

Hamilton Township Trustees Meeting

July 1, 2020

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30 pm. Mr. Cordrey, Mr. Rozzi, and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the June 17, 2020 Trustee Meeting.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve Payroll for pay cycle May 31, 2020 – June 13, 2020, Electronic Fund Transfer Direct Deposit Vouchers 1186198855 – 1186198928 and 1186198937 – 1186198940 and void 1184524720 and 1185350108.

Roll call as follows:	Mark Sousa	Yes
	Joe Rozzi	Yes
	Darryl Cordrey	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the withholding payments for payment cycle May 31, 2020 – June 13, 2020, checks numbered 32190439 – 32190465.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle June 22, 2020 - June 26, 2020, checks numbered 81628 – 81637 and void 81575.

Roll call as follows:	Darryl Cordrey	Yes
	Mark Sousa	Yes
	Joe Rozzi	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle June 29, 2020 – July 3, 2020, checks numbered 81638 - 81684.

Roll call as follows:	Mark Sousa	Yes
	Darryl Cordrey	Yes
	Joe Rozzi	Yes

Public Comments

Mr. Cordrey opened the floor to public comments at 6:32pm.

No comments were made therefore Mr. Cordrey closed the floor to public comments at 6:32 pm.

Human Resources

Mr. Hickey requested a motion to approve of the following cemetery purchases; Betty Redd in the Maineville addition is purchasing lot 200, graves 7 and 8, deed number 2020-6; Mr. and Mrs. Walker are purchasing a deed transfer from Betty Redd in the Murdoch addition lot 131, graves

3 and 4, deed number 2020-7, and finally Ms. Lisa Wilson is purchasing niche 33 and 34 in the Columbarium, deed 2020-8.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve of the above mentioned cemetery purchases.

Roll call as follows:	Darryl Cordrey	Yes
	Mark Sousa	Yes
	Joe Rozzi	Yes

Public Hearing

Mr. Cordrey made a motion with a second from Mr. Rozzi to open the Public Hearing portion of the meeting.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

-Resolution 20-0701: Adopting Zoning Code Text Amendment for CBD Establishments

Mr. Yoder gave a summary of how this subject came about; the Board established a one year moratorium for all CBD Oil Establishments and they requested that the Zoning Commission dig a little deeper into the subject; Zoning Commission held three meetings in which they recommended several different regulations; the Trustees held work sessions to go over those regulations and make suggestions of their own. Tonight is the Public Hearing in which advanced noticed was given to let the Public know about this meeting and allow them to attend to give their input as well.

This Resolution would amend the text of the Zoning Code by defining and explaining CBD Oil Establishments. A CBD Establishment is being defined as a retail store that maintains at least 30% of their sales towards physical products of CBD or for which CBD sales serve as at least 30% of the stores principle revenue source. There will be a minimum of 500 feet distance required between two CBD Establishments. No CBD Establishment shall be within 500 feet of a school. CBD Establishments could potentially be allowed within 500 feet of a church, playground, library etc. however they would have to go for an advisability hearing/ conditional use hearing. CBD Establishments are only allowed in the B-1 and B-2 districts.

Mr. Cordrey asked if any comments were submitted online pertaining to this hearing? Mr. Hickey replied that there were none.

Mr. Cordrey asked for clarification on the advisability hearing and if that would require the creation of another Board?

Mr. Yoder explained that there are certain circumstances where in order to obtain a permit, such as a liquor license, there are requirements for an advisability hearing through the State; this is conceptually similar in the fact that it would have to come before a Board of determination, most likely the BZA, who would treat it as a conditional use which determines if the development is harmonious with the location.

Mr. Yoder continued to explain that they are having the hearing tonight however they do not have to vote on anything tonight so he could make the textual changes and add it to the agenda for passage at the next meeting.

Mr. Rozzi questioned if this will affect someone with a home based business for this product?

Mr. Yoder explained that decision will be up to Mr. Kraemer but his opinion is that it may be hard to argue that if someone is selling CBD out of their home that that is a retail space.

