

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
April 10, 2023

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 asked the Board if any item needed to be removed from the Consent Agenda. No requests for removal were noted.

Mr. Wade asked for Public Comments. Mr. Kevin Barton, Police Sergeant, came forward to thank the Board for the new Police building. Detective Sergeant Barton thanked other people for their role in getting the building done including Police Chief Terrill. Sergeant Barton presented a memorial flag to Chief Terrill from the personnel in the Police Department in recognition of his efforts in building the new police building.

Mr. Agenbroad, Fire Chief, came forward to discuss the Stork Award that was being presented to Firefighter/Paramedics Holbrook and Powell along with Lieutenant Khan for their roles in the birth of Noah Chong. Chief Agenbroad noted the harsh weather conditions along with a breech birth that complicated the delivery. Mother, Mercy, and newborn Noah were in attendance as well. Tracy Gabbard, Clinical Nurse Manager at Kettering Health presented the three fire personnel stork pins, which are given to any Medic who delivers babies out in the field. The Chong family expressed their gratitude for the Department's help in the delivery.

Mr. Wade asked for a motion to accept the service retirement of Police Officer Eric Ney effective April 14, 2023, with profound gratitude for his service to our community and sacrifice in the line of duty. Mr. Wade expressed his gratitude for Officer Ney's service to the community and wished him well in his future endeavors. 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 left the dais at this time and sat in the audience.

Mr. Gabbard asked for a motion to suspend the regular meeting to hold a Public Hearing on Resolution 5420 – A Resolution to approve/modify/deny the zone change application at 2815 Factory Road, Parcel ID 04-13-151-026 & 04-13-300-0471, rezoning 24.9236 acres from Suburban Residence Zone "SR-1" to Residence Zone "R-1," and 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 and Mr. Gabbard-yea.

Mr. Palmer, Planning and Zoning Director, gave background on the requested zone change application. The Board and Mr. Palmer discussed the application. Mr. Gabbard asked the applicant, Mr. Wade, if he wished to add anything. Mr. Wade said he had nothing further to add unless someone had questions. Mr. John Treon, who owns a 30-acre parcel directly south and east of the zoning request asked questions concerning the definition of agricultural tourism. Mr. Palmer and Mr. Gabbard answered Mr. Treon's question. Mr. Treon then asked Mr. Wade his intentions for the property. Mr.

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Wade stated his intention to use the property as a wedding venue, for parties, and business meetings. Mr. Wade described his project to Mr. Treon. With no further comments noted, Mr. Gabbard asked for a motion to close the Public Hearing and immediately resume the Regular Meeting. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; and Mr. Gabbard-yea.

The regular meeting resumed at 5:56 p.m.

Mr. Gabbard made a motion to approve Resolution 5420. Mr. Muterspaw seconded the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Muterspaw-yea.

Mr. Carolus, Fiscal Officer, asked the Board to approve a resolution that would set the Trustee and Fiscal Officer's pay date to the first pay of the month. Mr. Carolus explained that Trustees and Fiscal Officers are paid in arrears, so having a pay at the very end of the month wasn't allowing all benefits to accrue in the month being paid.

Mr. Wade read Resolution 5421 – A Resolution defining the monthly compensation cycle for elected officials' pay, and dispensing with the second reading. 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. Clark, Township Administrator, asked the Board to direct him to solicit competitive bids for the construction of pickle ball courts at Patricia Allyn Park pursuant to Ohio Revised Code Chapter 153. Mr. Clark noted this is the second attempt to get bids on the project as the first attempt was deemed too expensive with a single bidder. After a short discussion about project timing, Mr. Wade asked for a motion to authorize Mr. Clark to solicit bids for the pickle ball courts. 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 to set the Administrative Office hours of operation to 8:00 a.m. to 4:00 p.m., Monday through Fridays. No objections were noted by the Board.

Mr. Clark asked the Board to accept OTARMA's renewal of our property/casualty insurance, effective April 1, 2023, at a total cost of \$119,388. Mr. Clark noted that the current cost was higher than last year by \$15,000 due to the two new buildings and additional fire apparatus. Mr. Wade asked for a motion to approve the payment. 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.

Chief Terrill asked the Board to create a full-time employment position of Administrative Police Specialist and set the starting pay at \$25.00 per hour. Chief Terrill explained the rationale for the new position and noted how this new position would solve several issues including video public record requests. Mr. Wade asked for a motion to create the position. Mr. Muterspaw so moved with Mr.

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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 5422 – A Resolution approving the Memorandum of Understanding (MOU) by and between the Board of Clearcreek Township Trustees and Ohio Patrolman’s Benevolent Association Patrol Officer bargaining unit and dispensing with the second reading. Chief Terrill noted that the MOU sets the new Police Administrative Police Specialist as a non-bargaining position. 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.

Chief Terrill noted that a crypto-currency case was recently resolved that will net the Township \$42,000 as authorized by the Courts.

Mr. Agenbroad, Fire Chief asked the Board for authorization to purchase a new Kohler Model KG80 backup generator for Station 21 from Buckeye Power Sales at a cost of \$65,543. Chief Agenbroad noted this is a budgeted item and that the projected delivery for the new generator is 60 weeks out. Mr. Wade asked for a motion to approve the purchase. 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 asked for a motion to approve the Consent Agenda. Mr. Gabbard moved to approve the Consent Agenda as presented to the Board:

- 1 Approval of Minutes – March 27, 2023, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the Road and Parks, Planning and Zoning, and Police March 2023 monthly reports.

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. Jones, Road Superintendent, expressed his appreciation to the Board for allowing him to purchase the asphalt roller by advising that they had paved 37 tons of asphalt yesterday in making storage bins for aggregate materials here onsite.

At 6:11 p.m., Mr. Wade asked for a motion to adjourn the meeting. 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.

FISCAL OFFICER _____
TRUSTEE _____
TRUSTEE _____
TRUSTEE _____