

Hamilton Township Trustees Meeting

December 4, 2019

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30p.m. Mr. Cordrey, Mr. Walker, and Mr. Rozzi were present.

The *Pledge of Allegiance* was recited by all in attendance.

Motion made by Mr. Cordrey with a second by Mr. Walker to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the November 20, 2019 Trustee Meeting.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

Motion made by Mr. Cordrey with a second by Mr. Walker to approve Payroll for pay cycle November 3, 2019 – November 16, 2019, Electronic Fund Transfer Direct Deposit Vouchers 1173349627 – 1173349699 and 1173350033 - 1173350036.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

Motion made by Mr. Cordrey with a second by Mr. Walker to approve the withholding payments for payment cycle November 3, 2019 – November 16, 2019, checks numbered 31241137 – 31241160 and 31241169 – 31241171.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

Motion made by Mr. Cordrey with a second by Mr. Walker to approve billing invoices for payment cycle November 25, 2019 – November 29, 2019, checks numbered 80870 - 80877.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

Motion made by Mr. Cordrey with a second by Mr. Walker to approve billing invoices for payment cycle December 2, 2019 – December 6, 2019, checks numbered 80878 – 80913 and void Paycor check 28989174.

Roll call as follows: Darryl Cordrey Yes
Joe Walker Yes
Joe Rozzi Yes

Public Comments- Agenda Related

Mr. Cordrey opened the floor to public comments related to agenda items, at 6:32 pm.

No comments were made therefore Mr. Cordrey closed the floor to public comments at 6:32 pm.

Human Resources

Human Resources Manager Ms. Kellie Krieger requested a motion to hire Ethan Sparks as a co-op Fire Fighter at the rate of \$10/hr based on the successful completion of his CVSA. Mr. Cordrey made a motion with a second from Mr. Walker to approve the above mentioned roster update.

Roll call as follows: Darryl Cordrey Yes
Joe Walker Yes
Joe Rozzi Yes

Ms. Krieger requested a motion to move Joshua Parker from a Service Worker 1 to Service Worker 2 effective November 26, 2019 based on the completion of all Service Worker 2 requirements. Mr. Parker’s pay rate will increase to \$17.25/hr. It was previously \$16.50/hr.

Mr. Cordrey made a motion with a second from Mr. Walker to approve of the above mentioned roster update.

Roll call as follows: Darryl Cordrey Yes
Joe Walker Yes
Joe Rozzi Yes

Ms. Krieger requested a motion for Police Chief, Scott Hughes, to post three additional Police Officer positions within the next seven business days. This posting will stay advertised for thirty days.

Mr. Cordrey asked if this is the result of the levy passing to add three additional bodies to the department.

Mr. Rozzi asked if they are all road officers?

Mr. Centers stated that these are all patrol officers.

Mr. Cordrey made a motion with a second from Mr. Walker to approve the Police Officer job posting for thirty days.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

Township Business

-Motion: Enter into contract with GT Environmental

This motion is to consider entering into contract with GT Environmental Services for related EPA notice/violation for the landfill at Mounts Park. This contract will provide a scope of service and schedule to deliver to the EPA which is due by December 17, 2019. GT Environmental will also perform grant writing for a Brown Field grant and pursue other funding streams. They will assist with filing permits and work with the Army Corp of Engineers. The budget impact is not to exceed \$8,000.00.

Mr. Centers stated that this will be a partnership with LJB Engineering and us. LJB was re-writing or re-doing our Rule Thirteen since they did it in the past and we did not receive it. They are doing this at no charge. They will be teaming with GT Environmental who has a very good record of accomplishment for getting those approved. We are also required to submit a schedule to the Ohio EPA. That is due by December 17th and once that is submitted, as long as we are sticking to our timeline, the EPA will give us leniency showing that we are moving forward. GT Environmental will be giving that scope along with the Brown Field grant and other funding mechanisms that they have had success with in the past.

Mr. Cordrey asked if the impact amount comes out of the \$80,000 in the 2020 budget that was set aside for Mounts Park?

Mr. Centers stated that is correct. We will request this to be invoiced in 2020 so it will be the first of that eighty thousand dollars.

Mr. Cordrey made a motion with a second from Mr. Walker to enter into contract with GT Environmental Services.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes

Joe Rozzi

Yes

-Motion: Enter into contract with Village of Classicway Subdivision for snow removal
This motion is to consider entering into contract with the Village of Classicway for snow removal services. They are required to form snow removal services for the roads that have not been turned over to the township. They have requested Hamilton Township to provide these services. They will pay a minimum of \$150.00 per one-hour call out.

Mr. Rozzi asked how many hours it typically takes to do the snow removal and if they do it at the same time as other subdivisions? In addition, how is the time logged?

Mr. Hickey responded that they would do these streets when the side roads are being plowed. It varies on the amount of snowfall. It usually takes a couple of hours. The hours are logged via the road crew's tablets. They clock in and clock out when they enter/exit a subdivision.

Mr. Cordrey asked if they have a priority for snow removal? Mr. Hickey stated that they will be priority two roads.

