

# HAMILTON TOWNSHIP TRUSTEES

## November 4, 2015

Mr. Weber called the meeting to order at 6:00 p.m. with Mr. Weber, Mr. Duvelius and Mr. Wallace present.

The Pledge of Allegiance to the Flag was recited by all in attendance.

Mr. Wallace made a motion and Mr. Weber seconded the motion to adopt the proposed agenda for the November 4, 2015 meeting.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Gene Duvelius	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to dispense with the public reading of the minutes and approve as written for October 21, 2015.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to pay the bills before the Board for checks numbered 75358 through 75362 as written.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to pay the bills before the Board for checks numbered 75363 through 75399 as written.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to pay the withholding checks numbered 75400 and 75412 with Direct Deposit Vouchers 2015-1737 through 2015-1809 as written.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Jeff Turiak, 994 Sedgefield Court, was present to speak to the Board about a hunter on the Rippe Property across the street from him. He is concerned because the tree stand is 150 feet from the roadway and he is worried about the hunter being so close to the homes in the neighborhood and he doesn't feel safe. Mr. Turiak would like the Board to plead with the family to not allow this to go on anymore. Police Chief Jon Wheeler stated he was still checking into the Ohio Revised Code to see if anything could be done to remove the hunter with legal standing. Mr. Wheeler suggested speaking with the property owner. Mr. Weber asked Mr. Mark Rippe, who was present for a separate issue, if he could look into this and he willingly agreed to see what he could do.

Mr. Weber opened the Public Hearing for Stage 1 PUD Zone Change for Hopkins Commons. This is a request to change the zoning from R-3 Multi-Family and B-1 Commercial to R-3 with a Planned Unit Development allowing for B-1 Commercial.

Mr. Mark Rippe, Developer, was present for the public hearing in regards to the property at 7613 Huron Place. Mr. Rippe spoke about the project and stated it is an apartment complex geared towards the senior community. Affordable units occupy 20 percent of the space; they are not Section 8 Housing units. They are income restricted and residents must be over 55 years of age. Warren County Senior Services will have an office space operating with daily programming. There will be a small restaurant open to not only residents, but also the public. This will not be a nursing home or full-time assisted living. There are three (3) buildings on the 9.4 acres. Less than 5 percent of the space will be commercial. There will be one (1) and two (2) bedroom rental units. There will be a gated entrance from Huron Place to not allow the street to become a through-way. The main entrance and exit will be on State Route 48. Mr. Weber asked if the residents would have to walk outside to access the restaurant. Mr. Rippe stated the affordable living is in the same building as the restaurant. The other buildings will have access from sidewalks. Mr. Rippe also noted Otterbein may tie in with a walking path to access the senior space. The project is not age restricted but is senior preferred living. Mr. Weber asked if he has spoken with ODOT (Ohio Department of Transportation) about the entrance/exit to the facility. Mr. Rippe stated yes, the traffic study was done and submitted. Mr. Gary Boeres, Administrator, wanted to note the draft Resolution in the packet of information distributed to all. The Resolution includes the conditions of approval from the Warren County Regional Planning Commission and the Hamilton Township Zoning Commission. There are two (2) provisions he would like the Board to add. The construction traffic should come from State Route 48 not on Huron Place and Mr. Rippe has agreed to this already. Also, if there is advertising for the development they state Hamilton Township is the project location, not Maineville. This hearing is just for the change of zoning. The project will be brought back before the Board for final approval of all site plans.

Mr. Weber opened the floor to the public for the Hopkins Commons hearing.

Mr. Dennis Steinke, 338 Nightwind Drive, asked who would operate the development. Mr. Rippe stated Modern Real Estate would. Mr. Steinke stated it was indicated this would be for age 55 and older. Mr. Rippe stated for the affordable living area yes, but the other section is senior preferred, but you can't discriminate in housing. Mr. Steinke expressed concern with the density and property taxes. This is not a fit for this area.

Ms. Mary Holliday, 9532 Lakeview Drive, was concerned about the entrance and exit to the development because of the bank and the existing housing across the street from the entrance. Mr. Weber responded this is ODOT's jurisdiction and their decision. They govern State Route 48 and the traffic patterns.

Ms. Shelly Weigle, 7694 Hillsdowne Circle, wanted more information about the gate on Huron Place to the development. She also had heard the residents of Hopkins Commons would have access to the Regency Park parks and fishing ponds and wanted to know if this was true. Mr. Rippe stated the gate is to stop cut through traffic as the main entrance is off of State Route 48. There has to be a second entrance/exit for safety personnel. As for the use of the parks and fishing areas, there have been discussions with M/I Homes. Mr. Rippe hasn't spoken with them personally and didn't want to comment on this.

Mr. Weber asked Mr. Kenny Hickey, Maintenance Supervisor, about the snow removal and the gate being an issue. Mr. Hickey stated he would have the snow pushed to a different area and will look into it further.

Mr. Michael Blomer, 7891 Highbrook Drive, asked about the zoning change accommodating the restaurant or if other plans were pending. Mr. Rippe stated it was strictly for the restaurant.

Ms. Cindy Marshall, 7229 Hammerwood Court, asked about the restaurant size. Mr. Rippe stated the total commercial space is less than 5 percent of the total square footage. He does not have a breakdown as the construction drawings are not complete yet. Ms. Marshall was also worried about the traffic. Mr. Rippe stated seniors don't make as much traffic as family tenants would, almost everything they need is close to them.

Ms. Melissa Ford, 7404 Haverhill Lane, was concerned about the light pollution from the four (4) story units and the increase in traffic from the families visiting their loved ones. Ms. Ford was also worried about the home values and increase in sounds from sirens and EMS with the residents being seniors and having more health issues.

Mr. Tony Wethington, 267 Huntington Drive, asked about a tree line to block the view of the development. Mr. Rippe stated there is an existing berm now and landscaping will be added as the plans progress. Mr. Wethington was concerned about the wear and tear on the parks and fishing areas if open to the Hopkins Commons residents and hopes the developer will get with M/I Homes (owner of Regency Park) to discuss this soon of sharing cost. Mr. Wethington also commented on the late notification of the meeting for the project to the surrounding residents. Mr. Rippe stated the property is currently zoned for apartments and that part is not changing.

Ms. Amanda Johnson, Eagle Creek Court, expressed concern about the Fire Departments budget and running minimum staff and if there are enough personnel to support a development like this. Also are there enough ladder trucks and equipment for a four (4) story building. Chief Brian Reese stated this will be looked at in the future. Mr. Rippe stated the building will be fully sprinkled.

Mr. Steinke again spoke of the increase in the density and the tax burden. He presented the Board with a chart showing how his property taxes have been affected increasing by 73 percent.

Mr. Phil Cook, 332 Nightwind Drive, asked what the logic was in squeezing this project between two (2) communities when there is more open land in other areas of the township that could handle the increase in traffic flow. Mr. Rippe stated the property was already owned and zoned for apartments. Mr. Cook was also concerned with a drop in property values.

Mr. Weber asked if the mounding area now will remain. Mr. Rippe stated it would not change except for an increase in landscaping, nothing would be removed.

Mr. Weber closed the floor for public comments on Hopkins Commons.

Mr. Duvelius stated the parcel was on the original plot for apartments since Regency Park was proposed. Mr. Rippe stated that was correct. Mr. Wallace asked if the only thing being added now is the restaurant and the office space. Mr. Boeres stated that was correct and also a Planned Unit Development (PUD) was being placed on the property which means they must come back for Site Plan Review before the Zoning Commission and Trustees. Mr. Wallace asked if the residents would be notified of the Site Plan Review. Mr. Boeres stated the Township is not required to send notice, but the Zoning Commission did ask to send out notices of future hearings for this property. Mr. Weber stated tonight was a Public Hearing because of the zoning change request whereas the Stage 2 and 3 would not be a zoning change, but the Board would still entertain public comment. Mr. Duvelius asked if the HOA (Home Owners Association) could get in touch with Mr. Rippe and begin discussions. Mr. Wallace agreed with Mr. Duvelius that contact needed to be made sooner rather than later.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #15-1104, A Resolution to approve a zone change request for RSL Commercial Architecture on behalf of Modern Real Estate Sales, LLC, 7613 Huron Place, Hamilton Township, Warren County, Ohio. The applicant has requested a zone change from the current R-3 Multi-Family Zone to an R-3 Planned Unit Development allowing for a B-1 Commercial uses in portions of the multi-story buildings as shown on the Stage 1 Sketch plan.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to allow for a five (5) minute recess at 7:10 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber called the meeting back to order at 7:25 p.m.

Ms. Amanda Jacobs, Front Desk Assistant, asked the Board to make a motion to approve the purchase of a cemetery lot for Mr. John W. and Mrs. Wilma A. Purcell within the Maineville Cemetery – New Section - Lot 146, Graves 1 and 2, at the rate resident rate of \$600.00 each for a total of \$1,200.00 reflective of Deed #2015-12.

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve the purchase as stated above.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Gene Duvelius	Yes

Mr. Gary Boeres, Administrator, noted the Hamilton Township Police Levy won overwhelmingly. Mr. Boeres asked the Board to recognize Police Chief Jon Wheeler and everyone who helped pass the levy. Chief Wheeler went above and beyond to help get the levy passed. A round of applause was given. The Board thanked Chief Wheeler and the Levy Committee.

Mr. Boeres stated the current agreement with IGS for the Natural Gas Aggregation Program is set to expire in March 2016. IEC did the bidding to find the lowest price and again it was IGS. In the past 12 months, residents have saved an average of \$74.00. Since the program's inception, the program has kept over \$640,000.00 in Hamilton Township with natural gas savings. The Township Administration receives no benefit from this program. Mr. Boeres asked the Board to approve Resolution #15-1104A and authorize the Township Administrator to enter into an agreement with IGS for another two (2) year contract.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #15-1104A, An Emergency Resolution authorizing all actions necessary to support the continuation of a Governmental Natural Gas Aggregation program with opt-out provisions pursuant to section 4929.26, Ohio Revised Code, directing the Administrator to extend the supply agreement with Interstate Gas Supply, Inc. to continue a Natural Gas Aggregation Program beyond March 31, 2016 when the current supply agreement ends.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Boeres stated the Warren County Engineer's Office wanted to turn over roadways in the Turning Leaf Subdivision, Section 5 and 6. He would like the Board to officially accept the streets. The streets were inspected by Warren County and Hamilton Township before the recommendation was made.

Mr. Wallace made a motion and Mr. Duvelius seconded the motion to accept the streets in Turning Leaf Subdivision, Section 5 and 6.

Roll call as follows:	David Wallace	Yes
	Gene Duvelius	Yes
	Kurt Weber	Abstain

Mr. Weber abstained because he works for the Warren County Engineer's Office.

Mr. Boeres presented a large purchase order request for a furnace for the Maintenance Garage to replace an old oil burning furnace. The cost is not to exceed \$6,000.00 and will go through Future Air. There is an additional \$1,000.00 charge to run the natural gas line to the building and will be paid separately.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve the large purchase order request for Future Air not to exceed \$6,000.00 for a furnace for the Maintenance Department.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Boeres had another large purchase order request for the Fire Department for the extended warranty for the Zoll defibrillators and the preventative maintenance agreement for the machines as well. The amount is \$10,813.50 and is an annual agreement.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve the extended warranty and maintenance agreement for \$10,813.50 for Zoll Medical for the Fire Department cardiac monitors.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Warren Ritchie, Law Director, prompted discussion on the Employee Health Insurance. The alternative quotes obtained to choose a different provider have proved to be a better deal. Ohio Insurance Services came to the Township and met with the Administrator, Human Resources and himself. There were no workable ideas presented. The application for the new insurance needs to be submitted and a written response will be given about accepting the application and offering the insurance. The existing coverage will not be terminated until written confirmation has been received by new insurance group. Mr. Ritchie suggested the Board authorize the Administrator by motion

to submit the application and when acknowledgement is given the application has been received he will assist the Administrator in preparing a letter to Ohio Insurance Services that the Township will be going a different direction as of January 1, 2016. A reasonable exit plan will then be discussed and if it any legal actions if necessary.

Mr. Weber made a motion and Mr. Wallace seconded the motion to authorize the Administrator to sign the application and submit it to the Insurance carrier. Mr. Weber amended the motion to include Mr. Ritchie and Mr. Boeres working together to send a letter of notice to send to the current insurance carrier upon receiving the rates and acceptance from the new carrier. Mr. Wallace seconded again.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Ray Warrick, Fiscal Officer, had nothing new to report.

Mr. Weber opened the floor to the public.

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Mr. Duvelius stated he received a phone call from the legal department at LCNB National Bank. They stated the Township has a dormant account and if the account continued to be dormant for another year the money would be pulled and sent to the state. The information was given to Mr. Warrick. Mr. Weber stated this is a relatively new law by the Ohio Revised Code. Mr. Warrick stated he knew what code this was and the account would be shut down moving the money into the big account.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve the stop payment request to Martinizing Dry Cleaning for \$126.15, check #74491 due to a lost check.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to adjourn the meeting at 7:45 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes