

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

May 23, 2006

**OPENING OF MEETING**

Mr. Fiedeldey called the meeting to order at 6:02 PM with Mr. Ritter and Mrs. Harlow in attendance. Mr. Corman was absent as he is traveling on Township business.

**EXECUTIVE SESSION**

Mr. Reuter requested the Board go into executive session to discuss matters relating to pending and imminent litigation, personnel matters: the employment and compensation of a public employee, and the negotiation of a contract to which the Township is a party

At 6:03 PM, Mr. Ritter made such motion and Mr. Fiedeldey offered the second. No discussion and the roll was called:

Mr. Fiedeldey "Aye"

Mr. Ritter. "Aye"

At 7:06 PM the Board reconvened.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Rich Schrenker, Associate Pastor of Friendship Baptist Church, offered the invocation.

The Girl Scout troop scheduled to be here tonight had a death in one of the girls' family and the services are this evening. They will join us in the fall

All recited the Pledge of Allegiance

**APPROVAL OF MINUTES**

Mr. Fiedeldey and Mr. Ritter agreed to wait for Mr. Corman to approve minutes

**SHERIFF'S REPORT**

Lt. Mark Schoonover read and gave the reports to Chief Sarver.

**TRUSTEE REPORTS****MR. RITTER**

Mr. Ritter said that he had nothing to report

**MR. FIEDELDEY**

Mr. Fiedeldey said that the Board will be on the summer schedule next month. In June, July and August, they only meet on 2<sup>nd</sup> Tuesday of the month.

Mr. Fiedeldey announced that the Township's Memorial Day ceremony is at 10:15 AM at the Colerain Heritage Memorial, in front of the Administration building.

Mr. Fiedeldey asked Mrs. Harlow about the levy monies interest program.

Mrs. Harlow said she is doing research and will present a fund transfer to the Board

Mr. Fiedeldey said the schedule would be to do the transfer every six months. He requested from Mrs. Harlow interest rates and where the money is.

Mr. Fiedeldey said the Board has received a request from County Engineer to help with redevelopment of Blue Rock/Galbraith/Livingston traffic signals, etc. They want the Township to contribute 1% to this cost.

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Mr. Ritter requested deferral until the next meeting.

Mr. Foglesong said that the road and bridge account funds will cover our projects. We do have sufficient funds to cover this, but he does not want to take from the Public Works Department.

Mr. Ritter asked Mr. McClain if he sees any other streets in a bad situation prior to this. Mr. McClain said that while we don't want to take funds away from Township streets, this would be money well spent.

Mr. Ritter said he is inclined to support this, but would like to have Mr. Corman's opinion as well.

#### CITIZEN ADDRESS

Angela Arcaro of 4753 Poole Road said that she addressed the Board a couple of months ago about a rock wall in the easement, affecting her ability to use her driveway. Mr. Fiedeldey deferred this to legal counsel. Mr. Reuter said the only Township issue he sees is if it is blocking access by emergency personnel. Mr. Fiedeldey requested Chief Smith ensure that there is access by our largest fire truck. Mr. Reuter said his initial thought is that it is a private matter.

Gary Broughten of 9880 East Miami River Road approached the Board about flooding on his property, which is causing property damage. He said that his neighbors have hazardous material, a junk yard, and are mining.

Mr. Fiedeldey said he stopped past Mr. Broughten's place. There is a culvert going under East Miami River Road. Is the culvert large enough? He would like this information before Friday. The Zoning Department has scheduled a Friday meeting to address this problem.

Kelly Springer of 3676 Brochton Drive is with Truman Construction. She said that Jeff Specht from Hamilton County Public Works was out there today and looked at the culvert and saw no problems. They have not touched the water way. There is no mining or hazardous material. She showed photos of the area to the Board. They are not developing a junk yard. They had some cars vandalized on the property, but they are in the process of removing them.

Mr. Fiedeldey said this is an on-going thing. There are many county entities involved, but Colerain Township is involved, too. There appears to be some Township issues as well, which must be taken care of.

Nancy Lindemood of 3922 Squirrelsnest approached the Board about the Rumpke landfill. In regard to the set-back and height restrictions, she suggested the Board retain the set-back of 2500 feet and eliminate height restriction, as a trade-off for eliminating blasting. She requested the Board re-consider the height restriction, with some sort of plus or minus tolerance. She asked when the Board will hear the case and if this could be the first or only item on the agenda.

Mr. Fiedeldey said that several meetings ago he said that the Zoning Commission meeting should be a stand alone meeting. He was disappointed with what occurred with the Commission. He asked if the continuation would be the only item on the agenda. Dr. Roseshke said there is another change to a final development plan for Rumpke and an individual requested to be at this meeting, knowing that Rumpke is already on the agenda. Rumpke will be first on the agenda.

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Mr. Reuter said that zone change cases must be heard by a certain deadline date. He said that meetings can be continued. He suggested the Zoning Commission schedule a special meeting.

Mr. Fiedeldey said that he is upset they crammed the agenda and knew they could not accomplish the agenda. It is a disservice to the residents to have meetings go so late. They are interested in the community, but can't say because they must awake for work the next morning.

Mr. Ritter said it was frustrating experience. It was encouraging to see many new faces show an interest in this issue, but this part of the meeting did not start until later. There should be a set time to end the meeting.

Mr. Reuter said that we must hear the cases with in the statutory guidelines. He said they would work on it.

Mr. Fiedeldey said that when this comes before the Board it should be a special meeting and not on the end of a regular meeting. Mr. Ritter said we should play it by ear and possibly defer business to the next meeting.

Steve Hebler – 9980 East Miami River Road also wished to address the Truman Construction issue. He described a hand-out given to the Board. Mr. Fiedeldey said the Zoning Dept. had taken the bull by the horns and will meeting on Friday to address his concerns. Dr. Roseshke said they will discuss this at the meeting on Friday. Mr. Fiedeldey said they are in violation of our zoning resolution. What does the Zoning Department intend to take on this? Mr. Reuter said they will enforce the zoning resolution and permit only those uses allowed by the zoning certificate. The Board should know that there are a host of permit and violation issues with the County that seem to be overwhelming for the use. We must review this with the County agencies and come up with a comprehensive approach. Mr. Fiedeldey asked again what we will do to enforce our Zoning resolution

Mr. Ritter said the Friday meeting should occur and we can determine what is in our power to control and determine action.

Mr. Hebler said the updated drawings might be inaccurate. They have added four times more fill than they were allowed.

Mr. Broughten said the gravel is coming from the New Haven side of the river and he does not know if it is hazardous. He said a few nights ago, there was earth movement.

### UNFINISHED BUSINESS

#### **PUBLIC WORKS**

##### **Royal Glen Drive Reconstruction Engineering**

Mr. McClain said that the Hamilton County Engineer has received proposals on the scope of services for engineering of the Royal Glen Drive Reconstruction Project. He requested the Board hire JMA Consultants, Inc. for \$119,600.00. Upon final approval by OPWC, our project agreement is scheduled to arrive to us in early July 2006. They plan to award the contract by the end of the year and begin construction in 2007.

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

Mr. Fiedeldey "Aye"

Mr. Ritter "Aye"

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**1-Ton Dump Truck Replacement**

To replace the 1990 Chevrolet 1-ton dump truck that was transferred to the Parks and Services Department on April 11, 2006, Mr. McClain requested the Board's authorization to purchase a Ford F-450, 1-ton dump truck from 32 Ford for a price of \$46,884. This is a complete unit with dump body, hydraulics, snow removal equipment, and emergency lights.

Mr. McClain said presented other price quotes for comparison:

32 Ford	\$46,884.00
Ross GMC	\$53,059.90
Valley Ford	\$54,032.20 (price from state purchasing program)

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

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Fiedeldey noted that we paid \$46,460.25 for a similar unit in 2003.

**ZONING****Case No. ZA2006-02 Whispering Pines Resolution**

Dr. Roseshke read Resolution 24-06, Case No. ZA2006092, Whispering Pines

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

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

**Case No. ZA2006-03 Text Amendments Resolution.**

Dr. Roseshke read Resolution 25-06, "Resolution Adopting Text Amendments of the Township Zoning Resolution Modifying Article 1, Purpose Statement and Article 30, signs."

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

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

**ADMINISTRATION****Public Housing Update (tentative)**

Mr. Foglesong presented some preliminary information on the CMHA and Section 8 Program in Colerain Township. He will be getting information from CMHA as a resource.

**LEGAL****Vacation of Locharbour**

Mr. Reuter read Resolution 26-05, "Resolution Authorizing Transfer of Vacated Right of Way of Locharbour Lane."

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

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Reuter said he would notarize their signatures and that would serve to transfer the right of way.

Mr. Fiedeldey asked for an update on the blasting problems at Rumpke. Mr. Reuter said Rumpke was to send us a copy of the report from VibraTech. He will address that issue again and get back to the Board to see if that has been

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received. Mr. Fiedeldey said that there was quite a blast today that shook the Yacht Club. Dr. Roschke said there were complaints about this today.

### **NEW BUSINESS**

#### **PUBLIC WORKS**

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

Mr. McClain requested permission to hire Mr. Kenneth Caddell as a Part-time Seasonal Maintenance Worker III, 12-D, at \$8.39/hour, effective May 24, 2006.

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.  
Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"

#### **SERVICES**

##### **Permission to Post for Foreman Position**

On behalf of Mr. Snyder, Mr. Foglesong requested the Board grant permission to go forward with filling the position of foreman in the Parks and Services Department.

This position has been vacant for some time. The intent is to post this within the bargaining unit.

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.  
Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"

#### **ZONING**

##### **Request for Public Hearing ZA 2006-01 Text Amendment**

##### **Request for Public Hearing ZA2006-05 Com Amend of Zoning Res & Map**

Dr. Roseshke requested the Board set these hearings for June 13, 2006, at 8:30 PM.

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.  
Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"

##### **Resolution for Weed Abatement**

Dr. Roseshke read Resolutions 27-06, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.  
Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"

#### **ADMINISTRATION**

##### **Request to Join CAGIS**

Mr. Foglesong requested permission to join the Cincinnati Geographic Information Systems (CAGIS) at the first year cost of \$14,460 to be shared by all departments having access to the system. The cost would reduce after the first year.

Mr. Ritter said Mr. Birkenhauer put a good memo together, outlining the benefits of joining the CAGIS system. He said this is a good thing to pursue.

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.  
Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"

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**FISCAL OFFICER REPORT**

Mrs. Harlow asked for approval of payroll, purchase orders, and receipts.  
Mr. Ritter made such motion and Mr. Fiedeldey offered the second.

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

The Fiscal Officer has received the following receipts.

REC	VENDOR	FOR	AMOUNT
255-06	Police Department	CPA Don, Court Reimb	1,587.00
256-06	Fire & EMS Department	Plan Review	75.00
257-06	Police Department	State Park, DUI, DRUG	1,127.00
258-06	Zoning Department	Certificates, BZA	1,319.52
259-06	Sr. & Community Center	Fees, Rent, Lunch, Refr	942.07
260-06	Fire & EMS Department	Inspection, Plan, Foster	130.00
261-06	Public Works Depart.	Snow Removal	206.45
262-06	Time Warner Cable	Franchise Fee	80,814.37
263-06	Sr. & Community Center	Fees, Don, Lunch	139.25
264-06	Police Department	Court Reimbursement	30.00
265-06	Sr. & Community Center	Crafts, Fees, Rent, Don, Lunch	1,067.46
266-06	Zoning Department	Certificate, BZA, Amend	2,117.99
267-06	Fire & EMS Department	Plan Review	-525.00
268-06	Fire & EMS Department	EMS Billing	54,178.38
269-06	Fire & EMS Department	Reports, Cell, Refund, CTTC, Reimb, Don, etc.	5,114.92
270-06	Council on Aging	COA	15,538.20
271-06	STAR OHIO	Investment Star interest	9,135.73
272-06	Fifth Third Bank	Investment Primary inter	148.90
273-06	Fifth Third Bank	Investment Primary inter	37,939.76
274-06	Dusty Rhodes	Perm Motor, Local High	40,836.81
275-06	Dusty Rhodes	1 <sup>st</sup> Qtr Lodging Tax	1,572.63
276-06	Dusty Rhodes	Tipping Fees	616.35
277-06	Dusty Rhodes	Municipal Court Fines	6,421.00
278-06	Sr. & Community Center	Crafts	83.00
279-06	Zoning Department	Certificate, BZA, Amend	1,601.40
280-06	Sr. & Community Center	Don, Rent, Lunch	1,009.04

Mrs. Harlow requested an adjustment in the amount of \$3,570.46 from 2903 - 110-599-0000 (other Lowe's TIF) to line 2903-110-314-0000 (County audit/treas fees)

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.  
Mr. Fiedeldey "Aye"  
Mr. Ritter "Aye"

Mrs. Harlow requested an adjustment in the amount of \$15,139.56 from 1000-110-599-0009 (other) to line 1000-110-315-0000 (election expenses).

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.  
Mr. Fiedeldey "Aye"  
Mr. Ritter "Aye"

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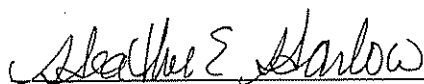
Mr. Fiedeldey asked Mr. Reuter about the sidewalk program and requested the status on the language and procedures for this. Mr. Reuter said that because of the press of other important business, he did not have time to work on this. He is developing an approach to allow the applicant to be aware of the program and its procedures. Mr. Fiedeldey suggested we make the applicant aware of the program when they come in for an application. Mr. Reuter suggested they modify the application to show this.

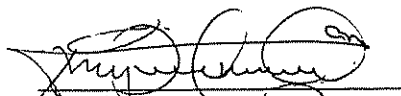
**ADJOURNMENT**

With no further business to come before the Board, at 8:58, Mr. Ritter motioned for adjournment. Mr. Fiedeldey offered a second

Mr. Fiedeldey "Aye"

Mr Ritter "Aye"

  
 Fiscal Officer

  
 President