

## Hamilton Township Trustee's Meeting

August 16, 2017

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

There was an opening prayer given by Pastor Steve Bell from Bible Baptist Church.

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

Motion was made by Mr. Walker with a second by Mr. Gallagher to amend and adopt the proposed agenda for the August 16, 2017 meeting.

Roll call as follows:

Joe Walker	Yes
Chris Gallagher	Yes

There was a swearing in of new Police Officer Jordan Elzey.

There was a recognition of Major Scott Carlton for his years of service and a retirement ceremony as well.

Trustee David Wallace made a motion, and seconded by Trustee Joe Walker, to go into recess until 7:00 pm.

Roll call as follows:

David Wallace	Yes
Joe Walker	Yes
Chris Gallagher	Yes

Trustee David Wallace made a motion, and seconded by Trustee Joe Walker to resume the meeting at 7:02 pm.

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 August 2, 2017.

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 July 16, 2017 – July 29, 2017, and Monthly for August, Electronic Fund Transfer Direct Deposit Vouchers 1122517099 – 1122517103 and 1122535195 – 1122535260 .

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 July 16, 2017 – July 29, 2017 and Monthly for August checks numbered 25723563 - 25723565 and 25726649 - 25726669.

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 August 7, 2017 – August 11, 2017 checks numbered 77815 - 77820.

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 July 30, 2017 – August 12, 2017, Electronic Fund Transfer Direct Deposit Vouchers 1123353202 - 1123353270.

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 July 30, 2017 – August 12, 2017, checks numbered 25836279 - 25836298.

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 August 14, 2017 – August 18, 2017 checks numbered 77821 - 77872.

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

There was a public hearing for a text amendment for Medical Marijuana.

Trustee David Wallace made a motion, and seconded by Trustee Joe Walker to open the hearing at 7:05 pm.

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

Community Development Coordinator, Michelle Tegtmeier read the legal ad. Ms. Tegtmeier stated this resolution does not prohibit anyone from having medical marijuana, it just prohibits the cultivation or dispensing within the township. Community Development Coordinator, Michelle Tegtmeier read the resolution presented to the Board regarding Medical Marijuana. A resolution approving a text amendment to the Hamilton Township Zoning resolution to prohibit medical marijuana in the unincorporated territory of Hamilton Township.

Administrator, Ray Warrick stated the reason the township is undertaking this at this time is because of the vagueness or the confusion around the law even at the state level. This is something the Board can re-entertain at a later date if need be.

Police Chief, Scott Hughes stated there are a lot of unknowns, and maybe it can be re-visited.

Trustee Joe Walker asked what zoning had to say?

Ms. Tegtmeier stated they talked about it amongst themselves, and the majority did agree that it is something that should be done at this time.

Trustee David Wallace opened the floor to the public for the Medical Marijuana hearing at 7:09 pm.

Fritz Nelson, 6973 Hunters Close, asked if it can't be cultivated or distributed here? He stated he can see that dispensaries could be an issue but there are quite a few farmers and it is fairly

irresponsible to put a stop on that part if it could be done safely and look at how much tax dollars it could generate for the township. He thinks this puts us in a bad spot.

Trustee David Wallace made a motion, and seconded by Trustee Joe Walker to close the floor to the public at 7:11 pm.

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

Trustee Chris Gallagher stated we can re-visit this at anytime as the laws change.

Trustee David Wallace made a motion to approve Resolution # 17-0816, approving a text amendment to the Hamilton Township Zoning resolution to prohibit medical marijuana in the unincorporated territory of Hamilton Township, 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 a zone change for the property at 5889 Ludlum Road.

Ms. Tegtmeier read the legal ad: The Hamilton Township Trustees has scheduled a Public Hearing for Wednesday, August 16, 2017 at 7:00PM to consider a zoning change request on behalf of Mr. Justin Hughes for property located at 5889 Ludlum Road, Hamilton Township, Warren County, Ohio. The applicant has requested a zone change from the current B-2 General Business Zone to an R-1, Single Family Residence Zone for the 4.35 acres.

Ms. Tegtmeier stated the current owner, Justin Hughes, is requesting the zone change from B-2 to R-1 in order to have a marketable and buildable single family residential building lot. Which is was originally zoned R-1. Mr. Hughes is in the process of trying to sell the property to Mr. and Mrs. DeStefano. The current building that sits on the property has the roof falling in and is noted on Warren County Auditors website. The Warren County Regional Planning Commission recommends approval of the rezoning of Mr. Hughes' property (5889 Ludlum Rd) from General Business District (B-2), to Rural Residence District (R-1). In addition, it is recommended that the Township take a comprehensive look at the zoning within this area and make revisions consistent with the comprehensive plan. Staff reluctantly recommends approval. The loss of commercial land is disheartening but the current blighted condition will now be remedied and there is no likely commercial development to ever occur on this land. Mr. & Mrs. Hughes are willing to make a great investment in the community and change will help to improve the area, making it more aesthetically pleasing.

Dan deStefano, potential purchaser of property, stated he is wanting to build his own personal home on the property. They plan on tearing down the existing home and re-building.

Trustee David Wallace opened the floor to the public for the 5889 Ludlum Road hearing at 7:17 pm.

Dan Phipps, 10429 Cozaddale-Murdock, asked how many acres in that area would be left at B-2? Mr. Phipps strongly suggested re-zoning all of the area back to R-1.

Trustee David Wallace made a motion to close the floor at 7:19 pm, and seconded by Trustee Joe Walker.

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

Trustee David Wallace made a motion to approve Resolution # 17-0816A, granting approval for a zone change from B-2 General Business to R-1 Single Family Residence zone, 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 Infinity Entertainment Center.

Trustee David Wallace opened the hearing at 7:20 pm.

Community Development Coordinator, Michelle Tegtmeier read the legal ad.

Community Development Coordinator, Michelle Tegtmeier presented the Board with the first 7.6 acres to be developed in the new Little Miami Industrial Park, 537 Grandin Road. This will be Infinity Entertainment. The owner intends to build a 68,500 sq. ft. single story, entertainment center with loft area of 816.05 sq. ft. for a bar and billiard area. The first floor will include movie theater, bowling alley, laser tag, etc. and a restaurant with an outdoor seating area. The building transparency and orientation fall a little short of the requirements for this section. The building is required to have 35% windows or transparent entrances. This is impossible due to the location of the bowling alley, movie theatre and laser tag areas which require darkness or no natural light. Hamilton Township Zoning Code states main entrances shall face the street with higher vehicle capacity. The layout of the building is such that the main entrance will be off the new proposed street. The interior landscaping requirements are three trees per 1,000 sq. ft. of building. The building square feet is 68,500 therefore 204 trees are required and the plan shows 141 trees. Perimeter landscaping is not required in industrial zones. The building will have asphalt parking for 316 vehicles, ten of which will be handicapped accessible along with five for expectant mothers. There will be another six spaces on north side of the building for bus parking. There has not been a signage plan submitted at this time. Innovative Lighting Solutions provided a photometric plan. The lighting does fall where it's suppose to and it will not interfere with neighboring properties. The staff recommends approval of the Site Plan Review with the following recommendations:

1. Hamilton Township is to receive a copy of a shared parking agreement at the time the agreement is signed.
2. Continuous curbing is required unless the Warren County Storm Water Management Authority signs an approved alternate plan for storm water drainage.
3. The landscaping plan falls short 63 trees. Staff suggests adding more trees to the perimeter and around the detention areas.
4. All lighting fixtures specs should be submitted before installation.

The Hamilton Township Zoning Commission recommended 1) trees added to back of detention basin only, 2) improve features to Grandin side of building as proposed street side and upscale the emergency exit 3) the wall packs must be no forward throw must wash into similar lighting in the area 4) provide notation of the area for future parking on the south side of the site.

Trustee Joe Walker asked how many trees were going on this property?

Ms. Tegtmeier stated they are required to have 204 trees and they are showing 141.

Mr. Walker maybe down the road, the zoning code for parking and landscaping need to be re-visited. He also stated that a business needs to be seen.

Josh Morris, Cincinnati Commercial Contracting, stated he can't really add much more at this time. Mr. Morris stated this is a family business and they have relocated here from Texas.

Trustee David Wallace asked what kind of timeframe?

Mr. Morris stated as soon as possible to get started but the latest would be early spring.

Trustee Chris Gallagher asked if this was a stand alone business?

Mr. Morris stated there is a consultant that has done this type of business before, however, the father and son are independent owners with some investors.

Trustee David Wallace opened the floor to the public for the Infinity Entertainment hearing at 7:33 pm.

Fritz Nelson, 6973 Hunters Close, asked what the zoning is to the west of this location?

Ms. Tegtmeier stated it is industrial.

Mr. Nelson asked if any other property will be zoned business?

Ms. Tegtmeier stated this is actually an approved industrial use.

Dan Phipps, 10429 Cozaddale-Murdock, stated this business could be in B-2. He asked if the landscaping was for B-2 zoning?

Ms. Tegtmeier stated the landscaping requirements are because of the use.

Becky Ehling, 5465 Zoar Road, asked if the new proposed road will tie into Towne Center Blvd?

Ms. Tegtmeier stated it is on the plans to tie in.

Trustee David Wallace made a motion to close the floor to the public, and seconded by Trustee Joe Walker.

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

Trustee Joe Walker asked if the landscape can be approved at a later dated or be re-visited?

Ms. Tegtmeier stated this is the final plan.

Trustee David Wallace made a motion to approve Resolution # 17-0816C, granting approval with conditions for a site plan for the Infinity Entertainment development.

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

### **Public Comments**

Trustee David Wallace opened the floor to the public at 7:46 pm.

Dan Phipps, 10429 Cozaddale Murdock, stated the motion could be made to have less trees.

Trustee David Wallace made a motion to close the floor to the public at 7:48 pm, 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 the Annual Financial Information Statement, that we are required to file with the stated.

Trustee David Wallace made a 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 # 17-0816E, authorizing the abatement, control, and removal of vegetation, garbage, refuse or debris

pursuant to section 505.87 of the Ohio Revised Code, dispensing with a second reading 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

Fiscal Officer, Jim Hunter requested the Board make a motion to approve a large purchase order in the amount of \$17,400.00 to the Detroit Salt Company for the purchase of road salt.

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

Fiscal Officer, Jim Hunter requested the Board make a motion to approve a large purchase order in the amount of \$6,300.00 to Southwestern Ohio Services for the resurfacing of the basketball and tennis court at Testerman Park. The total price for the job is \$11,300.00, and \$5,000.00 was donated by Mortenson Dental.

Trustee Joe Walker asked how we could start looking at the zoning code regarding parking and landscaping?

Ms. Tegtmeier stated we could ask them to look at certain sections.

Trustee Joe Walker made a motion to refer back to the Hamilton Township Zoning Commission to take a look at the landscaping and parking in the commercial and industrial zones, and seconded by Trustee David Wallace.

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

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 7:57pm.

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