Mr. Sousa asked if someone is inventorying this from their home and they do not have a brick and mortar store, are they going to be in violation. We are saying that we are okay with these types of businesses and we are setting parameters for a brick and mortar store, however, we are in a day and age where there is a lot of online activity. Is someone home based putting themselves at risk or should that be addressed as well?

Mr. Yoder does not believe that would constitute as a CBD Establishment but more of an in-home occupation with its own regulations per the Zoning Code.

Mr. Sousa publicly thanked Mr. Kraemer and the Zoning Commission for their work put into this.

Mr. Cordrey made a motion with a second from Mr. Rozzi to close the Public Hearing at 6:43 pm.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

New Business

-Resolution 20-0701A: Authorizing Administrator to Execute and Record Environmental Covenant for certain Real Estate Owned by the Township

Mr. Yoder explained that the Peter's Cartridge Factory property is a 71 acre parcel and is an environmental hazard. In 2007, the Township acquired 55 of the original 71 acres; still subject to the environmental hazards that the EPA was working on to fix. When the Township acquired the property, the EPA issued a declaration that restricts the use of the Township's property to only be used for parks. It cannot be used for commercial or industrial development. The EPA worked with the prior owner to clean up the site and in order to do that they took all of the environmental hazards and consolidated them to a four acre portion on the property and placed a cap on it which essentially means that the lead was buried and clay was placed on top of it and then covered with top soil. That cap and that area is to remain undisturbed indefinitely.

This Resolution records the summarized document that Mr. Yoder just explained, for the County Recorder's Office. It will stay on record so that if the property is ever sold or transferred, that property owner will be covered as well.

Mr. Cordrey asked if the Township actively went out and purchased this property in 2005?

Mr. Hickey stated that to his knowledge, this was a deal presented to purchase with the understating that there would be a supercell on the property.

Mr. Weber commented that he believes it was obtained through a grant. The idea was to have some park land at no cost to the Township.

Mr. Hickey explained that an agreement was to place a parking lot on top of the area and have some horse trails throughout this greenspace.

Mr. Sousa asked how we have marked or identified the cell so that we do not risk disturbing the area?

Mr. Hickey explained that there are pins that mark off the space as well as some flags since the Township has to mow it once a year.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0701A.

Roll call as follows:	Mark Sousa	Yes
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Darryl Cordrey	Yes
Joe Rozzi	Yes

Fiscal Officer's Report

Nothing to report at this time. The June financial report will be given at the next meeting.

Administrator's Report

Mr. Hickey mentioned that the Fire Department moved into the new Station 76 on June 29th.

Chief Reese has signed an agreement with Heritage Fire Equipment to lease a 1994 Pumper starting on July 15th. This lease will be for the next 6-9 months and is completely covered by insurance. This is to help us out until we receive a new truck.

Chief Reese would like to offer the Village of Maineville the bell that was at the old Station 76. It has more historic value for the Village of Maineville than for Hamilton Township.

Mr. Hickey explained that Ms. Horman sent the Tax Budget to Warren County this week.

Lastly, the decking on the Overbrook Bridge has been removed. As of now it is mostly on schedule given the circumstances with COVID-19. The estimated time is to have it completed by September of this year.

Trustee Comments

Mr. Sousa discussed the lease of the Fire Truck stating that the insurance language is for the length of the time of repair; how do we get closure in determining how long they will cover that for?

Chief Reese mentioned that the estimate from Sutphen mentioned a time period of how long the repair would take. Therefore, that is the length of time that insurance will cover the lease. It will most likely take a year to get a newly built truck so we will probably run out of time and will either have to take on the cost ourselves or go back to the situation now where we're down a truck.

Mr. Sousa publicly thanked Salem for allowing us to use their equipment.

Mr. Rozzi reminded everyone to enjoy the holiday and celebrate Independence Day Safely.

Mr. Cordrey congratulated the Fire Department on getting into the new Station. He thanked the residents for their outpour of support for our Police and Fire Departments. He also encouraged everyone to be safe and get out and celebrate July 4th.

Adjournment

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 6:57 pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes