

October 25, 2011

Held

, 19

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 compensation, employment and benefits of public employees or officials, pending and imminent litigation and the negotiation of contracts to which the Township is a party.

At 6:01 PM, Mr. Ritter made a motion to enter Executive Session and Mr. Wolterman 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 7:04 PM. Mr. Reuter 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.

APPROVAL OF MINUTES

The October 11, 2011 minutes were submitted for approval. Mr. Ritter made a motion to approve the minutes and Mr. Wolterman offered the second. No discussion and the roll was called:

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

PUBLIC HEARING

Community Development Block Grant

Mr. Birkenhauer said this is the second hearing.

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

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

Mr. Birkenhauer said the projects were presented at the first meeting: road projects, Senior Center HVAC repair, and the Skyline Community Center operating expenses. The first hearing took place two weeks ago. The ranking of the projects is:

1. Road Projects
2. Senior Center HVAC Repair
3. Skyline Community Center

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As stated previously these projects represent a total request of approximately \$435,000 over the three-year cycle.

Mr. Deters asked Mr. Birkenhauer to explain the process. Mr. Birkenhauer said that once the ranking is sent, that it isn't necessarily how they will be funded. It is also based on the county meeting the federal guidelines. Projects can be partially funded.

Bernie Fiedeldej, of East Miami River Road, asked about the HVAC system in Ft. Coleraine Hall. How many square feet is the hall? \$128,000 sounds like a lot of money. Have we had an engineer look at this instead of just a HVAC technician?

Greg Moore, Skyline Community Center director, said the YMCA and the Township has a great relationship. They understand the viability of the center. It would be a shame to lose the positive connection, also in the surrounding area. He wants action going on, packing the building. He talked about a user fee, but this isn't a viable option. This will take funding and a collaborative effort. He said that they work with people outside of the Township, too. Mr. Wolterman thanked Mr. Moore for what he does.

Mr. Wolterman said his priority rankings were not the same as the final rankings, with the other Board members. He is concerned that with the low ranking for the Skyline Center, this will say this doesn't matter. This impacts many lives. Mr. Birkenhauer said that we pared back to \$135,000. Mr. Wolterman said we just put in about \$65,000 in the facility.

Mr. Birkenhauer said a #3 ranking doesn't mean it won't be funneled. They do give priority to previously-funded projects.

Mr. Wolterman said this was a #1 priority in the past and it would be detrimental to the operation if it's not funded. Mr. Wolterman said that we have discussed the Springfield Township partnership. He feels this needs to be funded with community development funds.

Mr. Deters said that everyone knows that the Township values this program. Ultimately depending on the funding, it doesn't mean the center will be closed. This doesn't mean that it will be a mandate. Mr. Deters said it was impossible to rank these and that he would have ranked them all as a "1."

Mr. Deters made a motion to close the public hearing and Mr. Ritter offered the second. No discussion and the roll was called:

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

Mr. Birkenhauer said it will be late December or January. He expects that we'll receive about \$250,000 in some manner.

POLICE REPORTS

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in September 2011:

- 139 cases were assigned to the Sheriff's Criminal Investigation Section and 19 were closed, with \$34,350 in stolen property recovered.
- 8 D.U.I. arrests by County contract and non-contract deputies.

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- 97 citations were issued by Hamilton County Sheriff's Office Colerain contract cars. 92 cites by non-contract deputies with a total of 189.

Police Chief Meloy said the Township's department issued 319 citations with seven arrests for DUI.

TRUSTEE REPORTS

MR. RITTER

He had nothing to report.

MR. WOLTERMAN

Mr. Wolterman said two of our police department members received awards at the Cincinnati Christian University "Beyond the Call" program. Officer Nick McCarthy was recognized for "Community Policing/Problem Solving" for working with special needs residents and teaching others how to work with them, through the CARE (Children and Residents Encounter) program. Chief Dan Meloy was also recognized for his contribution to the community with the "Devotion to Duty" award.

MR. DETERS

He had nothing to report.

CITIZEN ADDRESS

Jim Acton, of 4458 Woodtrail Lane, said Elle McVay was recommended by Mr. Ritter to serve on the Memorial Committee but she has resigned. He requested Mr. Foglesong replace her.

