

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
May 13, 2024

The Clearcreek Township Trustees met in regular session at 5:30 p.m. with the following members present: Mr. Gabbard, Mr. Muterspaw, and Mr. Wade.

Mr. Wade opened the meeting and led in the Pledge of Allegiance.

Mr. Wade called for Public Comment. No comments were noted.

Mr. Wade asked for a motion to suspend the regular meeting and start a Public Hearing on Resolution 5508 – A Resolution to approve/modify/deny the zone change request at 1555 E. State Route 73, parcel number 05-25-400-028. The zone change request is from Non-Residential Planned Unit Development “NR-PUD” to Neighborhood Business Zone “B-1,” and to dispense with the second reading. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea, Mr. Gabbard-yea, and Mr. Wade-yea.

Mr. Palmer, Planning and Zoning Director, gave background information on the request. Mr. Palmer acknowledged the applicant as being in the audience. Mr. Wade asked the owner/applicant, Mr. Brett Scott, if he had comments for the record, which Mr. Scott declined.

Hearing no further questions, Mr. Wade asked for a motion to close the Public Hearing and resume the Regular Meeting. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea, Mr. Muterspaw-yea, and Mr. Wade-yea.

Mr. Wade asked for a motion to approve/modify/deny the rezoning request in Resolution 5508. Mr. Muterspaw moved to approve the Resolution with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea, Mr. Gabbard-yea, and Mr. Wade-yea.

Mr. Carolus, Fiscal Officer, advised that Street Light bills for the last two years had risen significantly resulting in a declining Street Light Assessment fund balance. Mr. Carolus proposed modifying the quarterly interest transfers to include the Street Lighting Fund. The money in that fund belongs to the assessed property owners and the interest accrued that would normally go to the General Fund could be used in the Street Light Assessment fund to offset increasing street lighting assessment costs. Mr. Wade asked if the General Fund would be paying for Street Light Assessments. Mr. Carolus and Mr. Clark, Township Administrator, advised that while the interest would no longer be going into the General Fund, it was more appropriate to use interest generated from the Street Lighting Fund than to increase the one percent administration fee. After a short discussion between the Board and Mr. Carolus, the Board indicated that Mr. Carolus could bring a Resolution to include adding the Street Light Fund to the quarterly interest transfer resolution.

Mr. Wade read Resolution 5505 – A Resolution authorizing the sale of fire apparatus to the City of Piqua, Ohio, dispensing with the second reading, and declaring an emergency. The reason for the emergency being the need for Piqua to receive the apparatus at the earliest time permitted by law. Mr. Steve Cox, Assistant Fire Chief, advised the Board the sale price was \$250,000. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the

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motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Assistant Chief Cox asked the Board to accept a generous donation of \$100 by Jerry and Shirley Hidy to the benefit of the Fire Department. Mr. Wade asked for a motion to accept the donation. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5510 – A Resolution determining that the maintenance of a specific tract of land at 3555 Mary Ann Drive constitutes a nuisance and ordering the removal of debris and the removal of a junk vehicle after sufficient notice, dispensing with the second reading, and declaring an emergency. The reason for the emergency being the need to address and abate the nuisance in a timely manner. Mr. Palmer gave background information on the nuisance. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5511 – A Resolution determining that the maintenance of vegetation on a specific tract of land at 1244 Center Spring Avenue constitutes a nuisance, dispensing with the second reading, and declaring an emergency. The reason for the emergency being the need to address and abate the nuisance in a timely manner. Mr. Palmer gave background information on the nuisance. Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5512 – A Resolution authorizing the Township Administrator to incur obligations greater than \$10,000 on behalf of the Township, dispensing with the second reading, and declaring an emergency. The items being purchased are:

- a. Twenty mattresses and box springs from Big Sandy's Super Store for \$17,000.
- b. Polyester pavement striping services from Aero-Mark Company for \$24,871.38.

The reason for the emergency being the need to acquire the goods and services as soon as possible. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Clark asked the Board for permission to make a conditional offer of probationary employment to Randi Milburn to fill the Human Resources Manager position at \$75,000 annual salary, effective May 13, 2023, pending acceptable post-offer, pre-employment testing, screening, and background check. Mr. Clark gave some background information on Ms. Milburn. Mr. Wade asked for a motion to make the conditional offer. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

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Mr. Wade read Resolution 5513 – A Resolution authorizing the Township Administrator to execute a contract with Strawser Construction, Inc. for the 2024 Cape Seal and Mico Seal Road Treatment Program, dispensing with the second reading, and declaring an emergency. The reason for the emergency is to get the project started immediately. Mr. Jones, Road Superintendent, updated the Board on paving along with which subdivisions would be worked on. Mr. Jones also explained that cape sealing extends pavement life. Mr. Wade asked Mr. Jones about the cost. Mr. Jones stated this contract was for \$496,343.71. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Jones updated the Board on the Salt Bin construction and noted that rain was slowing progress on the project.

Chief Terrill asked the Board to accept the generous donation of \$150.00 from James and Sally Hough to benefit Safety Town 2024. Mr. Wade asked for a motion to accept the donation. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Gabbard noted that township residents are pleased with the vacation check program. Chief Terrill stated this is one of the Police Department’s most popular programs.

Mr. Wade asked for a motion to approve the Consent Agenda. Mr. Gabbard so moved to approve the Consent Agenda as presented to the Board:



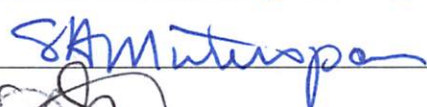
- 1 Approval of Regular Minutes – April 22, 2024, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Remove Lieutenant Luke Drury from his probationary period, accept him as a regular, fulltime employee, and adjust his hourly rate of pay to \$33.30 per hour effective May 11, 2024.
- 4 Authorize the Fire Department to make application for the following four grants from various state and civic/benevolent organizations:
 - a. USDA Community Facilities Direct Loan, Grant and Loan Guarantees for \$15,000 with 25% matching.
 - b. Firehouse Subs Public Safety Foundation Grants for \$15,000 with no matching requirements.
 - c. Ohio Division of Emergency Medical Services Trauma and EMS Research for \$8,000.00 with no matching requirements.
 - d. Brothers Helping Brothers Grant Program for \$8,000 with no matching requirements.
- 5 Authorize the Police Department to make an application for the Department of Justice’s FY24 Community Oriented Policing Services Law Enforcement Mental Health and Wellness Act Grant.
- 6 Accept the Road, Planning and Zoning, Police and Fire monthly reports for April 2024.

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Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Clark updated the Board on the Pickleball court construction along with the corresponding grant reimbursement from the Ohio Department of Natural Resources. Mr. Clark also noted that Michelle Teska, a Township resident, and candidate for State Representative had stopped by the Administration Building to chat about local issues.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 5:56 p.m. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

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