

Held

March 8

2021
(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. Wade asked for a motion to recess the Regular Meeting and conduct a Public Hearing related to Resolution 5294 – A Resolution providing for changes in the Clearcreek Township Street Lighting System by establishing the Woodgrove, Section One Street Lighting District and dispensing 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; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Clark, Township Administrator, updated the Board on the request from affected land owners.

Mr. Wade asked for Public Comments from those in attendance. No comments were noted.

Mr. Wade asked for a motion to conclude the Public Hearing and resume the regular meeting. 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. Wade asked for a motion to approve Resolution 5294. 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 then asked for Public Comments. No Public Comments were noted.

Mr. Wade read Resolution 5295 – A Resolution to take action on competitive bids for the collection, transfer, and disposal of solid wastes by an independent contractor in the unincorporated areas of Clearcreek Township, and dispensing with the second reading. Mr. Clark then updated the Board on the analysis of the bids. Mr. Clark noted that over 400 residents had responded to an online survey of Solid Waste Services. Mr. Clark’s administrative recommendation was to reject both bids. Waste Management, who’s pricing was very good, did not include weekly recycling pickup. Mr. Clark noted over half the survey respondents specified weekly recycling pickup. Mr. Clark noted that Rumpke’s bid did include weekly recycling, but that the price for the service did not give significant cost justification to make the change. Mr. Clark recommended that the current free market system remain intact and that further discussions with Rumpke would be made to procure some “preferred pricing” option from Rumpke. Mr. Wade asked for comments from Rumpke and Waste Management representatives attending the meeting. Ms. Melinda Antell from Waste Management asked about the “preferred pricing” proposal from Rumpke and what that represented. Mr. Clark said that the relationship of the proposal is between Rumpke and their customers and not with the Township. Mr. Clark referred the question to Mr. Ferrier from Rumpke. Mr. Ferrier had no comment. With no further comment from the Board, Mr. Wade asked for a motion to accept or reject the bids. Mr. Gabbard moved to reject the bids as specified in Resolution 5295. 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 read Resolution 5296 – A Resolution authorizing the Township Administrator to enter into a crop rental agreement of part of lands known as Hoffmann Reserve, and dispensing with the second reading. Mr. Clark stated he had no recommendation and listed the bid amounts. Mr. Wade opened the discussion by stating he had reviewed the bids and while Mr. Rick Muterspaw’s bid wasn’t the highest, he was a Township resident who lived in close proximity to the property and would be available to take care of the property. Mr. Gabbard

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stated his desire to keep the business within the Township and accept the bid from Mr. Rick Muterspaw. Mr. Gabbard made a motion to accept Rick Muterspaw's bid. Mr. Wade seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Wade-yea; and with Mr. Steve Muterspaw-abstaining.

Mr. Clark asked the Board to authorize the Township Administrator to enter into a consulting agreement with KZF Design for architectural and civil engineering professional design and document services for the Government Services Complex using the Basic Service Fees identified in the fee proposal. Mr. Clark stated the cost would be 8.5% of the project total with typical fees for such projects being between 8% and 10%. Mr. Wade then asked for a motion to authorize Mr. Clark to enter into the agreement. 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 updated the Board on a request from the City to modify the Cotermious Agreement. Mr. Clark stated he had no administrative recommendations and asked the Board to discuss what they wished to do. Mr. Wade began the discussion by stating that the Cotermious Agreement needs to be changed and that the Memorandum of Understanding (MOU) request isn't needed. Mr. Gabbard indicated that he would like to modify the Cotermious Agreement directly instead of an MOU. Mr. Bryan Pacheco, Law Director stated that the MOU dealt with agreeing to talk about the Agreement. Mr. Carolus, Fiscal Officer, asked if the intent was to borrow the construction costs for a new station. Mr. Wade stated the possibility of using the Warren County Port Authority to finance a new fire station with Cotermious Agreement money. Mr. Muterspaw stated that the City should finance the construction since it's being built in the City. Mr. Wade stated that Chris Pozzuto, City Manager of Springboro, didn't want to get involved in any construction issues. Mr. Gabbard stated that owning the building was a primary objective. Mr. Carolus stated that the payments for the debt would need to be matched by any Cotermious Agreement. Mr. Carolus also asked who would assume the debt: the Township or Springboro. Mr. Wade and Mr. Gabbard stated the Township would assume the debt. Mr. Pacheco stated his input was to bypass the MOU and directly address any issues with the Cotermious Agreement. Mr. Wade then asked if Mr. Steve Agenbroad, Fire Chief, had any comments to make. Chief Agenbroad stated he had talked individually with Mr. Wade and Mr. Gabbard and that he was trying to figure out a way to make the process more equal between the City and Township portions of the Fire District. Chief Agenbroad estimated that about 60% of Fire District expenses are covered by Township residents with 60% of incident calls being within City limits. Chief Agenbroad noted that City officials wished to have a new station built in the northwest portion of the City. Chief Agenbroad acknowledged that the new station was needed and had talked with City officials stating the District's intention to not burden Township residents with a new fire station within the City. Chief Agenbroad stated that new construction capital should be the City's responsibility. Chief Agenbroad indicated City officials were open to that concept and that usage of inside millage from the Cotermious Agreement could offset construction costs for 15 or 20 years. Chief Agenbroad noted that the Township would have ownership of the property along with the obligation to manage and staff the station. Mr. Carolus then asked that the agreement take into account variations with property tax revenue and noted the Cotermious Agreement sent \$320,000 to the City in 2020. Mr. Clark stated his concern that the Cotermious Agreement was a 10 year agreement with 2 years already passed. Mr. Clark then estimated \$325,000 at 8 years would not be sufficient to cover the anticipated cost of the station. Mr. Gabbard stated the terms of the agreement would need to be modified to ensure cost recovery. Mr. Muterspaw noted that all costs in building the station would need to be identified and included in the construction cost. Mr. Carolus then listed the amount of money sent to the City from the Township from the Cotermious Agreement since 2016, with Township costs to the City increasing annually. Mr. Wade noted that any money in excess of that needed to cover annual cost be sent to the City. Mr. Gabbard

