

REGULAR

June 10, 2008

OPENING OF MEETING

Mr. Ritter called the meeting to order at 6:03 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 pending and imminent litigation. 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. Reuter said there was no action taken in executive session.

INVOCATION

Mr. Ritter offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

APPROVAL OF MINUTES

Mr. Ritter asked for corrections to the May 27, 2008, regular meeting minutes.

Mr. Fiedeldey said that "we" are trying to improve property values, under his Trustee Report. Mr. Fiedeldey also asked that "In response to Mr. Fiedeldey's question," be added under the Community Development block grant section.

Mr. Ritter requested that his report read, "He said that despite occasional rumors of friction between the Sheriff's Office and Township officers, the lunch tables were filled with a mix of officers, from each department, clearly enjoying each other's company." Mr. Ritter also noted that the recess was taken at 8:30PM.

Mr. Wolterman motioned to approve the minutes as amended. Mr. Fiedeldey offered the second. The roll was called:

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

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POLICE REPORTS

Police Chief Meloy said the Board should have received the sex offender report.

TRUSTEE REPORTS

MR. FIEDELDEY

Mr. Fiedeldey said that the board received a letter from Senator Bill Seitz, who was behind the \$500,000 of money for Colerain parks in the capital budget. This was also sponsored by Representative Blessing. He thanked both of them for bringing this money to Colerain Township.

Mr. Parrot from MSD was at a previous meeting, talking about a wastewater treatment plant in Colerain Township. He said the Board was asked to generate questions and turn those into MSD for consideration. Mr. Fiedeldey said he took time to assemble some questions. He asked that his comments be entered into the public record.

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Colerain Township has adopted an outstanding, community supported Comprehensive Plan for protecting the character of the township and limiting growth, which too often comes at the expense of current residents. Colerain's vision of protecting green space, wooded hillsides, rural areas, will protect the quality of life of the residents for generations to come. The policies and guidelines for the township indicate that sewer lines are not desired in the rural, open, hilly, low density areas.

1. The MSD Great Miami / New Baltimore Drainage Area Sewer Plan seems to be greatly at odds with the vision of Colerain Township.

Is Colerain Township seeking to abandon the Comprehensive Plan? Is there community support for this? How is the community being engaged in this discussion?

2. Will part of Colerain Township be extensively developed if this sewer line is brought from Pleasant Run to the Great Miami?
3. Will additional developments like Fort Scott be tied into this new plant?
4. We understand that the Wade Mill wastewater treatment plant has problems meeting its permit, yet it is a fairly small plant. What are the violations at Wade Mill? How long have they been going on? What is the cost to fix this plant? When was it built?
5. How much of the issue with Pleasant Run is the Mill Creek interceptor and the Mill Creek auxiliary being at capacity when the lines reach them? (discussed in MSD's Wet Weather Improvement Plan)? Shouldn't the first step be removing stormwater from the sanitary sewage?
6. What area(s) would be served by the proposed new plant on the Great Miami?
7. What is the proposed plant capacity? Would it be built to handle only Pleasant Run and Wade Mill or is it being built to handle future development? What proportion of plant costs will sewer ratepayers be required to pay as opposed to developers?
8. Will additional sewer ratepayers be brought into the MSD system (forced to stop using septic systems and hook up)? How many? Is this being done to remove people and commercial operations from septic systems? How much of the treatment plant costs will they pay in addition to sewer line hookups? MSD looks

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- at household income in setting rates. What is the median household income of the expected new customer base?
9. MSD's power point says one of the drivers for this project is the "Need to supplement long term planning in Great Miami / New Baltimore Study Area". How does this need supplement Colerain's Comprehensive Plan? Was this requested by Colerain Township?
 10. The power point called 'New Baltimore' yet Wade Mill is 4 or so miles from 'New Baltimore'. Is the plan to go from Pleasant Run to Wade Mill to New Baltimore? This seems to be called alternative 4 in the power point. This seems a rather long distance to transport sewage, even if more development is planned.
 11. Is MSD aware of additional developments planned for Colerain Township which would need these sewer lines? What process does MSD have for bringing any such plans early to Colerain Township trustees for their approval and insured consistency with their plan?
 12. We understand that Fort Scott is not yet operating their wastewater treatment plant, yet they got a permit from Ohio EPA that allowed degradation of water quality in the Great Miami. Is this treatment plant the sign of future water quality degradation?
 13. How will MSD address odors at the wastewater treatment plant and from manholes in the pipes?
 14. All sewer lines leak (they are designed to). How will this affect water quality in Colerain Township?
 15. How many miles of new sewer lines are being proposed?
 16. How will this sewer line go through the varied terrain of Colerain Township? How will it follow the Great Miami? It is planned to be in the floodplain?
 17. How will residents be compensated for loss of green space, natural beauty, rural atmosphere?
 18. Given MSD's history of non-compliance with the Clean Water Act and failure to maintain its infrastructure (MSD now has a potentially catastrophic force main failure?), how will Colerain Township residents be protected against paying for past failures of MSD if they are required to become customers?
 19. How will construction of this proposed plant affect sewer rates?

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20. The power point presentation seems to imply that there are issues with pump stations and the desire to eliminate them, however the MSD WWIP plans new pump stations?
21. What quality water will be released from this WWTP? It has been stated that it will be at or near drinking water quality? Why isn't it then reused, closer to the source and in the same watershed as the sewer lines?
22. Why not utilize water reuse in the Pleasant Run sewer shed? Water could possibly be sold to Butler County or used for irrigation/lawn water in Butler County or northern Hamilton County? Butler County has been bringing treated water from Cincinnati Water Works, why isn't it less expensive to treat locally?
23. If there were significant issues with the reliability of the Pleasant Run Central Force Main why wasn't it prioritized higher in the WWIP? (Current completion is listed as 2015 for John Gray Road (project 40700) storage tank and 2016 for project 40480 I-275 and Kemper)
24. It is unclear from the presentation how the two projects proposed for Pleasant Run are related to the two projects at Winton Woods. The WWIP indicated that the capacity issues for Pleasant Run would be addressed by the storage and conveyance projects. Is it that these two projects would be smaller in size than currently planned if Pleasant Run waste was diverted to the Great Miami. It is unclear how Pleasant Run currently threatens Winton Woods.
25. There appear to be 4 alternatives in the power point,
 - Alternative 1 a force main that seems to have nothing to do with Winton Woods.
 - Alternative 2 a new Kemper Road (Banklick Run) wastewater treatment plant, to include Pleasant Run waste.
 - Alternative 3 a plant at Wade Mill to include Pleasant Run waste.
 - Alternative 4 a plant below New Baltimore, taking waste about 9 miles from Pleasant Run, picking up Wade Mill and going on to New Baltimore. (and Fort Scott?)
26. Are these 4 alternatives what is being considered and why?
27. It isn't clear who's slide # 12 is, but what 'build out' are we talking about here? whose 20 year plan recommendations? Whose long term plan recommendations? If this is MSD's 50 year conceptual plan, whose plan is it

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consistent with? It appears to be designed for significant new development and 'build out' rather than fixing Pleasant Run.

28. Where is the planned location for the various plant sites (including Wade Mill replacement, New Baltimore and Kemper Road)? Has MSD purchased any property or easement for this 50 year plan? Does MSD have options to buy or acquire easements?
29. Could you explain what is meant by "Triple Bottom Line"? This slide includes "positioning for growth". Please enumerate, by name and amount, who will benefit from this growth. Residents and ratepayers have a right to know how their money is being spent. Growth and oversized treatment plants, which are subsidized by sewer ratepayers so some developer can profit more by having this treatment plant, need to be documented so that ratepayers can evaluate if they are getting sufficient benefit from this use of their tax dollars (as other, additional benefits might accrue to them if their money was spent differently).
30. Is this plant intended to increase the customer base for MSD? By how many customers? How much is this plant expected to cost?
31. Why isn't the Butler County Economic Study included?
32. Exactly what is the risk defined by slide 17? How will the proposed alternative improve water quality in Winton Woods and Great Miami River?
33. Is Butler County saying they need 2 to 4 million gallons in the next 20 years? Why should MSD provide this accommodation and why should Colerain Township be the recipient of their sewage and odors?
34. What do they mean by 'needs to be near Wade Mill WWTP'? Wouldn't it replace Wade Mill WWTP?
35. What does Butler County mean by a "fair and reasonable wholesale rate"?
36. The last informational slide says "The project "...will spur economic development...to the benefit of all residents of Hamilton County." Please enumerate any and all economic development which this plan will spur, to the residents of Colerain Township and the residents of the rest of Hamilton County.

Mr. Fiedeldej said that he is adamant about this. He said there is a wastewater treatment plant on Harrison Avenue in Colerain Township. He said that over the years when no one else wants something, we get it. He said we need to stand up and be counted and we have a good quality of life. He said he has a problem with the plant. He's not against development.

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MR. WOLTERMAN

Mr. Wolterman asked Mr. Foglesong if we have received a response back from District 8 about the traffic conditions on Colerain. Mr. Foglesong said he has not received this yet. Mr. Wolterman said that something must be done about this.

Mr. Wolterman asked if the other board members received a letter from Richard Lauf on Dry Ridge Road. He said the subject is section 8 housing and rising crime, and Mr. Lauf attached an article from the *Atlantic Monthly*. Mr. Wolterman feels that this resident took time to write a letter and we need to digest this and respond to him.

Mr. Ritter reminded the Board that they will be attending a CMHA meeting. Mr. Wolterman said he has had conversations with Don Driehaus, the new chairman.

He said Mr. Driehaus said the new board is making some wholesale changes in their mission: a push to more homeownership rather than rental, looking at the rate of the monthly rent paid to property owners (are they paying too much money?) and being more active in ensuring these residences are kept in good repair.

MR. RITTER

Mr. Ritter said that as far as the MSD issues, he will stand by his statement that he will keep an open mind. He thought Mr. Fiedeldey's questions were good and is interested in hearing MSD's response. Mr. Ritter suggested a June 25th deadline to have comments to Mr. Foglesong about this.

Mr. Ritter said that Mr. Wolterman has selected Robert Rielage as his appointee on the Memorial Committee for the Fire Department. Mr. Wolterman said that he has been the state fire marshal and has broad knowledge and his view would be good for the committee. Mr. Ritter suggested that the Board allow Mr. Foglesong to appoint a member from the business community. Mr. Ritter said that he will take the first three months as the liaison and others will rotate in. Mr. Wolterman suggested a steadiness of one Board liaison for continuity. Mr. Fiedeldey said that when the Board appoints a liaison to a committee, the member has always brought any controversial topic back to the Board for input or updating. Mr. Fiedeldey said there should be some latitude and faith. He does not see one individual to guide this committee.

Mr. Ritter asked Chief Smith about the plaques at Station 26. Chief Smith said that nothing has been finalized yet. He said they want to get it cleaned up and give it the attention it deserves.

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Mr. Ritter reminded the Board members about the June 25th work session at 5PM and State of Township at 7PM at the Senior Center in the Ft. Coleraine Hall.

CITIZEN ADDRESS

Linda Riehle of 6205 Delcrest Drive in Fairfield approached the Board with her sister, Ann Ellis of 3945 Clifton Avenue, about a notice of violation given to their parents, Robert and Charlotte Ourada of 2538 Altura. Ms. Ellis said the notice said they are in violation of the code for the driveway apron. She said it is pitted with salt. It's unsightly, but not a violation. She feels it is in very sturdy shape. She said they are taking care of their property and this is very small. She requested the violation be rescinded. Ms. Riehle said the curbs have never been replaced and this would be torn up when the Township repairs the street. She said they don't need this at this time of their lives.

Mr. Ritter said that one of the tools the Township can use to ensure quality of life for everyone is the property maintenance code. He said that he can appreciate their issues, but wants to ensure this standard.

Mr. Fiedeldey said that we increase the property values in the Township, which does help the schools. He said that the driveway is 52 years old. He suggested the Board view the photos or visit the site itself.

Mr. Wolterman asked Mr. McClain when this street would be reconstructed. Mr. McClain said that is not scheduled. Mr. Wolterman said this might be able to be mitigated by a patching and asked Mr. McClain to offer his opinion.

The Board agreed to stay the violation until after the next Board meeting.

Keith Spitznagel of 3555 Edvera said he received a warning citation for tall grass or weeds. He said this is actually a blend of wildflowers. He said he was getting sink holes and planted the wildflowers to avoid cutting the grass. He said the sewer needs to be fixed. Mr. McClain will take a look at this.

Mr. Ritter asked that the Board be updated before the next meeting.

UNFINISHED BUSINESS

POLICE DEPARTMENT

Dare Grant Resolution

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Chief Meloy read Resolution 54-08, "Resolution Supporting the D.A.R.E. Program."

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

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

Hiring Process

Chief Meloy requested the Board open a hiring process to fill the one open position.

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

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

PARKS & SERVICES

Skyline Park

Mr. Schwartzhoff said volunteers are needed to help with the Crosstown Helpout on Saturday, July 26. He said you can register on our website or at the Parks office. He said you must be 18 years of age to volunteer. The times for the event are 8:00AM to 2PM.

July 4th Update

Mr. Schwartzhoff offered the Board an update on the 4th of July Spectacular.

Mr. Ritter asked about moving the fireworks earlier. He said that it's dark at 9:30 and that some families complained about the late hour last year. Mr. Foglesong said that the Fireworks are on a Friday this year and not a "work night" for those who might have to get up early the next morning for work. Mr. Ritter agreed.

Heritage Irrigation

Mr. Schwartzhoff requested the Board authorize him to go out of bid for materials only. This system will have total coverage of turf areas and we will buy materials ourselves.

Mr. Ritter said he's OK with this.

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Mr. Fiedeldey said that he is all right if a knowledgeable person designed it. He wants to be sure we will spec-out commercial system, not a home system.

Mr. Wolterman made a motion to approve the bid process and Mr. Fiedeldey offered the second. The roll was called:

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Fire Department

Chief Smith said that the preliminary report for the line of duty deaths will be prepared soon. He will give copies to Mr. Foglesong for the Board, review it with the families, meet with the department, and then make it available to others.

ZONING

Parks Survey

Dr. Roschke said the survey about the Parks has been presented to Board. She said that she hopes they have been able to review it and that it meets the Board's needs. She said they would like the Board's approval to be able to distribute this at the 4th of July Spectacular.

Mr. Fiedeldey felt it was too long.

Mr. Wolterman said that it is a lot questions, but if they feel the questions need to be asked, it's acceptable.

Mr. Ritter said that it is long.

Dr. Roschke said that they have pared it down.

Mr. Fiedeldey asked why they are asking if they are business owners. Dr. Roschke said we wanted to know if people spend their whole day in the Township or if they leave for part of it.

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

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

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LEGAL

Nuisance Abatement

Mr. Reuter said that he has spoken to Rep. Lou Blessing and he is interested and willing to present legislation which would shorten the process to abate nuisances which recur on the same property while in the hands of the same owner. Mr. Reuter will draft a proposal.

Property Enforcement Code Update

Mr. Reuter said we have received a response from the BMV for identifying information records to accompany the summons and complaints to be filed in municipal court. Mr. Reuter said he filed two today and will look at the rest again.

ADMINISTRATION

Cincy-Scape

Mr. Foglesong said that he received a call late today from CincyScape. He said there will be a \$10,000 initiation fee, with a one-year contract. He received an estimate of \$40,000 for production and editing, with 120 hours of service. He said this would be fully-loaded and other productions are allowed to be posted. He said this would be on both the website and cable. They will also post all news programs that mention Colerain Township.

Mr. Fiedeldey asked about the \$10,000, which is an annual buy-in fee, not a one-time fee. He wants to lock-in the fee for the second year, so that it can't be raised.

Mr. Wolterman asked about the quarterly newsletter and its cost. He said that we are in the age of computers and instant information. This will be archived to have the most recent and the past items. He wants a formal proposal to be prepared and presented to the Board. This is 3/10% of our budget to inform our public. This is less than \$1/resident.

Mr. Ritter suggested that the newsletter go to two a year. Mr. Fiedeldey suggested we keep the newsletter and evaluate after one year.

Mr. Foglesong said that ODOT notified him that the preemption system on Colerain Avenue has been approved. It will be a GPS system. He said they expect the job to be under contract by end of the month.