Mr. Walker asked if this will include salting the roads as well or is that extra? Mr. Hickey replied that salt is included.

Mr. Centers explained that the clock in/ clock out measure was just implemented with the tablets this year to keep time keeping official.

Mr. Rozzi asked how much salt is typically laid in this area? Mr. Hickey explained that these are short sections so probably less than a ton.

Mr. Cordrey made a motion with a second from Mr. Walker to enter into contract with the Village of Classicway subdivision for snow removal services.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

-Motion: Enter into contract with Turning Leaf Subdivision for snow removal
This motion is to consider entering into contract with the Turning Leaf Subdivision for snow removal services. They are required to form snow removal services for the roads that have not been turned over to the township. They have requested Hamilton Township to provide these services. They will pay a minimum of \$150.00 per one-hour call out.

Mr. Cordrey made a motion with a second from Mr. Walker to enter into contract with the Turning Leaf subdivision for snow removal services.

Roll call as follows: Darryl Cordrey Yes
Joe Walker Yes
Joe Rozzi Yes

-Resolution 19-1204: Accepting Section 15 of Miami Bluffs Subdivision for maintenance and establishing a speed limit.

This resolution is for accepting public streets for maintenance and setting speed limits in section 15 of the Miami Bluffs Subdivision, Hamilton Township, Warren County, Ohio and dispensing of the second reading and declaring an emergency. This will allow Hamilton Township to accept Section 15 as Hamilton Township roads and establish a township speed limit of 25 miles per hour. We are declaring an emergency for the immediate preservation of peace, health and safety/welfare of Hamilton Township residents with a maximum safe speed for that subdivision.

Mr. Rozzi questioned if it currently has a speed limit?

Mr. Centers explained that it does currently have a speed limit and that will not change. All subdivision speed limits are currently 25 miles per hour. In the past, Mr. Hickey just signs off on accepting the subdivisions after he goes through a full punch list with the Road Supervisor and the county. Moving forward, we will accept roads via resolution. This will be the first one that the Board of Trustees will accept. Since it is being declared an emergency, it does require a unanimous vote to pass. If it does not pass with a unanimous vote, it will be thirty days before it goes into effect. In the meantime, there would officially be no speed limit on that road and that is why it would be a liability.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 19-1204.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Joe Walker Yes

-Resolution 19-1204A: Increase of Appropriations (General)

This is a resolution authorizing and approving an increase in township appropriations in the general fund to reconcile budgets for calendar year 2019. This money is the result of donations of \$675 for the Christmas Tree Lighting Celebration. This appropriation allows money to be spent out of that fund for this event.

Mr. Cordrey asked if this is just basically money in and money out to which Mr. Centers responded that is correct and these are all donations; no taxpayer dollars were spent on the event.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 19-1204A.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Joe Walker Yes

-Resolution 19-1204B: Zoning Moratorium

This resolution is to enact a one-year moratorium on the issuance of zoning related permits and approvals for the principle and conditional use of land for hemp related purposes dispensing with the second reading and declaring an emergency.

Mr. Centers explained that this was added to the agenda a little late. There was mention of CBD oil/ hemp related/ marijuana dispensaries going in around the township and asked what our zoning was for that. Now that the state has declared their definition and their laws on it, we do not have anything in our zoning code to approve or deny it. We believe at this point that we would have to approve them because there are no regulations to deny it. Therefore, for that reason we are requesting a one-year moratorium to allow us to take it to our Zoning Commission to review it and maybe set some parameters.

Mr. Rozzi asked how quickly this could go before zoning?

Law Director, Ben Yoder, stated that theoretically in could go before Zoning Commission pretty quick. Within 30, 60 or 90 days even but they would have a whole year to study it. During the moratorium, the township is prohibited from accepting any applications for anything related to zoning.

Mr. Rozzi clarified that because this is new we are just looking for guidelines. CBD oil and marijuana are two different things as one is legal and one is not, so does the state look at them as two different things?

Mr. Yoder explained that the state views marijuana criminal and CBD oil as legal.

Mr. Rozzi asked how the state looks at CBD oil with THC compared to medicinal marijuana?

Mr. Yoder clarified that it is completely different. CBD oil can be sold on the shelves at Kroger. This moratorium does not prevent Kroger or any gas station that might want to sell CBD oils from doing so. It prevents any place that would sell it as their principle or conditional purpose from doing that. Essentially, it prevents CBD oil retail stores that are popping up across Cincinnati, from selling them. Kroger or gas stations are considered accessory uses so they can have it on their shelves.

Mr. Centers gave an example that there is a location in the township that sells it and that will not be taken away from them.

Mr. Walker asked what exactly this means?

Mr. Yoder stated that no one could directly open a CBD shop until it is decided how or if, they would like to regulate it.

Mr. Walker asked if it is already on shelves than how can we say no to anyone.

Mr. Centers responded that this moratorium pertains to direct stores whose primary purpose is to sell CBD oil or any hemp related items.

There was questioning about the medical marijuana processes and it was determined that that is a separate topic that the last Board of Trustees addressed.

