

## Hamilton Township Trustee's Meeting

May 17, 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 Father Wood of St. Philip the Apostle Catholic 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 May 17, 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 withholding payments for payment cycle April 23, 2017 – May 6, 2017 checks numbered 25117165 – 25117184 and 25117195 - 25117197.

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 April 23, 2017 – May 6, 2017, and Monthly for May, Electronic Fund Transfer Direct Deposit Vouchers 1117958438 – 1117958504 and 1117958683 - 1117958686.

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 May 15, 2017 – May 19, 2017 checks numbered 77491 - 77533.

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 May 3, 2017.

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

Human Resource Manager, Kellie Krieger requested the Board make a motion to approve the hiring of Donnie Pelfrey as Full Time Road Supervisor, given a favorable drug test, with an hourly rate of \$23.00 per hour with a start date of May 22, 2017. He will have a probationary period of 1 year with an evaluation at 6 months.

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

Human Resource Manager, Kellie Krieger requested the Board make a motion to approve the hiring of Rachel Macaluso as a Full Time Firefighter/Paramedic with an hourly rate of \$17.31 per hour effective May 21, 2017. She will have a probationary period of 6 months.

There was a swearing in of Rachel Macaluso by Trustee David Wallace.

Trustee David Wallace presented the Hamilton Township with a proclamation for National Police Week for May 14 – May 20, 2017 and May 15 as Police Officer Memorial Day.

### **Public Comments**

Trustee David Wallace opened the floor to the public at 6:11 pm.

Dave Ehling, 3C Highway, stated he did not know anything about the sale of a property until he got to the meeting. He stated it would be nice to discuss the sale of any properties in public instead of in Executive Session. Mr. Ehling stated the Board has the legal rights to sell property in Executive Session but it would be nice if the Board would be open. He also stated that all kinds of rumors are floating around. Mr. Ehling heard that Mr. Walker's family is looking to buy Mounts Park for a gravel pit. If the Board doesn't make decisions up front, those rumors will continue. Mr. Ehling stated it would be a good idea if the Board changed their mind about video taping the meetings.

Law Director, Doug Miller stated the township can not buy or sell any property in Executive Session, that has to be done in the public.

Kevin Ehling, Zoar Road, asked what's wrong with just putting what property will be talked about? Why does it have to be so generalized? Mr. Ehling stated the Board knows how important Mounts Park is to a lot of people. Mr. Ehling stated that Ray said he would fix the problem about not naming the property when it was previously mentioned.

Trustee David Wallace stated that when it comes to the sale of property that it would be discussed in Executive Session and the residents will have a chance to speak in regards to Mounts Park.

Kevin Ehling asked why they can't name the property that will potentially be negotiated, why can't the location be mentioned? Why can't the meetings be videotaped?

Law Director, Doug Miller stated the sale of property is not discussed in public because it could potentially put the township at a competitive disadvantage, particularly if the township is trying to purchase a property.

Kevin Ehling asked what changed Mr. Wallace's mind about videotaping the meetings?

David Wallace stated we are already taping the minutes and posting the minutes.

Kevin Ehling said a good example of why he is worried about videotaping the meetings because of the March monthly financial recap, Ray mentioned per the settlement that Jefferson Health Plan was paying the townships premiums, and he asked for clarification, and it is not put in the meeting minutes. What did it mean that Jefferson Health Plan was paying for health benefits?

David Wallace stated as part of the settlement, he cannot comment on it and it is a great story that he will put out there when he can.

Kevin Ehling asked if they could elaborate on Community Development Updates?

David Wallace said Michelle will give updates on the community. He also stated the Board is going to move forward for the best interest of the township.

Kevin Ehling stated he would like to have trustees that listen to the residents and not do their own agendas. He would like to have trustees that are not manipulated by an administrator that works the trustees like puppets. Mr. Ehling stated he asked for a public records request to be

emailed to him and he was told he had to pay 70 cents and he stated that is a complete violation of the Sunshine Law.

Becky Ehling, 5465 Zoard Road, stated she was the one that called on the public records request and not being charged for an electronic copy. She stated under the Sunshine Law, Section 12, it states you can only charge on a request that cost you something, you cannot charge for an employees time. Mrs. Ehling was told they were being charged for the copy being made for the townships records. Mrs. Ehling states it is very alarming that 2 contracts state the employee cannot do anything political on their own time but 2 of the contracts don't. She stated the first amendment right is being violated.

Law Director, Doug Miller stated if his recollection was correct, the employees requested that be put in their contract, it was not handed down by the Hamilton Township.

Trustee David Wallace made a motion to close the floor to the public at 6:19 pm, and seconded by Trustee Joe Walker.

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

Trustee David Wallace stated he understands that people have been upset since the last election and how things are. He stated, "For the 25,000 residents the Board represents, we will continue to move forward and I think Ray Warrick has done a phenomenal job of righting the wrongs of the past and I appreciate what Ray has done." Mr. Wallace stated Ray has saved the township hundreds of thousands of dollars.

Major Scott Carlton presented the Police activity report for the month of April. There were a total of 1,761 calls. The drug take back day was postponed due to rain so they accepted medicines for an entire week. A total of 22 pounds was collected and destroyed.

Fire Chief, Brian Reese presented the Fire activity report for the month of April. There were 72 engine runs and 140 EMS runs. There were 89 transports. The department was dispatched to 2 structure fires. The department gave 2 mutual aids and received 11. In the month of April, there were 16 times where a 2<sup>nd</sup> call was dispatched within 15 minutes of the first run and 11 times where there was a 2<sup>nd</sup> call dispatched within 30 minutes of the first run. The Fire Inspector completed 16 commercial inspections and 9 home inspections, along with 11 zoning details, multiple Fire/EMS runs, and started created training for the crews. The department preformed a mock crash at Little Miami High School, did some search and rescue training, showed Engine 78 to a potential buyer, and received Pharmacology training from Premeir Health.

Public Works Director, Kenny Hickey presented the Roads and Parks activity report for the month of April. The department installed guardrail on the McIntire Road bridge with help from Warren County. They also mulched at the administration building, took down 6 trees on Nunner Road, did sidewalk inspections in Village on the Green, assisted with a roll over on State Route 48, did bush hogging, installed No Parking signs in Village on the Green, poured foundations for new headstones, and there were 5 burials. The crew repaired the water heater and ice maker at the concession stand at Testerman Park, continue mowing of the parks, and added gravel to the walk trail and repaired ruts on the playground area.

Community Development Coordinator, Michelle Tegtmeier presented updates of new development coming to the township. The Peters Cartridge Factory is developing and hopefully by 2018, residents will be living in the apartments at that facility. The prices will be \$900 - \$1,400 per month and there will be 149 units. There will also be a restaurant and other shops. Maineville Family Physicians is not able to finish the contract for expansion at this time, possible in the near future. Little Miami Industrial Site is proposing 12 sites, in which 1 is sold and 2 sites are in negotiation. There are some issues with the Village of Classicway and we are working are some remedies.

Ray Warrick stated the Ohio EPA is calling a time out due to some fundamental structure issues with the storm water system in Village of Classicway. The developer has been notified of the

situation. He stated he would ask the Trustees to entertain making a motion to place all permits on hold for Village of Classicway until the situation has a resolution.

Administrator, Ray Warrick presented the monthly financial report for the month of April. There is 33% of the year gone and we have received 45.3% of our revenue and 28.3% of the budget has been spent. The revenue for April for 2017 is \$124,000.00 more compared to April of 2016 due to the lighting district paying back \$62,000.00, \$53,000.00 received from Little Miami Local Schools for the School Resource Officer wages, and \$20,000.00 for higher tax collection for the fire department. The expenses for April of 2017 is \$269,000.00 less than April of 2016. The April of 2016 was a 3 pay period month, the CVSA system was purchased, LED lighting was purchased, and the cemetery management software was paid for. The beginning cash in April was \$8.2 million and the end was \$11 million. At the end of April of 2016, we had \$10.8 million.

Administrator, Ray Warrick requested the Board make a motion to approve a large purchase order for Fire gear replacement in the amount of \$10,000.00. This would be to purchase 2 sets of fire gear, 15 nomex hoods, 8 pairs of boots, and 5 helmets.

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 suggested considering having only 1 meeting in July do to vacations and the holiday.

Trustee David Wallace made a motion for the Administrator to have the ability to put a moratorium on the issuing of permits for the Village of Classicway, and seconded by Trustee Joe Walker.

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

Fire Chief, Brian Reese presented information on the Lexipol program for the Fire Department. This program provides 155 model policies with online access, customized to the department, and provides ongoing training on policies. The initial sign up would include 12 hours of assistance, extrication of our current policies attached to what they have, and 13 weeks of training. The first year, 2017, would cost \$3,281.00 and would be paid for with the monies reimbursed from the physicals. The cost for 2018, with an Ohio Fire Chief's discount, would be \$6,500.00.

### **Trustee's Business**

Mr. Wallace made a motion, and seconded by Mr. Walker to enter into Executive Session to consider compensation of a public employee and discuss imminent court action at 7:05pm. In Executive Session were all Trustees, Administrator, and Law Director.

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

Mr. Wallace made a motion, and seconded by Mr. Walker to come out of Executive Session at 7:25pm.

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

Administrator, Ray Warrick stated the State Tax Department told us the 2003 Police Levy was not properly done and was not put on the ballot correctly. The State Tax Department told us to return the monies from the first half that we recently received and do not collect going forward.

Mr. Warrick stated he believes the township did everything properly. The language of a levy has to be done by the Board of Elections, ultimately by the Secretary of State. The assessment rates are done by the State of Ohio through the County Auditor's office. The taxes are collected by the County Treasurer. The Board approved for the Law Director the ability to file a law suit at any time to defend ourselves and that condition remains open because this situation is not fully resolved. The state suggested that township put the levy back on the ballot. The township presented that we pass a Resolution that corrects the supposed mistakes from 2003 and they have agreed. This Resolution does not settle the matter.

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0517, a resolution – remedial in nature – regarding the Police District and tax levies intended for the district.

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

With no other business at hand a motion made by Mr. Wallace with a second by Mr. Walker to adjourn at 7:31pm.

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