

Hamilton Township Trustee Meeting

March 17, 2021

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

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the March 3, 2021 Trustee Meeting.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the bills as presented to the Board.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

Public Comments

Mr. Cordrey opened the floor to public comments at 6:31 p.m.

No comments were made therefore Mr. Cordrey closed the floor to public comments at 6:31 pm.

Human Resources

Human Resources Manager, Ms. Kellie Krieger, requested a motion to remove Tyler Mullis from the active Hamilton Township Roster effective March 5, 2021.

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

Roll call as follows:	Mark Sousa	Yes
	Darryl Cordrey	Yes
	Joe Rozzi	Yes

Next, Ms. Krieger requested a motion to allow Mr. Kenny Hickey to carryover 101.5 vacation hours from 2020. He will utilize all time before the end of 2021.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the above vacation carryover.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

Public Hearing

-Resolution 21-0317: Scheduled abatements for property located at:

- 6426 S. St. Rt. 48, Maineville, OH 45039
- 9540 Dallasburg Rd., Loveland, OH 45140

Mr. Cordrey made a motion with a second from Mr. Rozzi to open the public hearing at 6:32 pm.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

Law Director, Ben Yoder, swore in Economic Development and Zoning Director Alex Kraemer for the purposes of presenting and speaking on these properties.

Mr. Kraemer stated that on January 5th our Zoning Inspector took pictures and reports on ten different properties in the Township. These were all properties that required either removal or repair for unsafe or unsecure structures in Hamilton Township. Mr. Kraemer has been in communication with eight of those property owners with three properties being remediated through demolition and four are in the process of securing those structures and one is in the process of remediating. Two properties have had no communication of any kind and those are 6426 S. State Route 48, and 9540 Dallasburg Rd.

Based on the Ohio Revised Code 505.86 Nuisance Structures by power of authority, the Board of Trustees may decide on the repair or removal of the buildings and other structures. Buildings must be declared insecure, unsafe, structurally unsecure/unsafe or unfit for human habitation and must use Township fire department, county building department or county board of health to make that determination. That process has been met by using our Township Fire Department. The Board's determination will be to remove the structures or repair the properties. After determination, staff will provide notice to the parties with content concluding the Board's decision then order the removal or repair. That will require a 30 day notice in the public newspaper.

Mr. Kraemer reviewed the attempts that were made to notify the property owners at 6426 S. St. Rt. 48. On October 20, 2020 he sent a notice of nuisance structure by certified mail; it was received but no contact was made by the owner. A second certified letter was sent out on January 5, 2021 and was marked as received and signed for but again, no contact was made. On March 2, 2021, notice was provided via certified mail for this public hearing to declare the property a nuisance, again the notice was received and signed for with no contact made. The Fire Inspector noted on December 9, 2020 that the house is vacant and needs to be torn down as there are exposed structural members, no windows, and the barn is falling down.

Next Mr. Kraemer reviewed the attempts to notify the property owners at 9540 Dallasburg Rd. January 5, 2021 a nuisance violation notice was sent; certified mail was refused and marked unable to forward. On March 2, 2021, notice of this public hearing was sent via certified mail that was refused and unable to be forwarded for that as well. The Fire Inspector's report notes that as of December 12, 2020, it is a vacant house. The Inspector did not enter the home but noticed that some interior walls are deteriorating and the barn has structural instability. This property may not rise to a level of demolition but that would be up to the Board to decide.

Mr. Yoder mentioned that the Board does not necessarily need to decide exactly how they want to fix it right now; more just declaring it unsecure and once the 30 days public notice posting has passed, staff can go back out to get a better picture of what is going on and then come back with a better recommendation of proposed abatement.

Mr. Rozzi asked if the windows and doors are intact on the Dallasburg property. Mr. Kraemer responded that they all appear to be from the photos as opposed to the other house included in tonight's hearing.

