

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

June 22

2020

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. Clark, Township Administrator, came forward during the public comment portion of the meeting to read an email from Brendan Boyer, 1095 Hunters Crossing. "With nearly 25% increase in homes in our township over the past decade (Dayton Daily News article 5/10/2020) and numerous other subdivisions in progress, and in light of the ongoing pandemic which has brought an increased appreciation and demand for safe, outdoor family activities, can you please provide the current status of Harbaugh Park development? The Harbaugh Park Master Plan in 2018 described implementation of phase 1 in 1-5 years. What is the current timeline, and what barriers do you see to implementation in 2021?"

Mr. Wade asked for opinions from the rest of the Board. He noted that the project had been on hold for a while and that no money was in the current budget for improvements. Mr. Wade also stated that he would like to see a plan budgeted for next year as Phase 1 with roads, paths, etc. to allow the project to move forward. Mr. Clark reminded the Board that the Township has no parks levy and that any monies spent for the improvement would need to come from the General Fund. Mr. Clark continued with the reminder that the General Fund is tightly budgeted with some discretionary spending on roads being done in the last few years. Mr. Clark also stated that annual park maintenance at Patricia Allyn Park was around \$800,000 per year. Mr. Wade asked Mr. Clark to come up with a working plan and to see if the Township could receive any State or Federal grants that could help move the project forward. Mr. Wade directed Mr. Clark to respond to Mr. Boyer with the information from this conversation. Mr. Wade asked for additional comments. Mr. Gabbard stated he was unable to comment. Mr. Gabbard owns land that is adjacent to Harbaugh Park and due to ethics laws, is unable to comment or vote on items related to Harbaugh Park. Mr. Muterspaw stated that the Board had been talking about the expansion here and the building here and that it's got to take top priority. Mr. Muterspaw added that the Park hadn't been forgotten but that the timing would not put it at the front of the list. Mr. Wade agreed and asked Mr. Clark to come up with a plan along with procuring available grant opportunities.

Mr. Wade read Resolution 5230 – A Resolution Declaring it Necessary to Levy a Tax in Excess of the Ten Mill Limitation (3.75 mills) on a continuing basis, dispensing with the second reading, and certifying to the Warren and Montgomery County Board of Elections that the question be put to the electors of the incorporated and unincorporated township at the November 3, 2020 General Election. Mr. Clark noted that this was the second of two pieces of legislation needed to place the item on the ballot. 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. Gabbard moved to authorize \$300 in additional authority to the Township Administrator for repairs at 6908 North State Route 48 that were originally approved on March 9, 2020, totaling \$17,020. 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 introduced the next item on the Agenda which is a discussion on an annexation request from Fischer Home concerning a project between Weidner Road and State Route 741 south of Lower Springboro Road and north of the High School. Mr. Palmer, Zoning Director, updated the Board on the some of the characteristics of the project including lot frontage and size. The Board discussed the issues involved including road improvements, dual access for public safety, and the desire to keep a transition zone between city of

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(YEAR)

Springboro development and township land. The Board unanimously agreed to not support an annexation effort for the Township area of the project.

Mr. Muterspaw moved to approve Resolution 5231 – A Resolution determining that the maintenance of the below listed, specific tracts of land, constitutes a vegetation nuisance, dispensing with the second reading, and declaring an emergency:

1. 2431 Berkeley Court, parcel ID #08-15-252-017
2. 3640 Colton Court, parcel ID #08-15-258-008

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 discussion on an email the Board had received about barking dogs. Mr. Clark distributed a copy of Resolution 1461 which describes barking dogs as a public nuisance and sets the violation of said Resolution as a minor misdemeanor. Mr. Pacheco, Law Director, along with Mr. Wade and Police Chief Terrill discussed the nuances of the issue. Mr. Pacheco offered several solutions that could be offered to avoid having the Township directly involved with the dispute including a private complaint or private mediation. Mr. Wade directed Mr. Pacheco and Chief Terrill to respond to the email.

Mr. Gabbard passed on a compliment he had received regarding the condition of Patricia Allyn Park to Mr. Smith, Road Superintendent. He stated the resident was very pleased with what the Township is doing at the park.

Mr. Gabbard moved to approve the Consent Agenda as presented to the Board:

- 1 Approval of Minutes – June 8, 2020, Regular Meeting.
- 2 Current Bills & Financial Reports.
- 3 Recommendation to remove from probationary status, and accept as regular, full time, nonexempt employees, the following personnel, with accompanying hourly pay rate adjustments, if applicable, effective June 27, 2020:
 - A. Alex Buchholz, \$22.24 per hour (New Rate)
 - B. Aaron Kidd, \$22.24 per hour (New Rate)
 - C. Jed Fernbaugh, \$18.91 per hour (Unchanged)
 - D. Albert Lloyd, \$18.91 per hour (Unchanged)
- 4 Recommendation to terminate the employment of Seasonal Road/Park Laborer Charles “Calvin” Walters effective June 12, 2020, and pay any monies due to him for hours worked up through and including June 11, 2020.

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 advised that he had discussions with Mr. Douglas Bluefeather regarding an indigenous music festival normally held in August at Patricia Allyn Park. Mr. Clark asked the Board if they had any reservations in allowing the festival if they practiced social distancing along with accepting any associated liability with the gathering. No objections to the festival was noted.

Mr. Wade asked for an update on creating a refuse district for the Township. Mr. Clark advised he was gathering information on the potential project.

With no further business to conduct, Mr. Muterspaw moved to adjourn the meeting at 9:26 a.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.

RECORD OF PROCEEDINGS

2433

Minutes of

Clearcreek Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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June 22

2020 (YEAR)

FISCAL OFFICER

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Held _____, _____ (YEAR)