

RECORD OF PROCEEDINGS  
Clearcreek Township Trustees

2327  
Meeting

Minutes of

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

April 22

2019

Held \_\_\_\_\_,

(YEAR)

The Clearcreek Township Trustees met in regular session at 9:00 a.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 if the Board members had any consent agenda item or items that they wished removed. No removal from the consent agenda was requested.

Mr. Carolus, Fiscal Officer, requested a motion to authorize Resolution 5159 – A Resolution approving a transfer of funds from the General Fund to other funds in amounts equal to investment income generated by first quarter earnings, dispensing with the second reading, and declaring an emergency. Mr. Muterspaw moved to approve the resolution. Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade opened the floor for public comment. Ms. Sharon Cowdry, 5491 Weidner Road, came forward to comment about the defunding of the Warren County 741 Senior Center and requested assistance from the Board to help fund the shortage. She commented on the assistance provided by the Center and how it improves the lives of the people who go there. She asked the Board for \$10,000 to help fund the shortfall. Ms. Gloria Osburn of Franklin, Ohio came forward and asked the board for assistance as well. She requested information on how to bring forward a ballot issue for funding the Center. She was directed to contact the County Board of Elections for information.

No further public comment was noted.

Mr. Gabbard moved to approve Resolution 5151 – A Resolution authorizing the Township Administrator to enter into a coterminous boundary and recreation agreement with the City of Springboro, dispensing with the second reading, and declaring an emergency. Mr. Wade seconded the motion.

Discussion started with Mr. Wade stating that he was in favor of the resolution and that it was a good deal for the Township. He stated that the expense to the Township was offset by the positive aspects of the deal, including the no annexation clause and the no cost recreational opportunities provided by the agreement. Lastly, he stated that there were only three years left on the current contract, and felt the Board would be in this same position in three years' time, so he was in favor of acting on the resolution.

Mr. Muterspaw stated that it was in the best interest of the Township to work cooperatively with the City and that we are all one township. He said that the Fire District was an example where sharing resources saved money due to reduced administrative costs, economies of scale, and simplicity of access to services. He also stated that the positive impact of shared parks is important. He then stated that any agreement must be fair for all citizens of the Township and the City. He apprised that citizens of the Township outside the city limits would question the value of working with the City and that would jeopardize future levies for the combined Fire District. Mr. Muterspaw then produced a spreadsheet produced by the Township Administrator, Mr. Clark, and Fiscal Officer, Mr. Carolus, using historical data from the County Auditor, to show township and city fire levy proceeds along with projected proceeds for the agreement period. That document is attached to these minutes. He explained how the spreadsheet was organized, and, by the end of the contract period, Township residents outside the City would be providing sixty-five percent of the fire levy revenue. By totaling the annual difference between the township and the city, township residents outside the city would end up paying \$24.5 million dollars more than township residents within the city. He then explained the spreadsheet portion showing that currently, with nursing homes removed, forty-one percent of the calls belong to homes and businesses outside the city, with fifty-nine percent belonging to the city. He then asked if the other members of the Board had any issues with the numbers.



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Mr. Gabbard stated that he was in disagreement with how the numbers are presented and that the data included in the projections may not be necessarily in line with actual growth potential. He stated it was a fact that properties within the township are worth more than the city with the resultant levy revenue being proportionate to the value. Mr. Gabbard continued his assertion by stating that fifty-six percent of the property tax revenue for the Springboro School District was from residents of the township outside the city. He then said that the population of the township was thirteen thousand people, with the city population at eighteen thousand which is proportional to how the fire levy money is generated, being fifty-eight percent city and forty-two percent township. He then asserted that the average city property tax valuation was \$70,414 versus the township's average value of \$109,420, which is a thirty-five percent difference tying in with the rest of the numbers. He then stated that a number of fire service calls are the result of people who don't even live within the city or township and thus might skew the numbers presented. Mr. Gabbard stated the no annexation provision of the contract was unprecedented within the state and was a way to protect future township residents from having to live within city limits. He then asserted that without the protection of the contract, youth sports groups would start charging township residents more for participation.

Mr. Wade reiterated the population numbers and then noted that the proposed contract would protect the township from concentrated housing developments approved by the City using land annexed from the township.

Mr. Muterspaw asserted that the township residents outside the city would be paying more for the fire services provided than if the Fire District were split into two entities, with the City having to come up with a larger share of resources to fund their fire services. He stated that if we kept the current agreement intact, the Township could fund Kacie Jane Park through the use of the money being forfeited by the proposed agreement. He also stated that there were many variables that could be clarified by waiting until the current agreement expires. He then read out section eleven of the current contract and was concerned about citizen input into the process.

Mr. Gabbard said that three newspaper articles had been written about the agreement along with two months of Board discussion and that sufficed for citizen input. Mr. Gabbard then stated that if the Township felt the need to renegotiate the proposed agreement in the future, then it could do that as well, just like the Board is doing now.

Mr. Wade summarized his position by saying that he has weighed the various portions of the agreement and he feels that the positives outweigh the negative. He also stated that the Township has a good relationship with the City and this agreement will enhance that relationship.

The Board members then summarized each of their positions and noted that, although they each had different opinions, they respected each other's ideas.

Mr. Wade called for a vote at this time and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Wade-yea; and Mr. Muterspaw-nay.

Mr. Brian Pacheco, Law Director, noted that since the vote was not unanimous, the emergency legislation would take effect in thirty days.

Mr. Muterspaw moved to authorize Resolution 5160 – A Resolution authorizing the Township Administrator to enter into a lease agreement with the Warren County Soccer Academy, dispensing with the second reading, and declaring an emergency. Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.



RECORD OF PROCEEDINGS  
Clearcreek Township Trustees

2329

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

April 22

2019

(YEAR)

Mr. Gabbard moved to authorize Resolution 5161 – A Resolution authorizing the Township Administrator to enter into a temporary right of entry and work agreement with the Warren County Engineer's Office, dispensing with the second reading, and declaring an emergency. 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. Muterspaw moved to authorize Resolution 5162 – A Resolution declaring a nuisance on a property located at 137 Gertrude Avenue, Lebanon, Ohio, 45036, in Clearcreek Township, and ordering the removal of junk vehicles after sufficient notice, dispensing with the second reading, and declaring an emergency. Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Gabbard moved to authorize a request to utilize Loeb Foundation award funds (\$20,000), along with other budgeted monies, to purchase the following totaling \$28,727.84:

1. Motorola portable radios for emergency dispatch communications at \$8,191.92.
2. Alterations to a staff vehicle (2011 Chevrolet Tahoe) at \$2,628.00.
3. Outfit of staff vehicle (2019 Chevrolet Tahoe) by Camp Safety Equipment at \$17,907.92.

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. Gabbard moved to authorize a request to make a conditional offer of seasonal employment to the following individuals, pending acceptable screenings and background checks, effective April 22, 2019, at an hourly rate of pay of \$11.00 per hour:

1. Austin Robbins
2. Lane Harshbarger
3. Garrett Nemitz

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. Muterspaw moved to approve the Consent Agenda as presented to the Board:

- A. Approval of Minutes – April 8, 2019 Regular Meeting and Financial Reports.
- B. Approval of Bills - warrants #28918 through #29009 and electronic fund transfers #47-2019 and 48-2019.

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

At 9:48 a.m., and with no further business to conduct, Mr. Gabbard moved to adjourn the meeting. Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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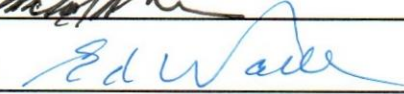
Held \_\_\_\_\_,

(YEAR)

FRANCE COBURN  
FISCAL OFFICER



TRUSTEE



TRUSTEE



TRUSTEE

