

Held _____ April 12

2021

(YEAR)

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

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

Mr. Wade asked if the Board members had any consent agenda item or items that they wished removed. No removal from the consent agenda was requested.

Mr. Wade asked Fire Lieutenant, Justin Null to step forward to take the Oath of Office for Fire Captain. Mr. Wade administered the Oath. The Board and all in attendance congratulated the new Fire Captain. Fire Captain Null was pinned with his badge by his wife, Katie Null. Captain Null's promotional probationary rate is \$31.69 per hour effective April 17th.

Mr. Wade then asked Firefighters Ross Moffitt, Eric Henry, Kyle Lalich, and Matt Lalich to step forward to take the Oath of Office for Fire Lieutenant. Mr. Wade administered the Oath. The Board and all in attendance congratulated the new Fire Lieutenants. Fire Lieutenant Moffitt was pinned with his badge by his wife, Shana Moffitt. Fire Lieutenant Henry was pinned with his badge by his wife, Vicky Henry. Fire Lieutenant Kyle Lalich was pinned with his badge by his wife, Kelley Lalich. Fire Lieutenant Matt Lalich was pinned with his badge by his wife, Amanda Lalich. The Lieutenants listed above are Probationary Lieutenants at \$28.82 per hour effective April 17th.

Mr. Wade then asked for a motion to recess the Regular Meeting to conduct a Public Hearing related to Resolution 5297 – A Resolution to Approve/Modify/Deny the Stage 1 PUD application to amend the Zoning Resolution and Map of 172.61 acres from Suburban Residence Zone “SR-1” and Township Residence Zone “TR-1” to Residential Planned Unit Development “R-PUD,” and dispensing with the second reading. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Palmer, Planning and Zoning Director, updated the Board on the particulars and timelines of the project. Mr. Palmer noted that the meeting was also available on the internet and that 19 people were watching or listening to the meeting via remote access. After the initial presentation by Mr. Palmer, Mr. Wade and Mr. Gabbard noted their concerns with density, lot size, sanitary sewer availability, and zoning classifications. Mr. Adam Sweeney, Construction/Development Manager for Design Homes came forward. He summarized that significant effort was made to consider issues identified by the Township and adjacent property owners. He also noted that Design Homes had developed over \$100 million inside Clearcreek Township. Mr. Sweeney then introduced Mr. David Reed, Esq., Design Homes' lawyer, to present on the project. Mr. Reed's presentation highlighted the projected need for the housing and the overall assumption that most of the housing would be occupied by older adult population with some families. Mr. Reed then opined that the plan would meet the requirements of Clearcreek Township's standards for stage one PUD approval; was consistent with the Clearcreek Master Plan; is permissible under PUD standards; and is consistent with the zoning resolution and it's stated content. Mr. Reed stated the Silver Mill development is less intense that would be had under a straight SR-1 zoning classification and meets community needs. Mr. Reed then gave testimony on the history of the project and details on the development. Mr. Reed further clarified the intent of the proposal with extensive exhibits and detailed explanations of the presentation.

At the conclusion of the presentation, Mr. Wade asked if Mr. Gabbard had any questions. Mr. Gabbard asked about how the \$100 million figure was calculated. Mr. Reed explained how they came up with the figure. Mr. Wade then asked about turn lanes for the project. Mr. Reed explained that he didn't have an answer for the question at this time. Mr. Steve Lyle, project engineer from Reinke came forward and stated that although the county hasn't responded to the preliminary plans, that the traffic study prepared showed that no additional road improvements would need to be made. Mr. Lyle did state that if the County needed additional information, they would be happy to provide that. Mr. Wade commented on prior

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conversations with the proposal and his concerns with the number of multi-family units in the development along with lot size. Mr. Wade stated the possibility of reducing the number of units with the corresponding increase in lot size. Mr. Reed responded by saying the developer had listened to the Zoning Commission, township staff, and citizens in reducing the number of units proposed. Mr. Gabbard stated that earlier meetings had set the direction for what the Township was looking for and that the proposal before the Board did not meet those directions. Mr. Gabbard stated his concern about the density of the project. Mr. Gabbard then asked Mr. Palmer about what direction the Board set forth in those earlier meetings. Mr. Palmer updated the Board on what occurred during that meeting.

In response, Mr. Reed commented on the need for additional housing for an aging population in that area and stated this proposal was responsive in reducing the number of multi-family units. Mr. Lyle then came forward to discuss plan development. He stated the plan was to gradually reduce density from north to south with additional buffering for neighbors. Mr. Lyle stated he felt that was responsive to the Township and neighbors' concerns. Mr. Wade then offered his opinion on what he felt would make the proposal more acceptable including moving the multi-family units further back and reducing the number of units. Mr. Gabbard then spoke about his concern for development's impact on associated school systems. Mr. Lyle opined that in his experience with these type developments, buyers would not have a significant impact on local schools. Mr. Gabbard summarized his position by agreeing the green space in the proposal is good, that Mr. Wade's proposal to move the multi-family units further back is needed and that turn lanes into the development need to be made. Mr. Lyle said that the traffic study did not indicate a turn lane was needed.

Mr. Wade then opened the Public Hearing to public comment. Mr. Palmer noted 19 participants to the online meeting. Mr. Chris Jaquet, 1792 Grand Cypress Blvd, objected to the development because the density exceeded the limit in the zoning resolution and that the proposed development does not meet the Master Plan to match the surrounding community. Mr. Jaquet clarified this by stating quad homes in the countryside, even further off the road would not be acceptable. Mr. Jaquet also stated his objection to one-third acre lots. Mr. Jaquet also noted several problems with the traffic study that needed clarification. Mr. Palmer repeatedly asked for further comments from online participants. No further public comments were noted.

Mr. Wade then asked for a motion to conclude the Public Hearing and resume the Regular Meeting. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade asked for a motion to approve or deny Resolution 5297. Mr. Gabbard moved to deny the Stage 1 PUD application to amend the Zoning Resolution and Map of 172.61 acres from Suburban Residence Zone "SR-1" and Township Residence Zone "TR-1" to Residential Planned Unit Development "R-PUD". Mr. Wade seconded the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Carolus, Fiscal Officer, asked the Board to approve the quarterly interest transfers. Mr. Wade read Resolution 5298 – A Resolution approving a transfer of funds from the General Fund to other funds in amounts equal to investment income generated by those funds for first quarter of 2021, and dispensing with the second reading. Mr. Gabbard moved to approve Resolution 5298. Mr. Wade seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade then opened the meeting to Public Comment. Mr. Driskoll 'Pete' Gibbs, 7328 Larkspur Court, came forward to discuss flooding issues at his and a neighbor's property. Mr. Gibbs stated his concern that the development at the Township campus

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would bring additional water to his property. Mr. Wade and Mr. Clark, Township Administrator, informed Mr. Gibbs that the Warren County Engineer's office was working on another solution but had decided not to fix the issue at this time due to cost, even though the Township was willing to put \$45,000 into the effort to fix the problem. Mr. Gibbs then asserted that Mr. Petty from the Warren County Engineer's office told him that the Township had backed out of the project, and that's why it was not moving forward as proposed. The Board and Mr. Clark informed Mr. Gibbs this was not true and that the Township was willing to spend the \$45,000 to fix the problem. Mr. Gibbs stated he had spoken to Mr. Petty that very morning and that the Township had backed out of the project. Mr. Clark noted the Township had budgeted money the last three years for this project and that the County was the one who rejected the project to fix the problem. Mr. Wade advised Mr. Gibbs to retain an attorney to address the issue between him and the private developer. Mr. Gibbs then stated he had retained the services of an attorney. Mr. Gibbs made a derogatory comment about the Trustees personally and was asked to leave the meeting at this time. Mr. Gibbs did so. Mr. Wade then stated that Mr. Gibbs has a terrible mess at his property and that he wished the Township could do something about it. Mr. Gabbard reiterated that the Warren County Engineer's office was responsible for watershed mitigation efforts. No further public comments were noted.

Mr. Wade read Resolution 5299 – A Resolution to restate Clearcreek Township's participation in a Task Force with other political subdivisions for the Warren County Tactical Response Unit, and dispensing with the second reading. Mr. Gabbard moved to approve Resolution 5299. Mr. Wade seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Clark then asked the Board to approve the purchase of a new mower for areas that have steep hillsides like the ones on the Echo Valley Disc Golf course. After a short discussion, Mr. Wade asked for a motion to purchase the budgeted Ventrac 4500Z Tractor with accessories on State Bid from Koenig Equipment not to exceed \$41,702. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Clark then asked for authority to solicit competitive bids for resurfacing the large playground all weather surface at Patricia Allyn Park with the Playground Grass Ultra product manufactured by ForeverLawn of Ohio (6,705sf area), as initial estimates have put the project cost in excess of \$70,000. After a short discussion on the project, Mr. Wade asked for a motion to solicit bids. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

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

- 1 Approval of Minutes – March 22, 2021, Regular Session and March 22, 2021 Work Session.
- 2 Current Bills & Financial Reports.
- 3 Authorize FY 2020 audit expenses of \$10,578 to be conducted by the Ohio Auditor of State's Office.
- 4 Certificate of Appreciation bestowed upon Don Hinkel for 15 years of meritorious service and unselfish devotion as Clearcreek Township Zoning Commissioner.
- 5 Conditional offer of seasonal employment as Park laborers to Alex Harshbarger and Sean 'Calvin' Walters at \$11.00 per hour, effective April 13, 2021, pending acceptable pre-employment testing.
- 6 Accept the Road and Parks, Planning and Zoning, Police, and Fire District's March 2021 monthly reports.

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

With no further business to conduct, Mr. Gabbard moved to adjourn the meeting at 7:18 p.m. Mr. Wade seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

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