Mr. Centers stated that we will not sit on this. We will get it off to zoning soon.

Mr. Walker expressed that he would like to see the time shortened. One year seems like an awfully long time.

Mr. Centers conferred with Mr. Kraemer about this topic going to zoning soon and Mr. Kraemer believes that it is a reasonable request and we can get it before the Zoning Commission Board possibly in January.

Mr. Centers proposed keeping the length at one year but knowing that it would be researched and discussed in a reasonable time.

Mr. Rozzi asked what other municipalities are doing for zoning regulations.

Mr. Yoder discussed Anderson Township and said that they have decided to not put regulations on it so they have a few stores there. A few of his clients are considering the idea of locational restrictions. For instance, nothing within a thousand feet of each other so you do not end up with a strip mall of just CBD stores. They are also exploring the idea of keeping them certain distances from schools or libraries. This is a new use so many places are looking into whether there could be adverse secondary effects or if anything really requires zoning regulations.

Mr. Rozzi asked if it is too new to have any idea of concerns with not placing zoning regulations?

Mr. Yoder explained that he is not aware of any adverse effects yet.

Mr. Cordrey asked if there were permits or anything required from the county or of that nature? Mr. Yoder explained that CBD oil is considered a retail item. Now the medical marijuana that was questioned requires licensure and is highly regulated.

Mr. Centers replied that it will be in front of the Zoning Commission in January and it is important to note that because we are declaring this an emergency, it goes into effect immediately and requires a unanimous vote. If not, it would give us thirty days and if anyone applied for this, we would be required to grant the approval.

Mr. Rozzi asked if anyone has applied.

Mr. Yoder stated that there has been interest in a few businesses. There have been inquiries but no one has applied.

Mr. Rozzi stated that he does not know enough about it and would be fine with the moratorium but he also does not want to see a business walk away from Hamilton Township because we are sitting on something. If we can expedite this, that would be nice.

Mr. Centers explained that if this is passed tonight, we will pull information from other townships to see what they are doing and bring it to zoning. We are not in the market for driving business away from our township.

Mr. Walker stated that we are about bringing business to the township. If we do not allow it here, they will go to surrounding areas.

Mr. Cordrey reminded everyone that it was discussed that even if the moratorium is put into effect, it can be amended at any time.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 19-1204B.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Joe Walker	Yes

Jim Hunter, Fiscal Officer

Nothing to report at this time.

Administrator's Report

Mr. Centers mentioned the second annual Christmas Tree Lighting Celebration here at the Administration building from 4-6pm this coming Saturday the 7th. There will be free hot dogs, popcorn, cookies, hot chocolate, a hospitality tent, Santa and Mrs. Claus will be inside, accompanied by the Grinch. All will be escorted in by our Fire Department. The police department will have a show as well. There will be something to do throughout the entire two hours. There has been a lot of work put into this and will be a nice event.

Mr. Rozzi mentioned that a number of businesses both in the township and out of the township stepped up to help with this event.

Mr. Centers continued that there will be a petting zoo and there will be a fireworks display after the tree lighting. We surprised everyone with that last year and got a lot of complaints so we will post a PSA that there will be fireworks that evening.

Mr. Centers discussed the levy discrepancy from the funding we received that was certified. Last meeting it was not explained well because he was still in communication with the county. They certify 100% of the levy funds, we receive 97% of the levy funds and that 3% is for anyone who is delinquent in their taxes. Essentially it is just a buffer for the county.

Mr. Rozzi asked if we will ever get that difference?

Mr. Centers stated that if 100% of people paid their taxes, we would get that 3% difference. If they don't that buffer is there for Warren County so they are made whole.

Finally, Duke Energy will be setting another transformer at the substation across the street from the Admin building. That will double the capacity, which will be very beneficial to the township and development. We will start to see some surveyors but it should not affect landscaping or access on 48, as it will be installed on the backside of the substation. They will start construction in August 2020 and will be completed by January 2021. We requested and they have agreed, to run as many lines underground as possible. There will be a couple overhead though.

Public Comments

Mr. Cordrey opened the floor to general public comments at 6:57 pm.

No comments were made; therefore, Mr. Cordey closed the floor to public comments at 6:57 pm.

Trustee Comments

Mr. Cordrey reminded that the next meeting on the 18th will be at 1:00pm. We will be doing year-end employee recognition. The first meeting in January will also be held on Thursday January 2, 2020 at 6:30 pm. He extended a thank you to everyone who has helped with the tree lighting event this year. It should be a great event. He acknowledged that Shooter's finally opened and he encouraged everyone to check out one of our newest businesses.

Executive Session

Mr. Cordrey made a motion to go into Executive Session at 6:59 pm in reference to O.R.C. 121.22 (G) (2). To consider the sale or other disposition of public property. There was a second from Mr. Walker.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

Mr. Cordrey made a motion with a second from Mr. Walker to come out of Executive Session at 7:30 pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes

Adjournment

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Walker to adjourn at 7:30 pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Walker	Yes
	Joe Rozzi	Yes