Hamilton Township Trustee's Meeting

November 16, 2016

Trustee Board President Wallace called the meeting to order at 6:03p.m. Mr. Wallace and Mr. Walker were present.

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

Mr. Wallace made a motion to make a change to the agenda, to move the public hearing for Grandin Road re-zoning request just before the work session, and seconded by Joe Walker.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the meeting minutes from the Special meeting on November 7, 2016.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the withholding payments for payment cycle October 23, 2016 – November 5, 2016, checks numbered 23753748-23753816.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve Payroll for pay cycle October 23, 2016 – November 5, 2016, and monthly, Electronic Fund Transfer Direct Deposit Vouchers 1107881090-1107881158 and 1107883798-1107883801.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the billing invoices for payment cycle November 7, 2016 – November 11, 2016 checks numbered 76818-76822.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the billing invoices for payment cycle November 14, 2016 – November 18, 2016, checks numbered 76823-76856.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Human Resource Manager, Kellie Krieger, requested the Board make a motion to approve Resolution # 16-1116A authorizing a contract with AXA Equitable Life Insurance Company for the provision of a IRC 457(b) employee deferred compensation program for township employees.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Human Resource Manager, Kellie Krieger, requested the Board make a motion to approve Resolution # 16-1116B authorizing a contract with New York Life Insurance Company to a life insurance option for township employees.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes

Human Resource Manager, Kellie Krieger, requested the Board make a motion to approve a wage increase for part time Firefighter/EMT Jacob Colvin from \$14.00/hour to \$14.50/hour due to his 1 year of service and it would be retro paid to October 28, 2016.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Human Resource Manager, Kellie Krieger, requested the Board make a motion to approve a revised copy of the Police Clerk job description and give Chief Hughes to post this position, effective November 18, 2016 and will run through December 9, 2016.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes

Joe Walker Yes

There was a presentation of a check from the Business Expo to the Police Association in the amount of \$315.00 from monies that were raised at the Treat N Greet.

Police Chief, Scott Hughes, presented the monthly Police activity report for the month of October. There were 1,100 calls in all for the month, 2 DUI arrest, and 88 total traffic stops. The Detective opened 7 new reports in October. The Police department participated in the Treat N Greet, daycare visits, and coffee with a cop. There will be an FBI-LEEDA training in the training room at the township building from November 28 – December 2. Sgt. Elliott and Sgt. Viel will attend the class for free since we will be hosting the training. Chief Hughes also recognized that Sgt. Viel completed an 80 hour instructor class and he is now certified instructor which will allow him to teach police recruits in the academy.

Fire Chief, Brian Reese, presented the monthly Fire/EMS activity report for the month of October. There were 58 engine runs and 131 EMS runs. There were 11 mutual aid given and 8 received. Chief Reese also presented a mutual aid spreadsheet for the entire year so far, 74 given and 65 received. The department visited some of the local daycares, participated in Treat N Greet, and there were several station tours. The new Fire and Zoning Inspector began. Three guys from the department completed the Petzl training which is a self-rescue device, Wedding, Goodpaster, and Smith. The yearly pump testing was done and there were no major issues. Chief Reese has asked the crew to ask about smoke detectors on non-critical run. They are also working on a check list for general home inspections.

Trustee Joe Walker asked if lift for the ambulance had been received yet.

Chief Reese stated that the load device had been delivered and he will be taking it to Columbus next week to be installed and the cot will be delivered on the 30th.

Chief Hughes "Thanked" some of the residents for donating candy for the Police and Fire Departments to pass out.

Administrator, Ray Warrick, requested the Board to make a motion to approve a Memorandum of Understanding with the Law Offices of Robert Merkle, Jr. LLC specifying 100 hours of work paid in 25 hour increments is the amount of \$2,500.00 per 25 hours with a total of \$10,000.00 for 100 hours to implement the recommendations from Lexipol LLC to update the policy and procedures.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Administrator, Ray Warrick, requested the Board make a motion to approve an agreement between the Hamilton Township Police Department and the Regency Park/The Estates of Hawthorne Manor Homeowners' Association to have the Police Department move a radar speed control sign throughout their neighborhoods and collect the data. The home owners' association will purchase the sign and donate it to the Hamilton Township Police Department. The Police Department will be responsible to move the sign throughout the Association community at least 12 times per year. Hamilton Township will not be responsible for vandalism, misuse, repair or replacement of the radar speed control sign.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes

Administrator, Ray Warrick, presented the monthly review for the month of October. With 84% of the year gone, the township has collected 101.5% of the revenue. The township has spent 65.8% of the budget. The township appropriated \$9.3 million at the beginning of the year and have appropriated an additional \$108,000.00 of operating amounts and \$1.3 million of capital amounts.

Administrator, Ray Warrick, presented the Hopkins Commons Enterprise Zone numbers. The first thing that was discussed was a TIF, however, that did not fit. If it was a straight tax flow, the Little Miami School District would get approximately \$279,000.00 per year and the township would get approximately \$59,000.00 per year. Under a TIF scenario, the township would get approximately \$5,000.00 per year and the school district would get approximately \$67,000.00 per year. The township has attended meetings with the school board and the developer to discuss how the Enterprise Zone scenario will work. The first proposal was for the township and the school district would get approximately \$102,000.00 per year. The school board did not agree with this number and turned it down. The new proposal is for the township to receive approximately \$102,000.00 per year and the school board would receive approximately \$139,000.00 per year. This would also have to be blessed by Warren County.

Administrator, Ray Warrick, requested the Board make a motion to approve the straight 10 year 100% EZ model with the township receiving \$102,265.63 and the annual for the school would be \$139,081.25.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes

Administrator, Ray Warrick, presented the Board with a letter for EB-5 financing that would be used to build a family entertainment center. This is a way for businesses to borrow foreign money to use for projects. It is basically \$1 million bundles and it is a non-secure loan. A long-time resident of Hamilton Township would be the owner operator. There are restrictions for communities to have an EB-5 project. Hamilton Township does not meet the requirements. The school district has already sent their letter to the state agency to consider this project and EB-5 financing.

Administrator, Ray Warrick, requested the Board make a motion and to sign this letter encouraging the state agency to consider this.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes

Administrator, Ray Warrick, requested the Board make a motion to approve Resolution # 16-1116 authorizing and approving an increase in township appropriations to reconcile budgets for calendar year 2016.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes

Community Development Coordinator, Michelle Tegtmeier presented the Board with a proposed Stage 1 Zone Change for the address of 727 Grandin Road. The property of approximately 64.25 total acres is currently zoned M-1 Light Industry. The applicant is requesting a zone change from M-1 Light Industry to R-4 Urban Residential. There would be 159 single family units, access would go from Grandin Road on the North and Willow Pond on Honeysuckle Lane. The maximum would be 2.5 units per acre. The Regional Planning Commission recommends to deny the re-zoning due to non-consistent with a comprehensive plan, future land use map, and industrial growth policies, an overabundance of vacant land zoned for residential development and inappropriate location for R-4 zoning without a PUD. Staff is also recommending denial of the zone change.

Richard Arnold, from McGill, Smith, Punchin, 3700 Park 42 Drive, Ste 190 B, Cincinnati, 45241, representing potential buyer, Robert C. Rhein Interest pointed out the existing sewer and water lines that they would like to tap into. The layout that they have presented, has 5 right angle intersections to try to control speeding. Mr. Arnold stated that a PUD was not presented because the property isn't large enough to provide additional amenities. He stated that the sub street from Willow Pond could have possibly been seen as butting up to a future subdivision. Mr. Arnold stated that the comprehensive plan is a guideline and the township has allowed rezoning in a light industrial zone. Mr. Arnold suggested that the potential buyer could put together a deed restriction that runs with the land, of 150 units maximum. He stated that the price point for the homes would be \$250,000.00 to \$300,000.00.

Trustee Joe Walker asked what the reason was for not going for the PUD.

Mr. Arnold stated that the site is not large enough to support an amenity package and the amount of open space required would cut down on the number of lots where it would not make sense to develop.

Law Director, Doug Miller asked Michelle Tegtmeier if the township's zoning code requirement an amenity package. In which she responded "it depends on the density".

Terry Irwin, 727 Grandin Road, stated that the property was purchased in 1954 and a landscaping business was established. Mr. Irwin gave some history or the property and family. They decided to sell the property in 2014 after his father passed away because Mr. Irwin had already closed down the business. He stated that he went to two different developers and they both said that the property would not sell as Industrial zoning. Mr. Irwin stated that to sell this would be his retirement. Mr. Irwin asked that the Board take in consideration in re-zoning his property.

Lee Irwin stated that they never objected when the residential development was being done around them. She stated that they will not be able to maintain the property for much longer.

Trustee David Wallace opened the floor to the public for the Grandin Road re-zoning at 7:15pm.

Charles Sayers, 956 Weeping Willow, stated that if you open the stub street, you are going to create a short cut to 48, Kroger, Kings Mills, and 71. He stated that they really don't need the extra traffic. Mr. Sayers said that you are going to ruin Weeping Willow and Honeysuckle.

Donna Feltner, 800 Weeping Willow Lane, stated that her back yard is at the corner of the parcel that is proposed for the zone change. She stated that her yard floods every spring and she is worried about more flooding. She stated that Honeysuckle cannot handle another 300 cars.

Rebecca Week Sayers, 956 Weeping Willow, stated that they live within doors of the so called stub road that a previous builder that was allowed to place in their neighborhood. She is worried at the amount of cars that will simply pass through there. There are already cars passing through at a high rate of speed. There are a high number of kids on the street. There are new families beginning in Weeping Willow. Ms. Sayers stated that there is not enough room on the stub road for the extra traffic. This will add to the neighborhood traffic, run stop signs from people not in

the neighborhood. There are cars stacked up and down the road to pick up the kids off of the bus because it is not safe for the kids to walk home alone. She stated that the Police Officers are taxed enough dealing with the neighborhoods they have. Ms. Sayers stated that an officer cannot get to her house within 20 minutes in an emergency. She also stated that squads and fire trucks cannot get through because of the cars on the street. She stated that she is concerned with her retirement. The concern with putting a \$250,000.00 home in their back yard, is concerning to her. There is already a high rate of theft and the stub road would allow access to remove themselves on foot. Ms. Sayers stated that the Kroger is too small, there are no restaurant facilities, and only two gas stations. A retirement situation is not an opportunity to turn your land into someone else's burden. A severe illness or death is not an opportunity to turn our homes into dangerous location for our children, pets, our people. She stated that you can only buy pet food at Kroger, you have to go clear to South Lebanon to buy a pair of underpants. She stated that she doesn't understand how the schools are going to hold more children. She stated that she has so many more concerns about this property being residential.

Trustee David Wallace closed the floor to the public at 7:34pm.

Melissa Sterwerf read into record, an email that was received from resident William Satterfield, "Ms. Tegtmeier, I will be unable to attend the hearing, but would like to share my opinion of the proposed zoning change for the 727 Grandin Road property from Light Industrial to Urban Residential. I do not support this change for several reasons. First, the traffic in the Willow Pond Subdivision has increased dramatically over the 16 years I've lived in the neighborhood. The 25 mile/hour speed limit is routinely ignored as are the Stop signs at the intersections of Willow Pond Blvd./Weeping Willow Ln. and Willow Pond Blvd./Honeysuckle Ln. Nearby major intersections like Rts. 22/3 and 48 are already beyond capacity. Second, many residents along Weeping Willow Ln. face lot drainage issues that seem to stem in part from the 727 Grandin Rd. property. The drainage issues also impact some residents of Jewelweed Crt. Finally, I'm not sure that Township resources (fire/police/road) can support the increase in residents and traffic. Please share my thoughts with the Trustees and my apologies for being unable to attend the hearing. Sincerely, William Satterfield, 825 Weeping Willow Ln., Maineville, OH 45039."

Trustee David Wallace stated that he is leaning toward the Regional Planning Commission and the township zoning to re-present it with a PUD. He would like to see it again with a PUD.

Law Director, Doug Miller stated that they could possibly re-present with a PUD, amenities could possibly be waived, or that the subdivisions not connect. He stated that he spoke with the developer's attorney and told him that he feels that a deed restriction is not a good idea. The developer would need to request the PUD change.

Trustee David Wallace stated that he would concur with the Regional Planning Commission and the Zoning Board to re-submit.

Law Director, Doug Miller stated that a resolution can be prepared as to what the wishes of the Board are.

Trustee David Wallace opened and closed the floor to the public at 7:40pm.

Trustee's Business

Mr. Wallace made a motion, and seconded by Mr. Walker to enter into Executive Session to consider the appointment of a public official at 7:41pm. In Executive Session were all Trustees, Administrator, and Law Director.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Mr. Wallace made a motion, and seconded by Mr. Walker to come out of Executive Session at 8:21pm.

Roll call as follows: David Wallace Yes

Joe Walker Yes

Mr. Wallace made a motion, and seconded by Mr. Walker that the administrator call the following nine individuals to set up interviews for a special meeting on November 21, 2016 beginning at 1:00pm. The list of individuals is as follows: Jerry McFeeters, Richard Browning, Steven Sideris, Albert Fatute, Paul Healy, Paul Adams, Christopher Gallagher, Caterina Kelly, and Joshua Asher.

Roll call as follows: David Wallace Yes

Joe Walker Yes

With no other business at hand a motion made by Mr. Wallace with a second by Mr. Walker to adjourn at 8:23pm.

Roll call as follows: David Wallace Yes

Joe Walker Yes