

## Hamilton Township Trustee Meeting

April 5, 2023

Trustee Board Chairman, Mark Sousa, called the meeting to order at 6:00 p.m. Mr. Rozzi, Mr. Cordrey and Mr. Sousa were present.

Roll call as follows:

|                |     |
|----------------|-----|
| Joe Rozzi      | Yes |
| Mark Sousa     | Yes |
| Darryl Cordrey | Yes |

The *Pledge of Allegiance* was recited by all.

A motion was made by Mr. Sousa, with a second by Mr. Rozzi, to approve the clerk's journal and accept the tapes as the Official Meeting Minutes of the March 15, 2023, Trustee Meeting.

Roll call as follows:

|                |     |
|----------------|-----|
| Darryl Cordrey | Yes |
| Mark Sousa     | Yes |
| Joe Rozzi      | Yes |

A motion was made by Mr. Sousa, with a second by Mr. Rozzi, to approve the bills as presented before the Board.

Roll call as follows:

|                |     |
|----------------|-----|
| Mark Sousa     | Yes |
| Joe Rozzi      | Yes |
| Darryl Cordrey | Yes |

### **Proclamation:** Sarcoidosis Awareness Month

Mr. Sousa asked Mr. Jeff Kuhn to step forward as he presented the Proclamation declaring April as Sarcoidosis Awareness Month. Mr. Kuhn spoke about his personal experience with this disease. He thanked the Board and Hamilton Township for the support.

### **Public Comments**

Mr. Sousa opened the floor to public comments at 6:08 pm.

Mr. David Leitch and Mr. Pete Moore came forward to speak. They explained that a year ago Altafiber installed fiber optics in their subdivision and since then three of their homes have all had sub pump issues. He asked if the Township would be able to give an unbiased evaluation on what is going on before they do an expensive repair.

Mr. Don Pelfrey stated that he is very familiar with this issue. He said he has met 12-14 people that have the same issue. He spoke to one of their board members a little over a year ago. He mentioned that trunk lines are supposed to be maintained by the HOA's.

Mr. Leitch mentioned that his HOA refused it.

Mr. Pelfrey stated that if you can prove it was fiber optics they will come out and fix the issue. He stated that he can look and see if he can see the issue. However, he is not allowed to touch it since it is off our right of way.

Mr. Sousa closed the floor to public comments at 6:15 pm.

**Public Hearing** – Site Plan Review “Tee 18 Golf” 15 E. US-22/3 Maineville, OH

Mr. Ben Yoder, Law Director, swore in all persons who wished to give testimony for the case included within the public hearing.

Mr. Steve Pegram began his presentation by introducing the property owner, Maineville Crossing Retail LLC, the applicant Classic Commercial Property LLC, Spokespersons Amber and Jason Hoark.

Mr. Pegram explained that a legal notice was published in the Sunday, March 26<sup>th</sup> edition of *The Pulse Journal* in Warren County.

Next, Mr. Pegram indicated that the applicant is requesting a site plan review to construct a 6,345 square foot commercial building. There will be 3 units to occupy the building. Two units (3,900 sq. ft.) will be occupied by Tee 18 Golf. The third unit (2,400 sq. ft.) will be made available for lease to a future retail business or possible restaurant.

At that point, he reviewed the zoning and land use of areas surrounding the property in question. B-1 Neighborhood Business Zone to the North, East and West and R-1 Single Family Residence to the South. He then explained per Hamilton Township Zoning Code 4-2: Permitted Use Table it allows Retail and Service Commercial Use in B-1 zoning districts. Retail and Service Commercial Use is defined as: uses including, but not limited to, groceries and other food stores, coffee shops, soda fountains, internet café, ice cream parlors, drug stores, barber shops, beauty salons, bakeries, dry cleaning, laundromats, tailoring, shoe repair shop, electrical appliance repair/servicing, and the like. Parking Chapter 7 of the HTSC outlines the rules on parking, loading and circulation that shall be followed. It sets the required number of parking spaces for Retail and Service Commercial Use as 1.0 space per 250 sq. ft. Based on the square footage of 6,435, the minimum number of parking spaces required would be 26. Mr. Pegram explained that this proposed location is within an existing shopping complex with shared parking so staff feels that the 43 proposed spaces shown on the site plan are appropriate. The applicant has submitted a landscaping plan that is compliant with all HTZC regulations. He also explained that the submitted photometric plan does comply with Township regulations.

He then went on to explain the comments from our Warren County Partner Organizations.

- Warren County Soil & Water Conservation District requires facilities with one or more disturbed acres to obtain an earth disturbing permit prior to the start of earthwork and obtain SWPP (stormwater pollution prevention plan) review and approval
- Warren County Water & Sewer Department the project engineer will need to touch base with the Water and Sewer Department to discuss water and sanitary connections.
- Warren County Health Department the plans indicate that the property will be served by both public sewer and public water and is therefore not under the health district's jurisdiction for these utilities. Prior to building the facility, the property owner should contact the Warren County Health District's Plumbing division to obtain any necessary permits. In addition, since there are food items, the property owners must contact the Warren County Health District's Generalist Division.
- Warren County Engineer's office we are not aware of any comments at this time.
- ODOT we are not aware of any comments at this time.

Mr. Pegram explained that Staff recommends Approval of the site plan for Classic Commercial Property LLC to construct a commercial facility located at 15. E US-22/3, Maineville, OH 45039 with the following conditions: 1.) Compliance with all regulations in the Hamilton Township Zoning Code. 2.) Meet the requirements of all Warren County partner organizations. 3.) Working without Fire Department to ensure apparatus accessibility to the site.

Mr. Sousa asked if the east elevation has a drive thru.

Mr. Cordrey asked if they are going to be maintaining the road in between the property.

Mr. Pegram explained that is a shared driveway with multiple property owners.

Mr. Jason Hoark came forward to speak and advised that will only be a pick up window. It will not have a speaker to be a drive thru.

Mr. Sousa invited the applicant to come forward and speak, Jason and Amber Hoark came forward.

Mr. Hoark thanked the Board for hearing from there proposal. He stated that his kids went to Little Miami and they wanted to open something in their local community. He stated that they are big on family fun business.

Mr. Cordrey stated he appreciates this and small business is always a plus in the area. He explained he loves sports so this is pretty cool and he's excited for the opportunity.

Mr. Sousa asked about the vegetation plan, specifically around the residences behind.

Mr. Brian Bender came forward to speak. He said their goal is to save all the vegetation against the residential property.

Mr. Sousa invited anyone in favor of the plan to come forward to speak. No one came forward so he then invited anyone in opposition of the plan to come forward to speak.

Ms. Melissa McCarty came forward to speak. She stated that this will back up to her home. She stated that her back yard is already flooded because of the business back there. As well as trash coming into her yard. She mentioned the retention pond is holding water instead of doing its job.

Mr. Sousa asked if the retention pond issue has been resolved.

Ms. McCarty stated that it was resolved rather quickly. She stated that the business leave the dumpsters open and the raccoons bring the trash into their yard. She stated that Beeler has been used to try to access the properties behind and then turn around in their yard.

Mr. Sousa asked if she has ever talked to the County about the general water run-off.

Ms. McCarty said she has. She mentioned another business would be a headache for her.

Mr. Pegram mentioned that once zoning is approved they will have to apply for permits with all the departments at the county and will have to abide by all of their requirements.

Ms. MaryAnn Kaesemeyer came forward to speak. She stated she's glad that they want to build a sports place for golf. However, they do not want it at the end of their street. She wanted to know where all the run off would go.

Mr. Sousa asked Chief Hughes if we would be able to do something if people park on Beeler.

Chief Hughes stated if they parked on Beeler they would have to cut through woods. He stated that they will take care of that.

Ms. Kaesemeyer asked how many people would be at these events.

Mr. Sousa stated that normally they have 4 people that rent a bay and will have 5 bays. You're probably talking at peak capacity 2-3 dozen people.

Mr. Sousa invited the applicant to come forward to speak on hours of operations and the concerns of the neighbors.

Mr. Hoark stated they will be open from 10am – 11pm Monday-Saturday and 12pm-6pm Sunday. He said he wanted to be a great neighbor. He said all our landscaping will be properly maintained and any stormwater will be contained within the design purposed.

Mr. Weber stated he appreciates the comments about the stormwater. He asked if it will all go to the detention basin.

Mr. Bender mentioned there are two detention basins.

Mr. Sousa closed the floor to public comments at 6:44 pm.

Mr. Rozzi stated he had no concerns as long as everything complies with zoning, stormwater is handled and we handle the parking issues on the street.

Mr. Cordrey stated his only concerns are the stormwater and the access road in between. However, he mentioned he feels like the property owners have a plan.

Mr. Sousa said he agrees. He asked the neighbors if they see someone try and park and cut through there yard to call the Township. Mr. Sousa asked Mr. Hoark for the rough timeline this will be open?

Mr. Hoark said November.

Mr. Sousa made a motion with a second from Mr. Rozzi to approve the site plan review for “Tee 18 Golf” the property located at 15 E. US-22/3, Maineville, Ohio 45039. Subject to the three conditions proposed by staff.

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

### **New Business**

- Resolution 23-0405A: Resolution increasing, decreasing, transferring and advancing funds for various projects within the 2023 annual budget for Hamilton Township.

Mr. Pegram explained the first item in the resolution is for an increase in funds for the Police Department. The second item is increase in General Fund of Zoning Legal fees, specific to all the economic development. The EMS department has two areas where they fund for vehicle repairs one for Fire and one for EMS, we have almost exceeded the EMS budget for the year because the fleet is older and has required more repairs. The next three are all related and they are all for the purchase order for the Ladder Truck. The next item is for the Fire Training tower, we initially were going to keep gravel around the tower but we have realized that will not be sufficient as we have almost had a vehicle get stuck. We are going to pave around the building. The last three items are all related. We budget for a picnic shelter for a grant at Marr Park the grant requires that we make a separate fund.

Mr. Sousa made a motion with a second from Mr. Rozzi to approve Resolution 23-0405A.

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

- Resolution 23-0405B: Resolution disposing of certain surplus of motor vehicles in the impound lot.

Mr. Sousa made a motion with a second from Mr. Rozzi to approve Resolution 23-0405B.

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

- Motion – Approve a contract for Asphalt at the Training Tower

Mr. Sousa made a motion with a second from Mr. Rozzi to approve contract with Towne Construction Services for asphalt paving at the training tower in the amount of \$48,398.

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

- Motion – Approve a Purchase Order for the Quint (Ladder Truck)

Mr. Sousa made a motion with a second from Mr. Rozzi to approve a Purchase Order (PO) with Atlantic Emergency Services in the about of \$1,500,000 for the purchase of the 107’ Ladder Truck (quint) approved by the Board of Trustees in 2022.

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

- Motion – Approve a Cemetery Deed

Mr. Sousa made a motion with a second from Mr. Rozzi to approve the purchase of cemetery deeds as presented to the board.

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

- Motion – Amend the roster of Hamilton Township as presented.

Mr. Sousa made a motion with a second from Mr. Rozzi to update the Township roster as presented to the Board.

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

### **Trustee Comments**

Mr. Cordrey mentioned that Mr. & Mrs. Kuhn do a great job of promoting awareness on Sarcoidosis. He also wanted to thank them for their community support. He thanked the staff for the Easter Egg Drop. Fishing with the 5-0 is Saturday April 15, at Mounts Park.

Mr. Rozzi stated he didn’t have a whole lot and he couldn’t make the Easter Egg Drop as well because he was traveling. But he thinks the addition of the Helicopter for only \$700 was well worth it. Thank you to all the volunteers.

Mr. Sousa said day one of an 8 week closure on Grandin Road for the bridge construction. He said there was going to be another closing between Schlottman and Harrison that is going to be delayed. Fishing with the 5-0 15<sup>th</sup> and Park Clean up on the 22<sup>nd</sup> .

### **Administrator’s Report**

Mr. Pegram explained that Hamilton Township’s contract with Constellation Energy is expiring this July. Our consultant has gone out to bid for new terms, as it comes to no surprise all prices have gone up. After reviewing all options they have recommended a 24 month program with

Energy Harbor. The new rate while higher does save money over the regular rates. Duke is forecasting a significant price jump this summer. Next trustees meeting it will be brought before the board. Letters will go out in May or early June. He mentioned the rate will be around 2 tenths of a cent increase, however they do not lock it until you sign it.

### **Executive Session**

Mr. Sousa made a motion at 7:07pm with a second from Mr. Rozzi to enter into Executive Session In reference to O.R.C. 121.22 (G)(1) to discuss employment and compensation of a public employee.

Roll call as follows:

|                |     |
|----------------|-----|
| Joe Rozzi      | Yes |
| Mark Sousa     | Yes |
| Darryl Cordrey | Yes |

Mr. Sousa made a motion with a second from Mr. Rozzi to come out of Executive Session at 8:09 pm.

Roll call as follows:

|                |     |
|----------------|-----|
| Joe Rozzi      | Yes |
| Mark Sousa     | Yes |
| Darryl Cordrey | Yes |

### **Adjournment**

With no further business to discuss, Mr. Sousa made a motion, with a second from Mr. Rozzi, to adjourn at 8:10 pm.

Roll call as follows:

|                |     |
|----------------|-----|
| Darryl Cordrey | Yes |
| Mark Sousa     | Yes |
| Joe Rozzi      | Yes |