NSP Update**

Dr. Roschke showed a map of the NSP eligible properties. She said contracts are being developed with Habitat for Humanity and the Housing and Urban Redevelopment Corporation.

Mr. Ritter said there are 150 properties on the list. It's a toxic environment and this program is a great start.

Mr. Fiedelvey would like to hear what the Zoning Department, Police Department and Parks Department would like to see and give them some latitude to do their jobs.

**ADMINISTRATION****Landscape / Streetscape Architect**

Mr. Foglesong said he and Mr. Birkenhauer met with Clete Benken of KKG to discuss the scope, intent, and scheduling of the streetscape program and requested he provide a proposal with associated cost. It came late this afternoon and he had not reviewed it. Once he has reviewed it, he will send copies to the Board.

**NEW BUSINESS****POLICE DEPARTMENT****Grant Recipient**

Chief Meloy said earlier this year, the Hamilton County Chief of Police Association solicited grant applications from police agencies for the purchase of

Held

May 12, 2009

Automated License Plate Readers. Colerain Police received notice on May 7, 2009, that we are a recipient of the grant, with the equipment valued at approximately \$20,000. He said we are one of 12 agencies in the county to receive the grant. This is a great opportunity.

Mr. Fiedeldey made a motion to accept the donation and Mr. Wolterman offered the second. The roll was called:

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

#### PUBLIC WORKS

##### Part-time / Seasonal Pay Rate Change and Hire

Mr. McClain requested the Board approve the following part-time seasonal pay rates, effective May 28, 2009:

- Andrew D. Bittner, \$9.90 hr
- Alvin P. Schalk, \$9.60 hr.
- Jacob S. Rader, \$9.60 hr.
- Mark Tabar, \$9.60 hr.

He also requested the Board approve the hiring of Christopher D. Sullivan and Andrew Sullivan as Part-Time Seasonal Maintenance Workers at \$9.23 / hr. effective May 13, 2009. Both individuals are replacement of people who will not be returning from last year supplementing and aiding our full-time workers on road maintenance and repairs.

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

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

#### PARKS AND SERVICES

##### Arborist Certification

Mr. Schwartzhoff said Tom Bosarge received his Arborist Certification from the International Society of Arboriculture. He said this knowledge will enable us to maintain the trees we already have and to care for new trees with pruning, etc.

##### Pay Journalization

Mr. Schwartzhoff said per the collective bargaining agreement, Gary Lauer goes to Maintenance Worker I-2D, at a rate of \$19.25/hour, effective May 10, 2009.

#### ZONING

##### Nuisance Resolution

Dr. Roschke read resolutions 25-09 Nuisance Abatement and 26-09, Nuisance Abatement.

Mr. Wolterman made such motion and Mr. Fiedeldey offered the second.

Mr. Fiedeldey asked about the Spring Leaf property and said it looks like they made one swipe with the mower. Dr. Roschke said there is every possibility that it will be taken care of when we return to abate it.

The roll was called:

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

Held \_\_\_\_\_

May 12, 2009

**Vacant Properties Listing**

Dr. Roschke said that the Planning and Zoning Department, in cooperation with the Fire and Police Departments, is establishing a vacant properties database. Planning and Zoning will serve as the central records keeper. A new Action Line form has been created on the website for citizens to report vacant properties. The list of vacant properties will be made available to all Departments for their information. Inspectors will make scheduled drive-by inspections of the properties to assess nuisance issues and deterioration which may warrant violation orders.

**ADMINISTRATION**

**Part-time Pay Rate**

Mr. Foglesong requested the Board approve a pay increase for Judy Wernicke, to \$11.51/hour, effective January 1, 2009.

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

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

**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:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
249-2009	Council on Aging	COA	19,824.72
250-2009	Debt of Justice	OJP	975.00
251-2009	Star Ohio	Star Dividend	1,426.92
252-2009	Fifth Third Bank	Now Interest	2,235.08
253-2009	Fifth Third Bank	Gen Interest	2,445.07
254-2009	Fifth Third	Interest	18,000.00
255-2009	Fifth Third	Interest	4,990.15
256-2009	Hamilton Cnty Auditor	LGF March	49,703.56
257-2009	Hamilton Cnty Auditor	BMV Excess, IRP, Gas Tax March	25,857.23
258-2009	Hamilton Cnty Auditor	Gas Tax April	24,490.76
259-2009	Hamilton Cnty Auditor	LFG April	57,330.91
260-2009	Hamilton Cnty Auditor	Tipping Fees	410.99
261-2009	Hamilton Cnty Auditor	Estate Tax Advance	38,700.00
262-2009	Hamilton Cnty Auditor	Municipal Court Fines March	5,165.87
263-2009	Hamilton Cnty Auditor	Motor Veh March, Permissive Motor Veh March, Local Govt Hgwy April	50,574.54
264-2009	Council on Aging	COA	10,058.39
265-2009	Star Ohio	Dividend	744.91
266-2009	Fifth Third Bank	NOW Interest	2,492.55

Held

May 12, 2009

267-2009	Fifth Third Bank	Gen Interest	2,183.05
268-2009	Fifth Third	Interest	335.62
269-2009	Fifth Third	Interest	347.60
270-2009	Fifth Third	Interest	359.59
271-2009	Parks & Services	Shelter Rentals	520.00
272-2009	Zoning Dept.	Certificates	1,160.00
273-2009	OTARMA	4-09 Board Meeting	743.00
274-2009	OTARMA	2-09 APEEP Annual Meeting	900 00
275-2009	Police Dept.	Salaries	4,712.51
276-2009	Police Dept.	Court Reimb	6.00
277-2009	Police Dept.	Court Reimb	60.00
278-2009	Police Dept.	Court Reimb	96.00
279-2009	Zoning Dept.	Certificates, Other	595.00
280-2009	Fire & EMS Dept.	EMS Billing	76,336.00
281-2009	Fire & EMS Dept.	Cell Calls, Sign, Tower Usage, Training Reimb	930 08
282-2009	Police Dept.	NWLS Payment	8,210.07
283-2009	Sr. & Comm Center	Prog Fees, Rent Even Fee, HDM Don, Lunch, Refresh	842.50
284-2009	Valvoline	Credit on Acct for Parks	1.14
285-2009	Rumpke Sanitary Landfill	Solid Waste Disposal Fee March	67,408.07
286-2009	Kathy Mohr	CDS	3.00
287-2009	Frank Birkenhauer	Cell Calls	25.00
288-2009	Fire & EMS Dept	Plan Reviews & Inspections	165 00
289-2009	Kathy Mohr	Copies	1.60
290-2009	Sr. & Comm Center	HDM Don, Lunch	71.00
291-2009	Zoning Dept.	Certificates, BZA	495.00
292-2009	Police Dept	Nonvoluntary Compliance & Immobilization Fees	100 00
293-2009	Police Dept	State Parking, DUI & Drug Fines	682 42
294-2009	Fire & EMS Dept.	EMS Billing	12,551.70
295-2009	Police Dept.	Court Reimb	48.00
296-2009	Police Dept.	Court Reimb	6.00
297-2009	Fire & EMS Dept	Cell Calls, CPR Class, Reports, CTTC Rent, Tower Usage	5,989 67
298-2009	Fire & EMS Dept.	Plan Review & inspection Fees	120 00
299-2009	Parks & Services	Shelter Rental, Misc.	738.49

For the Public Works Department, Mrs Harlow requested an increase in approbation fund #2031-330-323 by \$48,535 08. She said this would go from \$41,000 00 + \$48,535 08 to \$89,535 08. The additional money is from Public Entity Risk Srv of Ohio for Insurance reimbursement from storm damages.

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

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

Held

May 12, 2009

Mrs. Harlow requested the Board make the following transfer: \$200,000.00 from general fund 1000-910-910-0400 transfers out - zoning, to 2181-931-0000 zoning transfers in.

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

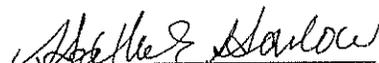
- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"
- Mr. Wolterman "Aye"

Mrs. Harlow said the Colerain Township Relay for Life will be held May 29, 6PM to May 30 at noon. She invited all Township employees to join our team and anyone else to make a donation to this very worthy cause of fighting cancer.

ADJOURNMENT

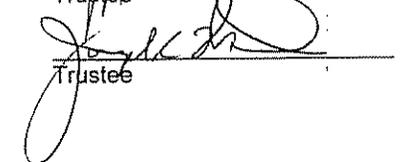
With no further business to come before the Board, at 8:17 PM, Mr Fiedeldey motioned for adjournment. Mr. Wolterman offered a second.

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

  
 Fiscal Officer

  
 Trustee

  
 Trustee

  
 Trustee