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stated the secondary target for the funds could be used for Parks. Mr. Wade then directed Mr. Clark and Mr. Pacheco to craft something to bring before the Board. Mr. Clark then clarified that the intent was to skip the MOU and directly modify the Coterminous Agreement. Mr. Gabbard then noted that the renderings for the newly proposed Easton development included a fire station and might be the place where City officials would want the Fire Station. Mr. Wade and Mr. Gabbard noted the need to support the Fire Chief when the location is selected to ensure proper location for access.

Mr. Wade noted the next item on the Agenda was the purchase of fire vehicles from State Bid.

1. 2022 E-One Aerial Quint – \$903,463
2. 2022 E-One Rescue Pumper – \$632,440
3. 2022 Chevrolet Tahoe's (2) – \$39,437/each (\$78,874)

Chief Agenbroad noted the large amount of money being spent and the apparatus being purchased would replace vehicles that were well past accepted life expectancy. Mr. Wade then asked Chief Agenbroad about the purchase of the two Tahoe trucks. Chief Agenbroad stated that one vehicle is replacing the current shift commander's vehicle while the other truck is being purchased for the new Assistant Fire Chief. Chief Agenbroad and Mr. Wade noted that this equipment replacement was one of the reasons the fire levy was passed. Mr. Wade asked for a motion to purchase the vehicles. 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 Agenbroad complimented Mr. Carolus and Fire Lieutenant Josh Scott in their efforts to save the Township money.

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

- 1 Approval of Minutes – February, 2021, Regular Session.
- 2 Current Bills & Financial Reports.
- 3 Establish quarterly Board work sessions in 2021 at 9:00 a.m. on March 22, June 28, September 27, and December 27, 2021.
- 4 Set a date for the Facilities Open House on Monday, March 29, 2021, at 6:00 p.m.
- 5 Set a public hearing for Monday, April 12, 2021, at 5:30 p.m. to consider the Zoning Commission's recommendation to approve the Stage 1 PUD application of Design Homes/Clark Farm Enterprises for rezoning 172.61 acres from SR-1 and TR-1 to R-PUD, with conditions, more commonly known as the Silver Mill Development.
- 6 Accept the Road and Parks, Planning and Zoning, Police, and Fire District's February 2021 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. Gabbard wanted to acknowledge the work done by the Road crew during the winter storms that dropped 16 inches of snow through the area. Mr. Gabbard noted that Township maintained roads were better cleaned than those maintained by the State and County. Mr. Clark stated he had received a call from Springboro Mayor Agenbroad complementing the Road crew on their work during the storms as well. Mr. Wade asked about the salt supply. Mr. Clark stated the Township had received some salt and would continue purchasing until the salt barn was full.

With no further business to conduct, Mr. Muterspaw moved to adjourn the meeting at 6:02 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.

RECORD OF PROCEEDINGS

Meeting

Minutes of

Clearcreek Township Trustees

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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FISCAL OFFICER



TRUSTEE



TRUSTEE



TRUSTEE

