

Held June 10 2019 (YEAR)

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

Mr. Muterspaw moved to suspend the regular meeting to conduct a public hearing for the 2020 Tax Budget. 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 asked the Board if they had any questions. No questions were noted. Mr. Wade asked if anyone else attending had questions on the Tax Budget. No questions or comments were noted.

Mr. Gabbard moved to end the Public Hearing on the 2020 Tax Budget. Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

The regular meeting was resumed.

Mr. Muterspaw moved to authorize the Fiscal Officer to submit the 2020 Tax Budget to the Warren County Auditor. 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 suspend the regular meeting to conduct a public hearing for Text Amendment 2019-1 to the Clearcreek Township Zoning Code, which refines standards in Chapter 3 for shipping and portable storage containers. 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. Jeff Palmer, Zoning Director, advised the Board on the elements of the proposed Code change and some modifications made from earlier versions. Mr. Gabbard asked about the base for the containers that are currently grandfathered. Mr. Palmer stated the top three do meet the requirements in the proposed zoning change.

Mr. Wade asked if anyone else attending had questions on the proposed zoning change. No questions or comments were noted.

Mr. Muterspaw moved to close the Public Hearing on the proposed zoning change. Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

The regular meeting was resumed.

Mr. Gabbard moved to authorize Resolution 5172 – A Resolution approving Exhibit 2019-1, an amendment that refines standards for shipping containers and portable storage containers in Chapter 3, Definitions, and Chapter 5, General Provisions, of the Zoning Code. 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. Wade opened the floor for public comment. Ms. Kelly Hackitt, 1784 Grand Cypress Blvd, came before the Board to address concerns about neighborhood pool fencing issues.

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She is concerned for the safety of all children in the neighborhood. Mr. Palmer was directed by the Board to investigate the matter and get back with Ms. Hackitt.

Mr. Carolus, Fiscal Officer, noted that he was working on Special Assessment Lighting Districts.

Mr. Muterspaw moved to authorize Resolution 5165 – A Resolution authorizing the Township Administrator to enter into a two facility lighting agreement for all Township-owned buildings in both the Duke Energy and Dayton Power & Light (DP&L) service areas, dispensing with the second reading, and declaring an emergency. Mr. Matthew Clark, Township Administrator, noted that the proposed agreement was now at \$.04770 per KWH (Kilowatt Hour) which is a slightly better deal than proposed initially. Mr. Rich Surace, from Energy Alliance, explained to the Board the pricing mechanism for the proposal. He also noted that the current price for the Township aggregation program could not be lowered. 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 the Township Administrator to enter into an agreement with

KZF Design to conduct a Facility Needs Assessment, at an estimated cost of \$9,500 to \$11,000 (not to exceed). 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 the Township Administrator to enter into an agreement with Environmental Engineering Service not to exceed \$19,700, as submitted on April 30, 2019. This is the firm chosen from Resolution 5171. Mr. Gabbard commented that he was pleased with the selection and seconded the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea. Mr. Paul Pomeroy came forward and thanked the Board for its action in moving forward the sewer study.

Mr. Wade introduced Resolution 5173 – A Resolution authorizing the Township Administrator to incur obligations up to \$5,000 on behalf of the township, and to further authorize the Township Administrator to so authorize township officers and employees at the listed, lesser figures, dispensing with the second reading, and declaring an emergency. The Board debated upon the limits as listed and decided to amend the Resolution to reflect a higher authorized limit. The limits are:

1. Township Trustees: For any purpose - up to \$10,000.00
2. Fiscal Officer: For Fiscal Office purpose - up to \$10,000.00
3. Administrator: For any purpose - up to \$10,000.00
4. Chief of Police: Police District purpose - up to \$5,000.00
5. Director of Planning/Zoning: Zoning purpose - up to \$5,000.00
6. Fire Chief: Fire District purpose - up to \$5,000.00
7. Road Superintendent: Road & Park purpose - up to \$5,000.00
8. Assistant Fire Chief: Fire District purpose - up to \$4,000.00
9. Park Operation Manager: Park purpose - up to \$2,000.00
10. Fire Captain: Fire District purpose - up to \$1,000.00
11. Fire Lieutenant: Fire District purpose - up to \$800.00
12. Police Sergeant: Police District purpose - up to \$800.00
13. Administrative Clerk: Office Supplies - up to \$500.00

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Mr. Gabbard moved to accept the modified Resolution. 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 5174 – A Resolution determining that the maintenance of 4665 Wayne Blvd., Parcel ID #09-34-152-007, constitutes a nuisance for vegetation, debris, and apparently inoperable junk vehicles, ordering their abatement and removal 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 Resolution 5175 – A Resolution determining that the maintenance of the following properties constitutes a nuisance for vegetation, ordering their abatement after sufficient notice, dispensing with the second reading, and declaring an emergency.

1. 7010 Hercules Way, Parcel ID #05-19-360-022
2. 575 State Route 73, Parcel ID #04-01-302-006

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 recommend the purchase of three new police cruisers as follows:

1. Two (2) Chevrolet Tahoe's (\$71,832.40) from Tim Lally Chevrolet, Inc.
2. One (1) Dodge Charger (\$24,571.50) from Lebanon Dodge

Mr. Terrill, Police Chief, noted the prices are slightly better than state bid. Mr. Muterspaw asked if the two Tahoe's are replacing current Sport Utility Vehicles (SUV). Mr. Clark responded that we will be replacing two current SUV's and one cruiser. Mr. Terrill stated that the vehicles being replaced are from 2014 and are approaching 100,000 miles. Mr. Wade asked about Chevrolet versus Ford. Mr. Terrill stated the Tahoe's have slightly more room and that the Fords are having problems with their turbochargers as well as being \$1,000 more per vehicle. Hearing no further comment, 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 approve the Consent Agenda as presented to the Board:

1. Approval of Minutes – May 28, 2019 Regular Meeting
2. Current Bills & Financial Reports
3. Transmittal of Zoning Commission Action – request for public meeting
4. Zoning Department Monthly Report
5. Recommendation to adjust Police Officer Brian McWhorter's rate of pay to \$33.97 per hour, effective May 18, 2019, as prescribed by the collective bargaining agreement
6. Police Monthly Report
7. Recommendation to accept the resignation of employment for Kolton Hoffer, effective June 17, 2019
8. Road and Parks Monthly Report

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- 9. Recommendation to adjust Firefighter/Paramedic Benjamin Lindon's rate of pay to \$21.59 per hour, effective June 15, 2019, as he has earned his paramedic card
- 10. Fire District Monthly Report

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 progress in implementing the new phone system for the Township. After recognizing significant difficulties in getting the State Bid implemented, Cincinnati Bell offered to redo the contract at half the original cost of \$74,552.45. This is a \$12,428.77 per year savings over the three year life of the contract. Mr. Clark thanked Doug Ruedisueli, owner of Elite Computers, who handles Information Technology for the Township, for hammering out the new deal. The Board and Fiscal Officer also proffered thanks for a job well done!

With no further business to conduct, Mr. Muterspaw moved to adjourn the meeting at 6:16 p.m. Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

FISCAL OFFICER *Russell Gardner*

TRUSTEE *Ed Wade*

TRUSTEE *JM Muterspaw*

TRUSTEE _____