Mr. Ritter made a motion to appoint Mr. Foglesong. Mr. Deters offered the second. The roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Betty Sandoz, of 5725 Dunlap Road, was going to paint the road dividers on Colerain Avenue herself, out of frustration, but then noticed they had been painted. Mr. Deters said this was done by the Ohio Department of Transportation. She would like to commend them, but also mentioned they forgot to paint the sections of Colerain Ave. in Groesbeck. Mr. McClain will look into this.

Bernie Fiedeldey, of East Miami River Road, stated that several months ago the board passed a resolution to fix the situation at the Raisch property. He would like to know the status. Mr. Reuter said that he pursued a channel of communication opened by Mr. Fiedeldey by meeting with family members the end of August. It ended up that Meredith Raisch is committed to the idea that the property must be cleaned up and in a way that is measureable by the Township. Mr. Raisch is distrustful of government and didn't want anything in writing. There was a follow-up conversation about two weeks ago, and a family member said he was willing to sign an agreement. Mr. Reuter said that he needs to revise the document and get it back to the family for approval. He feels this is a good outcome and he will report to the Board at the next meeting.

Mr. Deters said that we were permitted to pass a resolution and this has begun a conversation. He would rather work something out than drop the hammer. He hopes there is a clear light at the end of the tunnel. Mr. Fiedeldey said the Board

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has done everything possible to remedy this situation, but he feels the Board must put a deadline date on this.

Mr. Fiedeldey said that a couple of meetings ago there was a conversation about the 10% bonus from CMHA. There were to be letters written to CMHA and Congressman Chabot. Were the letters done?

Mr. Birkenhauer said they met with the director of CMHA. They have now started the rent reasonableness study again, with a third party consultant. The process is starting, regardless if we write a letter. He feels confident the bonus will go away. He said we are working on this with a group, with Chabot, to rectify this for the long-term.

Mr. Fiedeldey said we need to go on record.

Mr. Ritter said that we did testify at the public hearing and did write a letter.

Mr. Birkenhauer said he'd hesitate writing a letter during this study as it will mean nothing.

Mr. Fiedeldey said that at the last meeting Dr. Roschke commented that we're getting to the end of the nuisance resolutions for the year. He suggested we start working on the property maintenance violations since there are 500 violations that are still on the books. Can we work on those past violations to get them cleaned up? Not much success going to court. Have we considered giving them a ticket by a police officer?

Mr. Fiedeldey said that we spent \$2 million on the corner. He suggested we put this on hold instead of putting one entity ahead of the rest of the business community.

UNFINISHED BUSINESS

ADMINISTRATION

2012 Budget Reductions

Mr. Birkenhauer said this is a part of the process to get a balance in the General fund. With a 36% cut, there has to be an affect on services. The Departments took a look at what this will mean. This is the first step of the process and a cut this deep will affect quality of life and services to the Township.

Each General fund-funded department presented options for reductions.

Mr. Birkenhauer presented the totals:
2012 Preliminary Budget: \$7,935,100.
Reduction Target at 36%: \$2,074,300.

Department Annual Savings
Administration: \$575,000
Parks & Services: \$452,000
Public Works: \$660,500
Community & Senior Center: \$243,000
Planning & Zoning: \$252,700/214,700
Total \$2,183,200 / \$2,145,200

Mr. Ritter commented he was interested to see what the departments would come up with. This is a horizon view with all of the contingencies.

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Mr. Deters stated that he is sure this was a miserable exercise. We owed it to the Township residents to do this to know. Now, it's up to the Board to get this to the residents. Mr. Birkenhauer will work with the Financial Advisory Committee (FAC) to look at these and get another set of eyes to do this the right way, and see where we are.

Mr. Wolterman said this is for 2012, but would also like to see projections for 2013 and 2014.

Mr. Ritter said we should first engage FAC to do independent assessment, then engage public in mid-to late November.

Mr. Birkenhauer commented this was his first exercise in doing this. He has limited resources and time because of his many duties.

NEW BUSINESS

FIRE DEPARTMENT

Full-Time Hire

Chief Smith requested the Board hire Jerry DiMuzio, Firefighter/P1, at the starting contract rate of \$43,907.76, and serving a one-year probationary period.

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

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

Pay Rate Change

Chief Smith requested the following pay rate change: Doug Rolf to \$14.40/hour as a Firefighter/EMT/FAO, effective October 10, 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

Part-Time Clerk Hire

Chief Meloy requested the Board's approval to hire Amanda Griffin, as a part-time weekend "Records Clerk." Upon approval, she would begin her training to work on the weekend's beginning Saturday, October 29, 2011. Ms. Griffin will receive training on the duties associated with the new position prior to the start of her assuming "solo" duties. The starting rate of pay is \$12.18 per hour.

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

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

"Beyond the Call" Award

Chief Meloy shared that Officer Nicholas McCarthy was nominated and selected as the CCU "Beyond the Call" awardee for his Community Policing/Problem Solving" commitment to the residents of Colerain Township through his creation and implementation of the CARE (Children and Residents Encounter).

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Police Unity Ride

Chief Meloy reported that on Saturday, October 15, 2011, Colerain Police Department, Bike Team members, Melissa Johnson, Joey Carter and Mike Stockmeier represented the Police Department and participated in the 3rd annual Fallen Officers Memorial Bike Ride. Our three bike team members rode their police mountain bikes 40 miles to help raise money and awareness for the "Police Unity" tour.

Chief Meloy invited everyone to attend the ribbon cutting ceremony of the Community Resource Center at 2:30 p.m. October 27, 2011.

PUBLIC WORKS**Snow Removal on Unaccepted Dedicated Streets**

Mr. McClain read Resolution 64-11, Snow Removal on Unaccepted Dedicated Streets.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

ZONING**Nuisance Resolution**

Dr. Roschke read Resolution 65-11, 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"

Internet Cafés

Dr. Roschke explained that "Internet cafés," also known as "sweepstakes cafés," or "video lottery parlors," are retail locations with gaming terminals. Customers buy time cards they then use to play online games or gamble. The business manages the sweepstakes. In some cases, the cards are pre-programmed with a winning percentage. Some cafés provide food, free or sold. There may also be other uses for the internet terminals in the café. Additional services such fax machines or copiers may be provided. In some cases, one or a few terminals may be located in another business (e.g., a gas station). Internet cafés are currently being reviewed by the Ohio Legislature for potential regulation and licensing under the Ohio Casino Commission. The law would ensure that such uses are regulated under Ohio Gambling Law rather than the Consumer Sales Practices Act. Consideration of H.B. 195 will continue following the November elections. Many Ohio communities have recently put regulations or moratoria in place. She said we have received a couple of inquirers about the requirements for an Internet Café.

Mr. Reuter said this should be a zone change. He will review the moratorium option. He said his impression is that this is a matter of urgency.

Mr. Wolterman said that Mr. Reuter suggested the Board have a moratorium. What's the procedure for this? Mr. Reuter said we would ban them for a short period of time to allow study of this issue. Mr. Wolterman said he would not be opposed. Mr. Deters and Mr. Ritter agreed.

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Legal

Mr. Reuter said that, once accepted, Stone Creek Boulevard will be a public street and Township obligation. He said this includes the area with the retaining wall and creek. Because of structural problems with the wall, we have declined to accept the wall from the developer. We will assign our rights under the contract to the developer, who will bear the costs of repair. It will be fixed before we accept it.

He said agreement with the developer will create an escrow account. If the developer is successful in litigation, they will receive TIF money set aside for the property. If not, the funds will then be applied to the repair of the wall. He said this is a good arrangement for the Township. He requested the Board approve the assignment of rights to the developer, against the contractor and allow Mr. Birkenhauer to sign on our behalf.

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

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

Mr. Reuter requested the Board approve the employment agreement for Frank Birkenhauer. The last agreement was in 2007. This is the same agreement, renewal. It's the same position at present salary. It is consistent with past agreements and still appropriate. Mr. Reuter read Resolution 66-11, Authorizing Contract Continuing Employment of Assistant Township Administrator/Economic Development Director.

