

## Hamilton Township Trustee's Meeting

January 4, 2017

Trustee Board President Wallace called the meeting to order at 6:00p.m. Mr. Wallace, Mr. Walker, and Mr. Gallagher were present.

An opening prayer was given by Pastor Ron Corbin of Fellowship Baptist Church.

The *Pledge of Allegiance* was recited by all in attendance.

Motion was made by Mr. Wallace with a second by Mr. Walker to adopt the proposed agenda for the January 4, 2017 meeting.

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes
Chris Gallagher	Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the meeting minutes from the meeting on December 21, 2016.

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes
Chris Gallagher	Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the withholding payments for payment cycle December 4, 2016 – December 7, 2016, checks numbered 24115146 - 24115163.

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes
Chris Gallagher	Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve Payroll for pay cycle December 4, 2016 – December 17, 2016, and Monthly December 1-December 31, 2016 Electronic Fund Transfer Direct Deposit Vouchers 1110397344 – 1110397413 and 1110397582 - 1110397583.

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes
Chris Gallagher	Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the billing invoices for payment cycle December 27, 2016 – December 30, 2016 checks numbered 77005 (Void 76932).

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes
Chris Gallagher	Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the billing invoices for payment cycle December 27, 2016 – December 30, 2016, checks numbered 77006 - 77012.

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes
Chris Gallagher	Yes

Motion made by Mr. Wallace with a second by Mr. Walker to approve the billing invoices for payment cycle January 2, 2017 – January 6, 2017, checks numbered 77013 - 77055.

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes

Chris Gallagher Yes

Motion made by Mr. Walker with a second by Mr. Gallagher to appoint Trustee David Wallace as President of the Board for 2017.

Roll call as follows: Joe Walker Yes  
Chris Gallagher Yes  
David Wallace Yes

Motion made by Mr. Wallace with a second by Mr. Gallagher to appoint Trustee Joe Walker as Vice President of the Board for 2017

Roll call as follows: David Wallace Yes  
Chris Gallagher Yes  
Joe Walker Yes

Human Resource Manager, Kellie Krieger requested the Board approve the removal of Firefighter/EMT Derek Roat from the township roster as of December 31, 2016 and Firefighter/EMT Dianna Little as of December 29, 2016.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes  
Joe Walker Yes  
Chris Gallagher Yes

Fire Chief, Brian Reese presented Dianna Little with a plaque and thanked her for her 17 years of service with the Hamilton Township Fire Rescue.

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0104, authorizing the disbursement of checks for payroll, payroll related withholdings and expenses and other expenses.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes  
Joe Walker Yes  
Chris Gallagher Yes

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0104A, authorizing the semi-annual authorization of blanket certificates and establishing financial policies for the approval of purchase orders.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes  
Joe Walker Yes  
Chris Gallagher Yes

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0104B, authorizing the transfer of General Funds (Fund 1000) and Police Fund (Fund 2081) to the Building Bond Fund (Fund 3101).

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes  
Joe Walker Yes  
Chris Gallagher Yes

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0104C, authorizing the transfer of TIF Funds (Fund 2901) to the General Fund (Fund 1000).

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows:	David Wallace	Yes
	Joe Walker	Yes
	Chris Gallagher	Yes

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0104D, employing R. Douglas Miller as the township law director and the Law Firm of Donnellon Donnellon & Miller as legal counsel, and declaring an emergency.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows:	David Wallace	Yes
	Joe Walker	Yes
	Chris Gallagher	Yes

There was a public hearing for the Eagles Pointe/Providence communities.

Community Development Coordinator, Michelle Tegtmeier presented the Board with a Revised Cluster Plan that was requested from Jason Wisniewski on behalf of Grand Communities LTD/Fischer Development Company. In 2010, the applicant purchased the remaining, undeveloped sections of Eagle's Point Subdivision and Providence Subdivision. The first section of Eagle's Point on Eagle Court, Eagle Blvd, Soaring Way, and all of Talon Court were not included in the contract and omitted on those plans. Once acquired, the applicant combined both subdivisions into one community and modified the original development plans to form one, combined Cluster Development Plan under then, Section 6.03.B of the Hamilton Township Zoning Code. In 2010, there were eight types of lots approved. The current request is to increase the types of lots to fifteen. The 2010 Resolution stated 545 total lots which will remain the same. The open space will also remain the same. Fischer did meet with the current home owners several times. The perimeter properties that did not meet the 30' setback, has now been changed from the 20' setback to the minimum 30' setback. Staff recommends approval of the revised Providence Plan.

Trustee Dave Wallace opened the floor to the public for comments of the Eagles Point/Providence hearing.

Lee Monti, Eagle Court, stated that the residents have been in discussion with the developer for about 6 months and they were able to come to a census with the changes. He asked the Board to consider to make a stipulation that if the property were to change ownership that the homes that any new designs would be compatible with the designer homes presented by Fischer Homes. Mr. Monti asked Jason Wisniewski to clarify the meaning in section 1 of a letter received by the residents dated October 7, 2016. Lot sizes 61, 65, and 67 are designated for homes from the Fischer Homes Designer Collection subject to revisions of a typical plan updated?

Jason Wisniewski, Vice President Planning & Zoning of Grand Communities, if it's sold they would commit to language that the new owners would have to build something equal to or better than that design. As far as the section 1 from the letter, means that they would tweak it to keep the architecture fresh.

Trustee David Wallace made a motion to approve Resolution # 17-0104E, granting conditional approval for a change in cluster zoning for Eagles Pointe and Providence subdivisions, and seconded by Trustee Joe Walker.

Roll call as follows:	David Wallace	Yes
	Joe Walker	Yes
	Chris Gallagher	Yes

There was a zoning hearing for a revised stage one for the Village of Classicway subdivision.

Community Development Coordinator, Michelle Tegtmeier, presented the Board with a revised stage one PUD for Village of Classicway. The applicant proposes a revised PUD Stage 1. The owner is requesting reduced lot frontages, a decrease in the maximum units, and an increase in

front yard setback. The revised PUD Stage 1 is also requesting a change from Single Family Attached (SFA) to Single Family Detached (SFD). Road configurations for Parcel Areas C through E have also been modified in the new plan. The Regional Planning Commission recommends the approval of the Revised Stage 1 PUD subject to the following conditions: 1) Compliance with the requirements of the Hamilton Township Zoning Code; 2) Compliance with the Warren County Subdivision Regulations; 3) Compliance with the Warren County Damage Reduction Regulations; 4) Compliance with all the requirements of the Ohio Department of Transportation (ODOT); 5) Prior to the approval of the final site plan, the developer shall expand and/or upgrade the sewer system, water treatment and storage facilities, sanitary sewers and wastewater treatment facilities necessary to serve the development, as determined by the Warren County Sanitary Engineer; 6) The plans and specifications for all public water supplies, water pipes or mains to be constructed by the Western Water Company shall be submitted to the Warren County Commissions for approval, prior to construction of the same, pursuant to Ohio revised code, section 6103.2. In addition, release of the property by the Warren County Commissioners for service by the Western Water Company is necessary; 7) The Village of Classicway PUD Development Standards (Exhibit A). Staff also recommends approval of the Revised Stage 1 plan. As stated in the analysis, the Land Use Map clearly shows the area as residential. Staff feels the predominant factor is the change from attached homes to detached single family homes in Parcel E. This will lower the density and some concerns of the existing residents and neighbors, Current residents were concerned with the number of users for the pool/clubhouse. The neighbors were concerned over an increase in traffic, this plan reduces the total units by 89.

Trustee David Wallace opened the floor to the public for comments on the Village of Classicway.

Lawrence Brigham, 5925 Morrow-Cozzadale, stated that parcel D fronts along Morrow Cozzadale Road. In the covenants and restrictions, it prohibits anything smaller than 1 house per lot for lots 9, 10, and 11. He stated that he has a copy of what areas can be sewerred. He also stated that lots 9, 10, and 11 must 1.5 acre lots.

Joe Prus, Prus Construction, we intend to keep the covenants and restrictions that were on the prior PUD and the density would stay the same as 1 house per lot.

Ken Schutcher, Valley Vineyards, stated he borders the Classicway subdivision. His family has been farming there for 85 years and there is 70 acres of wine grapes. He asked that he not be put in a situation for the residents to sue him. He sprays grapes about 10 times a year and he is concerned that the wind will carry residue will be carried to the new homes. The machinery is loud, there are gas cannons are used to scare away birds, burning brush, and sometimes he sprays at 2 or 3 a in the morning. He is getting a suggestion from OSU as to what trees would be best to plant and the best placement for the trees to keep the sprays from traveling. He is concerned about the setbacks, trees, and fence. He doesn't want the new neighbors suing him.

Legal Counsel, Doug Miller, stated that whatever deed restrictions were set in place in 2003, were carried over to the new Resolution, with a few exceptions that no longer apply.

Ken Schuchter, stated that he would like to see evergreen trees to buffer the noise and sprays.

Tara Newbolt, Morrow-Cozzadale, stated that there has to be a 75% approval of the lots to make any changes to the covenants and restrictions. She also stated that lot G is green space and can not have a road go through it.

Jeff Talkers, Land Consultants, stated that there would be a deed restriction on any lot adjacent to Mr. Schutcher's property that they are buying a lot adjacent to agricultural land and that the developer would be responsible for a tree buffer and a fence of 2,750 feet. He also stated that the idea had been brought up to have a 75' buffer from property to property plus the 30' setback.

Joe Prus, Prus Construction, stated that his concern was the buffer plus the setback. He stated that they would not be able to get the homes in there that they want.

Legal Counsel, Doug Miller stated that if the 75' buffer becomes property of the HOA, that makes a new rear property line.

Ken Schutcher, stated that it was his understanding that setback was going to be atleast 75' and that was to the back of the lot. He envisions the 75' buffer being rough ground and doesn't want foot traffic on the buffer.

Ray Warrick stated that once it moves to stage 2, there will be more clarity.

Ken Schutcher asked who would be responsible for replacing the trees and fence if something happens to them?

Doug Miller stated that the resolution states that there has to be a buffer of 75'. If you want more, you would need to clarify who owns the buffer.

David Wallace stated that he would feel better with more information and table this until next meeting. He would like more clarification of the buffer and would like to hear from the experts.

Doug Miller stated the real issue is where is the buffer going to be and who's going to own it?

The hearing for Village of Classicway was continued.

### **Public Comments**

Trustee David Wallace opened the floor to the public.

Ken Floss, Midnight Sun Drive, LMYB, stated that he was notified on December 29 that there had been vandalism on the fields on the west side of Testerman Park. LMYB would to work with the township with a reward for any information on the vandalism. They would also like to work with the township to keep this from happening again.

Katy Wuest, Stableview Circle, stated that after the last meeting that she had asked Mr. Wallace a question on his facebook page and the question was deleted and she was blocked from commenting on his page. Will the special meeting to get the publics input about should be done about Mounts Park be re-scheduled?

David Wallace stated that a meeting will be re-scheduled once there is more information received from the EPA.

Katy Wuest asked if it would be a special meeting or a hearing?

David Wallace said it would be a work session.

Trustee David Wallace closed the floor to the public at 7:15pm.

### **Trustee's Business**

With no other business at hand a motion made by Mr. Wallace with a second by Mr. Walker to adjourn at 7:16pm.

Roll call as follows:	David Wallace	Yes
	Joe Walker	Yes
	Chris Gallagher	Yes