

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

January 25, 2011

OPENING OF MEETING

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

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing pending litigation and appointment and compensation of public employees and officials.

At 6:01 PM, Mr. Ritter made a motion to enter Executive Session and Mr. Deters offered the second. No discussion and the roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Deters reconvened the meeting at 7:10 PM.

Mr. Reuter reported the board in Executive Session made its decision with regard to appointments to the Financial Advisory Board, which the Board will announce in the open meeting. There was nothing else to report.

INVOCATION

Fire Department Chaplain Tyrone Patrick offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

PRESENTATIONS**FOP Lodge #113 "Officer of the Year" Award**

James Ruhl, FOP Lodge #113 president, presented the annual "Officer of the Year" award to Andy Demeropolis, for his dedication and loyalty to the Driving Angels Program and to the community. Mr. Demeropolis has more than 30 years of service with the Colerain Police Department. Mr. Ruhl also wrote to the National Secretary of FOP about Officer Demeropolis's involvement in the Driving Angels program, and his accomplishments will be published in national police publications.

ICMA Presentation

Frank Birkenhauer, assistant administrator, recognized David Foglesong, administrator, for reaching his 35-year milestone as a professional city manager with the International City Managers Association. ICMA is an organization of more than 9,000 city, town and county administrators throughout the United States which practices the highest standard of honesty and integrity in advancing professional management in local government.

Hamilton County Coalition Against Fraud, Scams and Abuse

Susan Waidner, of Hamilton County Commissioner Greg Hartmann's office, presented an overview of the program. The focus is to create awareness and proactively educate County residents to defend themselves from consumer fraud, identify theft and fraud. She said that in 2009, over 2500 Hamilton County residents were convicted of fraud-related offenses. In 2007, Ohio consumers made 18,894 complaints of fraud and 7,178 complaints of identify theft to the Federal Trade Commission. Also in 2007, U.S. Consumers reported a total of

Held

January 25, 2011

\$1.2 billion lost to fraud. Sadly, many more causes of fraud and scams are unreported. Ms. Waidner said that the coalition is organized by 12 constituencies impacted by fraud and scams. Each month will have a focus and January's focus is foreclosure rescue scams.

Mr. Wolterman suggested that the program speak with senior centers.

Michael Clemons, Foreclosure Prevention Program Manager, of The Homeownership Center of Greater Cincinnati, spoke on foreclosure rescue scams. Foreclosures tear down communities. How can we help your residents? They provide early foreclosures counseling: 31 days late, start working.

Tiffany Gemmill, Foreclosure Prevention Counselor, talked about foreclosure prevention and avoiding scams. Some tips on spotting a scam include:

- Asks for a fee up-front
- Guarantees that they can stop a foreclosure and/or modify your mortgage
- Advises you to stop paying your mortgage
- Pressures you to sign over the deed to your home
- Claims to offer government-approved loan modification

At 7:37 PM Mr. Wolterman made a motion to take a five-minute recess to fix the microphone system, and Mr. Deters offered the second. No discussion and the roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Deters reconvened the meeting at 7:41 PM.

5/3 Bond Presentation

Andy Brossart, vice president, Fifth Third Securities, approached the board to discussing saving funds related to having several bond issues and TIFs refinanced. He said they are working to get the documents prepared and holding a ratings call with Moody's, which he sees nothing changing. He expects to have the results back in about a week. He suggested that we stay below \$10 million because of favorable market treatment, ½ percent discount. He said that not all of our bonds will be called, only the ones that will see savings. He said that we are also considering an eight-year call. He said that we need decision on financing tonight, but can work on the schedule.

Mr. Ritter asked about new streetscape vs refinancing existing debt and the linkages to these financial issues. Mr. Brossart said it's a budgeting issue.

Mr. Deters asked about total savings. Mr. Brossart said that is was about \$377,000. He said the streetscape bonds will be capped at \$1.65 million.

Mr. Deters hopes the board realizes that as we invest in our infrastructure, there is a major player not at the table and that we need to proceed cautiously. Mr. Ritter says this is a good point as we'll need to work on this design.

Clete Benken, Principal, Kinzelman Kline Gossman, said there is interest in the Northgate Mall property. This is a very large property and only one fourth of it is in 500' of the corner. He said there has been a lack of investment in that area in the last 20 years, except for what the township has done. There is an opportunity to say something about the entire Northgate District, not just the corner. Design elements can allow a developer to put "stamp" on it. He suggested corner improvements on all four corners and then work with the

Held

January 25, 2011

developer for this area. It is important that the Township is taking a leadership position, to show that the public sector exists to support the business community.

Mr. Foglesong read Resolution #08-11, Resolution Authorizing the Issuance of not to Exceed \$1,110,000 Building Improvement Refunding Bonds. Mr. Ritter made such motion and Mr. Wolterman offered the second. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #09-11, Resolution Authorizing the Issuance of not to Exceed \$1,600,000 Township Park Refunding Bonds. Mr. Wolterman made such motion and Mr. Deters offered the second. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution 10-11, Resolution Authorizing the Issuance of not to Exceed \$515,000 Building Improvement Refunding Bonds. Mr. Wolterman made such motion and Mr. Ritter offered the second. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #11-11, Resolution Authorizing the Issuance of not to Exceed \$1,260,000 Fire Department Refunding Bonds. Mr. Deters made such motion and Mr. Ritter offered the second. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #12-11, Resolution Authorizing the Issuance of not to Exceed \$3,850,000 Public Infrastructure Refunding Bonds. Mr. Wolterman made such motion and Mr. Ritter offered the second. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #13-11, Resolution Authorizing the Issuance of not to Exceed \$1,665,000 Streetscape Bonds. Mr. Ritter made such motion and Mr. Wolterman offered the second. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #14-11, Resolution Authorizing the Issuance of not to Exceed \$10,000,000 Various Purpose General Obligation Refunding and New Money Bonds. Mr. Wolterman made such motion and Mr. Ritter offered the second. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Held

January 25, 2011

Mr. Deters thanked Mr. Brossart for coming tonight.

POLICE REPORTS

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in November and December 2010:

November:

- 65 cases were assigned to the Sheriff's Criminal Investigation Section and 66 were closed, with \$59,095 in stolen property recovered.
- 6 D.U.I. arrests by County contract and non-contract Deputies,
- 119 citations were issued by Hamilton County Sheriff's Office Colerain contract cars. 115 cites by non-contract Deputies with a total of 234.

December

- 57 cases were assigned to the Sheriff's Criminal Investigation Section and 19 were closed, with \$20,550 in stolen property recovered.
- 11 D.U.I. arrests by County contract and non-contract Deputies,
- 113 citations were issued by Hamilton County Sheriff's Office Colerain contract cars. 94 cites by non-contract Deputies with a total of 207.

Police Chief Meloy said the Township's department issued in November – 276 citations and 17 OVI arrests. In December – 261 citations and seven OVI arrests.

TRUSTEE REPORTS

Mr. Ritter did not have a report.

Mr. Wolterman welcomed a boy scout, who was at the meeting for a communications badge.

He discussed his concern over the county's response to last week's snow and ice. He offered his kudos to Mr. McClain and his group for cleaning the Township streets. There was a problem on outer county streets packed with snow and ice. He received numerous calls about conditions on Dry Ridge and Day Roads, and experienced it himself. According to Ted Hubbard in the county engineer's office, the county was running low on salt, and they were using various other materials that were not as efficient. These streets should receive the same attention as Hamilton Avenue or Gaines Road. We as a Board need to let the county engineer know that because we clean our streets that we won't tolerate it when a safety hazard exists in our Township. Citizens and safety services personnnel are at risk.

Mr. Deters said the Board is in a position to seat members of the Financial Advisory Committee. He made a motion to appoint Dennis Mason, Richard McVey, Douglas Michel, Tom Hart and Scott Taylor to the committee. Mr. Ritter seconded the motion. Without discussion, the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Held

January 25, 2011

CITIZEN ADDRESS

Elmer Ackerman addressed the board regarding the planned memorial. He wants veterans to be included on the memorial and to participate on the planning committee.

He said that on the memorial committee roster, there is nothing about veterans. There are 15 people on the committee, 18 if you include the veterans. He feels a committee this large won't accomplish too much. He also noted that there are two ladies on the committee and said that members of their ladies auxillary would also like to be involved.

Mr. Deters stated there are veterans on the committee. We would like to include all safety service and veterans on the memorial. The committee can govern how it works as a rules process.

Mr. Foglesong said the actual intent of the committee when it was formed was for the police and fire, but the initial intent of the Board's approach has now changed. Mr. Deters asked that we re-name committee to represent its current purpose.

Mr. Wolterman said the committee was established for the police and fire. Now we have the veterans. The committee size does not matter. If anyone else who wants a seat at the table, the committee should allow that and bring it back to the Board. We have told them four times that they have a seat at the table.

Dennis Mason, of 10210 Scull Road, discussed the county's inability to clear the roads. They were still snow covered on Monday at noon. Dry Ridge was a joke. It's time for the Township to make a real request to Hamilton County to do their job and clean the roads.

Bob Cuff suggested the Township consider trash pick-up modeled after North College Hill. Mr. Foglesong reported he is continuing to look at this. We would need to authorize a district, and review some complications. We have not yet reached a conclusion. It is still on the table.

UNFINISHED BUSINESS

PUBLIC WORKS

Personnel Update

Mr. McClain reported they received 71 applications during the open time period for their vacant secretary position. They are reviewing applicants and will keep the Board apprised of their progress.

PARKS & SERVICES

Clippard Park Change Order

Mr. Schwartzhoff requested the Board approve change order #5 for Clippard Park, in the amount of \$10,741.71, bringing the total contract amount for Complete Construction to be \$1,706,021.11.

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

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Held

January 25, 2011

ZONING**Nuisance Abatement (2nd reading), 10825 East Miami River Road**

Mr. Reuter told the Board he is meeting with Raisch family members tomorrow morning and hopes for progress.

ADMINISTRATION**KKG**

Mr. Birkenhauer discussed the phase 1 design of the streetscape, covering the Northgate area, including lighting mast arms at all four corners of Colerain and Springdale, pavers, and wall, at a cost of \$105,300. He said the original contract has these options to continue and we're upping our ability to exercise these options.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Wolterman thanked KKG and Mr. Benken for their hard work. He asked about the time frame. Mr. Benken said the review of design and public involvement would take six months and the bidding process would take a month. It would then take six to seven months to build something.

Waycross Cable TV Update

Mr. Foglesong said that Chip Bergquist, executive director of Waycross Community Media, indicated to him that Time Warner plans to have the channels up and running in March. They technically have until about April 10. We do not yet have a channel number for the Public programming. Government programming will be on channel 8 (15 cable ready). Education programming will be on channel 4.

NEW BUSINESS**FIRE DEPARTMENT****Pay Rate Change**

Chief Smith requested the following change of pay status: Thomas Scott Huston to \$16.61/hour as a Firefighter/Medic/FAO, effective January 8, 2011.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

POLICE DEPARTMENT**Chaplain Position**

Chief Meloy requested approval to conduct selection process for a volunteer chaplain. He said the position would be voluntary and fulfill several roles within the Department and community.

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

January 25, 2011

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Grant Award Acceptance

The Ohio Department of Public Safety notified the Police Department that we have been approved for a grant award of \$10,000. The award is to be used to purchase at least two "in-car" cameras to be used in the Police Department "efforts to reduce alcohol-related fatalities."

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Ritter commended Chief Meloy for working with the community about the substation.

ZONING DEPARTMENT

Nuisance Resolution

Dr. Roschke read Resolution 15-11, Nuisance Abatement.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

APPROVAL OF MINUTES

Mrs. Harlow requested acceptance of the December 22, 2010 minutes as submitted.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mrs. Harlow requested acceptance of the January 11, 2011 minutes as amended.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mrs. Harlow requested acceptance of the January 18, 2011 special meeting minutes as submitted.

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

January 25, 2011

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

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

FISCAL OFFICER REPORT

Mrs. Harlow said that all financial reports are available for viewing at the Administration Office weekdays during regular business hours or by calling or sending an e-mail to her.

Mrs. Harlow asked for approval of payroll, purchase orders, and receipts. Mr. Ritter made such motion and Mr. Deters offered the second. The roll was called:

Mr. Deters. "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>
1-2011	Parks & Services	Residential Recycle Day	\$80.00
2-2011	Administration	Overpayment to Denlinger, Rosenthal & Greenberg	1,910.78
3-2011	Parks & Services	Donation for "Mutt Mitts"	114.00
4-2011	Frank Birkenhauer	Cell Phone Usage	22.00
5-2011	Police Dept.	Drug, DUI and State Parking Fines	691.76
6-2011	Police Dept.	Salaries	208.72
7-2011	Police Dept.	Salaries	1,090.83
8-2011	Public Works Dept.	Storm Sewer Grate purchased by JK Meurer Corp.	525.00
9-2011	Police Dept.	Court Reimbursement	12.00
10-2011	Police Dept.	BMV Immobilization Fees	100.00
11-2011	Fire & EMS Dept.	EMS Billing	4,305.85
12-2011	Fire & EMS Dept.	Tower Usage, CPR, Medic Class Reimbursement, Cell Calls, EMT Refresher, Instructor Update, Commissary, Address Sign, CTTC Elect. Reimbursement	5,392.75
13-2011	Police Dept.	Court Reimbursement	18.00
14-2011	Police Dept.	Salaries	1,407.15
15-2011	Police Dept.	Court Reimbursement	18.00
16-2011	Sr. & Community Ctr.	Membership \$780, Lunch \$47.25	827.25
17-2011	Sr. & Community Ctr.	Membership \$1150, Classes & Events \$420, Lunch \$60.50, Trans. Donation \$2	1632.50

Held

January 25, 2011

18-2011	Home Depot	Refund of Credit on Account	115.95
19-2011	Fire & EMS Dept.	Plan Review	75.00
20-2011	Parks & Services	Playground Equipment	55,000.00
21-2011	Police Dept.	December Reports	4.05
22-2011	Police Dept.	Forfeited Funds	1,990.00
23-2011	Fire & EMS Dept.	Fire Inst. Class, Fuel Tank, CPR, Reports, Cell Calls, Signs, Refund, CTTC Rent, CTTC Electric	10,227.48
24-2011	Staples	Staples Refund	589.26
25-2011	Fire & EMS Dept.	Foster Care	30.00
26-2011	Sr. & Community Ctr.	Membership \$360, Classes & Events \$76, Rent Event Dep. \$450, Lunch \$6	892.00
27-2011	Police Dept.	Overpayment on Invoice	294.67
28-2011	Police Dept.	Court Reimbursement	18.00
29-2011	Police Dept.	Court Reimbursement	24.00
30-2011	Police Dept.	Court Reimbursement	12.00
31-2011	Zoning Dept.	Certificates	380.00
32-2011	Police Dept.	Court Reimbursement	24.00
33-2011	Police Dept.	Juvenile Traffic Fines	75.00
34-2011	Kathy Mohr	Photocopies	7.80
35-2011	Police Dept.	Color Copies	.30
36-2011	David Foglesong	Cell Phone Usage	20.00
37-2011	Parks & Services	Recycling	71.71
38-2011	Zoning Dept.	Zone Amendments, BZA	1,950.00
39-2011	Sr. & Community Ctr.	Membership \$765, Classes & Events \$680.20, Lunch \$78.25	1,523.45

Mr. Deters suggested a five-minute recess. Mr. Wolterman made a motion to take a break, and Mr. Ritter offered the second. No discussion and the roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Deters reconvened the meeting at 8:50 PM.

PUBLIC HEARING

LUPA 2010-03 Dry Ridge

Mr. Deters announced the case and opened the public hearing. Mrs. Harlow indicated that she will step down because she is a partial owner of John Pfeiffer Company, which holds title to the property designated "Site 47" on the proposed land use plan amendment.

Held

January 25, 2011

Mr. Wolterman moved that Mr. Reuter be designated acting Fiscal Officer solely for the purpose of recording the minutes for this hearing. Mr. Ritter seconded the motion. No discussion and the roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Dr. Roschke presented the Planning & Zoning Department Staff Report for the "Dry Ridge Sector" of the Colerain Township Land Use Plan. She indicated that the Land Use Advisory Board reviewed this part of the township as part of its regular five year review. The only proposed change to the existing plan was that the use for Site 47 be changed from "TR" Transitional Residence to "SF" Single Family.

Mr. Jason Tonne, Esq. introduced himself as attorney for John Pfeiffer Company, which strongly objects to the proposed change of use. Mr. Tonne pointed out that Site 47 is surrounded by mixed use developments, such as the Donauschwaben Club, Snow's Lake, a child daycare facility, and doctors' offices, which, he argued, render the proposed change to SF Single Family inappropriate. He indicated that a better approach would be to designate the use for this site as "Mixed Use Employment Area" or "Office - General". If the Board is unwilling to do that, he indicated that his client preferred that the use remain "TR" Transitional Residence.

He presented 19 letters from other property owners in the Dry Ridge Sector urging the Board to deny the amendment of the land use plan to SF Single Family.

Mr. Paul Ellis, vice president of John Pfeiffer Company, stated that Site 47 was not appropriate for Single Family uses because of the relatively intensive activity on the Donauschwaben property. He further indicated that the best use of this site would be office uses, which would serve as a buffer between Snow's Lake and the parcels to the west.

Mr. Ritter moved to close the public hearing. Mr. Wolterman seconded the motion. No discussion and the roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Ritter made a motion to approve the proposed amendment to the land use plan as recommended by the Land Use Advisory Board. Mr. Wolterman seconded the motion. The roll was called:

Mr. Deters. "Nay"

Mr. Ritter. "Nay"

Mr. Wolterman. "Nay"

Dr. Roschke stated that if the owners of the parcel in question desire that the land use map be changed, they can initiate the change by filing their own application with the Zoning Commission or by participating in the next five-year review discussion.

Mrs. Harlow re-joined the board at this time.

Held

January 25, 2011

ZA2010-04 transient vendors

Dr. Roschke presented the staff report.

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

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Jim Lindemood of Squirrelsnest Lane asked if vendors are only allowed in B1 and B2. Dr. Roschke said that this grouping of vendors is only allowed in B1 and B2. In other areas, they need conditional use.

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

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Wolterman confirmed that this has nothing to do with 2-3 day festivals,

Mr. Deters made a motion to accept the staff report and Mr. Ritter offered the second. The roll was called:

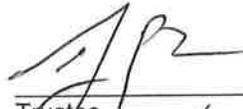
- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

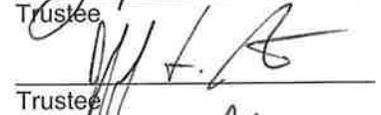
ADJOURNMENT

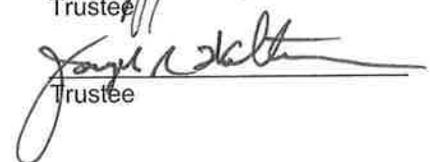
With no further business to come before the Board, at 9:19 PM, Mr. Ritter motioned for adjournment. Mr. Wolterman offered a second.

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"


 Fiscal Officer


 Trustee


 Trustee


 Trustee