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

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "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. 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>
554-2011	Sr. & Community Ctr.	Membership \$30, Classes \$286, Rent Event Fee \$350, Lunch \$47	\$713.00
555-2011	Fire & EMS Dept.	Plan Review	75.00
556-2011	Zoning	Certificates, BZA	1,210.61

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557-2011	Public Works	Permits	42.00
558-2011	Parks & Services	Recycle Day Freon	735.00
559-2011	Administration	Recycle Day Tires	35.00
560-2011	Sr. & Community Ctr.	Membership \$35, Classes \$953.60, Lunch \$22.75, Art Supply Donation \$7	1,018.35
561-2011	Zoning	Certificates, Amendments	865.00
562-2011	Police Dept.	Towing – Vehicle Returned to Owner	140.00
563-2011	Police Dept.	Drug Testing Reimbursement	40.00
564-2011	Fire & EMS Dept.	CTTC Rent, Cell Calls, Donation, Signs, CTTC Electric, Name Plates, Reimbursement for Hours, CPR, Commissary, EMS Detail Reimbursement, Fire Instructor	10,385.99
565-2011	Zoning	Certificates	1,055.00
566-2010	Police Dept.	Court Reimbursement	84.00
567-2011	Police Dept.	Towing Fee	225.00
568-2011	Police Dept.	Forfeiture	1,074.00
569-2011	Police Dept.	Towing Fee	225.00
570-2011	Police Dept.	Towing Fee	225.00
571-2011	Police Dept.	Towing Fee	225.00
572-2011	Police Dept.	Salaries	8,427.58
573-2011	Police Dept.	State Park, Drug and DUI Fines	441.08
574-2011	Fire & EMS Dept.	EMS Billing	1,232.33
575-2011	Sr. & Community Ctr.	Classes \$170, Rent Event Dep. \$100, Rent Event Fee \$225, Lunch \$41	536.00
576-2011	Fifth Third	Investment Daffodil Interest	2,500.00
577-2011	Fifth Third	Investment Hyacinth Interest	5,000.00
578-2011	Fifth Third	Investment Lt. Orange Interest	10,000.00
579-2011	Hamilton County Auditor	2 nd Half Manufactured Homes Settlement	1,182.56
580-2011	Hamilton County Auditor	Tipping Fees	691.10
581-2011	Hamilton County Auditor	Reimbursement from Skyline	2,800.80
582-2011	Hamilton County Auditor	Municipal Court Fines Sept.	5,904.30
583-2011	Hamilton County Auditor	1 st Half Estate Tax Adv.	41,700.00
584-2011	Hamilton County Auditor	Cigarette Settlement	2,092.19
585-2011	Hamilton County Auditor	Permissive Motor Veh. Sept.	39,759.84

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586-2011	Hamilton County Auditor	Motor Vehicle Reg. Sept., Local Gov. Hgwy. Oct., LFG Oct.	67,732.30
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Mrs. Harlow requested the Board approve an appropriation adjustment for the general fund: take \$18.43 from 1000-930-930-0000 (contingencies) and adjust to 1000-110-314-0000 (tax collection fees). Mr. Wolterman made such motion and Mr. Ritter offered the second. The roll was called:

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

Mrs. Harlow said she received two requests from the Ohio Division of Liquor Control. The first is a stock change for Raj and Ronak Inc., DBA Peach Grove Market, 5968 Springdale Road, Cincinnati, OH 45247. The second is a transfer from Sico LLC, DBA No Worries, 7958 Harrison Ave., 1st floor and patio, Cleves, OH 45002. Mrs. Harlow said she spoke to Chief Meloy and Dr. Roschke about these and neither sees the need for a hearing. The Board agreed.

Mrs. Harlow said that at the last Trustee meeting, Mr. Wolterman asked for an estimate of estate tax revenue in 2013. The Ohio Estate Tax was recently repealed for estates of individuals dying on or after January 1, 2013. However, estates have a total of 15 months to file the return. Therefore, it's certain we will receive monies in 2014. Because of the timing of the return due date, she would expect funds received in 2013 would be for prior years in most cases. Therefore, our typical estimate of receipts of \$500,000 would continue to be an appropriate estimate.

ADJOURNMENT

With no further business to come before the Board, at 8:51 PM, Mr. Wolterman motioned for adjournment. Mr. Ritter offered a second.

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


Fiscal Officer


Trustee


Trustee


Trustee