

HAMILTON TOWNSHIP TRUSTEES

January 20, 2016

Mr. Wallace called the meeting to order at 6:00 p.m. with Mr. Wallace, Mr. Weber, and Mr. Walker present.

The pledge of allegiance was recited by all in attendance.

Mr. Wallace made a motion and Mr. Weber seconded the motion to adopt the proposed agenda for the January 20, 2016 meeting.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to dispense with the public reading of the minutes and approve as written for January 6, 2016.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve the withholding payments for payment cycle December 20, 2016 through January 2, 2016 checks 75696 through 75699 as written.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve Payroll for pay cycle January 3, 2016 through January 16, 2016 for Direct Deposit Vouchers 2016-87 through 2016-166 as written.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve the bills for payment cycle January 11, 2016 through January 15, 2016 checks numbered 75700 through 75705 as written.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve bills for payment cycle January 18, 2016 through January 22, 2016 checks numbered 75506 through 75729.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mrs. Tegtmeier requested that Mr. Gary Leever come forward. After many years as Chair of the Board of Zoning Appeals, Mr. Leever has decided to retire. Mrs. Tegtmeier would like to thank Mr. Leever for his time. She stated that he has been a great leader to The Board, she appreciates everything he has done, and she will miss him greatly. She requested the other Board Members to stand to present Mr. Leever with a plaque for nine years of service to Hamilton Township. She stated that Mr. Wallace has a proclamation for Mr. Leever.

Mr. Wallace presented Resolution # 16-0120 proclaiming that January 20, 2016 is Mr. Gary Leever Day within Hamilton Township, Warren County, Ohio. Whereas, the Board of Hamilton Township Trustees, Warren County, Ohio recognizes that Mr. Gary Leever has dedicated nine plus years of service to the Hamilton Township Community through his service as a member of the Hamilton Township Board of Zoning Appeals. Also, whereas the Board of Hamilton Township Trustees, Warren County, Ohio desires to declare January 20, 2016 as Mr. Gary Leever Day in recognition of his devoted service. Therefore it be resolved that the Board of Hamilton Township Trustees, Warren County, Ohio hereby dedicate this day as reminder of the outstanding record of service Mr. Gary Leever has shown during his nine years of service, six of which were served as a Zoning Appeals Board Chairman, along with many accomplishments associated during his tenure. We further resolve that the Hamilton Township Board of Trustees presents an award to Mr. Gary Leever in honor of his service, commitment and dedication; not only as the Board of Zoning appeals chairman, but as a member of the Hamilton Township Board of Zoning appeals for the past nine years. This resolution is to be adopted this 20th day of January.

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve Resolution # 16-0120, a resolution proclaiming January 20, 2016 as Mr. Gary Leever Day in Hamilton Township, Warren County, Ohio.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mrs. Tegtmeier presented the second zoning hearing for Hopkins Commons. The applicant for 7613 Huron Place would like to build a mixed use development that has three separate buildings with 159 units. Each unit will either be a one or two bedroom with living space and one to one and a half baths. The Final Site Plans are reviewed.

Mrs. Tegtmeier presented resolution #16-0120A.

Mr. Weber requested discussion regarding who will run the restaurant. He is advised by the applicant that the restaurant will be operated by Warren County Community Services and is open to the public. The applicant also provides an overview of the plot at present.

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve resolution # 16-0120A dated January 20, 2016 for approval of final site plan review for RSL Commercial Architecture on behalf of the Modern Real Estate Sales, LLC for the property located at 7613 Huron Place Hamilton Township Warren County, Ohio 45039. RSL Commercial Contracting is proposing the construction of a new R3 multi-family zone with the plan unit development allowing for B1 commercial permitted under the Hamilton Township Zoning Code with staff recommendations.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace asks when RSL Commercial Architecture anticipates breaking ground on the property located at 7613 Huron Place. The applicant responds that they hope to begin in Spring of 2016.

Lynn Ratliff requested a Noise Ordinance or Resolution be made regarding Rumpke, construction, and a combine near her home so that there are time restrictions on noise. Mr. Warrick requested to be given an opportunity to check into this with Rumpke, the builder, and the farmer and states that Hamilton Township cannot do an Ordinance, but possibly a Resolution.

