

**RECORD OF PROCEEDINGS**  
**CLEARCREEK TOWNSHIP TRUSTEES**  
**Minutes of Regular Meeting**  
**April 28, 2025**

The Clearcreek Township Trustees met in regular session at 9:00 a.m. with the following members present: Mr. Gabbard, Mr. Muterspaw, and Mr. Wade.

Mr. Wade opened the meeting and led in the Pledge of Allegiance.

Mr. Wade called for Public Comments. No comments were noted.

Mr. Wade asked if the Board members had any consent agenda item or items that they wished removed. No removal from the consent agenda was requested.

Mr. Carolus, Fiscal Officer, asked the Board to authorize payment for the lease payment to the Warren County Port Authority.

Mr. Wade read Resolution 5583 – A Resolution authorizing remittance of the first biannual lease payment of 2025 from funds due to the Warren County Port Authority’s Ohio Community Accelerator Fund, dispensing with the second reading, and declaring an emergency. The emergency declaration is the need to make payment by the June 1<sup>st</sup> due date. Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5579 – A Resolution adopted under Ohio Revised Code Chapters 504 and 505 prohibiting unreasonable noise on real property in the unincorporated territory of Clearcreek Township, Warren County, Ohio, and dispensing with the second reading. Mr. Wade called for audience comments on the proposed Resolution. Ms. Debra Houghton, 1359 Music Place, came forward to advocate for the passage of the proposed Resolution stating the Resolution would set boundaries to help keep the community peaceful. Mr. James Musser, 3828 Weisenberger Road, came forward to discuss drainage and noise issues at Spartan Supply Pallet Company on old State Route 122. Mr. Musser stated that the business was once again grinding pallets with the sound curtain pulled open. Mr. Wade asked Mr. Jones, Road Superintendent, to investigate the situation. Mr. David Trich, 1974 Lytle Five Points Road came forward to elaborate on issues in the Resolution including noise levels, lawn mowing, sirens, and business-related noise. Mr. Trich asked the Board to consider raising the limit above 85 decibels. Mr. Gabbard stated many of the issues Mr. Trich brought up were covered in the proposed resolution as daytime exceptions to the 85 dB limit. Mr. Gabbard stated the Resolution was a starting point. Mr. Trich states he was for the Resolution with a higher decibel level. Ms. Houghton returned to the podium to state the most important part of the proposed Resolution was the reduction of noise levels at night and keeping the peace between neighbors. Mr. Wade asked for a motion to approve, deny or amend Resolution 5579. Mr. Gabbard moved to approve the Resolution as written. Mr. Muterspaw seconded the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Ms. Houghton discussed some of the drainage issues at or near her property.

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Mr. Wade read Resolution 5578 – A Resolution authorizing the Township Administrator to incur obligations greater than \$10,000 on behalf of the Township, dispensing with the second reading, and declaring an emergency. The reason for the emergency is the need to authorize and to approve immediate payment for the obligations below at the earliest time permitted by law. Mr. Clark, Township Administrator, described the items being purchased. The items being purchased or authorized were:

- A. Enter into an agreement with Strawser Construction Inc. to proceed with the Township's 2025 Cape Seal with Rap Microsurface Program under ODOT's 1010-26 State Procurement Competitive Bid at a total estimated cost of \$322,750.69.
- B. Enter into an agreement with SealMaster to purchase mastic patching material and machine rental for our 2025 Mastic Patch Program at an estimated cost of \$21,375.00.
- C. Enter into an agreement with the Ohio Township Association Risk Management Authority (OTARMA) to renew property, casualty, and liability insurance coverage with the risk pool at an estimated annual premium of \$196,657 for the April 1, 2025 - March 31, 2026, plan year.
- D. Enter into an agreement with Howell Rescue Systems to outfit our new Engine with rescue tools as detailed in the proposal at an estimated cost of \$43,786.86.
- E. Enter into an agreement with Tristate Preventative Health Consultants, LLC to administer the Pire District's annual wellness exams as prescribed by the Collective Bargaining Agreement at an estimated cost of \$30,293.

Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5585 – A Resolution to request the Director of Transportation to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima-facie speed limit on Red Lion Five Points Road (TR #126) beginning at point 3.051 and ending at point 3.551, dispensing with the second reading and declaring an emergency. The reason for the emergency is the need to reduce the speed limit at the earliest time permitted by law. Mr. Clark gave background information on the proposed section of road being considered for speed reduction. Mr. Wade asked for a motion to approve Resolution 5585. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Clark asked the Board to accept a generous donation of \$2,702.87 from NWC Alliance Soccer for the purchase and installation of an Automated External Defibrillator (AED) and all-weather cabinet on the soccer shed at Patricia Allyn Park. Mr. Wade asked for a motion to accept the donation. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5586 – A Resolution authorizing the Township Administrator to execute a contract with the Warren County Engineer for the 2025 Warren County Resurfacing and Striping

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Project, dispensing with the second reading, and declaring an emergency. The reason for the emergency is the need to meet the Warren County Engineer's scheduling deadline. Mr. Jones gave background information noting 2.13 miles of roads were being resurfaced along with 2.77 miles of road being cape sealed (Resolution 5578) for a total of 4.9 miles. Mr. Jones noted that he was withholding some resources for Auteur Estates. Mr. Wade gave an update on the issues surrounding Auteur Estates subdivision roads. The Board and Mr. Clark discussed how to resolve getting the subdivision resurfaced. Mr. Wade suggested that the Board attend a meeting with the County Commissioners to move the project along. Mr. Clark advised he could write a letter to the County Commissioners about funding the project. Mr. Wade asked that the Board all sign the letter and appear at a County Commissioners meeting if needed. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Jones noted that the Roads Department was still actively working on storm water damage from recent heavy storms.

Mr. Wade read Resolution 5587 – A Resolution determining that the maintenance of 8346 Bunnell Hill Road constitutes a nuisance and ordering the cutting of the vegetation, the removal of debris after sufficient notice, dispensing with the second reading, and declaring an emergency. The reason for the emergency is the immediate need to address and to abate the nuisance conditions on the property. Mr. Palmer, Planning and Zoning Director, gave background on the property conditions. Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5588 – A Resolution determining that the maintenance of the following specific tracts of land constitute a nuisance, dispensing with the second reading, and declaring an emergency for the following properties:

329 Chapel Drive; parcel ID #05-32-176-020  
367 Patton Drive; parcel ID #05-32-193-001

The reason for the emergency is the immediate need to abate the nuisance as soon as possible and to mow the grass at the earliest time permitted by law. Mr. Palmer, Planning and Zoning Director, gave background on the property conditions. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Agenbroad, Fire Chief, asked the Board to make a conditional offer of probationary employment to Harold "Brad" Loudermilk pursuant to post-offer, preemployment testing and background at the Contractual Step 2 rate for Firefighter/Paramedic, at \$26.93 per hour. Mr. Wade asked for a motion to make the conditional offer of probationary employment. Mr. Muterspaw so moved with Mr.

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Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade asked for a motion to approve the Consent Agenda. Mr. Gabbard moved to approve the Consent Agenda as presented to the Board:

- 1 Approval of Regular Minutes – April 14, 2025, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the employment resignation of William Black effective May 4, 2025.

Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Clark asked the Board if they were interested in sponsoring a table at the Warren County Foundation meeting via an email request. After a short discussion, the Board advised Mr. Clark that while the Foundation does good work, the Board would pass on the request.

Mr. Clark then noted that work was continuing to develop a plan for the upcoming Police Levy. Mr. Clark stated that one mill to two mills options were being considered. Mr. Wade noted that it had been many years since the last request. The last request for a police levy was for 1.5 mills in 1999.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 9:48 a.m. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

FISCAL OFFICER

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