

October 11, 2005

Held _____

OPENING OF MEETING

Mr. Fiedeldey called the meeting to order at 6:03 PM with Mr. Fiedeldey, Mrs. Rielage, and Mrs. Harlow in attendance.

EXECUTIVE SESSION

Mr. Foglesong requested the Board go into Executive Session for the purpose of discussing matters relating imminent and pending litigation and personnel matters

At 6:03 PM, Mrs. Rielage made such motion and Mr. Fiedeldey offered the second. No discussion and the roll was called:

- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

The Board reconvened at 7:00 PM, with Mr. Corman now in attendance. Mr. Fiedeldey said no decisions were made in Executive Session.

PLEDGE – INVOCATION

Mrs. Rielage announced that Pastor Frank Wyche of White Oak Presbyterian Church would offer the invocation and the Pledge of Allegiance would be lead by Cub Scout Pack 828 of Groesbeck United Methodist Church.

APPROVAL OF PREVIOUS MEETING MINUTES

Mr. Fiedeldey asked about the minutes of the July 12, 2005, regular meeting. Mr. Reuter is satisfied with them as they are. Mr. Fiedeldey requested how we should handle Mrs. Harlow's reading of Mr. Corman's letter. Mr. Reuter said the letter should be inserted where it was read. Mrs. Rielage would like to look at these again before approval.

Mr. Fiedeldey asked about the minutes of the September 27, 2005, regular meeting. Mrs. Rielage asked for additional comments to be added under the AED discussion and Mr. Corman requested additions under the for the Springdale retail zoning matter.

Mr. Corman motioned to approve the minutes as amended and Mrs. Rielage offered the second. The roll was called:

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

Mr. Fiedeldey asked about the minutes of the October 4, 2005, special meeting.

Mr. Corman motioned to waive the reading and approve the minutes and Mrs. Rielage offered the second.

The roll was called:

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

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PUBLIC HEARING - CDBG

Mr. Foglesong said that the purpose of the Public Hearing is to provide and encourage the participation of all the citizens, public agencies and other interested parties, including those most affected by the Community Development Funding Program

He said the application to the Hamilton County Community Development Company will be for a three-year funding cycle, 2006, 2007 & 2008. This is the first of two Public Hearings the second will be held in conjunction with the Township Meeting on October 25, 2005 also beginning at 7pm. This evening we will take input from those in attendance on projects they believe to be of benefit to the low and moderate-income residents of our community. These requests will then be evaluated to determine their eligibility based on the criteria established by HUD. Following this Public Hearing the Township's Administrative Office will establish a list of projects to present to the Board of Trustees for review and prioritization. This priority list will then be the focus of the second public hearing where the Board will formally set the list of projects and their priority to be submitted to the Hamilton County Community Department for inclusion in the county-wide community development program.

In response to Mr. Corman, Mr. Foglesong said the process is the same as in the past.

Mr. Fiedeldey asked if we could apply for money to use to help those who might not be able to comply with our housing maintenance code. Mr. Foglesong said this is an acceptable use. Mr. Fiedeldey suggested the Board establish a fund to assist those who might not be able to afford to bring their property into compliance with the code. He feels this should be top priority for the funds.

Mr. Fiedeldey opened the citizen address.

Sandra Reeves, 3369 Ainsworth Court, approached the Board to say that Northbrook is in desperate need. She and her neighbors have tried to keep their houses nice, but new people move in with junk cars and tarps on the roofs. She has reported various items and nothing has been done about it. She wanted to know what they as neighbors can do about this. Mr. Fiedeldey said this is the first time he and the Board have heard about these issues. Ms. Reeves said she has given the information to Mr. Spriggs. He said a number of complaints were submitted and there are some outstanding complaints, but there have been weed abatements, etc. on this street. Mr. Fiedeldey said we should dig into this and handle the outstanding issues.

Mr. Corman said, in regard to the section 8 housing, the property owners who abuse this system are not doing the community or the people living in their houses a service. They are just a bunch of money grabbers, who are literally stealing government money to make a profit.

Mr. Foglesong asked if Ms. Reeves would like funds to go to Northbrook for this purpose. She said yes.

Mrs. Rielage asked who the Neighborhood Resource Officer is. Deputy McGaha, who was in attendance, is the NRO and will get in touch with them.

Sgt. Scudder said that the BMV has a ruling that says you can't buy more than two 30-day tags.

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Mrs. Rielage moved to close the citizen address Mr. Corman offered the second The roll was called:

- Mr Corman "Aye"
- Mrs Rielage "Aye"
- Mr Fiedeldey "Aye"

Mr Foglesong said the departments submitted a list of items requested:

- A. From the Senior and Community Center
 - 1 Construction of a room addition - \$110,000 00
 - 2 Improvements to the rear parking lot - \$42,000 00
- B. From the Public Works Department –
 - 1 various street improvements throughout the Township from a list of 12 eligible streets - \$949,635 00
 - 2 SCIP match - \$360,000 00
- C. From the Skyline Community Center
 - 1 Capital improvements – play ground improvements - \$50,000 00
 - 2 Operational cost of the Center - \$150,000.00 or \$50,000/year
- D. Housing rehabilitation program for qualifying low and moderate property owners -\$60,000 00 (\$30,000.00 each 2007 and 2008) (Compliance with an established existing structures maintenance code)
- E Possible park improvements for Clippard Park - \$50,000 00
- F In addition to the projects that the individual communities submit to the County the CD Department maintains a pool of funds for county wide programs, in particular programs that assist in housing rehab and home improvements for which Colerain Township residents may apply for on an individual bases

Mr. Fiedeldey said we will have another public hearing at the next meeting At that meeting, they will establish the priority list.

SHERIFF REPORT

Sgt. Scudder with the Hamilton County Sheriff's Department gave the reports to Lt. Unger

TRUSTEES' REPORT

MRS. RIELAGE

Mrs Rielage said she received a call from a resident about the intersection of East Miami River Road and US 27. It appears that there might be a stop sign missing at that intersection. Mr. McClain will check into this.

Mrs Rielage said there are members of the Colerain Township community family in the military and stationed overseas. She would like to begin a program called "Colerain Cares." With this program, a Township employee or Senior Center volunteer would "buddy" with the soldier to write letters and send care packages

MR. CORMAN

Mr Corman said he had no report, but wished to recognize the two men in the audience from Mr Jesse's class at LaSalle High School.

Mrs Rielage also recognized the Boy Scout in attendance, who was working on the Citizenship and the Community Badge

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Mr Fiedeldey said he wished to pass

CITIZEN ADDRESS

Mr. Greg Teeters, 3611 Bevis Lane, approached the Board seeking an update on his requests from last meeting. Mr. Fiedeldey said Mr. McClain gave a full report to the Board. He said that Mr. Teeter purchased the property knowing that these issues existed. Mr. McClain said the pipe will be fixed by the end of November. Mr. Teeters asked what will happen after he fixes the pipe. Where will the storm water go?

Mr. Teeter is now concerned about the environmental issues with Township road salt and other contaminants going into the waterway. Mr. Reuter said he would like to talk Mr. McClain to determine if the Township is doing something wrong. Mr. Fiedeldey read a letter drafted by Mr. McClain from the Board to Hamilton County Public Works Department, which will ask for assistance in the matter. Mrs. Rielage said the letter should be signed by Mr. McClain on the Board's behalf.

UNFINISHED BUSINESS**LEGAL****Sidewalk Policy**

Mr. Reuter said he sent an explanatory transmittal letter to Mr. Brayshaw, the Hamilton County Engineer. The letter asked for his comments and a meeting to discuss this. Mr. Reuter said he will let the board know when he hears from Mr. Brayshaw.

Employee Personnel Policies and Procedures

Mr. Reuter said he submitted a nearly final draft to the Board for their review. He also asked Mr. Foglesong and Mr. Birkenhauer to look a couple of issues. He did request the Board delete section 32, article A and re-letter the subsequent section.

Mrs. Rielage said she offered suggestions and has not yet checked to be sure those have been included.

This will be shelved until the next meeting.

Mr. Fiedeldey said that we have a change, we should note it through the course of the year. Mr. Foglesong said they do an annual review of the book and make minor modifications as appropriate.

PARKS**River Access Construction Award of Bids**

Mr. Foglesong reported that there were bid openings yesterday for the canoe accesses at Dravo and Heritage parks. The bids are now in the hands of the engineer to review for complete and correctness. He recommended awarding the bid to the low bidder, Trend Construction at \$97,025, if they meet all requirements.

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Mrs. Rielage moved to accept the bid from Trend Construction. Mr. Corman offered the second. The roll was called:

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

At Mr. Fiedeldey's request, Mr. Foglesong read the complete list of bidders:

Prus Construction	\$174,060 00
Jeffery Allen Co	\$212,930 80
R E Schweitzer	\$ 99,855 71
Tumlin & Sons	\$118,511 00
W.G. Stang	\$129,385 00
Trend Construction	\$ 97,025 00
Langenheim & Thompson	\$111,038 50

ODNR Extension of Grant for the Canoe Access

The Township was granted a time extension on the grant for the canoe access.

NEW BUSINESS

FIRE DEPARTMENT

Chief Smith requested the Board hire the following individuals to the part-time firefighter/EMT position at the rate of \$11.86 per hour, with a one-year probationary status: Steven Hamon, Brett Hammons, Daniel Heyob, Michael Hilton, Michael Kain, Ronald Krass II, Jared Morris, Shane Packer, Brett Raible, Eric Reifenberger, Matthew Schmithorst, Michael Thompson, and Matthew Vangen.

Mr. Corman made such motion and Mrs. Rielage offered the second. The roll was called:

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

Chief Smith requested a pay increase for part-time firefighter/EMT PT Henry Dawkins, \$11.86/ hour, effective August 10, 2005. Mrs. Rielage made such motion and Mr. Corman offered the second. The roll was called:

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

Fire Safety Award

Chief Smith announced that that Department was recently awarded the 2004 Life Safety Achievement Award from the Residential Fire Safety Institute in recognition of their work to keep the community free of deaths from fire in 2004.

PUBLIC WORKS

Tree Removal from Right-of-Way

Mr. McClain requested the Board's approval to hire B&B Tree Service to remove 15 trees within the right-of-way at a price not to exceed \$3,750.00.

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Mrs Rielage made such motion and Mr. Corman offered the second The roll was called:

Mr. Corman "Aye"
Mrs Rielage "Aye"
Mr Fiedeldey "Aye"

SENIOR CENTER

Rate Increase for Part-time Employee

Mrs Klosterman requested a pay increase for Ron Haggard, to \$10.34/hour, effective October 4, 2005

Mr. Corman made such motion and Mrs Rielage offered the second The roll was called:

Mr. Corman "Aye"
Mrs. Rielage "Aye"
Mr. Fiedeldey "Aye"

ZONING

Zoning Updates

Mr Spriggs said the Board held a special meeting on October 4, 2005, as a work session on the Comprehensive Plan They will hold a similar special meeting on October 20, 2005, at 7:00 PM

Mr Spriggs also requested the Board's action to hire special legal counsel, Gary Powell of Manley Burke, in an amount not to exceed \$15,000

Mrs Rielage made such motion and Mr. Corman offered the second The roll was called:

Mr. Corman "Aye"
Mrs. Rielage "Aye"
Mr Fiedeldey "Aye"

ADMINISTRATION

Park Equipment Purchase

Mr. Foglesong said they have the opportunity to purchase playground equipment at half-price for Heritage Park. He will come to the Board at the next meeting with a formal request to show what they are considering

Mrs Rielage asked about equipment for Clippard since it is half price Mr. Foglesong said that we are not ready for this yet.

Reminder of November Meeting Reschedule

Mr. Foglesong reminded the Board of the change in schedule for the November meetings, from the second and fourth Tuesdays to the third and fifth Tuesdays

Reminder of Second Public Hearing CDBG

Mr. Foglesong reminded the Board of the second public hearing for the CDBG grant application, October 25th at 7:00 PM.

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PUBLIC HEARING CONTINUANCE

ZA Case 2005-09 Springdale Road Retail

For the applicant, Ms Lee reported that according to FEMA maps, storm drainage will run into Taylor Creek, not Blue Rock Creek and they have added Norway Spruce trees on the Preliminary Development Plan

Mr Corman confirmed that the residential structure will be removed with in the agreed timeline

At Mr Fiedeldey's request, Mr Spriggs read the conditions of the development plan The Board made some edits to the conditions, which Mr. Spriggs recorded for the final resolution

Mr Fiedeldey asked Mr Reuter if he is satisfied with the language with the demolition of the residence. Mr Reuter said we should more clearly define "completion." This will be when the first occupancy permit is issued.

Ms. Lee asked about sidewalks, specifically in regard to accessing to building from the overpass According to Mr Spriggs, the overpass does have sidewalks.

Mr. Corman motioned to accept recommendation of the Zoning Commission as amended and Mrs Rielage offered the second. The roll was called:

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr Fiedeldey "Aye"

Mrs. Rielage motioned for a five minute recess Mr Corman offered the second. The roll was called:

- Mr Corman "Aye"
- Mrs Rielage "Aye"
- Mr Fiedeldey. "Aye"

PUBLIC HEARING

LUPA 2003-03 SW Sector Restudy

Mr. Fiedeldey explained that this is a re-study of the land use plan for the south west and northwest sectors of the Township. Mr Fiedeldey said he participated in some of the meetings, mainly in an informational capacity, and intends to abstain from voting tonight

Mrs. Dale presented the staff report

Mr Fiedeldey opened the citizen address

Dan Wells of 8082 East Miami River Road, requested an explanation of what is going on. Mr. Fiedeldey said that it is a complete re-study of the land use of that area of our Township. Mrs Dale said that the land use plan for the area where he lives would change from residential to rural residential

Dan McElroy of 9910 East Miami River Road, wanted to confirm that this will not affect the underlying zoning He asked about the purpose of the plan as it seems to put another barrier in the way of what he is allowed to do this property Mr Fiedeldey said the zoning will only change if he requests it. Mrs Dale said

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the Land Use Advisory Board made several considerations in making this change

Ron Schmidt of 7958 Harrison Ave., owns property that would be in the FEMA flood plain area. He wanted the board to table this until the residents can have legal representation. He wanted to know where this leaves us. Mr. Reuter said that you can not build in the floodway because you probably can not obtain a permit. The Land Use Advisory Board has recommended that the land use map recognizes the legal impediment he has to building in the floodway

Russell Wayne of 6670 Keppler Road has built several buildings in the area marked floodway. He said that he is hearing that this will not affect anyone building on their property because you can not build on it anyway, but he is building on his property. He is very much opposed to this plan.

Mr. Spriggs clarified that the buildings that Mr. Wayne described as being approved and built were reviewed and approved only after compliance with the floodway and flood fringe maps made available by FEMA and with Public Works approval of special flood proof design

Mr. Fiedeldey said the zoning is H – flood. Mr. Wayne said new infrastructure is coming. Mr. Wayne said that Mr. Fiedeldey should reclude himself from the discussion

Randy Wayne of 7995 Harrison Ave. agrees with previous speaker and is opposed to taking land away from existing owners. He does not feel that the whole area should be developed

Bob Polewski of 7849 Surreywood, who spoke on behalf of the Western Economic Council, agrees with things said previously. The green space designation is just another level of bureaucracy people must fight through. The "flood way" designation says it all

Bob Lameier of 8008 Ferry Street, is also from the Western Economic Council. He sent a letter to each Board member on this issue. He said that they are building sewers in Miami town. Harrison Ave. is another gateway to Colerain Township. He said his opposition is to motion 8

Howard Schwartz is an attorney speaking on behalf of several residents living on East Miami River Road. He felt there may be some confusion on what a land use plan is. He urged the Board to approve the sectors as presented to them tonight. Mr. Corman asked why he was retained by the residents. Mr. Schwartz said it is dealing with the vision of the future of the area, but there can be no legal action as the result of this land use plan

Mike Allegier of 7650 Harrison Ave. said that in 1998, he looked to purchase property in this area and has plans and permits to develop the acreage. According to Mr. Fiedeldey and Mr. Reuter, this will not change their ability to develop the area

Paul Landhoffer of 6341 Springdale Road wants to know what happens here, and what he needs to do to build on his property. Mr. Spriggs explained the process

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Mrs Rielage moved to close the citizen address Mr Corman offered the second The roll was called:

Mr Corman "Aye"
Mrs Rielage "Aye"
Mr Fiedeldey "Aye"

Mrs Rielage said that she is fine with motions 1-7 and 9-12 Her only problem is with motion 8 Her concern with leaving the land use for this area as green space is that you perpetuate what is there and we do not necessarily want that The 2003 proposal recommended 150' of green space She likes that for that section

Mr Corman asked if mining is permitted in a green space area Mr Fiedeldey said it is prohibited in the floodway Mrs Rielage said it would still be in the flood way, but not designated "green space."

Mr Corman said that we must recognize that property is an investment, just like a stock or commodity and it is not our place to deny anyone the right of the investment He said the Harrison Ave area is a compromised area in the lack of proper development

Mr Corman asked what if a person owns property in the floodway and green space is listed for the property in the land use plan The owner applies to raise the land to meet the requirements of FEMA This adjusts the map officially where they can make an application for a zone change, but they are denied because of land use plan Or, what if, if approved, and due to the land use, an outside group tries to sue the township over violations to our comprehensive plan He feels these are important considerations He agrees it is a gateway, but it looks more like a deteriorated garden gate than a gateway

Mr Corman said he would like to see PMUE in the area, more-so than light industrial

Mrs Rielage asked where this would occur She and Mr Corman discussed the map

Mr Fiedeldey said we should stay with the FEMA map for the floodway If the FEMA map is changed, that area would automatically follow land use

Mrs Rielage motioned to approve motions 1-7 and 9-12 as recommended by the Land Use Advisory Board and Zoning Commission Mr Corman offered the second Mrs Rielage moved to close the citizen address Mr Corman offered the second The roll was called:

Mr Corman "Aye"
Mr Fiedeldey "Abstain"
Mrs Rielage "Aye"

Mrs Rielage asked Mr Corman where he would draw the line for PMUE She is fine with making the whole area PMUE Mr Corman said there should be 150' of green space from the eastern shore line of the Great Miami River He said that any development proposed in the floodway would need to meet standards from FEMA and other agencies

Mr Corman motioned to approve a PMUE designation for sites 183, 260, 262, and 263, with modification to 141 (150' green space buffer along the Great

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Miami River, based on the river's eastern bank at the ordinary high water mark) and that any development within the floodway must meet regulations from FEMA, Army Corp of Engineers, and all other related agencies Mrs Rielage offered the second The roll was called:

Mr Corman "Aye"
Mrs Rielage "Aye"
Mr Fiedeldey "Abstain"

CLERK'S REPORT

Mrs Harlow asked for approval of payroll, purchase orders, and receipts Mrs Rielage made such motion and Mr. Fiedeldey offered the second The roll was called:

Mr. Corman "Aye"
Mrs. Rielage "Aye"
Mr Fiedeldey "Aye"

The Clerk has received the following receipts:

REC	VENDOR	FOR	AMOUNT
522-05	Police Department	Court Reimbursement	6.00
523-05	Fire & EMS Department	Plan Review Fees	200.00
524-05	Rumpke	Solid Waste Disposal	42,138.97
525-05	Sr. & Community Center	Crafts, Fees, Rent, Don, Lunch	1,163.50
526-05	Fire & EMS Department	Cell, Passports, CPR, Donation	778.37
527-05	Fire & EMS Department	EMS Billing	51,023.02
528-05	Police Department	Court Reimbursement	18.00
529-05	Sr. & Community Center	Fees, Don, Rent, Lunch	239.50
530-05	Police Department	Cell Calls	191.84
531-05	Police Department	Court Reimbursement	6.00
532-05	Police Department	Fines: Juv traffic, DUI, Park, Drug	1,329.50
533-05	Sr. & Community Center	Fees, Rent, Lunch	232.00
534-05	Crawford & Company	Clean & Repair Turnout	858.10
535-05	Parks & Services Dept.	Shelter Reservations	70.00
536-05	Fire & EMS Department	Plan Review Fees	425.00
537-05	Frank Birkenhauer	Cell Calls	31.20
538-05	Colerain	Health Insurance	63,281.26
539-05	Mark Walsh	Postage	4.33
540-05	Sr. & Community Center	Fees, Rent, Don, Lunch	499.30
541-05	Dusty Rhodes	Tipping Fee	540.90
542-05	Dusty Rhodes	Municipal Court Fines	7,790.50
543-05	Dusty Rhodes	20% Funds	39,218.00
544-05	Dusty Rhodes	Perm, Reg, SIF, Rev As	107,842.27
545-05	Dusty Rhodes	Public Utility Reimb	114,241.94
546-05	Dusty Rhodes	Memo Receipt	
547-05	Sr & Community Center	Crafts, Fees, Rent, Don, Lunch	467.35
548-05	Police Department	Voice Analysis, Court Reimbursement	212.00
549-05	Parks & Services Dept.	Shelter Reservation	175.00
550-05	OTARMA	BD Mtg September	835.70
551-05	Fire & EMS Department	Foster Care Inspect Fee	15.00

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552-05	Police Department	Court Reimbursement	36.00
553-05	Fire & EMS Department	Cell, Reports, Reimb, Rent, EMS, Train Class	8,157.20
554-05	Fire & EMS Department	EMS Billing	12,252.54
555-05	Zoning Department	Certificates, BZA	1,603.40
556-05	Police Department	Reports & Fingerprints	17.95
557-05	Fire & EMS Department	Inspection Fees	40.00
558-05	Parks & Services Dept.	Baseball Field Rental	10.00
559-05	Fire & EMS Department	Plan Review Fees	250.00
560-05	Public Works Depart.	Aluminum Recycling	141.00
561-05	Recycle Day	Tires, Freon	1,785.00
562-05	Zoning Department	Certificates, BZA, other	2,041.04
563-05	Sr. & Community Center	Fees, Rent, Don, Lunch	651.59
564-05	Fire & EMS Department	Plan Review Fee	75.00

Mrs. Harlow requested appropriation adjustments as follows:

For the Parks Department, take \$1,500 from 1000-610-359-0000 (utilities) and adjust to 1000-610-420-0301 (gasoline) and take \$2,000 from 1000-610-359-0000 (utilities) and adjust to 1000-610-360-0000 (contracted services).

For the Police Department, take \$20,000 from 2081-210-160 (salaries) and adjust to 2081-210-420 (operating supplies) and take \$7,000 from 2081-210-599-0501 (other expenses) and adjust \$5,000 to 2081-210-318 (training) and \$2,000 to 2081-210-230 (workers compensation)

For the Public Works Department, take \$11,242.17 from 2031-330-420-0000 (operating supplies) and adjust to 2031-330-360-0000 (contracted services).

Mrs. Rielage made such motion and Mr. Fiedeldey offered the second.

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

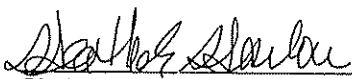
Mrs. Harlow reported that she has received notice from the Ohio Division of Liquor Control for a request of a new permit for Lucero Cortez Enterprises Inc., DBA Jalapenos Restaurante Mexicano, 9455 Colerain Ave. Mrs. Harlow said she spoke with Lt. Unger and he did not request a hearing. The Board agreed.

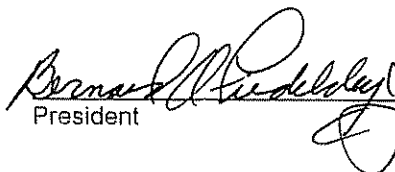
Mr. Corman commended the Land Use Advisory Board for their hard work.

ADJOURNMENT

With no further business to come before the Board, at 10:57 PM, Mrs. Rielage motioned for adjournment. Mr. Corman offered a second.

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"


Clerk


President