



# HAMILTON TOWNSHIP

## HAMILTON TOWNSHIP ADMINISTRATION

Darryl Cordrey – *Board Chair*

Joe Rozzi – *Trustee*

Mark Sousa – *Trustee*

Kurt Weber- *Fiscal Officer*

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### Human Resources

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Alex Kraemer

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### Public Works

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Phone: (513) 683-5360

### Police Department

Scott Hughes – Police Chief

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### Fire and Emergency Services

Brian Reese – Fire Chief

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Maineville, Ohio 45039

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## TRUSTEE MEETING AGENDA 9/2/2020

6:30 PM

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and Accept the tapes as the Official Minutes of the August 5, 2020 Township Trustee Meeting
- Bills before the Board

### Public Comments

### Human Resources

- Roster Update
- Cemetery Deed
- FMLA (2)

### New Business

- **Motion:** Creating the *Delegation of Authority to Accept Resignations Policy*
- **Motion:** Approving an *Approved Strength* authority delegated to Department Heads in order to maintain Township staffing levels
- **Resolution 20-0902:** Accepting the tax rates from Warren County Auditor for the 2021 Appropriations Budget
- **Resolution 20-0902A:** Requesting the Coronavirus relief distribution funds from Warren County

### Work Session

- Community Center

### Fiscal Officer's Report

### Administrator's Report

### Trustee Comments

### Adjournment

*The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.*

*The following guidelines protect your rights as well as those of others:*

1. *Speakers must state their name and full address for the record.*
2. *The Board Chair will recognize each speaker, and only one person may speak at a time.*
3. *Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.*
4. *Anyone who willfully disrupts a Board meeting may be barred from speaking further, or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)*

## Hamilton Township Trustees Meeting

August 19, 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 August 5, 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 July 26, 2020 – August 8, 2020, Electronic Fund Transfer Direct Deposit Vouchers 1189751081 – 1189751158 and 1189751349 – 1189751352.

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 the withholding payments for payment cycle July 26, 2020 – August 8, 2020, checks numbered 32408604 - 32408629.

Roll call as follows:

Mark Sousa	Yes
Darryl Cordrey	Yes
Joe Rozzi	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle August 10, 2020 – August 14, 2020, checks numbered 81824 - 81832.

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 August 17, 2020 – August 21, 2020, checks numbered 81833 - 81861.

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

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle August 17, 2020 – August 21, 2020, checks numbered 81862 - 81874.

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

**Public Comments**

Mr. Cordrey opened the floor to public comments at 6:33pm.

No comments were made therefore Mr. Cordrey closed the floor to public comments at 6:33 pm.

**Human Resources**

Human Resources Manager, Ms. Kellie Krieger requested a motion to remove Mr. Danny Taylor from the active Hamilton Township roster effective August 8, 2020; as well as to remove Mr. James Conley effective August 6, 2020. Both submitted their resignations to Chief Brian Reese.

Mr. Cordrey made a motion with a second from Mr. Rozzi to make the above-mentioned roster update.

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

Ms. Krieger requested a motion to promote part time Fire Fighter/EMT Megan Haas to a Full Time status pending the completion of a full medical and psych evaluation.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the above-mentioned promotion.

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

Ms. Krieger requested a motion to approve the following Deed within the Maineville Cemetery; Jeffrey and Laura Lynn would like to purchase lot 502, grave 5 at the residential rate of \$1200.00.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the above mentioned Deed transfer.

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

Ms. Krieger requested a motion to allow Fire Chief, Brian Reese, to proceed with a promotional process to fill an Assistant Chief position.

Chief Reese explained that he brought this before the Board at our Retreat in January of this year. The fire scene is supposed to be set up with different rank structures. We continue to grow but we still do not have the staffing to pull a member of our crew every day and make them a Command Officer. Chief Reese is looking to put an Assistant Chief in position to provide him 24/7 coverage of a Command Officer. Chief Reese is hoping to do the search in September with a process beginning hopefully in November followed with a job offer in December and potential placement at the first of the year.

Mr. Cordrey asked if this search will be Regional or National?

Chief Reese explained that he will post it on the State Fire Chief's website but it may be advertised all over.

Mr. Sousa asked if Chief Reese feels as though he will attract the type of applicants and candidates that he is seeking with the salary range being offered?

Chief Reese believes Regionally that we are not the lowest nor the highest so he does believe that we will attract some good applicants.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the Assistant Fire Chief position.

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

**Public Hearing**

Mr. Cordrey made a motion with a second from Mr. Rozzi to continue the Public Hearing for PUD Stage 1 Revised Site Plan for the Villages of Hopewell Valley Section E.

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

Mr. Cordrey opened the public hearing for the PUD Stage 1 Site Plan for 52 Stephens Road at 6:38 pm.

Law Director, Ben Yoder, stated that two separate hearings would be conducted tonight. He explained the procedures and stated that anyone speaking would stand at the podium, state their name and address for the record, and then proceed with their comments/concerns. He next asked anyone wishing to give testimony for either property, to stand; an oath was administered swearing all persons in.

Mr. Kraemer began his presentation stating that this is a PUD Stage 1 site plan application for 52 Stephens Road, Maineville, Ohio 45039. The owner/applicant is Mr. D.J. Patel. With him tonight is Joe Cesta with Herdman, Summers, Revelson & Cesta along with Joe O'Neil with Cincinnati Commercial Contracting. Mr. Kraemer explained that a site plan application with re-zoning has a multi-step process; the applicant paid the fees and submitted plans, next it went before the Warren County Regional Planning Commission (RPC) who heard the proposal and gave their recommendation for denial, following that it went before our Hamilton Township Zoning Commission and they also gave their recommendation for denial, which leads us to have a Public Hearing before our Board of Trustees tonight to make the final determination. The property is just under 7 acres and sits at the corner of State Route 48 and Stephens Road. The applicant is seeking approval for a Stage 1 PUD Site Plan to construct a new retail office building and apartment complex. In order to construct the apartment complex, the applicant is seeking a modification to the B-2 PUD permissible uses in that zoning district to allow multi-family dwellings. Multi-family dwellings are specifically only allowed in R-3 zoning districts. The project is described as a 10,000 square foot retail building with 5 tenant spaces and will be known as the "Maineville Plaza". It would also include a 55 unit, 3-story apartment building known as "Comfort Living Apartments". The complex would be 49,800 square feet in size and consist of 39, 2-bedroom units at 1000 square feet each and 18, 1-bedroom units at 600 square feet each. The façade of both buildings would be a combination of brick, stone and stucco. The property is currently vacant space with an existing pond and home on the property however the applicant plans to remove both in order to develop the space. Two access points are proposed; one on Route 48 and one on Stephens Road. If the project moves forward, the access points will likely need to be worked out with Warren County and ODOT. Mr. Kramer went over the zoning code requirements for parking and stated that the applicant does comply with and actually exceeds our requirements. The applicant does plan to meet our requirements for landscaping. These details will actually be worked out in Stage 2 and 3.

The Regional Planning Commission recommended denial for the following reasons; they viewed the current Hamilton Township Land Use Plan which indicates 52 Stephens Road as R-1 Single Family Rural Residential District as a major deterrent to recommending approval. Mr. Kraemer explained that they actually did not have an update that this parcel had been rezoned to B-2 PUD which was cause for that reason. The Comprehensive Plan, though not yet passed, does call for this parcel to be commercially zoned. In addition, many nearby residents spoke out in concern about the increased traffic, overall use being too intense for this area, lighting, not comparable with surrounding land uses, height of the apartment building, and that there were no existing commercial uses on the site now as reasons to be against it.

The Hamilton Township met on July 27, 2020 for this proposal and they too recommended denial. Discussion amongst the Board members included that high residential density was never meant for this site due to access issues, it is inharmonious with the surrounding area as the apartments do not match the rest of the community, there was concern about space for a detention/retention pond on the site due to the two buildings and the lack of space on the property, they believed that a new traffic study needed to be conducted for the site, the site is zoned for office use already and is already permitted so they could move forward with that piece, and there was some discussion to potentially merge the two buildings into a mixed use building 2 stories in height and lean more towards commercial than residential.

Mr. Rozzi asked about the 6 permitted uses for this zoning parcel. Mr. Kramer eluded to the Staff Report in which Mr. Rozzi read them aloud stating that the approved uses are for office space, churches, Government building, event center, cultural or educational center, and community center. These are still enforced right now which makes this property a B-2 PUD with six restrictions.

Mr. Cordrey asked if there was any discussion about water retention or runoff?

Mr. Kraemer stated that he does not believe that has been designed yet but it is something that would be included in Stage 2 and 3.

Mr. Sousa asked about data for apartments compared to other communities.

Mr. Kraemer discussed Warren County's comparison of Hamilton Township and Deerfield Township in 2018 tax evaluation. For residential, Hamilton Township's tax evaluation was for 94% whereas Deerfield Township is 81%. Commercial and Industrial for Hamilton Township is 3.52% and Deerfield is 18.2%. Agricultural is 2.5% for Hamilton Township and about 25% for Deerfield Township. Of that residential we only have approximately 157 apartment units and that includes the new Alexander Pointe development. Approximately 30% of Deerfield's residents are apartment rentals. Apartments are technically taxed as commercial development. Mr.

Kraemer also mentioned that these proposed apartments will be between \$1000 and \$1,400 per month.

Mr. Cordrey invited the applicant forward to address the Board.

Mr. Joe Cesta is speaking on behalf of the applicant tonight. After the data comparison he expressed that there is a stark difference between communities and the comparison of apartments and mixed housing. The units being proposed would be upscale in exterior and interior. The commercial space would be a mix of stone and brick that would be very aesthetically pleasing. Traffic and safety is a concern of everyone so they will continue to work with the Engineer's office and ODOT and the current proposal for the Route 48 access, is a right in/right out. Mr. Cesta stated that this is a great potential for the Township to gain commercial income. The developers want to continue to be a part of the development here in the Township and the forthcoming Comprehensive Plan proposes Route 48 as a commercial corridor. He stated that this type of development will increase surrounding property values and bring employment opportunities.

Mr. Joe O'Neil with Cincinnati Commercial Contracting spoke next and stated that the prior meetings had a fairly generic plan that was more modern in concept. Mr. Patel listened to the community when they stated that they would like a more traditional type of architecture and they changed the designs to reflect the higher end wants of Hamilton Township.

Mr. D.J. Patel is the owner/applicant for this property. He stated that he is willing to pay the amount that it will cost to tap into the sewer lines instead of just having a septic system. He also stated that this will create approximately 25 jobs for individuals.

Mr. Cordrey invited those in favor of the development to step forward to speak.

Many residents spoke in favor of the proposed development for many reasons. Those reasons include but are not limited to: seeing growth in the community and the direction the township is moving, the creation of jobs, increased property value, additional housing options for older generations, younger generations looking to start their adult lives, etc.

Mr. Cordrey asked if any comments were submitted online.

Mr. Centers read a trend of comments/concerns that were submitted via email before the meeting, all of which were included in the Trustees packet and were submitted into the record. Those included but were not limited to: traffic concerns, safety concerns, neighborhood changes to Wethersfield, too many apartments, some believed the rules should not be bent to profit an investor, adding students to the schools, increased noise, the developer proving to be a unkind neighbor already, flagrant disregard for the permit process, overtaxing on infrastructure including water and sewer, etc.

Mr. Cordrey invited those in opposition of the development to step forward to speak.

Many residents spoke in opposition of this development stating that they moved to Hamilton Township for the rural atmosphere and this proposal does not fit that. There were many additional concerns about traffic and safety, water drainage, noise pollution, light pollution, resale value concerns, foot traffic concerns, lack of recreation plans, etc. Many individuals agree that commercial development needs to happen along State Route 48 but trying to fit commercial and residential development on this size lot just does not make sense. This has one chance to be developed correctly.

Mr. Cesta addressed some of the concerns that were shared by residents. He stated that they fully understand the traffic concerns and believe that another traffic study needs to be conducted. The applicant will follow all recommendations and requirements from ODOT. The light concerns will be mitigated by the landscaping placed on the property. He also talked about the fact that trees were bulldozed down before the correct permits were obtained; they apologized for that but guarantee that moving forward all permits will be filed before any work is done.

Mr. Cordrey commented that trust is now a concern of his. The tree destruction did not kick this off on a good start.

Mr. Cesta commented on that and stated that it was nice to have people who could speak on behalf of Mr. Patel's character in that he is there for his community and wants to do what's right. The tree destruction was a problem before the correct contractors were hired. Now that Cincinnati Commercial Contracting is involved, everything will be done as expected.

Mr. Cordrey discussed the renderings that were shown for the design and architecture of the project.

Mr. Cesta explained that the examples presented were more for the aesthetics of the property.

Mr. Rozzi stated that this property was originally proposed as a wedding venue but didn't follow through due to possible financial concerns from the previous owners. The biggest appeal to our Zoning Commission was that the surrounding trees would be left untouched or replanted. Those restrictions were put in place as an indication of what would be acceptable to do with that lot. The access was also only proposed on Stephens Road.

Mr. Kraemer explained that other members that were on the Zoning Commission at the time expressed the same sentiment. However, having an allowable use for office space may infringe on that preservation.

Mr. Sousa explained that he is not opposed to development but he is not a fan of all of the components of this plan. We know that we need more commercial development in our



community so maybe the developer can go back to the drawing board. He suggested to consider the idea of residential over commercial and not have two separate buildings which would allow for a smaller footprint and larger green space. He believes building some trust and faith with the community will go a long way. He also mentioned that he spoke with a realtor and Hopkins Commons is not negatively impacting property values for the homes in Regency Park so he does not believe that a similar proposal on this parcel would decrease surrounding property values. He believes this plan needs to be reworked. A site with residential over retail may lessen the impact that additional residential development will have on the schools.

Mr. Cordrey discussed the impact on our emergency services as well as our schools. He asked how this type of project would affect those?

Mr. Cesta explained that it would be financially beneficial to the township however he does not have an official report at this time.

Mr. Cordrey stated that the heavier the commercial, the better in his mind. He feels like this particular project would be better suited at the end of or near a larger development and not as a starter project for what is to come.

Mr. Rozzi agrees and likes this type of development but not on this corner. It does not fit. There are a lot of other challenges to overcome such as access concerns and sewage tie in.

Mr. Cordrey likes the fact that Hamilton Township is more single family residential heavy versus a lot of apartments. He does not feel that rezoning this property is a benefit for our schools or the township as there are other multi-family properties already zoned in the Township that this would be better suited for.