Ms. Brock requested a motion for career member Police Officer Chris Kaufholz to be approved for Federal Medical Leave of Absence, in addition to a BWC Salary Continuation until he is approved by his physician for a transitional light duty assignment for the work related injury. It is to be noted; any transitional duty assignment will be for a maximum of an eight hour shift, under the direction of Chief Wheeler. In addition, no holiday premium pay or overtime will be permitted during this transitional duty assignment. Mr. Kaufholz will be reevaluated for the BWC Salary Continuation and/or transitional duty assignment on or before March 01, 2016.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Police Officer Chris Kaufholz for Federal Medical Leave of Absence in addition to a BWC Salary Continuation, until he is approved by his physician for a transitional light duty assignment for the work related injury.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Joe Walker	Yes

Ms. Brock requested a motion to hire Firefighter/Paramedic James Butler part time at the current hourly rate of \$14.00 per hour with a probationary period of six months contingent upon successful completion of the Firefighter/Paramedic exam paperwork. We know he has completed it; we are just waiting on those results.

Mr. Wallace made a motion and Mr. Weber seconded the motion to hire Firefighter/Paramedic James Butler part time at the current hourly rate of \$14.00 per hour with a probationary period of six months contingent on completion of the Firefighter/Paramedic exam paperwork.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace performed the swearing in of Mr. James Butler.

Ms. Brock requested Executive Session to review contract negotiations for Police, Fire, and the Road Department.

Mr. Warrick presented an overview of the snow incidents to date. We have had two small snow events this year and we would like to point out what we are trying to do to best use the salt and get the best coverage depending on the severity of the storm. We are trying out a two inch rule, meaning if it is two inches or less we just treat the main roads and the thoroughfares going into the subdivisions. That takes about eight to ten hours for the road crew to do. It used 50 to 150 tons of salt, depending on severity. Salt is only costing us \$73.00 a ton. It was \$143.00 a ton last year. Beet heat is being utilized to extend the salt life and effectiveness. If we treat all side streets too, which we did this time, it is about sixteen to eighteen hours of work and typically uses about two to three hundred tons of salt.

Mr. Warrick presented information regarding the closing of the books for December and the 2015 year. He stated that this would typically be the meeting where we would report the numbers and the financials from the prior month. Since December is the last month of the year and we are officially closing the books on the year, the books are not entirely closed as we meet tonight. We decided to delay that to wait until the books are entirely closed. We will report on December and the end of the year at the next meeting. The second meeting of February, we will report January. We hope to close out the year and get the Audit started early again.

Mr. Warrick presented Resolution # 16-0120B which authorizes the amendment of the 2016 Loeb Grant Appropriation. We discovered that we did not have the right amount and we will actually receive more money for the Police Department's Loeb Grant. "Please note that there is a typo in Section 1, there is one extra zero there." This is to increase the appropriations because more money is going to come into the Loeb Grant.

Mr. Weber made a motion and Mr. Wallace seconded the motion to authorize the amendment of 2016 appropriations due to the increase in \$3,000 for the Police Department's Loeb Grant, which is number 2081.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Joe Walker	Yes

Mr. Warrick presented Resolution # 16-0120C which authorizes the transfer of the General Fund and the Police Fund to the Building Bond Fund. This is an annual event where we make the accounting transfer for the Bond payments where the Administration and the Police Department pay on this building. We are getting this done early this year. The actual paying on the Bonds will not occur until the end of the year.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution # 16-0120C which authorizes the transfer of the General Fund, which is fund 1000, and the Police Fund, which is fund 2081, to the Building Bond Fund, which is fund 3101; in the amounts, for each of them, of \$112,962.50.

Roll call as follows:	Kurt Weber	Yes
	Davis Wallace	Yes
	Joe Walker	Yes

Mr. Warrick requested a Large Purchase order of \$9,066.00 for the Miami Valley Regional Crime Lab annual payment.

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve the Purchase Order of \$9,066 to the Miami Valley Regional Crime Lab.

