

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
July 12, 2021

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. Palmer, Planning and Zoning Director advised that the applicant for the public hearing for rezoning was not available at this time. Mr. Wade asked for a motion to table a request for a zone change at 2921 E. State Route 73, parcel ID #05-19-400-0200 since the applicant was not available at this time. 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 read Resolution 5313 – 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 the second quarter of 2021 and dispensing with the second reading. Mr. Wade asked for a motion to approve the Resolution. 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 called for public comment, of which, none was noted.

Mr. Wade read Resolution 5314 – A Resolution declaring personal property as surplus and approving donation of said personal property and dispensing with the second reading. This involves donating an emergency light bar to the Cincinnati Fire Museum. Mr. Wade asked for a motion to approve the Resolution. 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. Clark, Township Administrator, advised that the State of Ohio had passed legislation that allowed townships to be eligible for American Rescue Plan Act (ARPA) funds. As a result, the Township is eligible for \$1,684,920.79 in funding for projects that meet the standards of the ARPA. Mr. Wade asked for a motion to apply for the grant. 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 then asked the Board to award the competitively bid contract for resurfacing the all-weather playground surface at Patricia Allyn Park to ForeverLawn of Ohio, Inc. at a cost not to exceed \$70,327, and authorize the Township Administrator to execute all associated documents. After a short discussion, Mr. Wade asked for a motion to award the contract and authorize the Township Administrator to execute all associated documents. 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.

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Mr. Wade then asked Mr. Palmer about the status of rezoning request from earlier. Mr. Palmer advised he wanted the applicant present to make sure any issues or questions could be handled at that time. Mr. Pacheco, Law Director, advised the Board that recessing the Public Meeting and then holding the Public Hearing to continue the discussion later would be the proper procedural method. At 5:39 p.m., Mr. Wade asked for a motion to recess the Regular Meeting to hold a Public Hearing for the rezoning of 2921 E. State Route 73, parcel ID #05-19-400-0200. 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 noted that the applicant still was not present. After a short discussion with Mr. Palmer, Mr. Wade then asked for a motion to continue the Public Hearing at the next meeting on August 9th or if the applicant appeared while the Board was present today. 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.

With no other Public Comment on the Public Hearing noted, Mr. Wade asked for a motion to adjourn the Public Hearing and resume the Regular Meeting. 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. Terrill, Police Chief, updated the Board on the theft at Patricia Allyn Park that resulted in two suspects being injured after attempting to elude officers.

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

- 1 Approval of Minutes – June 28, 2021, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept Cargill's bid of \$57.29/ton for the 2021-2022 season for road salt.
- 4 Authorize the repair of the Ventrac mower by Koenig equipment at a total cost of \$14,916.32, which, less a \$250 deductible, was covered by insurance.
- 5 Accept a grant award of \$2,964.73 from the Ohio Department of Public Safety, Division of EMS for the 2021-2022 EMS Grant award cycle
- 6 Accept the Road and Parks, Planning and Zoning, Police, and Fire District's June 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.

With a work session to conduct, Mr. Wade asked for a motion to adjourn the Regular Meeting at 5:42 p.m. 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.

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At 5:55 p.m. Mr. Wade asked for a motion to recess the Work Session to resume the Regular Meeting to continue the Public Hearing due to the rezoning applicant appearing at the 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. Palmer then presented information on the rezoning request for the Public Hearing. Mr. Wade asked for Public Comment. Mr. Jeffrey Heil, the rezoning applicant, stated that Mr. Palmer had done a fine job explaining the request and that he had no further comment. With no other Public Comment noted, Mr. Wade asked for a motion to close the Public Hearing and to 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 then asked for a motion on Resolution 5312 – A Resolution to approve the application of Jeffrey Heil to amend the Zoning Resolution and Map of 4.081 acres from Neighborhood Business Zone “B-1” to Residence Zone “R-1,” and dispensing with the second reading. Mr. Muterspaw moved to approve the rezoning with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

At 6:05 p.m., Mr. Wade asked for a motion to adjourn the Regular Meeting and to resume the Work Session. 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.

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