

Held

September 11, 2012

OPENING OF MEETING

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

EXECUTIVE SESSION

Mr. Barbieri requested the Board enter Executive Session for the purpose of discussing the compensation and hiring of a public official as well as discussing pending litigation with the law director.

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

Mr. Deters. "Aye"

Ms. Rinehart. "Aye"

Mr. Ritter. "Aye"

Mr. Ritter reconvened the meeting at 7:00 PM. Mr. Barbieri 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.

Mr. Ritter introduced Larry Barbieri, our new law director.

APPROVAL OF MINUTES

Mr. Deters made a motion to approve the August 6, 2012, special meeting minutes. Ms. Rinehart offered the second. The roll was called:

Mr. Deters. "Aye"

Ms. Rinehart. "Aye"

Mr. Ritter. "Aye"

Mr. Ritter made a motion to approve the August 28, 2012, special meeting minutes. Mr. Deters offered the second. The roll was called:

Mr. Deters. "Aye"

Ms. Rinehart. "Abstain"

Mr. Ritter. "Aye"

PRESENTATION**Pray Hope Believe Donation**

Mr. Schwartzhoff said the Merc family coordinated the 5K race on July 4 this year, as a fundraiser for the Pray Hope Believe Foundation.

Rick Merk said they raised \$32,604.88 and offered his thanks to Mr. Schwartzhoff, Mrs. Molter, Chief Meloy and the police and fire departments for their assistance with the event.

Mr. Ritter said that their son's legacy will live-on.

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PUBLIC HEARING**Georgianna Lighting District**

Mr. Rowan said this was presented earlier, but postponed to allow for proper notice. Previously, a property owner did question the validity of the signatures. He said that we did confirm the validity of the property owners' signatures.

Ms. Rinehart made a motion to open the public hearing. Mr. Deters offered the second. The roll was called:

Mr. Deters. "Aye"

Ms. Rinehart. "Aye"

Mr. Ritter. "Aye"

John McCoy said they have gone better than 20 years without lights and don't need them. He said someone two blocks away stirred all this up.

Mr. Ritter said that this is a crime prevention issue.

Chief Meloy said several neighborhood block watch programs have been successful with gathering the requisite amount of signatures. He said this is about safety and darkness allows people to do things they wouldn't do in the daylight.

Mr. McCoy said that a gang fight and drag racing happened in the day time. He said that from midnight to 5AM, they see very little traffic.

Barb Campbell, of 3268 Warfield Ave., said she lives on the next street from Georgianna. She said residents are asking for the street lights and cited pedestrian safety as well as having police/fire better able to respond in an emergency. She said that personal property has been stolen and there has been damage to homes/vehicles. She said residents would be better able to give a description of a trespasser or disorderly person.

Mr. Deters made a motion to close the public hearing. Ms. Rinehart offered the second. The roll was called:

Mr. Deters. "Aye"

Ms. Rinehart. "Aye"

Mr. Ritter. "Aye"

Mr. Rowan read, by caption, resolution 45-12, "Georgianna Lighting District." Mr. Deters offered a motion for approval and Ms. Rinehart offered the second. The roll was called:

Mr. Deters. "Aye"

Ms. Rinehart. "Aye"

Mr. Ritter. "Aye"

POLICE REPORTS

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in June 2012:

- 103 cases were assigned to the Sheriff's Criminal Investigation Section and 23 were closed, with 33,650.00 in stolen property recovered
- 2 D.U.I. arrests and
- 23 traffic citations were issued by Sheriff's Deputies

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in July 2012:

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- 117 cases were assigned to the Sheriff's Criminal Investigation Section and 18 were closed, with \$14,025.00 in stolen property recovered.
- 5 D.U.I. arrests and
- 56 traffic citations were issued by Sheriff's Deputies.

Police Chief Meloy said the Township's department issued 501 citations with five arrests for DUI in June and 279 citations with eight arrests for DUI in July.

TRUSTEE REPORTS

MS. RINEHART

Ms. Rinehart asked if the participants in the 4th of July race were mainly residents. Mr. Schwartzhoff said that the family would know for certain, but he thinks that the race might have drawn from other areas.

Ms. Rinehart commended the police department as we have cases handled and closed very quickly, through quick thinking and investigative work. She said the officers have done an outstanding job in the last few months in keeping the community safe.

MR. DETERS

No report.

MR. RITTER

Mr. Ritter said that in the Rumpke lawsuit, the Township was successful in the first half of case, which the Ohio Supreme Court said that the landfill is not a public utility. This is an important victory. He said the original case also included the unconstitutionality of our zoning in the expansion area. Only the first matter has been decided. Now, the case goes back to Hamilton County Common Pleas court to hear the other half of the case.

Mr. Ritter said he is hearing from a lot of residents that they are aware of the subsurface reaction, but craving more information about it. He said the Ohio EPA and Hamilton County General Health District will host a presentation and tour on September 20 at 6PM, at Rumpke.

Mr. Rowan said that reservations are required and further information is on our website. He said this is only for Township residents.

Mr. Ritter said, regarding the Northwest Local School District levy, he is hearing from residents that the trustees are opposing the levy and working against it. This is not true! It is not our place to endorse another governing body's levy. He said this Board believes that a strong, vibrant public school system is linked to a healthy and vibrant community.

Mr. Deters said that Mr. Rowan is working hard to mend this relationship. We have good people running our schools and good teachers. He encouraged everyone to take a hard look and vote their conscience.

CITIZEN ADDRESS

Rich McVay said the largest negative in our community is the garbage dump. We can never replace what is lost in quality of life and home equity. He suggested the orderly closing of the existing dump on the quickest possible schedule. He said the landfill is not in compliance and property owners should not be responsible for calling in voice complaints. The EPA needs to hold the landfill owners responsible. He said the dump pays only 1% of property taxes,

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but has a pervasive effect on the community. He asked the Board to tell us what their plans are and said this is the most important decision they will make as this will impact us forever.

Mr. Ritter said that while he agrees about the importance of the case, it is an active court case and it's not appropriate to speak about pending litigation.

Jim Acton, of 4458 Woodtrail Lane, said he visited the Kroger in Delhi at Mr. Ritter's suggestion, where they are honoring veterans at the store. He said there are 350 on the wall and it is a beautiful display. He said that our local stores are limited with space.

He provided an update on the paver and brick sales and said 148 of the 4x8 size have been sold.

He asked about executive session and if minutes are kept and why these matters are not discussed at meetings.

Mr. Ritter said this is allowed under the Ohio Revised Code as a forum for the Board to discuss items confidentially, mostly legal and personnel matters. Only specific matters may be discussed and no minutes are kept.

Mr. Acton asked about the work sessions scheduled to replace second meeting of the month.

Mr. Ritter said we will have a town hall meeting, if there is no business to discuss.

Mr. Acton said he hopes the Board will continue to promote these town hall meetings.

Mr. Acton said that RW Baird does our public investments, but who is holding them. Mr. Rowan said they are held by US Bank.

Kathy Mohr, of 11986 Waldon Drive, said that she had some questions about items from the last meeting. When Mr. Rowan asked for approvals, some of the details were missing. For the Wayne Builders, she asked about the amount of the contract.

Mr. Rowan said it is \$122,000, but he will request the Board modify that tonight to \$132,167.

Ms. Mohr asked for details about the acceptance of the settlement agreement with Dr. Roschke.

Mr. Barbieri suggested she make a public records request for this information.

Ms. Mohr said she wants the details that are given to the Board. She said they should share information with us and those watching on TV.

Ms. Mohr asked about the hourly rate in the contract for the new law director.

Mr. Rowan said it is \$150/ hour.

Ms. Mohr asked about the Moving Ohio Forward program and if we're getting funds from the state to demolish property.

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Mr. Birkenhauer said it is a matching program through the Ohio Attorney General. Reimbursement is from the Port Authority.

Ms. Mohr asked when the increase in fees will be on the cable bills.

Mr. Rowan said it will be in September.

Hubert Brown, of 5258 Lawrenceburg Road, is a White Water Township Trustee and running for state representative in new 29th district.

John Dreyer, of 4095 Philnoll, asked if the fruit stand issue will be discussed tonight.

Mr. Rowan said this is on hold with new zoning and legal staff. He said that we will look at this matter along with others.

Bernie Fiedeldey asked about the Rumpke case and if it will be tried on constitutional issues.

Mr. Deters said it was remanded to the common pleas court.

Mr. Fiedeldey asked about start and end dates for the construction of the gateway.

Mr. Rowan said Mr. Birkenhauer will speak about this later in the meeting.

Mr. Fiedeldey said that as a result of the zoning hearing about the mall and the wall, nothing will done with the wall at this time as the mall owns part and ODOT owns part.

Mr. Birkenhauer said he posed this ownership question to ODOT and they need to check into it by looking at historical records.

Mr. Fiedeldey said the guard rail is so ugly. He said the mall is doing other work, but leaving guard rail.

Mr. Birkenhauer said the applicant was uncomfortable with ownership issues and possible structural integrity.

Mr. Fiedeldey said that \$100,000 was to be raised for the memorial.

Mr. Birkenhauer said that number was never a commitment. He said that \$20,000 has been raised.

Mr. Ritter said the Memorial Plaza cost is considered in the overall project cost.

Caren Whitcomb, of 11734 Elkgrove, spoke about the Ohio Supreme Court decision and thanked the Board for their perseverance. She urged the Board to continue to fight the case. She said that in the 1990s, there was a settlement and that was detrimental to the community. In April 2010, POWER made a presentation with 10 points they wanted to see, but none of them have been addressed by the Board or Rumpke. She said it is an affront to have to go to meeting to get information.

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UNFINISHED BUSINESS**POLICE DEPARTMENT****Reserve Appointment**

Chief Meloy requested the Board appoint "reserve officer" Joslyn Benson.

- Reserve Officer candidate Joslyn Benson is a 2012 graduate of the Butler Tech Police Academy
- Joslyn is a graduate of Hamilton Badin High School and has attended Miami University
- She has been employed by the YMCA for more than 10 years

Ms. Benson successfully completed the required phases of the selection process and accepted a "Conditional Offer of Appointment" as a Reserve Officer, pending Board approval. The conditional offer requires each candidate to successfully complete a psychological and medical examination. If appointed, Reserve Officers are non-contracted employees. There is no regular salary associated with the position.

He asked the Board to approve the appointment of Reserve candidate, Joslyn Benson, pending her successful completion of the additional testing. The tentative start date for Ms. Benson would be September 24, 2012.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

PUBLIC SERVICES**Public Works/Parks & Services****SCIP Grant Application**

Mr. Schwartzhoff said that we have been made aware that by matching 11% toward our SCIP grant will allow us to receive 10 points toward the SCIP score sheet. At a 10% match, we receive zero points. The increased cost to the Township would be \$16,688; a 10% match is \$166,875 and an 11% match is \$183,563.

Ms. Rinehart made such motion and Mr. Deters offered the second.

Mr. Ritter confirmed that this is Acre Drive, off Banning Road.

The roll was called:

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

Contract Modifications with Wayne Buildings

Mr. Rowan said that on August 16, the Board authorized a contract with Wayne Buildings for design and construction of a storage building at 4200 Springdale Road, in an amount not to exceed \$122,703. Since approval, we have requested modifications to the design, including:

- Installation of four 42"x60' windows with shutters on the south wall
- 24" finished overhand on all four sides
- Installation of four door operators for the over-head doors
- Four inch high metal wainscoting on all four sides of the building

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He said the total for this is \$9,464 and requested the Board approve a contract modification with Wayne Buildings in the amount of \$132,167 to include these modifications.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

MSD Project Updates

Mr. Schwartzhoff offered an update on the projects. For the Dornbush project, the curbs and asphalt overlay will start this week and will take 5-6 weeks. For Bauerwoods and Greenbush, the project is ahead of schedule and there are no resident complaints.