Roll call as follows:	Dave Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Warrick requested a motion that the roads in The Village of Classic Way both Section #2 and Section #3, that have been turned over to Hamilton Township be accepted.

Mr. Wallace made a motion and Mr. Walker seconded the motion to accept the roads that have been turned over to Hamilton Township in Section #2 and Section #3 of The Village of Classic Way.

Roll call as follows:	Mr. Wallace	Yes
	Mr. Walker	Yes
	Mr. Weber	Abstain

Mr. Warrick requested a motion for approval to pursue a FEMA Grant, called the AFG Grant, for the Fire Department in the amount of \$65,000 for the Breathing Air Compressor.

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve pursuance of the FEMA Grant, AFG Grant, for the Fire Department in the amount of \$65,000.

Roll call as follows:	Mr. Wallace	Yes
	Mr. Weber	Yes
	Mr. Walker	Yes

Mr. Wallace opened the floor to the public.

Amanda Johnson of Eagle Creek Court asked when the website will be updated to reflect Gary Boeres no longer being the Township Administrator and Mr. Warrick being the new Township Administrator. She is advised that the website should be updated in the next few days. Amanda Johnson also asked if a legal advisor is in place yet. She is advised that personnel matters will be discussed in Executive Session and that a new Law Director has been hired. Mr. Weber would like to point out that Mr. Warrick is not The Administrator at this time, he is carrying out the duties, but he was not appointed as The Administrator.

Becky Ehling of Zoar Road stated that at the last meeting The Trustees accepted the resignation letter of Mr. Ritchie and accepted the contract for Mr. Boeres. At that same meeting, it was requested that advertisement for The Administrator position be posted on the website. She stated that she has yet to see that position posted on the website regarding advertisement for the Administrator's position, or the Fiscal Officer, or the Front Desk. She stated that the motion was made at the last meeting and wanted to know if this is something that will be done in the near future. She is advised that personnel moves will be discussed in Executive Session, and that the position has not been posted on the website. She is also advised that there has been a draft sent in to be approved for the job posting, and that finalizing the draft of the job posting and job description will be discussed in Executive Session. She also wanted to state that Ms. Ratliff's problem with noise may be helped by something that was brought up when she was on the board. It was proposed that if the township had its own waste disposal, the hours could be determined by The Trustees. She stated that Gary Boeres had the plans drawn up. She stated that this could be something to fall back on so that hours could be regulated regarding that.

Mr. Wallace closed the floor to the public at 6:59 p.m.

Mr. Wallace made a motion and Mr. Weber seconded the motion to go into Executive Session to first consider appointment of a public official with Doug Miller and Ray Warrick present. Next would be to consider appointment of a public employee. Finally to talk about collective bargaining matters with Ray Warrick and Melissa Brock present.

Mr. Weber requested discussion regarding Mr. Miller being in Executive Session. He asked if this was for an interview for potential Law Director and was advised that it was.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Walker seconded the motion to come out of Executive Session at 8:11 p.m.

Roll call as follows:	David Wallace	Yes
	Joe Walker	Yes
	Kurt Weber	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to appoint Doug Miller and his Attorneys at Donnellon and Donnellon, Miller as our Law Director for the hourly rate of \$235 and his contract will be worked out in the next week.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Walker seconded the motion to accept Ray Warrick's resignation as our town's fiscal officer effective 11:59 p.m. on January 20, 2016.

Roll call as follows:	David Wallace	Yes
	Joe Walker	Yes
	Kurt Weber	No

Mr. Weber stated that he would like Mr. Warrick to fulfill his term.

Mr. Wallace made a motion and Mr. Weber seconded the motion to appoint Jim Hunter as Fiscal Officer upon swearing in.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to go into Executive Session to discuss public employee and collective bargaining agreements at 8:12 p.m.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to come out of Executive Session at 8:25 p.m.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace requested a motion and Mr. Walker seconded the motion to make an amendment to the earlier motion for the resignation of the Fiscal Officer to take effect immediately.

Roll call as follows:	David Wallace	Yes
	Joe Walker	Yes
	Kurt Weber	No

Mr. Wallace made a motion and Mr. Weber seconded the motion to correct the previous motion to appoint Jim Hunter to take office to fill vacancy in the Fiscal Officer position upon swearing in at his convenience.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve the 2016 through 2018 agreement between Hamilton Township, Ohio and the Teamsters Local 100 as proposed effective January 1, 2016.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve the 2016 through 2018 union agreements between Hamilton Township, Ohio and FOP Blue Patrol and the FOP Gold Sargent Lieutenant as proposed effective January 1, 2016.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to approve the re-opener of the IAFF 2015 Union agreement between Hamilton Township, Ohio related to the grievance article wages and insurance as proposed effective January 1, 2016.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to go into Executive Session to discuss employment and compensation at 8:29 p.m.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Weber seconded the motion to come out of Executive Session at 8:50.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Joe Walker	Yes

Mr. Wallace made a motion and Mr. Walker seconded the motion to rescind advertisement for new Administrator position.

Roll call as follows:	Davis Wallace	Yes
	Joe Walker	Yes
	Kurt Weber	No

Mr. Wallace would like to go on record stating that “Ray Warrick has been asked to fill the role of Township Administrator. Though he initially said he was not interested, he has now agreed to step into the role. There are some major transitions occurring in the township with a recently hired Fire Chief and a retiring Police Chief. There are bargaining unit agreements that have recently been negotiated and because of the uncertain state of healthcare costs in the world, the township and the union will be agreeing to open up those contracts in every year of the agreement. This calls for some knowledge and experience in the areas, and Ray certainly possesses those. The township will need some careful analysis and creativity going forward to assure the best benefit coverage for the township employees at the most optimal cost. In the near future, we have the challenge of building a new fire station and the task of solving the funding needs for road repairs. We are confident that Ray can bring the needed leadership to these tough challenges. Ray will also be tasked with putting together a more proactive approach to economic development. Having some knowledge, continuity is vital for us now, and Ray can provide that. He has served as Fiscal Officer since being appointed in April 2014. Ray has over 30 years of CEO executive management experience. He has both a Business Bachelor’s Degree and a Master’s in Business Administration. His private sector experience and his knowledge of accounting and finance allowed him to successfully navigate a very complicated financial mess that landed the township in fiscal emergency. As many of you know, the township was released from fiscal emergency in record time because of Ray’s effort. Because of his experience and his familiarity with the township and the challenges before us, he is the best person to fill the Administrator role at this time. Since Ray cannot hold both the Fiscal Officer position and the Administrator role he has resigned as Fiscal Officer before assuming the new role. This move has been discussed with the Ohio State Ethics Commission and the Legal Counsel and there are no conflicts or violations of the standards. Of course, we discussed posting this job and going through an interview process, but since the majority of this board wanted Ray placed in the administrative role, this will be a waste of time and money. Ray has been dependable and responsible in his time as an officer with the township and has forged a productive working relationship with this board and the prior board, even during times of disagreement. He has successfully completed a background check to secure a bond of \$250,000 as required by the state statute. Ray understands he will be employed at will and serves at the pleasure of this board and that he can be terminated at any time with or without cause.”

Mr. Wallace made a motion and Mr. Walker seconded the motion to hire Ray Warrick to the position of Township Administrator effective January 21, 2016 at a salary of \$88,000 annually and direct The Law Director to prepare a contract based on terms of the previous Administrator's contract.

Roll call as follows:	Davis Wallace	Yes
	Joe Walker	Yes
	Kurt Weber	No

Mr. Weber requested discussion regarding his standpoint. "I think that the previous motion last meeting was to move forward through the process. I think it is, and this is nothing against Ray personally, I think it is an important position and we should go through the process, the hiring and advertising process. Just because I think the tax payers deserve the best candidate for it, the best administrator we can get. Who knows, Ray may have been that person, but we will not know because we are not going through the process. I think we should have gone through the process. To be open and transparent, so that is why I vote no."

Mr. Wallace made a motion and Mr. Walker seconded the motion to adjourn the meeting at 8:55 p.m.

Roll call as follows:	Davis Wallace	Yes
	Joe Walker	Yes
	Kurt Weber	Yes