Deliberations began about the two properties. The Board agrees that the process on both is pretty straight forward. Mr. Rozzi feels as though the first property on Route 48 is dangerous as there are no windows or anything.

Mr. Cordrey presumes that any costs associated with abatement on either property are assessed and added as a tax lien or something of that nature.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 21-0317.

Roll call as follows:	Mark Sousa	Yes
	Joe Rozzi	Yes
	Darryl Cordrey	Yes

Mr. Cordrey closed the public hearing at 6:45 pm.

New Business

-Motion: File lawsuit against property at: 9457 Schlottman Rd., Loveland, OH 45140.

This motion is to have *Frost Brown Todd* file a lawsuit against the property owners of 9457 Schlottman Road, Loveland, Ohio 45140 for removal of the tent structure and penalties for shed without obtaining a permit.

Mr. Yoder spoke on the process of this stating it is different that the abatement concern because this is a zoning violation spelled out in our Zoning Code. The remedy for zoning violations that are not cured, is to file a lawsuit with the Court of Common Pleas asking them to declare it a zoning violation and order the property owner to fix it; if they do not fix it then the Court can take matters into their own hands. This is why it is procedurally different than unsafe or unsecure structures.

Mr. Kraemer stated that similarly to the process before, three certified violation notices were mailed and they were not accepted.

Mr. Sousa referenced Mr. Yoder's comment about the Court taking action; what is the scope of those actions?

Mr. Yoder stated there would be fines. Theoretically speaking they could find them in contempt of court, although he has not seen that. Typically they fine them and that will get the property owners attention and then the Court will waive some fines if they fix it.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the transfer of ownership if the above mentioned property.

Roll call as follows:	Darryl Cordrey	Yes
	Mark Sousa	Yes
	Joe Rozzi	Yes

-Motion: Enter into contract with *Biggs Farm, LLC*

This motion is to enter into contract with Biggs Farm, LLC for a rent agreement on real property owned by Hamilton Township connected to Marr Park and Mounts Park for contract farming. This three year contract has been negotiated to benefit Hamilton Township and Biggs Farm, LLC. The budget impact is \$3,900 paid each year to Hamilton Township.

Mr. Sousa is concerned about the back part of Mounts Park. If park development starts to happen, this gives us no chance to make progress here for at least a three year period.

Mr. Rozzi stated that this part is out of the way so he believes that it is a good idea to continue farming this piece for now.

Mr. Sousa asked if this is the "going rate" for agricultural land use? Mr. Hickey responded that for these particular sections are not very large so the pricing is comparable.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the motion to enter into contract with Biggs Farm, LLC.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

-Motion: Enter into contract with *Ohio Power Baseball*

This motion is to enter into contract with Ohio Power Baseball for a lease agreement throughout 2021, for Mounts Park baseball fields. This contract has been negotiated to benefit the youth baseball programs, along with Hamilton Township and Ohio Power Baseball. We have agreed to pay approximately \$8,000 to get the fields up to playing standards. They will provide all labor. Any fees collected for parking and/or concessions, the Township will receive a portion of those proceeds.

Mr. Rozzi questioned if they are expected to maintain them to reasonable satisfaction of the Township? Mr. Hickey replied that is correct. One of the stipulations is that the fields will be checked over by Mr. Hickey and our Fire/Zoning Inspector.

Mr. Cordrey mentioned looking at this later in the year to decide what they would like to do for the following season; a lot of the select teams like to have fields reserved as early as they can.

Mr. Sousa brought up a few concerns. He referenced the meeting minutes from this year's Retreat and he believed that the discussion was for Ohio Power to cover the cost of the repairs. He is struggling with the idea of the proposed lease because of the lease that we just got out of with the previous agreement for these fields and how unbeneficial it was for the Township. Limited revenue from the operations unlikely will make us whole with the cost of materials we're putting into this right now. He feels as though the taxpayers subsidizing these fields and a private organization benefitting from these them, is not the direction we should go in.

Mr. Cordrey disagrees because of the cost that it would take to fully repair these fields. We purchased the materials since this is our asset but we are not doing the labor. They are also aware that they will be putting the time into these fields and there is a possibility that they would not have access to these fields next year. A lot of kids in the Ohio Power Association do live in the Township. We may not recoup all of the \$8,000 but the fact that they are willing to share some of their profits with us is a good faith effort.

Mr. Hickey explained what the materials will cover for repairs and mentioned that Ohio Power stated that the cost of the repairs will actually be more than the \$8,000 that we are contributing and they will be covering some of the additional cost as well as the labor.

Continued discussion took place on the Ohio Power Baseball Organization and how they operate.

Mr. Sousa stated that it does not sit right with him that an organization is using the fields for free and making minor repairs when they would otherwise pay to use another location.

Since discussion was had about the tournaments and charges associated with those (referencing the occurrences from the previous lease agreement) Mr. Hickey wanted to make sure that everyone is aware that any tournaments that Ohio Power would be holding at Mounts Park Ball fields would be amongst the Ohio Power Organization and not several other organizations.

Mr. Cordrey made a motion with a second from Mr. Rozzi to enter into contract with Ohio Power Baseball for a lease agreement to end on December 31, 2021 for the Mounts Park baseball fields.

Roll call as follows:	Mark Sousa	No
	Darryl Cordrey	Yes

Joe Rozzi Yes

-Resolution 21-0317A: Increase in Appropriations (Fire Department)

This is a Resolution authorizing and approving an increase in Township appropriations in the EMS Fund to reconcile budgets for calendar year 2021. This increase in appropriations was requested at the 3/3/21 Trustee meeting to appropriate \$35,000 in the EMS Fund to purchase the two staff vehicles for the Fire Chief and Assistant Fire Chief. These two staff vehicles were budgeted for financing in the 2021 budget. This appropriation will allow for the out-right purchase of both vehicles and save \$3,360.49 in interest payments over the next four years.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 21-0317A.

Roll call as follows: Darryl Cordrey Yes
 Joe Rozzi Yes
 Mark Sousa Yes

Fiscal Report

Mr. Weber mentioned that the Auditor of State was doing a random audit of our Ohio Police and Fire Pension Fund to check a few employees. Ms. Krieger worked hard putting that together. We received an email that all of documents had been reviewed and there were no issues found. There is a representation letter that needs signed by Mr. Weber and Mr. Centers just stating that everything we have recorded is accurate.

Mr. Weber also commented that our independent, public Auditor will be starting the 2020 Audit in April.

Mr. Weber next gave the financial report for February stating that we are 17% thru the year. Revenue received to date is at 3% of our projected budget which equates to about \$400,000. Year to date expenditures are a little over \$2.1 million which is about 17% of our budget. So we are right where we want to be. We have an overall cash balance of \$11.3 million.

Mr. Cordrey brought up the additional CARES Act funding; have we received any guidance on that as to when it may come down to the local level and will there be any parameters?

Mr. Weber has not heard anything specific to our Township.

Administrator's Report

Nothing to report at this time.

Trustee Comments

Mr. Sousa brought up a letter that the Board received about a parking issue that the Police Department was able to step in and satisfy. He spoke with Chief Hughes and was made aware that we do not have any parking restrictions here in the Township. Is this something that the Board could or should have a work session on?

Mr. Rozzi is willing to discuss this issue.

Mr. Cordrey does not want to make it too restrictive but he is willing to have a discussion.

Mr. Rozzi complimented Chief Hughes and the rest of the Police Department for the work they put into the Citizen's Police Academy. It was very informative and eye-opening.

Mr. Cordrey echoed the same thing as Mr. Rozzi; it's a blessing that our Police Officers are as good as they are. It's impressive and he appreciates all that they do. He also wished everyone a

Happy St. Patrick's Day. He reminded everyone to keep an eye out on our social media pages as we will be kicking off community events again soon.

Adjournment

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 7:13 pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes