

Hamilton Township Trustee Meeting

August 7, 2024

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

Roll call as follows: Darryl Cordrey
 Joe Rozzi
 Mark Sousa

The *Pledge of Allegiance* was recited by all.

A motion was made by Mr. Cordrey, with a second by Mr. Rozzi, to approve the clerk's journal as the Official Meeting Minutes of the July 17, 2024, Trustee Meeting.

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

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

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

Public Speaker- Judge Gary Loxley and Judge Rob Fischer, Warren County Court

Judge Loxley presented a comparative analysis of criminal, civil, probation, and traffic cases from 2019 to 2023. He highlighted two current issues in the county: distracted driving and strangulation.

Starting in April 2023, new codes for distracted driving were enacted and began enforcement in October 2023. For a first offense, the penalties include a \$250 fine and two points on the driver's record. A second offense within two years can lead to a maximum fine of \$250 and three points. A third violation can result in four points, a fine up to \$500, and a suspension of up to 90 days.

Additionally, as of April 2023, strangulation has been classified as a felony in Ohio, making it the last state to adopt this classification. Strangulation is defined as covering the nose or mouth, neck, or throat to obstruct airways.

Judge Loxley introduced the Veterans Court Docket. This docket offers veterans with probationary offenses the option to transfer to an intensive probation program designed specifically for veterans. This voluntary program, which can last between 18 months and five years, focuses on rehabilitation and support for veterans.

Judge Fisher: Continuing with current issues, it's important to distinguish between expungement and sealing of records. Sealing of records limits access to them, while expungement completely removes them from public view. The purpose of these changes is to enhance opportunities for employment and housing, allowing individuals with prior offenses to move forward with their lives and receive a second chance.

The court system aims to address public perception by adhering strictly to the law and treating everyone with respect and fairness, regardless of their status or position.

In other updates, Brighton Smith is the sole candidate for the position of Warren County Clerk of Court, and he will appear on the November election ballot without any opposition.

Additionally, a new courthouse is set to be constructed, with the projected completion date in late summer or fall of 2025.

Judge Fischer specializes in the Success Docket, a mental health program designed to support probationers in achieving success through education, employment, and stable housing. The program currently has 18 participants and has celebrated the graduation of four individuals in 2024.

Public Hearing – McDonalds Site Plan Review

Ms. Cathy Walton, Zoning Director, presented the site plan review, located at 148 E. Towne Center Boulevard, out lot 2, Hamilton Township, OH 45039. The Property Owner is Kroger Limited Partnership. Legal Notice was published in the July 28th, 2024, edition of *The Journal News*. Notices were mailed to all property contiguous to, and directly across the street from the area of the proposed site plan.

Permit Solutions has submitted a site plan review request on behalf of McDonald's, LLC for the construction of a 3,694-square-foot fast food restaurant. The staff recommends approving the site plan, provided that it complies with all regulations outlined in the Hamilton Township Zoning Code and meets the requirements of all Warren County partner organizations.

Mr. Cordrey inquired about access on and off State Route 48.

Ms. Walton confirmed access will be from Kroger and not State Route 48.

Mr. Cordrey invited the applicant to come forward to address the Board.

Mr. Greg Cook: Civil Engineer for the project. Working with Warren County to address water and sewer and with Kroger to tie into their walkway.

Mr. Cordrey questioned if this location would be franchised or corporate?

Mr. Sousa stated more than likely will be franchised.

Mr. Cook was not sure.

Open the floor to public comments at 6:32 pm

Mr. Charles Lape came forward opposed to the project. Over a 100 people reacted to the idea of McDonalds on a Facebook page not in favor. He feels that Hamilton Township is turning into Fields Ertle and the trustees can limit the amount of fast food. Curious if a traffic impact statement was constructed and what impact it has on the water mains.

Mr. Cordrey and Mr. Rozzi expressed observing the growth and noted that Hamilton Township has limited commercial properties and enforces a very strict zoning code, but commented that townships cannot pick and choose among specific businesses in commercial-zoned districts.

Mr. Wright: He does not disagree and actively engages with developers, aiming to encourage local food trucks to transition into permanent brick-and-mortar locations. The Urban Service Boundary helps protect the township's rural areas.

Mr. Rozzi: The Board has and will continue to limit residential development, keeping rural areas.

Mr. Cordrey: Water lines pose a challenge, but efforts are underway in collaboration with the county to address them. New developments along State Route 48 have updated the water lines to accommodate anticipated growth.

Mr. Cordrey made a motion, with a second of Mr. Rozzi to approve the McDonald's site plan review located at 148 E. Towne Center Boulevard, out lot 2, Hamilton Township, OH 45039.

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

Public Comments

Mr. Cordrey opened the floor to public comments at 6:47 p.m.

Dan Smith thanked Assist Chief Short and Officer Molly Hayslip for conducting an assessment of his church’s security. He also thanked Don Pelfrey for the new Hamilton Township sign on 48.

Charles Lape expressed his gratitude to the Township for National Night Out. He noted that only one engine from the Village of Morrow and one from Hamilton Township were present and inquired about the reason for this.

Chief Jewett explained that the ladder truck overheated that day, and the fire engine is currently out of service for engine repairs. The department is seeking a grant for a new tanker engine. Additionally, a new ladder truck is expected to arrive at the Township by September 2025.

Mr. Cordrey closed the floor to public comments at 6:50 p.m.

New Business

- Resolution No. 2024-0807A – Increase of Appropriations in the Police District Fund for the purchase of replacement vehicles, in the Fire Maintenance Fund for repairs to Engine 76 and in General Fund for abatement of public nuisances.

Mr. Wright explained the need to increase appropriations in the Police District Fund – Motor Vehicles by \$400,000. These funds, currently in the carryover portion of the fund, are required to cover the remaining balance for the five replacement cruisers recently approved by the Board.

Additionally, it is necessary to increase appropriations in the Fire and EMS Special Levy Fund – Repairs and Maintenance by \$55,000. This amount will be used to cover pending engine repairs and other maintenance for Engine 76.

Finally, an increase of \$95,000 is needed in the General Fund – Zoning – Contracted Services (Public Nuisance Abatement). This allocation will address the abatement of 832 Sunrise and any other nuisances that may require abatement this year.

Mr. Sousa: Timeline of the second fire house located on Amberwood Way to be deemed a nuisance?

Mr. Wright explains it will have to go through the legal process and then will be released to the Township, where staff can take the next steps to clean up the property.

Chief Jewett: Amberwood Way homeowners did not have insurance on the property. Owners are trying to receive money from the e-bike company that they think started the fire. When they can get the investigators on site, that depends on the timeline of notification of nuisance.

Mr. Cordrey made a motion with the second from Mr. Rozzi to approve Resolution 24-0807A, a resolution increase in township appropriations in the police district fund, fire maintenance fund and general fund and to reconcile budgets for the calendar year 2024.

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

- Motion- Approve purchase of Cemetery Deed

Mr. Cordrey made a motion with the second from Mr. Rozzi to approve the purchase of a cemetery deed.

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

- Motion- Authorize Rauch Excavating to perform nuisance abatements at 832 Sunrise Ridge

Mr. Wright reminded the Board on June 5th, they adopted Resolution 24-0605C, declaring a property an unsafe structure and authorizing its removal, and declared it an emergency.

The resolution approved the removal of the unsafe structure and debris. Notices were sent to both the property owner and their Power of Attorney. The Township staff gathered quotes from various excavation companies to handle the removal and site restoration.

The most responsive bid came from Rauch Excavating. Their work will include removing the burned structure, foundation walls, and slabs, filling the basement with approximately 800 yards of dirt, and grading the site. Once the work is complete, the Township will file documents with the County Auditor’s Office to place a lien on the property to recover these abatement costs.

Mr. Cordrey made a motion with the second from Mr. Rozzi to authorize the Township Administrator to accept the proposal from Rauch Excavating, Inc. for the nuisance abatement work at 832 Sunrise Ridge in the amount of \$35,500.

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

Public Comments

Mr. Cordrey opened the floor to public comments at 7:04 p.m.

Keith Osterbrock reminded the Board that Rauch will be required to make a swale for storm water when excavating 832 Sunrise Ridge.

Mr. Cordrey closed the floor to public comments at 7:06 p.m.

Administrator’s Report

Administrator, Mr. Wright gave the following updates:

- State Audit has started and will be onsite sometime in August and finish by September
- EPA testing has slowed down construction on the corner of 48/Foster-Maineville and could be finished hopefully by the end of next week.
- Grandin Road access is almost complete and will be open to the public soon.
- Please obey school zones and give grace to school buses and teen drivers
- CPR training staff at Little Miami Schools.

Trustee Comments

Mr. Rozzi heard it was a good turnout at the National Night Out but was unable to make the event.

Mr. Cordrey expressed gratitude to the staff, Mr. Rozzi, and Mr. and Mrs. Oeder for hosting National Night Out. The next event will be the Cardboard Boat Regatta, also at Oeder’s Lake. Mr. Cordrey mentioned receiving complaints from residents about jake braking on Grandin Road and State Route 48 near the new Kroger development. He wondered if the Board might consider addressing this issue in the noise ordinance, if legally permissible, for specific areas.

Mr. Wright and Chief Short will get more answers and get back to the board about the noise ordinance.

Mr. Sousa thanked Molly Hayslip for her hard work at the National Night Out.

Adjournment- With no further business to discuss, Mr. Cordrey made a motion, with a second from Mr. Rozzi, to adjourn at 7:15 p.m.

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