Palm Park Kaboom

Mr. Schwartzhoff said the playground build at the Palm Memorial Park on Springdale Road will be September 15 and volunteers are still welcome.

COMMUNITY CENTER

Acceptance of HVAC Ft. Colerain

Ms. Sprenger requested the Board accept the bid from Debra-Kuempel in the amount of \$128,770 for the Community Center HVAC upgrade, to be funded by the Hamilton County Community Development Block Grant. The HVAC upgrade will service Fort Coleraine Hall areas. The contractor will remove three existing split systems and duct furnaces and replace with new air handlers and condensing units with hot water coils and a high-efficiency hot water boiler. The damaged flooring under the air handlers will also be restored to original condition during the renovation. She said this is the only bid received for the project.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

ADMINISTRATION

Personnel Recommendation – Planning & Zoning

Mr. Rowan recommended the Board hire Geoff Milz as Director of Building, Planning and Zoning, effective October 8, 2012, at a salary of \$72,500 to be increased to \$75,000, effective January 1, 2014, contingent upon a satisfactory performance review. Mr. Milz is currently the senior planner for Cayuga County, New York, Department of Planning and Economic Development. He holds a Master of Community Planning degree from the University of Cincinnati and is certified as an AICP with the American Institute of Certified Planners and is LEED-AP.

Ms. Rinehart made such motion and Mr. Deters offered the second. Mr. Ritter said that he is looking forward to working with him and commended Mr. Rowan for the quick turn-around on this hiring.

The roll was called:

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

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Mr. Rowan recommended the Board increase Becky Reno's hourly rate from \$21.31 to \$22.84 per hour, effective October 1, 2012, to reflect the assignment of additional responsibilities as a result of downsizing the Planning/Zoning Department.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

Gateway Corridor Update

Mr. Birkenhauer said the pre-construction meeting will take place Thursday, assessing start date and completion date. He said they are looking at a January 2013 completion.

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

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

Name	Rate	Rank	Effective Date
Jason Brockhoff	\$16.61/hour	FF/Medic/FAO	8-15-12
Ryan Hopkins	\$15.28/hour	FF/Medic	8-15-12
Robert Hughes	\$15.28/hour	FF/Medic	8-15-12
Jacob Meekel	\$15.28/hour	FF/Medic	8-15-12
Alex Siemer	\$15.28/hour	FF/Medic	8-15-12
Lindsey Sippola	\$15.28/hour	FF/Medic	8-20-12
Dug Rolf	\$16.61/hour	FF/Medic/FAO	8-21-12

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

Chief Smith requested the Board increase IT Director Josh Campbell's salary to \$72,500, effective October 1.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

PUBLIC SERVICES**Public Works/Parks & Services****Pay Rate Changes**

Mr. Schwartzhoff requested the Board change Tawanna Molter's title to Administrative Assistant for Public Services and increase her salary, in accord with the additional responsibilities, to \$24.67/hour, effective October 1.

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

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"

Mr. Schwartzhoff recommended the Board move Roger Krebs from Foreman 6D at \$26.06/hour, to Supervisor Foreman 7D, at a rate of \$28.22/hour, effective October 1. He said Mr. Krebs has assumed more responsibilities in the parks department, property abatement, gateways and the addition of three parks since 2010.

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

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"

Historical Society Lease

Mr. Rowan read, by caption, Resolution 46-12, "Resolution Leasing Premises Located at 4725 Springdale Road, Cincinnati, Ohio, 45251 to the Colerain Historical Society."

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

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"

Public Services Mechanic

Mr. Schwartzhoff said he would like to replace the position of mechanic, vacant since June 6, 2012. This position would be responsible for the maintenance of all equipment in the public services division. Previously, parks contracted out all of its repairs, at a cost of \$25,000/year.

Part-Time Receptionist

Mr. Schwartzhoff said he would like to hire a part-time clerk for 1,456 hours, with an approximate cost of \$16,016/year.

Pay Journalization

Mr. Schwartzhoff said, in accordance with the collective bargaining agreement, Frank Short's scheduled step increase to Maintenance Worker II (classification 3-4) will take effect September 25, 2012 and Jamie Spears scheduled step increase to permanent part-time classification 4 will take effective October 1, 2012.

Mr. Schwartzhoff also announced that recycle day will be October 13, 8AM to 2PM.

ZONING

Nuisance Resolution

Mr. Birkenhauer read, by caption, Resolution 47-12, "Resolution Declaring Nuisance and Ordering Abatement."

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

Set Public Hearing

Mr. Birkenhauer requested the Board set the public hearing for case ZA2012-04, 2997 W. Galbraith for October 9, 2012, at 8PM.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

Mr. Birkenhauer requested the Board set the public hearing for case ZA2012-05, 10174 Colerain Ave., Tire Discounters, for October 9, 2012, at 8PM.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

ADMINISTRATION**Contract with Baird Public Investment Advisors**

Mr. Rowan requested the Board approve the contract with Baird Public Investments. He said this vendor has been recommended by the FAC, after review by a member of the committee, Mrs. Harlow and himself. He said that Baird will actively manage our funds

Ms. Rinehart made such motion and Mr. Deters offered the second.

Mr. Rowan said that US Bank is the custodial bank and that Baird is very transparent in their fees.

The roll was called:

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

Workers' Compensation Retrospective Rating Program Contract

Mr. Rowan recommended the Board continue with our current contract with Frank Gates. He said this is a continuation of our program, which would spread risk over multiple townships, instead of taking it all on our own.

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

Mr. Deters. "Aye"
Ms. Rinehart. "Aye"
Mr. Ritter. "Aye"

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FAC Appointment

Mr. Ritter announced the resignation of Rich McVay from the committee and thanked him for service. He made a motion to appoint John Kerry to the committee. Mr. Deters offered the second. The roll was called:

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"

FISCAL OFFICER REPORT

Mrs. Harlow said financial reports are available for viewing at the Administration Office weekdays during regular business hours; or you can call or email to receive information.

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

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"

The Fiscal Officer has recorded the following receipts:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
479-2012	Police Dept.	Dusty Rhodes, Mall Reim., NWLSD	\$33,524.74
480-2012	Rumpke	Rentals/Leases	5,000.00
481-2012	Planning & Zoning Dept.	Fees	417.00
482-2012	Parks & Services	Shelter Rental	320.00
483-2012	Fire & EMS Dept.	Misc.	954.99
484-2012	Planning & Zoning Dept.	Fees	502.00
485-2012	Community Center	Classes, Rental Event, Lunch, Memberships	695.46
486-2012	Fire & EMS Dept.	Foster Care Permit	50.00
487-2012	Administration	Memorial	75.00
488-2012	Police Dept.	Donation to Driving Angels	436.50
489-2012	Community Center	Classes, Rental Event, Lunch, Memberships	1,548.00
490-2012	Hamilton County Auditor	Municipal Court Fines	3,611.00
491-2012	Planning & Zoning Dept.	Fees	135.00
492-2012	Parks & Services	Shelter & Baseball Field Rental, Camp Reg.	590.15
493-2012	Community Center	Classes, Rental Event, Lunch, Memberships	1,646.00
494-2012	Police Dept.	Fees, Fines	2,290.00
495-2012	Hamilton County Auditor	2 nd Qtr. Lodging Tax	2,034.69
496-2012	Rumpke	Electric July 2012 Training Center	3,388.33
497-2012	Fire & EMS Dept.	Misc.	565.06
498-2012	Fire & EMS Dept.	Foster Care Inspection	15.00

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499-2012	Time Warner	2 nd Qtr. Franchise Fee, Memorial	91,924.94
500-2012	Parks & Services	Shelter Rental	180.00
501-2012	Expert Pay Child Support System	Prenote Credit for BK Authorization	.13
502-2012	Parks & Services	Shelter Rental, Recycling, Misc.	1,345.20
503-2012	Fire & EMS Dept.	Fees, Misc.	1,863.95
504-2012	Hamilton County Auditor	July Permissive MVL Tax	38,776.00
505-2012	Police Dept.	Fees, fines, other	4,340.11
506-2012	Council on Aging	Grant	1,459.02
507-2012	Community Center	Rentals, Classes, Lunch & Membership	259.40
508-2012	Zoning Dept.	Fees	170.00
509-2012	Hamilton County Auditor	LGF July Motor Veh., Aug. Highway	35,085.56
510-2012	Public Works	Permits	153.00
511-2012	Administration	Memorial, Colonial Life Refund, Summer Events, Marshall & Henderson COBRA Aug. 2012 Premium	2,145.34
512-2012	Rumpke	Shared Electric Reimbursement July 12	3,641.99
513-2012	Zoning Dept.	Fees	585.00
514-2012	Parks & Services	Shelter & Soccer Field Rental	230.00
515-2012	Hamilton County Auditor	Gas Tax Aug. 2012	24,121.15
516-2012	Fire & EMS Dept.	Fees	469.75
517-2012	Community Ctr.	Class, Rental Event, Lunch, Membership, Transportation Donation	2,084.25
518-2012	Cincinnati Bell	Franchise Fees	4,883.90
519-2012	Hamilton County Auditor	Reimbursement for payment of Hilltop Glass Inv.-Skyline CC	2,110.24
520-2012	Administration	Aug. Mall Donation, Rumpke Fees, Memorial	132,435.33
521-2012	Parks & Services	Shelter Rental	80.00
522-2012	Police Dept.	Fines, Misc.	432.00
523-2012	Parks & Services	Shelter & Baseball Field Rentals	535.00
524-2012	Community Ctr.	Rentals, Lunch Donation, Membership, Refreshments, Transportation Donation	2,261.00
525-2012	Zoning Dept.	Fees	975.00
526-2012	Police Dept.	NWLSD, Misc.	8,217.74
527-2012	PNC Bank	Credit Adjustment Bank Fee	150.09
528-2012	Hamilton County Auditor	Estate Tax Advance	32,500.00
529-2012	Hamilton County	Posting Correction	3,059,308.12

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	Auditor	Memo Receipt #294-2012	
530-2012	Fifth Third Bank	Interest Receipt	3,750.00
531-2012	Duke Energy Retail	Q2-2012 Civic Grant	13,270.51
532-2012	Community Center	Class, Rental Deposit, Lunch & Transportation Donation	536.50
533-2012	Zoning Dept.	Fees	160.00
534-2012	Hamilton County Auditor	1 st Half 2012 Tax Settlement	805,967.80
535-2012	Fire & EMS Dept.	Reallocation Receipt due to posting error	97,059.33
536-2012	PNC Bank	Interest	1,714.86

Mrs. Harlow read, by caption, Resolution 48-12, "Resolution Authorizing Adoption of Amended Appropriations for the Year 2012."

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

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"

ZONING / PUBLIC HEARING – ZA2012-02 Electronic Message Boards

Mr. Birkenhauer said the purpose of the text amendment is to improve development regulations in Colerain Township by amending Section 15.8.2, "Signs Permitted in any B-1 or O-1 District, or office use in a PD-B District," to allow electrically activated signs for these uses, as well as for approved Conditional Uses in Residential Districts. On May 22, 2012, the Colerain Township Board of Trustees initiated a text amendment to modify a section of the Colerain Township Zoning Resolution to allow electrically activated signage in additional districts.

He said the Township has established standards for electrically activated signs in the B-2, B-3, I-1, SWD, ME, PD-B, PD-I, and PD-M Districts in §15.8.3(H). These standards were designed and established in accord with Ohio Department of Transportation standards for such signage. Many electronic signs in the Township predate these standards and remain as Nonconforming Uses. Since the revised sign regulations were enacted, several Conditional Uses in Residential Districts have requested electrically activated signs through the Board of Zoning Appeals. The BZA has denied each of these requests. The amendment under consideration would add the option for electrically activated signage to §15.8.2, new subsection (E). It would also expand the areas where signage is defined to include Approved Conditional Uses in Residential Districts.

Section 15.8.3(H) would be echoed there, but with the further requirement that light from the sign be limited at the property line to 0.1 footcandles above the ambient light level. The Zoning Commission further recommends that these signs be required to be off from 11 p.m. to 6 a.m. each night.

The Hamilton County Regional Planning Commission recommended that §15.6.9 be revised to clarify and standardize the language used to refer to electrically activated signage and to clarify when such signage is permitted.

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A revision to the "Changeable Copy Sign" definition in Article 16 is included to clarify that continual movement of the sign message and/or picture is not permitted.

The Hamilton County Regional Planning Commission recommended clarification of §15.6.9. The Colerain Township Zoning Commission recommended adding the requirement that the signs go dark from 11 p.m. to 6 a.m. nightly. These changes are reflected in the attached full text of the amendment for review.

Ms. Rinehart made a motion to open the public hearing. Mr. Deters offered the second. The roll was called:

Mr. Deters. "Aye"

Ms. Rinehart. "Aye"

Mr. Ritter. "Aye"

Jim Hull, vice president of facilities for the YMCA of Greater Cincinnati, said this is a way to continue to notify the community of activities at their locations. He said there will be no light levels beyond boundaries. He said the signs are controlled via computer inside the building.

Ray Seigel, of ASI signage, said that they are doing this throughout the YMCA network. He said that at the lot-line, zero foot candles will be seen.

Doug Heckler, executive director of the Clippard YMCA, said that they want to be good stewards of the community and that this is a welcome addition to the branch

Bernie Fiedeldey said that to integrate the text with the business text is wrong. We are turning the area into a business district. The current allowable sign is very large. He said the Board should let the new zoning person make a sign code for the residential districts. We don't need this in a residential district. How does this improve a residential district? He said that Regional Planning's questions have not been addressed and there is no mention of landscaping around the signs. He asked if this needs to apply to the county engineer's thoroughfare plan.

Denny Mason, of 10210 Scull Road, said these signs are distracting and aimed right at drivers. He asked how this is different than a text message on a phone. He said the new zoning guy needs look at the comprehensive plan, as it should have been reviewed several years ago. He said we need to start anew on signs and that we have never been tough on signs.

Ms. Rinehart made a motion to close the public hearing. Mr. Deters offered the second. The roll was called:

Mr. Deters. "Aye"

Ms. Rinehart. "Aye"

Mr. Ritter. "Aye"

Mr. Birkenhauer said that any conditional use would need to be approved administratively by the zoning administrator. He said that landscaping is included in other aspects of the code. He said this does meet ODOT requirements.

Mr. Deters said that these are not new businesses and are a benefit to our neighborhoods.

Ms. Rinehart asked if the current sign is lighted.

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Mr. Hull said it is ground-lit. The new sign is the smallest, most inconspicuous sign, with three lines of copy.

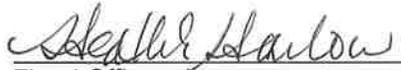
Mr. Ritter made a motion to approve the text amendment. Mr. Deters offered the second. The roll was called:

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"

ADJOURNMENT

With no further business to come before the Board, at 9:01 PM, Mr. Deters motioned for adjournment. Ms. Rinehart offered a second. The roll was called:

- Mr. Deters. "Aye"
- Ms. Rinehart. "Aye"
- Mr. Ritter. "Aye"


 Fiscal Officer


 Trustee


 Trustee


 Trustee