Mr. Sousa commented on the need for more diversity in our residential portfolio mix but this is not the site for it.

Mr. Cordrey made a motion with a second from Mr. Rozzi to deny the application as presented.

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

Mr. Cordrey called a brief recess.:

Mr. Cordrey called the meeting back to order at 8:30 pm.

The public hearing for 50 Hildebrandt Site Plan Review is open at 8:30 pm.

Mr. Cordrey reminded everyone how the hearing would take place. All persons wishing to offer testimony for this hearing that were not already sworn in, were asked to stand and an oath was administered.

Mr. Kraemer began the presentation stating that this is a Site Plan Review for 50 Hildebrandt Dr. Maineville, Ohio 45039. The owner/applicant is D.J. Patel. Mr. Jonathan Wood is here as well as he is the architect. For a Site Plan Review, this comes to staff and if all uses are permitted in the B-1 Zoning district, it does not have to go to Zoning Commission; Mr. Kraemer reviews everything and then brings it before the Trustees for determination. The request tonight is seeking approval for the "48 Market Drive-Thru". The plan is to construct a 6,286 sq. ft. retail building which includes 1,825 feet for a laundry mat, 2,000 sq. ft. for a convenience store, and a 1,200 sq. ft. drive-thru plus the space for the office. The surrounding land uses are B-1 business, M-2 industrial, R-1 single family residential, and R-3 multi-family. Suite A will consist of the convenience store/deli and the drive-thru, Suite B will consist of the laundry mat known as "Tiger Express". The applicant exceeds our requirements for parking and lighting/photometric. Landscaping also does comply with our zoning code. The Soil and Water Conservation District does not require an Earth Disturbing Permit based on the size of the lot. They do recommend proper disposal of the current asphalt/concrete that will be demolished. Warren County Water and Sewer recommends the applicant submit a dedicated detail page. The Engineer's office said due to the projects small size, there is no storm water control needed. The site does not meet the access regulations for a corner lot.

Staff recommends approval as all proposals meet the permitted uses for a B-1 zoning district.

Mr. Cordrey questioned the lighting and asked if this will be minimal if no impact for the surrounding residents?

Mr. Kraemer stated that the lighting is muted and does meet our zoning code therefor he is happy with the proposal.

Mr. Sousa questioned the access and if it will be worked through?

Mr. Kraemer stated that they will have to work with the Engineer's office on that. He does want to make sure that the dumpster meets our zoning code so they will have to lay out details for that as it may need to be moved depending on the access solution.

Mr. Cordrey asked if a traffic study has been done?

Mr. Kraemer stated that a traffic study is not required as the property is under one acre.

Mr. Rozzi questioned hours of operation.

Mr. Kraemer was unaware but the applicant can address that.

Mr. Cordrey invited the applicant forward to present.

Mr. Jonathan Wood is the Architect for this project. He clarified that the building square footage is closer to 5,700 sq. ft. and is replacing the existing car wash. It will be a market/deli/drive thru as well as a laundry mat. They will continue to work on the access adjustments. He will confirm that the signage and dumpster enclosure meets the Hamilton Township zoning requirements.

Mr. Cordrey stated that he would like the lighting to have a minimum impact on the residents.

Mr. Wood stated that they are using a lighting designer to make sure that there is a minimum impact however they will also need to make sure that the parking lot is appropriately lit to ensure a safe area.

Mr. Tim Grandy with Thomas Graham Associates is the Civil Engineer for this project. He stated that they just found out about the access issues tonight but they will address that with Warren County as well as the placement and enclosure of the dumpster. Currently the access is shown to be opposite of the bank and they tried to line up the driveways. The whole side is one big driveway. He did talk with Chuck Petty regarding storm water as well.

Mr. Cordrey asked about the construction timeline.

Mr. Wood stated that it is tough to say. They would need to talk with the general contractor and can put a timeline together.

Mr. D.J. Patel is the property owner. They are proposing a convenience store that will have a deli and serve sandwiches and chicken. They are planning to put a laundry mat which will not be like the older style places; it will be more new age and unique. The hours of operation will be 6:00 am – 10:00 pm Monday through Saturday and 7:00am- 8:00pm on Sunday.

Mike Enz with LaundryOne is the commercial laundry distributor for this project. He explained that he has been in this business for over 30 years and worked on many different stores. This is being proposed as an upscale location for convenience. It will not be catered to low income individuals like typical laundry mats. In fact, it will use a phone app. Option to pay. This will be a benefit to the community.

Mr. Centers asked since the laundromat is geared towards higher end use, if there could be a consideration of having something different advertised instead of having “coin laundry” on the building.

Mr. Enz stated that this will be both a coin driven and "App" driven location as people will be able to access their equipment through their phones or other smart devices. They will offer loyalty rewards/promos but can discuss those details further.

Mr. Cordrey asked about the viability of a laundry mat for our Township as we have minimal existing apartments. Why does this make sense to have that type of business here?

Mr. Enz stated that laundry mats are not necessarily located next to apartments. There is a benefit to having large commercial machines as a lot of people who even own their own machines will still patronize a laundry mat to wash larger items such as comforters or other things that do not fit as well into their machines. There have also been studies that individuals like the idea of saving time by using multiple machines at once and completing their laundry quicker than spending an entire day doing load after load. There is a shift of residential homes utilizing these spaces more.

Mr. Cordrey mentioned that there is concern about viability as he does not want to see an empty store front a year from now. He believes that this Township is missing the drop-off, dry cleaning service. He feels as though that service better suits our community.

Mr. Enz explained that they are seeing more locations offer a drop off service where individuals can drop off their items, they will be laundered and then they can schedule a pick up. That is certainly being seen as an option in this day and age.

Mr. Cordrey asked if the deli will be a sit-down, eat-in location?

Mr. Patel responded that it will be pick-up and carry-out. He explained that they are facing multiple challenges with the current car wash and he wants to construct a better project/development for the community.

Mr. Cordrey asked if any comments were submitted online in support of this project?

Mr. Centers stated that we had one comment stating that the individual was in support for this project but asked that a dog wash be considered to be added to the proposal.

Mr. Cordrey invited those in favor of the project to step forward to speak.

No comments were made therefore Mr. Cordrey asked if any comments were submitted online via email in opposition of this project?

Mr. Centers explained that there were combined comments between this property and the previous property heard tonight. He read a trend of comments that expressed concerns for traffic, safety, the laundry /pony keg attracting the wrong clientele, increased drug use, high

grass/weeds, drinking while doing laundry, increased crime, property value impacts, increased noise and lighting, etc.

There was an additional comment that was requested to be read verbatim and entered into the record. Mr. Centers read through comments from Ms. Donna Raines and a copy of that will be attached to the meeting minutes.

Many other residents spoke in opposition for reasons that include but are not limited to: criminal activity, safety concerns for children, added congestion on Hildebrandt, loitering, etc.

A few residents did say that they liked the idea of a deli/drive thru however they were not sure that this was the correct location for this.

Mr. Cordrey asked for clarification that the car wash would be replaced.

Mr. Patel stated that the car wash will be torn down and this proposal of the new deli/drive-thru/laundry mat will replace that.

Mr. Cordrey asked if the laundry mat will be staffed.

Mr. Patel responded that it will be staffed. Individuals can drop off their laundry and pick it up at a later time.

Mr. Cordrey invited the applicant to address some of the concerns mentioned.

Mr. Enz stepped forward and stated that crime can be an issue in any neighborhood. A good quality laundry mat attracts a different type of customer. Changing to mobile pay changes the demographic. They will be constructing a laundry mat that residents will be proud to see and utilize.

Mr. Cordrey expressed his concern for pass-thru traffic in the abutting neighborhood from out of towners. The infrastructure does not seem to be up to par for traffic flow at this time. He questioned why there cannot be an access on 48.

Mr. Weber stated that would be a question for ODOT but his guess is that there is not good enough spacing between access points and that raises additional safety concerns for traffic.

Mr. Cordrey stated that he hears and understands the concerns of the surrounding neighbors. He also worries about our children and the viability of the laundry mat in this particular location. However, the consideration of the Board is if this does or does not meet our zoning code. If this fits the zoning code and we were to deny it, an appeal could be filed and it could ultimately cost the Township thousands of dollars. He asked the developers to take the concerns of our residents

into consideration and show the community that he wants to be a part of our future development by rebuilding trust.

Mr. Sousa commented that he is a big believer of being as transparent as possible and he does not believe that anyone who spoke in opposition of this development, spoke positively about the existing, out dated car wash. We speak on being concerned about property values but if he were someone coming from out of the area to look at a house in the affected area, would he rather see a new, updated, business or an old run down car wash? This is fundamentally different than the hearing prior to this as we are not considering a zoning change for this parcel; we are looking to see if the proposal fits within the boundaries of what the parcel is already zoned. Our community continues to grow so with that will come added traffic.

Mr. Rozzi explained that he has lived here for many years and he understands the concern for traffic. However, the existing car wash is a bit of an eye sore. He asked Chief Hughes if he could further elaborate on any statistics of what is currently there.

Chief Hughes replied that nothing sticks out. They certainly agree that people park there and empty their trash but as far as the crime rate in retrospect to laundry mats, depends on location.

Mr. Rozzi commented that he believes that the business being close enough to the Police Department will deter and added crime. He does like the idea of a deli.

Mr. Yoder further elaborated on the difference between the two hearings that took place tonight. The first hearing was seeking approval for a rezoning and many factors were taken into play which gives the Trustees authority to approve or deny the proposal. This hearing looks at the fact that this property is already zoned for businesses. So the Trustees have to consider if the proposal fits into what is already allowed and approved to be placed on a parcel with this zoning per our set zoning code. They cannot make a denial based on public comments that residents do not like the proposal.

Mr. Sousa commented that Mr. Patel may prefer for this business to be in a different location however this is a property that he already owns and does not have to pay an astronomical amount of money for. These individuals are looking to develop in our community where they can get the most bang for their buck.

Mr. Centers explained that we have heard all of these concerns of the residents and we will make sure that we remain heavily focused on everything that was brought to us tonight.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the Site Plan Review for 50 Hildebrandt Drive, Maineville, Ohio 45039.

Roll call as follows: Darryl Cordrey Yes

Joe Rozzi	Yes
Mark Sousa	Yes

**New Business**

-Resolution 20-0819: Authorizing Administrator to accept donation of real property from Village of Maineville, Ohio and conveyance of the same to Station of Maineville, LLC.

Mr. Centers explained that this parcel was donated to the Township in conjunction with the sale of the old Fire Station 76 because it was not originally decided to the Township. There were 3 separate parcels and this small sliver in the back was never transferred properly so this is a formality that it is documented that it was gifted to the Township and therefore we can officially note it for the buyer of the old station that it is now theirs.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0819.

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

-Motion: To enter into contract for a Lease Agreement and Right of First Refusal with the Successor Trustees of the Church of Christ, Hopkinsville, Ohio.

This agreement was reached between the Township and Trustees of the Church of Christ in Hopkinsville regarding the parking area between the church and the Hamilton Township Community Center.

This agreement formalizes the current agreements between the Township and the Church of Christ provides the first right of refusal to the Township upon any potential sale of the Church of Christ. This is a three year contract with an automatic renewal.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the above-mentioned lease agreement.

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

**Work Session**

-Accepting Resignations (O.R.C. requirements)

Mr. Centers explained that the Ohio Revised Code has granted the authority to accept resignations to the Trustees. However, if we receive a resignation in between meetings, we have a lapse in time as to when it is officially accepted by this Board. Our Employment Law representative with Frost Brown Todd recommended that we change that to give Mr. Centers the authority to accept that resignation and then it will still come to the Board for a proper roster update.

Mr. Yoder explained that when you are a public employer, an employee can resign at any time and it is effective immediately however they can take back that resignation any time before their public employer officially accepts that resignation. So essentially there is a gap. Some employers wish to leave the authority to the Trustees and some will delegate that authority to the Administrators so there is no gap in acceptance based on meeting schedules.

Mr. Cordrey asked if this includes all resignations.

Mr. Yoder explained that there is a possibility that collective bargaining could interfere but for all intents and purposes yes it does apply to all resignations. If the authority is not delegated, there could be a delay in acceptance which could give the employee a chance to rescind their resignation.

Mr. Sousa thinks it would benefit us to make this change more than it could hurt us or create any liability.

Mr. Centers just needed a direction on this and can bring something formal back at the next meeting.

-Job posting protocols

Mr. Cordrey stated that we often have open positions in the Police or Fire Department where someone may resign and then there are two or three weeks before the positions are able to even be posted because it has to come to the Board for approval. He wanted to get thoughts from his fellow Trustees about allowing staff to post to fill those positions on a 1-1 basis as long as no additional positions are being created.

Mr. Sousa thinks that it makes sense and referenced us doing something similar with the Fire Department and hiring part timers. He thinks it may even boost morale in the departments so there is not a major lapse in filling those positions.

Mr. Rozzi asked if Chief Hughes or Mr. Hickey had any input and if this recommendation is preferred?

Chief Hughes explained that he does not have the turnover that the Fire Department has but he does prefer this recommendation so they do not have to wait for two weeks to post the position.



Mr. Centers clarified that they would be okay with this as the position is under a department head, no change in salary or head count for that department, or change in job description.

### **Fiscal Officer's Report**

Fiscal Officer Kurt Weber explained that this is the July report. We are 58% through the year. Expenditures are at 53% of the budget. Revenue is at a little over 56%. Our cash balance is approximately \$10.8 million.

He mentioned that there was an exit meeting for the 2019 Audit from the independent Auditor and we received our 6<sup>th</sup> clean audit which is a big deal. Kudos to former Fiscal Officer Jim Hunter and staff for all of the work done. Mr. Weber briefly mentioned a rating system that was implemented by the State Auditor and we received a 4 star rating.

### **Administrator's Report**

Mr. Centers explained that we appreciate the Kudo's for staff and he went more in-depth about the star rating and compliments Kellie Krieger and Ellen Horman for the financial and public records aspects of the audit. The star rating does not apply to all entities. Seven out of eight requirements have to be met in order to be placed into the rating system. We are really proud of our 6<sup>th</sup> clean audit.

Our sunflower field is expected to bloom in September. It is a little smaller of a field this year since we implemented the new walking path.

### **Trustee Comments**

Mr. Rozzi expressed sentiments of a job well done to staff on the audit.

Mr. Sousa thanked Mr. Kraemer for the work done for the hearings tonight. He asked if we can get a work session together for the Community Center to talk about what we need to address from a cost perspective for the facility.

Mr. Cordrey thanked the residents that attended the meeting tonight for the hearings. He hopes that they left feeling heard and that the Board did their due diligence. He encouraged everyone to reach out to the elected officials with any additional concerns. He also thanked staff for all of the hard work to get our 6<sup>th</sup> clean audit.

### **Adjournment**

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 10:4 pm.

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

DRAFT

## LEGISLATIVE COVER MEMORANDUM

**Introduction:** September 2, 2020

**Effective Date:** Next available date after passage

**Agenda Item:** **Motion**  
Creating the *Delegation of Authority to Accept Resignations* Policy

**Submitted By:** Brent Centers

**Scope / Description:** This new policy will give the Township Administrator or designee the authority to immediately accept resignation of employment, with the expectation of reporting this information to the Board of Trustees at the following Trustee meeting.

**Budget Impact:** \$0

**Vote Required for Passage:** 2 of 3

**Hamilton Township**

**Delegation of Authority to Accept Resignations Policy**

Under Ohio law, public employee resignations from employment are effective upon acceptance by the employer. The Hamilton Township Board of Trustees delegates authority to the Township Administrator or designee to immediately accept employee resignations on behalf of the Board of Trustees. Whenever the Township Administrator accepts an employee resignation from employment with the Township, the Township Administrator should report such resignation to the Board of Trustees at the next scheduled Board of Trustees meeting.

Adopted on \_\_\_\_\_, 2020 by majority vote of the Board of Hamilton Township Trustees in an open meeting.

# LEGISLATIVE COVER MEMORANDUM

**Introduction:** September 2, 2020

**Effective Date:** Next available date after passage

**Agenda Item:** **Motion**  
Approving an *Approved Strength* authority delegated to Department Heads in order to maintain Township staffing levels

**Submitted By:** Brent Centers

**Scope / Description:** This allows for Department Heads to move forward with posting a job to fill an existing position for the same title, salary, and position description without requiring Board approval. This initiative is to maintain efficient staffing levels without waiting for scheduled Board meetings.

This initiative was discussed during the August 19, 2020 Work Session.

**Budget Impact:** \$0

**Vote Required for Passage:** 2 of 3

# LEGISLATIVE COVER MEMORANDUM

**Introduction:** September 2, 2020

**Effective Date:** Next available date after passage

**Agenda Item:** **Resolution 20-0902**  
A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

**Submitted By:** Brent Centers

**Scope / Description:** The Warren County Budget Commission has certified the rates and amounts to be received by Hamilton Township in 2021. This Resolution allows the Township to accept these revenues and prepare the 2021 Appropriation Budget.

**Budget Impact:** \$0

**Vote Required for Passage:** 2 of 3

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on September 2, 2020, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey - Trustee, *Board Chair*

Joe Rozzie – Trustee, *Vice Chair*

Mark Sousa – Trustee

Mr. \_\_\_\_\_ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO  
RESOLUTION NUMBER 19-0902**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY  
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

**WHEREAS**, the Board of Township Trustees of Hamilton Township, Warren County, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1<sup>st</sup>, 2021, and;

**WHEREAS**, The Budget Commission of Warren County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Hamilton Township, Warren County, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted;

And be it further **RESOLVED**, that there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Mr. \_\_\_\_\_ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joe Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 2<sup>nd</sup> day of September 2020.

Attest:

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*

Approved as to form:

\_\_\_\_\_  
Benjamin J. Yoder, *Law Director*

I, Kurt E. Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on September 2, 2020.

Date: \_\_\_\_\_

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*




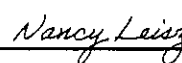
## AMENDED OFFICIAL CERTIFICATE OF THE COUNTY BUDGET COMMISSION

The Budget Commission of WARREN COUNTY, Ohio, hereby makes the following Official Certificate of Estimated Resources for HAMILTON TOWNSHIP, for the fiscal year beginning January 1st, 2021.

FUND	Unencumbered Balance Jan. 1st, 2021	Property Tax	Other Sources	Total
<b>General Fund - 1000</b>	1,828,103.82	923,500.00	261,400.00	
(Local Government)			151,041.97	3,164,045.79
<b>Special Revenue</b>				
1 Motor Vehicle License Tax Fund - 2011	236,745.20	XXXX	68,000.00	304,745.20
2 Gasoline Tax Fund - 2021	415,340.15	XXXX	304,500.00	719,840.15
3 Road and Bridge Tax Fund - 2031	1,287,603.52	1,043,500.00	19,250.00	2,350,353.52
4 Cemetery - 2041	81,632.64	XXXX	38,000.00	119,632.64
5 Police District Fund - 2081	2,426,487.84	3,235,000.00	177,327.00	5,838,814.84
6 Drug Law Enforcement - 2221	19,855.43	XXXX	0.00	19,855.43
7 Permissive Motor Vehicle License Tax - 2231	454,423.97	XXXX	211,000.00	665,423.97
8 Law Enforcement Trust - 2261	4,434.39	XXXX	0.00	4,434.39
9 Fire & EMS Special Levy Fund - 2283	2,297,501.09	3,639,000.00	105,600.00	6,042,101.09
10 EMS Billing Fund 2-2015 - 2284	269,718.94	XXXX	375,911.50	645,630.44
11 Lighting Assessment - 2401	45,182.45	XXXX	369,265.10	414,447.55
12 TIF Fund - 2901	0.00	XXXX	0.00	0.00
13 Fastcop & LOEB Grant - 2902		XXXX	0.00	0.00
14 FEMA Project Fund Fire 1-2015 - 2905	0.00	XXXX	0.00	0.00
15 Road & Bridge Fund -2907	39,102.41	879,000.00	0.00	918,102.41
<b>Debt Service</b>				
1 New Building Bond - 3101	0.00	XXXX		0.00
<b>Capital Projects</b>				
1 Fire Station 76 Fund - 4902				0.00
<b>TOTALS</b>	<b>9,406,131.85</b>	<b>9,720,000.00</b>	<b>2,081,295.57</b>	<b>21,207,427.42</b>

The Budget Commission further certifies that its action on the foregoing budget and the County Auditor's estimate of the rate of each tax necessary to be levied within and without the 10 mill limitation is set forth on the proper columns of the preceding pages, and the total amount approved for each fund must govern the amount of appropriation from such fund.

Date August 31, 2020

Budget  
Commission

# LEGISLATIVE COVER MEMORANDUM

**Introduction:** September 2, 2020

**Effective Date:** Next available date after passage

**Agenda Item:** **Resolution 20-0902A**  
A RESOLUTION REQUESTING HAMILTON TOWNSHIP'S SHARE OF FUNDS FROM WARREN COUNTY FOR CORONAVIRUS RELIEF DISTRIBUTION FUNDS AS LEGILATED IN THE CORONAVIRUS AIR, RELIEF, AND ECONOMIC SECURITY ACT, AND DISPENSING WITH A SECOND READING

**Submitted By:** Brent Centers

**Scope / Description:** This allows Hamilton Township to collect the funds set aside for our Township to accommodate for specific spending on Coronavirus relief and mitigation items in the amount of \$147,219.86

**Budget Impact:** \$0

**Vote Required for Passage:** 3 of 3

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on September 2, 2020, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey - Trustee, *Board Chair*

Joe Rozzie – Trustee, *Vice Chair*

Mark Sousa – Trustee

Mr.. \_\_\_\_\_ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO  
RESOLUTION NUMBER 19-0902A**

**A RESOLUTION REQUESTING HAMILTON TOWNSHIP'S SHARE OF FUNDS  
FROM WARREN COUNTY FOR CORONAVIRUS RELIEF DISTRIBUTION FUNDS  
AS LEGISLATED IN THE CORONAVIRUS AID, RELIEF, AND ECONOMIC  
SECURITY ACT, AND DISPENSING WITH A SECOND READING**

**WHEREAS**, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (The CARES Act) was signed into law by the President of the United States on March 27, 2020; and

**WHEREAS**, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in House Bill 481 of the 133<sup>rd</sup> General Assembly (HB 481); and

**WHEREAS**, HB 481 requires subdivisions receiving funds under Section 1 of the Act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

**WHEREAS**, Hamilton Township Board of Trustees is requesting its share of funds from Warren County Coronavirus Relief Distribution Fund.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Hamilton Township, Warren County affirms that all funds received from the Warren County Coronavirus Relief Distribution Fund pursuant to HB 481 be expended only to cover costs of the Township consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in Hamilton Township’s most recently approved budget as of June 17, 2020;
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**BE IT FURTHER RESOLVED**, in compliance with HB 481, that the Board of Trustees of Hamilton Township, Warren County, Ohio hereby directs the Hamilton Township Fiscal Officer take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the Hamilton Township’s local coronavirus relief fund to Warren County Treasurer;
- (2) On or before December 28, 2020, pay the balance of any money in Hamilton Township’s local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management as requested; and,
- (3) Provide any information related to any payments received under HB 481 to the Director of the Ohio Office Budget and Management as requested; and,
- (4) Hereby directs the creation of revenue and appropriation fund account 2272, as required by HB 481, and by authority of Ohio Revised Code 5705.09, may create this new account with restricted purpose without seeking Auditor of State approval.

**BE IT LASTLY RESOLVED**, the Board of Hamilton Township Trustees, upon majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

Mr. \_\_\_\_\_ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joe Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 2<sup>nd</sup> day of September 2020.

Attest:

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*

Approved as to form:

\_\_\_\_\_  
Benjamin J. Yoder, *Law Director*

I, Kurt E. Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on September 2, 2020.

Date: \_\_\_\_\_

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*