

Regular Meeting of the Board of Trustees
January 12, 2016

1. Opening of Meeting
2. Executive Session 5:30 PM
3. Pledge of Allegiance 6:00 PM
4. Presentations
 - a. Lego League Presentation – Innovative Landfill Solution – Kerry Marsh & Students
5. Citizens Address
6. Administrative Reports
7. Trustees' Report
8. Public Hearing – Case No. ZA2015-05 (Action Required)
9. New Business

Public Safety

- a. Approval of Resolutions – Sale of Police and Fire VehiclesAction
- b. Personnel - Change of StatusAction
- c. Full-time Police OfficerAction
- d. Part-time Clerk Position.....Action
- e. Grant Acceptance.....Action
- f. Vehicle ReplacementAction

Public Services

- a. OKI Regional Council of Government Board of Directors Appointment for Colerain TownshipAction
- b. Donation AcceptanceAction

Zoning

- a. Appointment of Boards.....Action
- b. Request for Public Hearing on the Demolition of Properties on February 9th, 2016Action
- c. Request for Public Hearing on the Alternate Financial Service Providers Text Amendment February 9th, 2016.....Action
- d. Request to Amend the Vacant Building Maintenance License ResolutionAction

Administration

- a. Approval of Resolution regarding Drones and other AircraftAction

10. Fiscal Officer's Report

- a. Approval of Minutes
- b. Request of Tax Advances

11. Executive Session - if needed

12. Adjournment

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 12th day of January, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Jeffrey F. Ritter, Greg Insko

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. ____-16

Case No. ZA2015-05

7600 Colerain Avenue

Approval of a Zone Map Amendment

Parcel Nos. 510-0071-0041, 0043, 0165, 0496, 0514 B-2 General Business and R-7 Multi Family Residential – B-3 Commerce

WHEREAS, the Applicant, Stephen L. Cahill, Abercrombie & Associates Inc., proposes a Zone Map Amendment; and,

WHEREAS, the Hamilton County Regional Planning Commission heard the case, and on December 3, 2015 voted 3-2 to recommend denial of the requested Zone Map Amendment; and,

WHEREAS, the Colerain Township Zoning Commission conducted its public hearing on the case on December 15, 2015 and after consideration of the recommendation of the Regional Planning Commission, and all public comments, exhibits, and other materials submitted, voted 5-0 to recommend approval of the application for a Zone Map Amendment; and,

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on the case on January 12, 2016, and after consideration of the recommendation of the Regional Planning Commission, the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted _____ to approve the application for a Zone Map Amendment as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees accepts the recommendation of the Colerain Township Zoning Commission for a Zone Map Amendment, and that the Board of Trustees does hereby approve the request for B-2 General Business and R-7 Multi Family Residential as B-3 Commerce, for the reason that the Zone Map Amendment would be in the best interest of the Township and the health, safety, morals and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and,

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio that the Zone Map Amendment shall be subject to the following:

1. Construction Permits

- 1.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before construction documents submitted for permit are fully in compliance with the Colerain Township Zoning Resolution.
- 1.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Inspector.
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
4. That this Resolution shall be effective at the earliest date allowed by law.
Mr./Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Insko ____, Mr. Ritter ____,

ADOPTED this ____ day of January 2016.

BOARD OF TRUSTEES:

Greg Insko, Trustee

Jeffrey F. Ritter, Trustee

ATTEST:

Heather E. Harlow,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer
this ____ day of January 2016.

Heather E. Harlow
Colerain Township Fiscal Officer



STAFF REPORT: Map Amendment
Case #ZA2015-05
7600 Colerain Avenue
January 12, 2016

PREPARED BY: Jenna M. LeCount, AICP
Director of Planning & Zoning

Request:

FROM: B-2 General Business and R-7 Multi Family Residential
TO: B-3 Commerce

Purpose:

The applicant proposes to rezone the property to bring the entire site under one zoning classification and therefore, make the site more desirable for future occupation and possible development.

Applicant: Stephen L. Cahill, Abercrombie & Associates Inc.

Owner: FKS Realty LLC

Location: 7600 Colerain Avenue

Site Description:

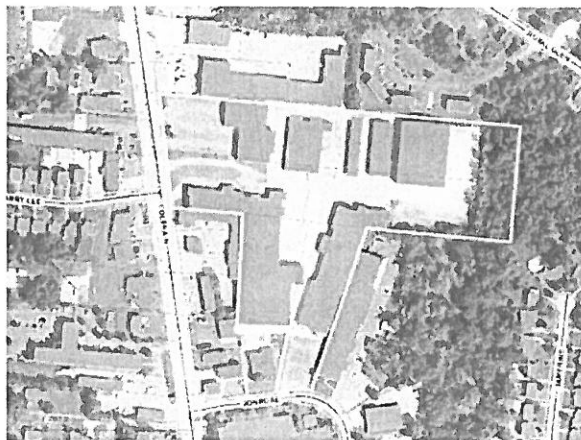
Tract Size: 12.72 acres (gross area); 9.54 acres (area of rezoning)
Frontage: 360 feet on Colerain Avenue and 110 feet on Jonrose Avenue
Topography: Gentle slope downward to the eastern property line
Existing Development: Former Builders First Source industrial facility

Surrounding Conditions:

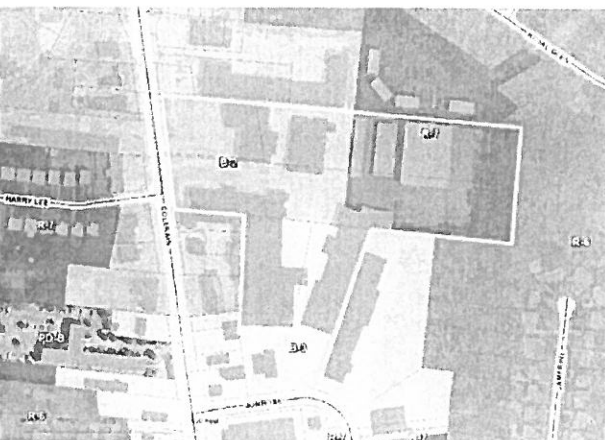
<u>Zone</u>	<u>Land Use</u>
North: B-2 General Business & R-7 Multi Family Residential	Retail Strip Center & Apartments
South: B-3 Commerce	Commercial & Industrial mix
East: R-6 Urban Residential	Single Family Homes & School
West: B-2 General Business	Commercial

Maps:

Aerial Map



Zoning Map



Zoning Summary:

Single letter zone amendments do not include site plan review. Because this is not a planned district, zoning compliance does not apply. Zoning the entire site to B-3 Commerce would allow for a mix of commercial, office, and light industrial uses.

Case History:

There is no known zoning petition history for this site.

Regional Planning Commission:

On December 3, 2015, the Hamilton County Regional Planning Commission voted 3-2 to recommend denial of the map amendment. The Commission's staff had recommended denial of the application because "The inability for staff to apply conditions to help mitigate potential nuisances related to industrial uses could leave adjacent residential uses particularly exposed. The Land Use Guidelines of the Comprehensive Plan cannot be enforced for this single-letter zone change nor can compliance with the Hamilton County Thoroughfare Plan".

Colerain Township Zoning Commission:

On December 15, 2015, the Colerain Township Zoning Commission voted 5-0 to recommend approval of the map amendment.

ANALYSIS:**Conformance with Comprehensive Plan:**

The Comprehensive Plan does provides land use recommendations which include the site in question within the White Oak Character Area. The White Oak Character area designates the site as a Mixed Use Employment Center which is defined as a mixture of commercial, office, and industrial uses with a focus on the creation of jobs and services.

Rezoning the entire site to B-3: Commerce allows for commercial and office as well as light industrial uses, meaning the site would be consistent with the Comprehensive Plan.

Conformance with Land Use Plan:

The Land Use Map adopted by the Township in September 2011 designates the site as "Light Industrial", which is defined in the Colerain Township Zoning Resolution as the manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, and vibrations are not noticeable to adjacent properties.

Rezoning the entire site to B-3: Commerce allows for commercial and office as well as light industrial uses, meaning the site would be consistent with the Land Use Plan Map.

Additional Staff Considerations:

The proposed zone change is located within the Groesbeck Community Reinvestment Area. This area is considered to be distressed from a development standpoint. A Community Reinvestment Area is an area of land designated by the Townships where investment has been lagging. Property

owners can use tax incentives for the revitalization of residential, commercial, or industrial projects. The program is intended to promote revitalization in depressed areas by offering property tax exemptions for any increased property valuation that would result from renovation of existing structures or new construction activities within the area.

Conclusion:

The applicant is attempting to prepare this site to be more marketable for sale in the near future. Applying one zoning district over a single use allows for more efficient redevelopment of the site as a new owner would not be restricted in their operations to a limited portion of the site.

Recommendation:

Staff recommends **APPROVAL** of this application.

NEW BUSINESS

Department: Colerain Township Department of Public Safety:

Colerain Township Department of Fire and EMS and Colerain Police Department

Department Heads: Frank Cook, Chief of Department and Chief of Police, Mark Denney

1. Presentations - None

2. Action (Include rationale)

Colerain Township Department of Public Safety

Action: – Resolutions – Police and Fire Vehicles

1. Two resolutions to sell/auction one police and one fire vehicle

Colerain Township Department of Fire and EMS

Action: Personnel (See attached “Change of Status” Forms)

1. Recommendation for a *Part-Time Pay Rate Change* for Dustin Geiger, Firefighter Paramedic. Promotion to *Firefighter Paramedic Fire Apparatus Operator* at an hourly rate of \$16.98 effective January 17, 2016. .
2. Recommendation for a *Part-Time Pay Rate Change* for Jay Schneider, Firefighter Emergency Medical Technician (EMT). Promotion to *Firefighter EMT Fire Apparatus Operator* at an hourly rate of \$14.72 effective January 17, 2016.

Colerain Police Department

Action: Personnel – Full-time Police Officer

1. Respectfully request the Board’s approval to hire Benjamin Kemper as a fulltime Police Officer for the Colerain Police Department. Mr. Kemper is a 2011 graduate of LaSalle High School and a 2015 graduate of the Butler Tech Police Academy. Ben comes from a family of police officers and his father is a retired officer and two of his brothers are police officers; one with Colerain. Mr. Kemper’s hire fills a vacancy created by the resignation of another officer in late 2015.

If approved, Mr. Kemper’s salary would be \$47,520.28 and he would serve a one year probationary period. His appointment would be effective Sunday, January 17, 2016. This hire is contingent upon his successful completion of a psychological examination

2. Respectfully request the Board’s approval to hire Cody Ashcraft to the position of fulltime Police Officer. Mr. Ashcraft is currently working with the Police Department as a part-time records clerk. He is a 2015 graduate of the University of Cincinnati where he received his Bachelor’s Degree in Criminal Justice. Cody is also a 2015 graduate of the Butler Tech Police Academy. Mr. Ashcraft’s hiring fills one of the three 2016 levy-approved positions.

NEW BUSINESS

If approved, Mr. Ashcraft's salary would be \$47,520.28 and he would serve a one year probationary period. His appointment would be effective Sunday, January 17, 2016. This appointment is contingent upon his successful completion of a psychological examination.

3. Respectfully request the Board's approval to promote Reserve Police Officer Nick Robers to the position of fulltime Police Officer. Officer Robers is currently working as a Reserve Officer and is a 2003 graduate of Northwest High School. Nick is also a 2009 graduate of the Butler Tech Police Academy. Along with his wife, son and daughter, the Robers are Colerain Township residents. Nick's promotion fills the second of the three 2016 levy approved positions.

If approved, Officer Robers salary would be \$47,520.28 and he would serve a one year probationary period. His appointment would be effective Sunday, January 17, 2016.

4. Respectfully request the Board's approval to promote Reserve Officer Kevin Boyle to the position of fulltime Police Officer. Officer Boyle is currently working a Reserve Officer and is a 2007 graduate of Oak Hills High School. Officer Boyle is also a 2015 graduate of the Butler Tech Police Academy. Kevin and his wife have two daughters (ages three and five). Kevin is also a veteran of the United States Marine Corp and was served in the war on terror. Kevin's promotion fills the last of the three 2016 levy approved positions.

If approved, Officer Boyle's salary would be \$47,520.28 and he would serve a one year probationary period. His promotion would be effective Sunday, January 17, 2016.

Action: Personnel – Part-time Clerk Positions

1. Respectfully request the Board's approval to appoint Michael Jacob (Jake) Spears to the position of part-time/weekend Records Clerk. Mr. Spears is a recent graduate of the Colerain Fire Department "Recruit" academy and is certified as an Emergency Medical Technician. He has also served the Township as a "seasonal" employee in our Public Services Department the past two years. He is currently in the Butler Tech Police Academy.

If approved, Jacob's rate of pay would be \$12.18. His appointment would be effective Monday, January 17, 2016.

Action – Grant Acceptance – State of Ohio DARE and Driving Angels Education

1. The Police Department received notice that the State of Ohio approved the 2016 grant application to compensate for the officer(s) time to educate the national DARE and Colerain Township "Driving Angels" curriculum. The grant amount for 2016 is \$4,009.88. Request the Board's approval to accept the grant funding.

NEW BUSINESS

Action: Vehicle Replacement (Memorandum)

1. Respectfully request the Board's approval to purchase four (4) 2016 Ford Police Interceptor sedans at a cost of no more than \$114,228. Four existing cruisers will be sold to offset the cost. This request was part of the 2015 Capital Expense plan approved by the Board. Because of unexpected cost increases associated with dispatch fees, the request was reduced by two vehicles to offset the impact of the increased dispatch fees.

The Board of Trustees of Colerain Township, County of Hamilton, Ohio, met in regular session at 6:00 p.m., on January 12, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Mr. Jeffrey Ritter and Mr. Gregory Insko

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____ -16

RESOLUTION FOR DISPOSAL BY PUBLIC SALE OF VEHICLES (VALUE GREATER THAN \$2,500) AND EQUIPMENT WHICH ARE OBSOLETE, UNFIT, OR UNNEEDED FOR PUBLIC USE (O.R.C. Sec 505.10)

WHEREAS, Ohio Revised Code Sec. 505.10 authorizes the Board of Trustees to dispose of personal property, including motor vehicles, road machinery, equipment, and tools, which the Board finds by resolution are not needed for public use, or are obsolete, or are unfit; and

WHEREAS, Ohio Revised Code Sec. 505.10 (A)(1) authorizes the Board of Trustees to sell by public sale, with advertisement and public notification, if the value of the property to be sold is, in the opinion of the Board, more than \$2,500.00 .

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio:

A. The Board of Trustees finds that, in the opinion of the Board, the following vehicles are not needed for public use, or are obsolete, or are unfit, and that, in the opinion of the Board, each vehicle has a fair market value of more than \$2,500.00:

1. Vehicle Description: 2010 Chevrolet Tahoe
VIN: 1GNUKAE05AR287639

B. Pursuant to O.R.C. Sec. 505.10 (A)(1), the Board directs that the method of public sale of the vehicles listed above shall be by public auction and online services, conducted by Colerain Township Department of Public Safety, 4160 Springdale Road, Cincinnati, Ohio, and, accordingly, that the sale occur after the notice and publication requirements of O.R.C. Sec. 505.10 (A)(1) are met.

C. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, that all deliberations of this Board and any committees that resulted in those formal sessions were in meetings open to the public, in compliance with all legal requirements, and the Board has met all other statutory requirements for participation in a joint-self-insurance program.

D. This Resolution shall be in full force and effect from and after the earliest period allowed by law.

E. This Resolution shall be in full force and effect from and after the earliest period allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Ritter ____ Mr. Insco ____,

ADOPTED this 12th day of January, 2016.

BOARD OF TRUSTEES:

Jeffrey Ritter, Trustee

Gregory Insco, Trustee

Attest:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of January, 2016.

Heather E. Harlow,
Colerain Township Fiscal Officer

The Board of Trustees of Colerain Township, County of Hamilton, Ohio, met in regular session at 6:00 p.m., on January 12, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Mr. Jeffrey Ritter and Mr. Gregory Insco

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-16

RESOLUTION FOR DISPOSAL BY SALE OF VEHICLE(S) (VALUE LESS THAN \$2,500) AND EQUIPMENT WHICH ARE OBSOLETE, UNFIT, OR UNNEEDED FOR PUBLIC USE (O.R.C. Sec 505.10)

WHEREAS, Ohio Revised Code Sec. 505.10 authorizes the Board of Trustees to dispose of personal property, including motor vehicles, road machinery, equipment, and tools, which the Board finds by resolution are not needed for public use, or are obsolete, or are unfit; and

WHEREAS, Ohio Revised Code Sec. 505.10 (A) (2) authorizes the Board of Trustees to sell by private sale, without advertisement and public notification, if the value of the property to be sold is, in the opinion of the Board, less than \$2,500.00 .

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio:

- A. The Board of Trustees finds that, in the opinion of the Board, the following vehicle is not needed for public use, or is obsolete, or is unfit, and that, in the opinion of the Board, the vehicle has a fair market value of less than \$2,500.00:
 1. Vehicle Description: 1998 Chevrolet Tahoe
Vehicle Identification Number: IGNEK13RXWJ375517
- B. Pursuant to O.R.C. Sec. 505.10 (A) (2), the Board directs that the method of disposal and sale of the vehicle or parts listed above shall be to an approved scrap dealer or salvaging company, facilitated by Colerain Township Department of Public Safety, 4160 Springdale Road, Cincinnati, Ohio, and, accordingly, that the sale occur without the notice and publication requirements of O.R.C. Sec. 505.10 (A) (2) are met.
- C. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, that all deliberations of this Board and any committees that resulted in those formal sessions were in meetings open to the public, in compliance with all legal requirements, and the Board has met all other statutory requirements for participation in a joint-self-insurance program.
- D. This Resolution shall be in full force and effect from and after the earliest period allowed by law.

E. This Resolution shall be in full force and effect from and after the earliest period allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Ritter ____ Mr. Insko ____,

ADOPTED this 12th day of January, 2016.

BOARD OF TRUSTEES:

Jeffrey Ritter, Trustee: President

Gregory Insko, Trustee

Attest:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of January, 2016.

Heather E. Harlow,
Colerain Township Fiscal Officer

COLERAIN TOWNSHIP
Department of
Fire and Emergency Medical Service

4160 Springdale Road - Cincinnati, Ohio 45251-1505

NOTIFICATION - Change of Status/Change of Pay

Name : Dustin Geiger

Rank : Firefighter Paramedic Current Status : Active

Date : December 28, 2015

- (X) Change of Pay Status - Change to: \$16.98
1. () 1st year Rate for Recruit Class Graduate
 2. () Basic Firefighter/EMT
 3. () Firefighter/EMT/FAO
 4. () Paramedic (Prior to obtaining 1A firefighter)
 5. () Paramedic (With 1A certification)
 6. () Firefighter/Paramedic
 7. (X) Firefighter/Medic/FAO
 8. () IIB Classification

This change must be countersigned by either the EMS Chief or Training Director for the applicable change.

- () Change of Status
1. (X) Promotion to Rank/Position of: Firefighter/Medic/FAO
 2. () Probationary (Including Training etc.)
 3. () Regular
 4. () Suspension - From: _____ To: _____
 5. () Leave of Absence, Type: Medical - Regular
Leave of Absence, From: _____ To: _____
 6. () Dismissal - Termination
 7. () Resignation () with letter () without letter

Remarks : Successful completion of requirements to promote to a Fire Apparatus Operator.

Employee Signature : _____

Training Captain : _____

Division Chief : _____

Assistant Chief : _____

Deputy Chief: _____

Effective Date: January 17, 2016 (For Office Use Only)

Computer entry verified: _____ Date: _____

COLERAIN TOWNSHIP
Department of
Fire and Emergency Medical Service

4160 Springdale Road - Cincinnati, Ohio 45251-1505

NOTIFICATION - Change of Status/Change of Pay

Name : Jay Schneider

Rank : Firefighter EMT Current Status : Active

Date : January 4, 2016

(X) Change of Pay Status - Change to: \$14.72

1. () 1st year Rate for Recruit Class Graduate
2. () Basic Firefighter/EMT
3. (X) Firefighter/EMT/FAO
4. () Paramedic (Prior to obtaining 1A firefighter)
5. () Paramedic (With 1A certification)
6. () Firefighter/Paramedic
7. () Firefighter/Medic/FAO
8. () IIB Classification

This change must be countersigned by either the EMS Chief or Training Director for the applicable change.

() Change of Status

1. (X) Promotion to Rank/Position of: Firefighter/EMT/FAO
2. () Probationary (Including Training etc.)
3. () Regular
4. () Suspension - From: _____ To: _____
5. () Leave of Absence, Type: Medical - Regular
Leave of Absence, From: _____ To: _____
6. () Dismissal - Termination
7. () Resignation () with letter () without letter

Remarks : Successful completion of requirements to promote to a Fire Apparatus Operator.

Employee Signature : _____

Training Captain : _____

Division Chief : _____

Assistant Chief : _____

Deputy Chief: _____

Effective Date: January 17, 2016 (For Office Use Only)

Computer entry verified: _____ Date: _____

COLERAIN TOWNSHIP MEMORANDUM

DATE: January 6, 2016
TO: Mr. Jeffrey Ritter, Mr. Dennis Deters, and Mr. Gregory Insco
FROM: Daniel P. Meloy, Director of Public Safety
SUBJECT: Colerain Police Department – Staffing Information

As we enter the 2016 calendar year, we have reached “phase two” of the Police Department staffing plan, established with the passing of the levy in May of 2014.

The levy allowed for the hiring of six additional police officers: three officers in 2015 and three additional officers for 2016. Our Chief of Police, Mark Denney, has identified the officer candidates and will present them to the Board of Trustees at the January 12th meeting for hiring approval.

Since the December 2015 meeting of the Board, one officer resigned from the Department for personal and family reasons that left a vacancy. Officer candidate, Benjamin Kemper will be recommended by Chief Mark Denney to fill the vacancy created in 2015 as a full-time rank of “police officer,” effective January 17, 2016.

The three candidates for the 2016 positions are: Cody Ashcraft, Nicholas Robers and Kevin Boyle. Nicholas and Kevin have already been presented to the Board as and approved as appointments to the Departments “Reserve Corps” of police officers. In the case of officer candidate, Cody Ashcraft; he currently serves the Department as a part-time clerk. Cody recently graduated the police academy and was awaiting the final examination and its results from the State of Ohio. He has since received the news that he now has full certification from the State of Ohio and is available to serve as an officer. The three officers start date would be January 17, 2016.

The final position for Board discussion is the vacancy created by the termination of former officer Nicholas McCarthy. Mr. McCarthy was terminated in 2014 after a Department internal investigation finding of “gross misconduct” as an officer for the Township. The position has remained vacant during the arbitration and appeal process. In December, we learned from Law Director Larry Barbieri that the Township’s decision to terminate was upheld in court. Therefore, I am asking for the Board’s consideration and support to allow Chief Denney to fill the police officer vacancy, as soon as possible.

Chief Denney will also present a part-time clerk candidate to replace Officer Cody Ashcraft. The candidate is Michael Jacob (Jake) Spears. Jake has been a seasonal employee for the Township “Public Services” Department and is a graduate of the Colerain Township Firefighter I and II course. He is also certified as an Emergency Medical Technician and is currently a student in the Butler Tech Police Academy. He is a lifelong resident of the Township and has been working hard to provide the Township an outstanding “public safety” candidate.

And finally, the chiefs and I reviewed candidates/applicants for the 2016 Police Officer Scholarship Award. The Board approved in 2015 the funding to support an “outstanding” candidate for the police

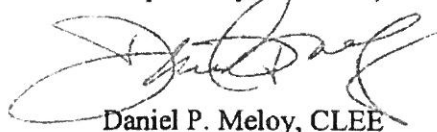
academy, by reimbursing the cost of the police academy, upon graduation and receipt of State of Ohio certification. The 2015 candidate, Malik Clark, was unable to successfully complete that academy and the funding was not needed. Mr. Clark has since accepted a position with another local agency that has offered to possibly send him to another academy. The candidate for this year is Mr. Andre Jones. Mr. Jones is a Colerain Township resident and as of December 2015, a graduate of the University of Cincinnati. He achieved a Bachelor's Degree in Criminal Justice and a minor in Substance Abuse Counseling. He was a four year athlete for the University and graduated early in December. He will begin the police academy this month and upon graduation, join the Police Department's "Reserve Corps" of officers. The scholarship was created as another means to attract underrepresented persons to the Department.

In summary, the Colerain Police Department is authorized a full-time police officer staffing level of 54 officers. The staffing level includes one Colerain officer assigned as a "Code Enforcement Officer" for the Colerain Township Department of Zoning, Building and Planning.

As of January 6, 2016, the Department employs 49 full-time officers and four full-time and two part-time records clerks and one part-time impound lot clerk. The Department also has an authorized staffing level for a "Reserve Corps" of 12 volunteer officers. These officers do not receive a salary or benefits.

The 2016 hiring candidates presented at the January 12th meeting of the Board of Trustees will exhaust the current staffing of "reserve" officers, except for the officer assigned as the part-time "Impound Lot" officer, retiree Andy Demeropolis and me, the Director of Public Safety. If the Board approves the four hires at the meeting on the 12th, the full-time police officer staffing level will be 53 full time officers. The only vacancy remaining will be the position previously held Mr. Nick McCarthy

Respectfully submitted,




Daniel P. Meloy, CLEE
Director of Public Safety

C: Mr. James M. Rowan, Colerain Township Administrator
Mark Denney, Chief of Police

**COLERAIN TOWNSHIP
DEPARTMENT OF PUBLIC SAFETY
MEMORANDUM**

DATE: January 5, 2016

TO: Mr. Jeffrey Ritter, Mr. Dennis Deters and Mr. Greg Insko, Board of Trustees

FROM: Daniel P. Meloy, Director of Public Safety 

SUBJECT: 2016 Police Vehicle Replacement Request and Fire Vehicle Replacement Information

The 2015 approved capital expense plan called for the replacement of four police vehicles for 2016 along with the purchase of two additional vehicles to accommodate the additional staffing, approved as part of the 2014 levy. The plan also included the replacement of a Fire Department staff vehicle. The six police and one fire vehicles are listed below. The police vehicles have become a maintenance issue and have exceeded or are close to exceeding the limited powertrain warranty. The fire vehicle reached a point that repairs needed to maintain the vehicle serviceability far exceed the vehicles value.

Police Department

Car 104: 2009 Chevrolet Impala, in service since July of 2009.
Car 107: 2010 Chevrolet Impala, in service since July of 2010.
Car 129: 2008 Ford Crown Victoria, in service since July of 2008.
Car 100: 2010 Chevrolet Tahoe, in service since 2010

Fire Department

Vehicle - 1998 Chevrolet Tahoe, in service since 1998

After the capital plan was approved by the Board of Trustees, the Hamilton County Commissioners announced an increase in dispatch fees from \$19.22 to \$20.95 per call. This increase will potentially impact the Police Department budget with an additional payment to Hamilton County in the amount of \$51,000. The Fire Department's increased cost is approximately \$33,000 for 2016. Given this reality of increased costs for dispatching, the request for six Police Department vehicles has been modified and Chief Denney is requesting the authority to purchase four cruisers immediately. Chief Cook is instituting a "motor pool" concept in 2016 to reduce the overall number of Department vehicles while providing a quality and reliable vehicle to our employees to professionally represent the Department.

The Board of Hamilton County Commissioners voted, as part of the 2016 operating budget, to initiate a process to reduce the cost per dispatch for police and fire agencies in the county. While I don't believe any adjustment process will happen this year, there has been discussion that the reduction in cost could be significant. Should action in this are happen during this calendar year that reduces the increases in dispatching fees, I support the Police Department purchasing the remaining two cruisers that were

approved as part of a 2015 "Capital Budget" request. If adjustments are made that positively impact the costs for dispatching, I will inform the Board and make the additional request for purchasing authority at that time.

It is the Police Department's plan to continue with the purchase of the Ford Interceptor Sedan. An additional utility vehicle was part of the original plan, but the cost has increased significantly since its introduction into police service. The new Ford police model has proven quite reliable during our first year of ownership. There have been no reported warranty issues with the Interceptor Sedan. The request is for the Board of Trustees authorize the Chief of Police purchase four 2016 Ford Interceptor Sedans, at a cost not to exceed \$115,000

The Police Department request includes Ford's "Ready for the Road" package. This package, which lists for approximately \$2,995.00, consists of grill, deck, and corner lighting, a siren/light controller, siren speaker, and all necessary wiring already in place. This option saves on time and labor costs that have been handled by police officers and private contractors. More importantly, all of these functions would be covered under the Ford Motor Company warranty. This was experimented earlier in 2015 when the QRT vehicle was purchased. Both agencies fleet managers felt at the time, the costs and warranty and reduced labor costs provided benefits to our public safety agencies.

The Police Department is also requesting through resolution the authority to sell its 2010 Chevrolet Tahoe, currently in service as the canine unit's vehicle. The original purchase of the Tahoe was to ensure the Department had one vehicle capable of four wheel drive, for inclement weather conditions. It was transitioned in 2014 to accommodate the new Department canine unit, without disrupting the vehicles needed for patrol operations. Because of the purchase of Ford Explorers and the all-wheel drive Ford Interceptor cruisers, there is no longer a need for a larger SUV in the fleet. Additionally, we have learned that using a large SUV, with a higher clearance and doorways is not good for dogs used as police canines. We have been educated that the repeated jumping down from the doorways is not good for the legs and joints of the dogs. To address this, a decision was made to retain one of the Dodge Chargers from the 2014 replacement request and adapt it for the canine unit.

Total estimated price for four, 2016 Ford Interceptor sedans with options, equipment, and graphics: \$114,228.

Total estimated resale value of all indicated vehicles to be replaced: \$25,000.

Estimated purchase price of all 2016 model vehicles minus the potential auction/sale of the listed vehicles: \$89,228.

The Fire Department vehicle will be replaced by the rotation of an existing Department vehicle. The new vehicle will replace the current Battalion Chief vehicle. Because the needs and service delivery model of the agency has changed and is continuing to evolve, Chief Cook and his staff are evaluating an appropriate replacement for the front line command vehicle. The current vehicle is an SUV and the needs review will include an evaluation of this leadership role and the extent of the services expected of the Battalion Chief and how this vehicle can best serve the position, the community and the Department. The current Battalion Chief vehicle will be repurposed for other Township service, replacing another older "fleet vehicle."

The 1998 Chevrolet Tahoe was purchased in 1998 for \$31,000 and according to Fleet Manager, Mike Adler, has cost the Department "several thousand dollars" in repairs and is currently worth no more than \$1,500. The current estimate of repairs to maintain its roadworthiness is more than \$3,000 and the vehicle will still be only worth \$1,500 after the repairs.

As stated above, one of the 2016 goals for the Department is to establish a "motor pool" to serve the Department needs outside of "first responder" duties. The Department has approximately 10 vehicles in service across the Township that are high maintenance, high mileage and low use vehicles. Some of these vehicles are more than 20 years old and in need of replacement. The "motor pool" plan includes a complete review of Department needs, services and how a new system of fleet management can positively impact the cost and reliability of the overall fleet. Currently, no employees are authorized to leave the Township in a "fleet" vehicle because of the poor reliability and costs associated with the towing of a vehicle back to the Township.

Total estimated price for one, 2016 Utility Vehicle with options, equipment, and graphics: not to exceed \$30,000.

Total estimated resale value of all indicated vehicles to be replaced: \$1,000.

If the Board approves the request, all police vehicles would be ordered immediately. The immediate ordering would provide an estimated delivery date of March, 2016. The fire vehicle would not be presented to the Board for purchasing authority until Chief Cook's review is complete and a decision is made on the most appropriate vehicle for the Department.

If anyone has any questions before the meeting on the 12th, please don't hesitate to contact me.

Attachment: Vehicle Maintenance Costs/Per Vehicle

C: James M. Rowan, Township Administrator

Addendum – Vehicle Maintenance Costs/Per Vehicle

Vehicle Maintenance Cost: Police Vehicles 100, 104, 107 and 129

Car 100, 2010 Chevrolet Tahoe

- \$7,071.00 total

Car 104, 2009 Chevrolet Impala

- \$8,802.00 total

Car 107, 2010 Chevrolet Impala

- \$7,487.00 total

Car 129, 2008 Ford Crown Victoria

- \$1,866 total*
- *Maintenance records for prior years were maintained by the Hamilton County Sheriff's Office. This vehicle was previously a "contract" vehicle; purchased by the Township for use by the Sheriff's Office. Therefore, the repair costs for this vehicle are incomplete.

Police Department repair cost: Four vehicles presented: \$25,226.00

Vehicle Maintenance Cost: Fire Vehicle

Vehicle in service since 1998. 1998 Chevrolet Tahoe

- "The Fire Department has paid for the Tahoe three times" in repairs since its purchase in 1998 (Mike Adler, Fleet Manager)
 - Original cost: \$31,000
- Current Repair estimate: In excess of \$3,000

Administration Agenda Item

Department: Administration / Public Services

Department Head: Frank Birkenhauer

1. Action

OKI Regional Council of Governments Board of Directors Appointment for Colerain Township Jeff Ritter and Frank Birkenhauer as his alternate

2. Action – Donation Acceptance

Accept Donation from Ed & Bernice Waltz in the amount of \$100.00 for purchase of "Mutt Mitts," in Township Parks.

Ohio-Kentucky-Indiana Regional Council of Governments

720 East Pete Rose Way, Suite 420

Cincinnati, Ohio 45202

(513) 619-7684

mosborne@oki.org

To the OKI Secretary:

The undersigned hereby appoints as its representative on the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments, to be installed at the OKI Board of Directors meeting of the above organization on JANUARY 14, 2016, the following **ELECTED OFFICIAL:**

NAME: Jeff Ritter
TITLE: President, Colerain Township Trustees
STREET: 4300 Springdale Rd
(Preferred Mailing Address will be published)
CITY: Colerain Township
STATE: Ohio ZIP CODE: 45251
PHONE: 513-378-7500 FAX NO.: 513-378-6000
E-MAIL: jritter@colerain.org

The undersigned further pledges its cooperation to the above organization in carrying on the regional planning process.

Respectfully submitted:

ORGANIZATION: COLERAIN TOWNSHIP, OHIO

BY: [Signature]

DATE: 1-12-16

MEETING ON JANUARY 14, 2016.

December 31, 2015

Ed & Bernice Waltz
[REDACTED]
Cincinnati, OH 45251

Colerain Township
Public Services Director
4725 Springdale Rd.
Colerain Twp. OH 45251

Director - Public Services:

Once again, please accept our enclosed check in the amount of \$100.00 which is being sent with the anticipation that it can be used to purchase some of the "Mutt Mitts" doggie waste bags that you make available to users of the township parks. Being daily dog walkers we'd like to help do our part to help alleviate some of the expense born by the township to provide these items to the public. Hope this helps at least a little bit.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ed & Bernice Waltz".

Ed & Bernice Waltz

Enclosure (1)

NEW BUSINESS

Department: Building, Planning & Zoning

Department Head: Jenna M. LeCount, AICP

1. Action

- (1) Appointments to Boards:** There are three vacancies on our Zoning Commission and one vacancy on our Board of Zoning Appeals due to the expiration of terms and resignations.

On the Zoning Commission, it is requested that Alternate-member Mark Fehring be appointed as a Zoning Commission Member for a five year term expiring on December 31, 2021.

It is requested that Alternate-member Aloysius Grote be appointed into the open, unexpired Zoning Commission term previously held by Mr. Ilija Trajkovski which expires December 31, 2016.

On December 31, 2015, Mr. Richard Lauf finished the term previously held by Dan Temming and it is requested that he be appointed as an Alternate-member of the Zoning Commission for a two year term expiring December 31, 2017.

On the Board of Zoning Appeals, Mr. Timothy Price finished the term previously held by David Radabaugh and it is requested that he be appointed to a five year term expiring December 31, 2021.

- (2) Request for Public Hearing on the Demolition of Properties on February 9, 2016:**
- (3) Request for Resolution to extend the Moratorium on Alternative Financial Service Providers until February 28, 2016:** The Colerain Township Zoning Commission tabled this item at their December 15, 2015, regular meeting. Extension of the moratorium for another month will allow for the Zoning Commission to hear this item at their January 19, 2016, meeting and provide a recommendation to this Board of Trustees.
- (4) Request for a Public Hearing on the Alternate Financial Service Providers (AFSP) Text Amendment on February 9, 2016:** It is anticipated that the Zoning Commission will provide a recommendation to the Board of Trustees at their January 19, 2016, regular meeting. The text amendment item would require a public hearing be held in front of this Board of Trustees within 30 days of that recommendation.
- (5) Request to Amend the Vacant Building Maintenance License Resolution:** In order to create consistency with the Vacant Foreclosed Property Registry inspection process, it is requested that this Board of Trustees amend the existing Vacant Building Maintenance License Resolution as presented.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 12th day of January, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Greg Insco, Jeffrey F. Ritter

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____-16

**RESOLUTION EXTENDING THE MORATORIUM ON
ALTERNATIVE FINANCIAL SERVICES PROVIDERS UNTIL FEBRUARY 28, 2016 AND
DECLARING AN EMERGENCY**

WHEREAS, Alternative Financial Services Providers shall be defined as check cashing businesses, payday advance or loan businesses, pawn businesses, money transfer businesses or car title loan businesses; and

WHEREAS, as it relates to this resolution, the following definitions shall be used for Alternative Financial Services Providers:

1. **Car Title Loan Business** shall mean an establishment that makes small, short term consumer loans that leverage the equity value of a car or other vehicle as collateral. This excludes state or federally-chartered banks, savings and loan associations, or credit unions engaged primarily in the business of making longer term loans and which make loans that leverage the total equity value of a car or vehicle as collateral.
2. **Check Cashing Business** shall mean an establishment that provides to the customer an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time. This definition excludes a state or federally-chartered bank, savings and loan association, credit union, pawnshop, grocery store or gas station so long as the gas station does not conduct more than 100 such transactions with in a calendar month.
3. **Money Transfer Business** shall mean an establishment, other than a bank or financial institution that engages in or facilitates the transmission of funds to or from a location outside the United States and its territories for a fee.
4. **Payday Advance or Loan Business** shall mean an establishment that makes small consumer loans, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until an applicant's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.
5. **Pawn business** shall mean an establishment that makes small, short-term loans collateralized by tangible personal property, such as jewelry, consumer electronics, tools, musical instruments or firearms.

WHEREAS, Alternative Financial Services Providers (AFSPs) are widely perceived as markers of urban decline and disinvestment, and research shows they can impair neighborhood character, aesthetics, property values and economic development activities¹; and

WHEREAS, studies have found that AFSPs may have a negative impact on economic development and the economic well-being of a community²³; and

WHEREAS, the Colerain Township Comprehensive Plan "recognizes the importance of economic development in helping to pay for necessary services as well as creating jobs"; and

WHEREAS, the Colerain Township Zoning Resolution is a legal tool used to implement the comprehensive plan; and

WHEREAS, Colerain Township has experienced an increase in applications for change-of-use zoning certificates for AFSPs; and

WHEREAS, the AFSPs have clustered along the Colerain Avenue corridor, the township's main commercial thoroughfare; and

WHEREAS, one of the most basic functions of zoning is to separate uses that may have adverse impacts on each other; and

WHEREAS, The Colerain Township Comprehensive Plan specifically identifies development policies for the Colerain Avenue character area that include "strengthen(ing) development standards for the entire corridor to include appropriate levels of buffering between land uses..."; and

WHEREAS, AFSPs have recently been found to be in violation of the Colerain Township Zoning Resolution; and

WHEREAS, local governments have important reasons for considering special regulation of AFSPs due to the potential for adverse impacts on neighboring property owners and the health, safety, morals and welfare of the township as a whole; and

WHEREAS, in light of the foregoing, a one-year moratorium allowing the township to study the impacts of AFSPs and ways to mitigate any negative impacts is rationally related to valid public purposes as articulated in the Colerain Township Comprehensive Plan and is in furtherance of the health, safety, morals and welfare of the Township; and

¹ See, for example, Griffith, Kelly, Linda Hilton and Lynn Drysdale. 2010. "Controlling the Growth of Payday Lending Through Local Ordinances and Resolutions: A Guide for Advocacy Groups and Governmental Officials" Tuscon, AZ: Southwest Center for Economic Integrity.

² Blank, Rebecca M. 2008., *Public Policies to Alter the Use of Alternative Financial Services Among Low-Income Households*, Brookings Institution

³ Stegman, Michael A. 2007. "Payday Lending." *Journal of Economic Perspectives*, 21(7): 169-190

WHEREAS, the Board of Trustees has previously declared moratoriums on acceptance of applications for zoning certificates for AFSPs, the most recent of which will expire on January 31, 2016;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Zoning Administrator shall not accept applications for zoning certificates to operate an Alternative Financial Service Provider establishment until February 28, 2016, or such earlier date as may be determined by the Board of Trustees.
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
3. The resolution is hereby declared to be an emergency measure, pursuant to RC 504.11, necessary for the immediate preservation of the public peace, health, safety, or welfare of the residents of Colerain Township.
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr./Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Insco_____, Mr. Ritter_____

ADOPTED this _____day of January, 2016.

BOARD OF TRUSTEES:

Greg Insco, Trustee

Jeffrey F. Ritter, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township
Fiscal Officer this _____ day of January, 2016.

Heather E. Harlow,
Colerain Township Fiscal Officer

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 12th day of January, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Greg Insco, Jeffrey F. Ritter

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. ____-16

**AMMENDED RESOLUTION ADOPTING COLERAIN TOWNSHIP VACANT BUILDING
MAINTENANCE LICENSE RESOLUTION**

WHEREAS, Colerain Township is a limited home rule township created in accordance with Chapter 504 of the Ohio Revised Code; and

WHEREAS, Ohio Revised Code Section 504.04 grants to limited home rule townships the power to exercise all powers of local self-government within the unincorporated area of the township, other than powers that are in conflict with general laws and subject to certain enumerated exceptions; and

WHEREAS, vacant buildings and structures in Colerain Township which remain vacant and unoccupied for an appreciable period of time become a danger to the public health, safety, morals, and welfare, are detrimental to the public good, constitute a public nuisance and have a detrimental effect of economic development; and

WHEREAS, the Colerain Township Vacant Building Maintenance License Resolution attached hereto, incorporated herein by reference, and designated **Exhibit A** is promulgated to ameliorate the above described detrimental effects of vacant building and structures;

WHEREAS, in order to create consistency with the Vacant Foreclosed Property Registry inspection process, the Trustees have decided to make the following changes incorporated by referendum;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Colerain Township, Hamilton County, Ohio as follows:

1. That for the promotion of the public health, safety, morals and welfare, the Board of Trustees approves the Colerain Township Vacant Building Maintenance License Resolution attached hereto, incorporated herein by reference and designated **Exhibit A**;
 2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code;
 3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
 4. That this Resolution shall be effective at the earliest date allowed by law.
- Mr./Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Insko ___, Mr. Ritter ___

ADOPTED this 12th day of January, 2016.

BOARD OF TRUSTEES:

Greg Insko, Trustee

Jeffrey F. Ritter, Trustee

ATTEST:

Heather E. Harlow,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer
this ___ day of January, 2016.

Heather E. Harlow
Colerain Township Fiscal Officer

VACANT BUILDING MAINTENANCE LICENSE RESOLUTION



COLERAIN

COLERAIN TOWNSHIP
4200 SPRINGDALE RD.
BUILDING, PLANNING & ZONING
JENNA M. LeCOURT, AICP | DIRECTOR

SECTION 1: VACANT BUILDINGS AND STRUCTURES DECLARED A PUBLIC NUISANCE

1.1 Buildings which remain vacant and unoccupied for any appreciable period of time become an attractive nuisance to children, a harborage for rodents, an invitation to derelicts, vagrants, and criminals as a temporary abode, an increased fire hazard and the unkept grounds surrounding such property invite the dumping of garbage and rubbish thereon. The use and maintenance of property in such condition and manner endangers the public health and safety and constitutes an unreasonable use and condition to the annoyance, discomfort and repose of considerable number of the public, is detrimental to the public good and common welfare, and renders a considerable number of the public insecure in the use and enjoyment of their property, and thus constitutes a nuisance condition.

SECTION 2: OBLIGATION OF OWNER OR PERSON IN CONTROLS OF VACANT BUILDINGS OR STRUCTURES

2.1 The owner or person in control of a building or structure kept vacant by the owner or person in control, or ordered in whole or in part vacated or kept vacant by the Hamilton County General Health District or the Hamilton County Building Department, shall apply for a Vacant Building Maintenance License. The owner or person in control shall also cause the premises to conform to the minimum standards of safety and property maintenance integrity set forth in Section 4.

2.2 The owner or person in control of a building or structure kept vacant or ordered in whole or in part vacated or kept vacant by the Hamilton County General Health District or the Hamilton County Building Department shall acquire or otherwise maintain general liability insurance in an amount of not less than \$300,000.00 for buildings designed primarily for use as residential units, including buildings containing no more than four dwelling units. For any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, including buildings containing five or more dwelling units, the owner or person in control shall acquire or maintain not less than \$1,000,000 of general liability insurance. Any insurance policy acquired after an order to vacate or keep the building vacant shall provide for written notice to the Director of Building, Planning and Zoning within thirty (30) days of any lapse, cancellation, or change in coverage. Upon request, the owner or person in control shall provide evidence of the insurance to the Director of Building, Planning and Zoning.

2.3 An owner or person in control who keeps a property vacant shall apply for a Vacant Building Maintenance License and obtain liability insurance in the amount required by subsection (b) within 30 days from the date of issuance of the initial order to vacate the building or portion thereof. The owner or person in control shall cause the premises to conform to the minimum standards of safety and property maintenance integrity set forth in Section 4 within 60 days from the date of vacancy or the issuance of the initial order to vacate the building or portion thereof. The Director of Building, Planning and Zoning may extend the time in writing, upon the owner or person in control showing good cause for extension. Any such extensions of time shall not exceed a total of 180 days, following the expiration of the 60-day period.

2.4 If the owner or person in control of a building kept vacant or ordered vacated or kept vacant by the Hamilton County General Health District or Hamilton County Building Department fails to comply with

Section 2(b) or Section 4, or fails to renew the license as provided in Section 5 prior to the annual renewal date or due date, the Director of Building, Planning and Zoning may charge the owner or person in control or person in control with failure to comply with orders pursuant to Section 9 and take other action as authorized by this Resolution. The annual renewal date shall be the anniversary of the date that the building or portion thereof was initially ordered to be vacated or determined to be vacant.

2.5 The owner or person in control may apply for up to a two-year waiver of the license fee if the owner or person in control demonstrates with satisfactory proof that the owner or person in control has a development plan in place. The owner or person in control will apply for this waiver from the Director of Building, Planning and who shall determine whether a waiver shall be granted upon each application.

SECTION 3: VACANT BUILDING MAINTENANCE LICENSES.

3.1 An application for a Vacant Building Maintenance License shall be made on a form provided by the Director of Building, Planning and Zoning and signed by the owner or person in control. The application shall disclose all measures to be taken to ensure that the building will be kept weather tight and secure from trespassers, safe for entry by police officers and firefighters in times of emergency, and together with its premises, free from nuisance and in good order.

3.2 At the time of application, the Director of Building, Planning and Zoning or his/her designee shall ensure that:

1. The building is adequately protected from intrusion by trespassers and from deterioration by the weather in accordance with the vacated building maintenance standards set forth in Section 4; and
2. Allowing the building to remain will not be detrimental to the public health, safety and welfare, will not unreasonably interfere with the reasonable lawful use and enjoyment of other premises within the neighborhood, and will not pose any extraordinary hazard to police officers or fire fighters entering the premises in times of emergency.

If the inspection reveals that the building is in compliance with the vacated building maintenance standards set forth in Section 4 and is adequately protected from intrusion by trespassers and from deterioration by the weather, the Director of Building, Planning and Zoning shall issue a Vacant Building Maintenance License.

3.3 If the property is not in compliance and upon request by the owner or person in control, the Director of Building, Planning and Zoning shall, after completing the preliminary inspection, issue a report in writing to the owner or person in control specifying the reasons why the premise does not conform with the vacated building maintenance standards set forth in Section 4. The Director of Building, Planning and Zoning shall then provide time for the owner or person in control to bring the property into compliance with Section 4. Such time shall not exceed thirty (30) days. Upon conclusion of the time for compliance, the Director of Building, Planning and Zoning shall conduct a final inspection to determine if the premises conform to the vacated building maintenance standards set forth in Section 4.

SECTION 4: VACATED BUILDING MAINTENANCE STANDARDS.

4.1 Vacant property shall be maintained free of all outward appearances of foreclosure and vacancy during the registration period including:

4.1.1 No signs or placards on the exterior of the building or in the windows indicating that the property is vacant;

4.1.2 Grass shall be no higher than 10 inches at any time and all noxious weeds shall be removed;

4.1.3 The premises shall be maintained free of debris and litter;

4.1.4 The premises shall remain secure and locked. Broken windows and doors which are visible from the right-of-way may be covered with plywood or similar boarding material on an emergency basis, but for no more than ten (10) business days, while arrangements are being made to replace broken glass or broken parts of the existing windows and doors. Broken windows and doors on the rear or sides of the building may be boarded until the windows and doors are repaired for re-occupancy provided that the boarded openings are not visible from public right-of-way;

4.1.5 Windows and doors which are visible from the right-of-way may not be boarded and shall be maintained in good repair;

4.1.6 Handbills, circulars, and advertisements shall be removed from porches and yards in a timely manner; and

4.1.7 Standing water on the premises, including but not limited to standing water in swimming pools, shall be eliminated;

4.2 The maintenance requirements and penalties in this Resolution related to vacant properties are in addition to, and shall not be considered in conflict with, any and all other property maintenance requirements of Colerain Township. Nothing within this chapter shall be construed to limit the responsibilities of persons in control to comply with and adhere to any and all building, housing, health, and zoning resolutions established by the Township or Hamilton County. Nothing within this Resolution shall be construed to limit or conflict with the responsibilities of persons in control to comply with and adhere to any and all state and federal laws.

4.3 A building or structure shall be deemed adequately protected from intrusion by trespassers and from deterioration by weather if:

4.3.1 the building is inspected by the Colerain Township Police Department, Zoning Department, or the Fire Department for compliance with the Zoning Resolution and Property Maintenance Code;

4.3.2 the building is not found to be unsafe or unsecure; and

4.3.3 that the building has not been condemned by the Hamilton County Board of Health or the Hamilton County Building Department.

SECTION 5: PROCEDURAL FOR RENEWAL.

5.1 At the time of application for a renewal of a Vacant Building Maintenance License the Director of Building, Planning and Zoning will arrange for the inspection of the exterior of the building and its premises.

5.2 The Director of Building, Planning and Zoning shall renew a Vacant Building Maintenance license if, after following an inspection, he or she is satisfied that:

1. The building is in compliance with the vacated building maintenance standards set forth in Section 4.
2. The building is adequately protected from intrusion by trespassers and from deterioration by the weather.
3. The presence of the building will not be detrimental to the public health, safety and welfare.
4. The presence of the building will not unreasonably interfere with the reasonable and lawful use and enjoyment of other premises within the neighborhood.
5. The building will not pose any extraordinary hazard to police officers or fire fighters entering the premises in times of emergency.

Otherwise the Director of Building, Planning and Zoning shall deny renewal.

5.3 The license renewal shall be for one year, which renewal shall run from their anniversary of the date that the building or portion thereof was initially vacated by the Director of Building, Planning and Zoning.

SECTION 6: FEES.

6.1 The fee for application for a Vacant Building Maintenance License is based on the duration of the time the building has been ordered vacated or kept vacated as determined by the following scale:

1. \$900.00 for properties that have been ordered vacated or kept vacant for less than one year;
2. \$1,800.00 for properties that have been ordered vacated or kept vacant for at least one year but less than two years;
3. \$2,700.00 annually for properties that have been ordered vacated or kept vacant for at least two years but less than five years;
4. \$3,500.00 annually for properties that have been ordered vacated or kept vacant for at least five years.

6.2 The fee shall be paid at the time of application and deposited in the general fund. Upon any initial application for a license, or upon the first renewal of a license following the implementation of the above listed fee structure, all persons shall be required to pay the \$900.00 fee, and will thereafter pay the designated annual fee based on the graduated fees, listed herein.

6.3 The fee for renewal of a Vacant Building Maintenance License to be determined by the scale in Section 6(a) shall be paid at the time of application for renewal and deposited in the building hazard abatement funds. A renewal license shall expire on the annual renewal date. The annual renewal date shall be the anniversary of the date the building or portion thereof was initially vacated or kept vacant by the Director of Building, Planning and Zoning.

6.4 If the owner or person in control fails to obtain a Vacant Building Maintenance License within the time provided by Section 1325.07 or if the owner or person in control fails to apply for renewal of a Vacant Building Maintenance License before the annual renewal date, the Director of Building, Planning and Zoning shall charge a late fee equal to the license or renewal fee or \$1,000.00, whichever is less. If the owner or person in control fails to pay the amount due for the license, for renewal of the license, or as a fine for being out of compliance with the vacant building requirements, said amount shall constitute a debt due and owing to the Township and shall be assessed to the property tax bill.

6.5 The Director of Building, Planning and Zoning shall refund fifty percent (50%) of the annual fee for a Vacant Building Maintenance License paid if the subject building is brought into compliance with standards of the Hamilton County Building Code and the Colerain Township Property Maintenance Code and reoccupied within one year of payment of the application fee.

7. APPEALS.

7.1 Any person directly affected by any notice issued in connection with this Chapter may request and shall be granted a hearing before the Colerain Township Board of Zoning Appeals.

7.2 An appeal to the Colerain Township Board of Zoning Appeals may be taken by any owner or person in control or individual affected by any decision by the Director of Building, Planning and Zoning or by the enforcement of any provision of this Resolution. Such an appeal shall be in the form of a written petition, filed in the office of the Colerain Township Department of Building, Planning and Zoning within thirty days from the date the notice was received or before the expiration of time for compliance stated in the notice, whichever is first.

7.3 The Colerain Township Board of Zoning Appeals shall meet within thirty days after the filing of any appeal and also periodically if the volume of its work warrants. The person taking the appeal shall be entitled to a hearing at which he or she may be represented by counsel and shall have the right to call and cross-examine witnesses and to present evidence and argument.

7.4 In exercising its powers, the Board of Zoning Appeals may reverse, affirm or modify the order.

7.5 If the Colerain Township Board of Zoning Appeals affirms the order of the Director of Building, Planning and Zoning, the owner or person in control shall have thirty (30) calendar days to comply with the order unless an appeal is filed in accordance with Ohio Revised Code Chapters 2505 and 2506.

SECTION 8: VALIDITY.

8.1 If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and the provisions of this Ordinance are hereby declared to be severable.

8.2 This Ordinance shall not affect violations of any other ordinance, code, or regulation existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of the ordinances, codes or regulations in effect at the time the violation was committed.

SECTION 9: PENALTY.

9.1 Any person being the owner or person in control of any building or premises, who fails to obtain a Vacant Building Maintenance License pursuant to Section 3 or violates any provisions of this Resolution shall face civil penalties in an amount of \$500.00. Each day such violation continues after receipt of a violation notice shall be considered a separate offense.

SECTION 10: Definitions

10.1 For the purposes of this Resolution, words and phrases shall have their ordinary meaning unless defined in the following sections.

10.2 – Person in Control – the person, persons, or entity holding title to the freehold estate of the premises; a mortgagee or vendee in possession; a receiver; an executor; a trustee; and any person, public or private entity, lessee or holder of a lesser estate in the premises, and/or its duly authorized agent(s), with the authority to bring a building or premises into compliance with the provisions of this code, including, but not limited to any mortgagee that has filed an action in foreclosure on the particular premises at issue, until title to the premises is transferred to a third party.

NEW BUSINESS

Department: Administration

Department Head: James Rowan

Action:

- I. Approval of Resolution Regarding Drones and Other Aircraft
 - a. Recommend approval of resolution regarding drones and other aircraft as presented. This would require written permission to fly drones or other aircraft in our public parks.
- II. Approval of Membership in CLOUT
 - a. Recommend approval of membership in CLOUT for 2016.

NEW BUSINESS

Department: Administration

Department Head: James Rowan

Action:

- I. Approval of Resolution Regarding Drones and Other Aircraft
 - a. Recommend approval of resolution regarding drones and other aircraft as presented. This would require written permission to fly drones or other aircraft in our public parks.

Rationale: This resolution is being recommended to protect the township from potential liability issues in our public parks.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 12th day of January, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Greg Insco, Jeffrey F. Ritter

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____-15

**RESOLUTION AMENDING RESOLUTION #16-10 AND
ADOPTING RULE 23 (DRONES AND OTHER AIRCRAFTS) TO
THE COLERAIN TOWNSHIP BOARD OF TRUSTEES' PARK RULES AND REGULATIONS**

WHEREAS, the use of drones and other remotely controlled aircraft has recently increased; and

WHEREAS, the flight of these aircraft over Colerain Township park property, especially during events and over areas that contain significant numbers of people, constitutes a potential safety hazard to the users of the parks;

WHEREAS, this Board wishes to minimize this hazard by regulating the use of these aircrafts; and

WHEREAS, O.R.C. 511.32 authorizes a Board of Township Trustees to control, care for, grade, and improve any such park, square, or grounds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, adds the following amendment to Resolution #16-10:

23. Pursuant to O.R.C. 511.32, no person shall use or operate any radio-controlled or other remotely-controlled aircraft, including drones and other unmanned aerial vehicles, or any other similar device in any park or facility without specific written permission from the Office of Parks and Services.

That this Amendment shall be effective at the earliest date allowed by law.

Mr./Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Insco_____, Mr. Ritter_____

ADOPTED this _____ day of December, 2015.

BOARD OF TRUSTEES:

Greg Insco, Trustee

Jeffrey F. Ritter, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this _____ day of December, 2015.

Heather E. Harlow,
Colerain Township Fiscal Officer