NEW BUSINESS

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POLICE DPARTMENT

Pay Journalization

Chief Meloy said that he presented the information to Mrs. Harlow:

PARKS & SERVICES

Pay Journalization

Mr. Schwartzhoff reported the following pay journalizations to the Board:

- Effective May 10, 2008, per collective bargaining agreement, Maintenance Worker I, Gary Lauer will receive an "annual" step increase. He will move from "Step 2B" to "Step 2C" at an hourly wage of \$18.61
- Effective July 10, 2008, Roger Krebs, Foreman, will receive an "annual" step increase. He will move from Step 6B to Step 6C at an hourly rate of \$23.49.

ZONING

Nuisance Resolution

Dr. Roschke read Resolutions 55-06 and 56-06, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

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

Mr. Fiedeldey asked about 10727 Invicta and said that from the photo, he cannot determine that this is a violation.

Mr. Wolterman moved to table the motion to allow Dr. Roschke to research.

Mr. Ritter offered the second.

The roll was called:

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

ADMINISTRATION

Set Public Hearing for Budget

Mr. Foglesong requested the Board set the public hearing for the 2009 budget for the regular meeting on July 8, 2008, at 7PM.

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

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

Legal

Mr. Reuter said the Taste of Colerain and 4th of July Spectacular is run by the Summer Events Committee. Last year, he incorporated the committee in the state of Ohio. He suggested the Board enter into a lease or rental agreement with the Summer Events Committee, Inc. to cover the two events and set-up tear down time. He suggested a rate of \$1 for both events. He suggested the Board authorize Mr. Foglesong to sign such lease.

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

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

Mr. Wolterman asked that Mr. Reuter and Mr. Foglesong see if this committee can be added to the Township's insurance as an additional insured.

Mrs. Harlow said that the restaurants must submit a certificate of insurance and asked if one or both should be included as additional insured. Mr. Wolterman suggested that both the Township and the Committee be named as additional insureds.

Dr. Roschke said that it looks as though progress has been made on the nuisances at 10727 Invicta.

Mr. Fiedeldey made a motion to approve Resolutions 55-08 and 56-08, striking the property at 10727 Invicta, 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.

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Mr. Wolterman made such motion and Mr. Fiedeldey 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>
335-2008	Dusty Rhodes	Hwy, Perm, Motor Veh.	42,544.80
336-2008	Zoning Department	Certificates, Other	1,613.10
337-2008	Fire & EMS Department	Reimb, Comm, Report, Don, Rest, Cell, CTTC	18,108.65
338-2008	Fire & EMS Department	EMS Billing	51,688.25
339-2008	Fire & EMS Department	Plan Review	75.00
340-2008	Dusty Rhodes – Auditor	Gas, LGF, Fin Inst May	148,533.96
341-2008	Dusty Rhodes – Auditor	Memo Receipt	
342-2008	Dusty Rhodes – Auditor	Memo Receipt	
343-2008	Dusty Rhodes – Auditor	Memo Receipt	
344-2008	Police Department	Forfeited Property Case	1,097.00
345-2008	Police Department	Court Reimbursement	12.00
346-2008	Parks & Services	Copies	6.70
347-2008	Parks & Services	Ball Field Rental	90.00
348-2008	Police Department	Donation – Wal Mart	2,500.00
349-2008	Police Department	April DUI Task Force	438.46
350-2008	Police Department	DUI Task Force	1,951.16
351-2008	Police Department	Court Reimbursement	78.00
352-2008	Dusty Rhodes - Auditor	Property Maintenance	1,000.00
353-2008	Dusty Rhodes – Auditor	Property Maintenance	560.00
354-2008	Dusty Rhodes – Auditor	Municipal Court Fines	4,222.00
355-2008	Sr & Community Center	Fees, Rent, Lunch, Ref	609.35
356-2008	Parks & Services	Shelter, CS Rental, Camp, Scrap Metal Rec	1,185.30
357-2008	Frank Birkenhauer	Cell Calls	25.85
358-2008	David Foglesong	Cell Calls	9.00
359-2008	Fire & EMS Department	Permit Fee	225.00

Mrs. Harlow said that she has received two requests from the Ohio Division of Liquor Control. One is a new permit request from Elmer Shockley DBA Colerain Sports Café, 8325 Colerain Avenue. Mrs. Harlow said she spoke with Chief

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Meloy about this and he recommends the Board request a hearing on the advisability of issuing the permit and request that the hearing be held in our county seat. The Board agreed. The second is a transfer request from Kenneth Jansen DBA Ken's Pub at 9406 Pippin Road and Beer Garden to McD's Fishing Hole, LLC, DBA McD's. Mrs. Harlow said that Chief Meloy does not see the need for a public hearing. The Board agreed.

Mrs. Harlow requested several appropriation adjustments:

- For Public Works, \$15,000 from 2231-760-740 (Machinery Equipment) to 2231-330-360 (Contracted Service (Road Work)).
- For Administration, \$11,500 from 1000-110-3220-0000 (trash removal) to 1000-110-315-0000 (election expenses)
- For the Colerain Square TIF, \$2,000 from 2903-110-599-0000 (other expenses) to 2903-110-314-0000 (tax collection fees).

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

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

Mrs. Harlow also requested the Board increase the appropriations for line 2261, Drug Asset and Forfeiture, from \$8,000 to \$15,000.

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

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

A five minute recess was called at 8:50PM.

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

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

The Board reconvened at 8:57PM.

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PUBLIC HEARING

ZA2008-01 Sexually-Oriented Business Overlay District Text & Map Amendments

Mr. Ritter opened the public hearing for the amendments.

Mr. Fiedeldey made a motion to continue the hearing until July 8, 2008, and Mr. Wolterman offered the second. The roll was called:

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

ZA2008-02 Text Amendments, Sections 12.5 and 12.8

Dr. Roschke presented the staff report.

Mr. Fiedeldey said that the waste receptacles are to be screened from the public right of way, but he has seen a lot of dumpsters that neighbors have to look at. They should be fully screened. He suggested that any commercial, front loading dumpster, two yards or more or multiple containers totaling two yards be screened. He suggested the fence be one foot above the dumpster.

Mr. Wolterman asked what prompted the changes.

Dr. Roschke said the screening requirement is completely new. She said the 4-yard size dumpster was a visual decision. The Zoning Commission did look at them. He asked where the barbed wire is permitted. She said there are agricultural or industrial uses. Dr. Roschke said that we received 6-12 requests for barbed wire fences in the last few months, mostly to protect a garden from deer.

Mr. Fiedeldey said there is no razor wire in the Township and we don't need it.

Mr. Wolterman said that it is his understanding that Mr. Fiedeldey does not want the changes as presented. Mr. Fiedeldey agreed. He suggested that we take his concerns and make a new proposal to be digested on these two sections that can be discussed further. He suggested that we could continue to July 8th and could have in print Mr. Fiedeldey's concerns and probable solution via another resolution.

Mr. Ritter opened the public address.

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Don Minges of 6939 Thompson Road said that he has been using electric fence for 40 years. He can't do without it because of the cows and the bull. He feels the areas need to be more defined. There is a lot of fencing in the Township that we may not event know about. He asked about other Townships. He said there are many small gardens and we are taking their rights away.

Dennis Mason of 10210 Scull Road said that if electric fences were a problem, we'd have dead animals everywhere. They're not a problem.

Mr. Wolterman moved to close the public comment. Mr. Reuter suggested that the Board leave this open.

Mr. Wolterman said that in the past, the public comment was before the Board's comments and wondered what the Board would like to do in the future. Mr. Fiedeldey said this is a different situation because it's a text amendment and there is no true applicant.

Mr. Ritter reviewed the changes Mr. Fiedeldey suggested to the waste receptacles. Mr. Wolterman said that if it's a commercial property, the receptacles should be screened. Mr. Fiedeldey agreed. Mr. Reuter said they are creating a "hole" for multi-family.

Mr. Wolterman made a motion to continue the hearing until July 8, 2008, and Mr. Fiedeldey offered the second. The roll was called:

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

ADJOURNMENT

With no further business to come before the Board, at 9:55PM, Mr. Wolterman motioned for adjournment. Mr. Fiedeldey offered a second.

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

Fiscal Officer

Trustee

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