# RECORD OF PROCEEDINGS
# CLEARCREEK TOWNSHIP TRUSTEES
## Minutes of Regular Meeting
## July 13, 2026

The Clearcreek Township Trustees met in regular session at 5:30 p.m. with the following members present: Mr. Gabbard, Mr. Muterspaw, and Mr. Holtrey.

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

Mr. Gabbard asked for a motion to promote Police Officer Daniel Morgan to the position of Probationary Police Sergeant at the contractual rate of $47.25 per hour, effective July 14, 2026. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard administered the Oath of Office to Sergeant Morgan. Sergeant Morgan was pinned by his wife Aaron. The audience congratulated Sergeant Morgan on his appointment.

Mr. Gabbard noted that a Public Hearing on the rezoning application of JAT Services, located at 812 Old Route 122, parcel 09-33-240-004, from Office Zone "O" to Neighborhood Business Zone "B-1" was next on the agenda. Mr. Gabbard asked for a motion to suspend the Regular Meeting to hold that Public Hearing. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Palmer, Planning and Zoning Director, gave background on the rezoning request. Mr. Gabbard called for Public Comments associated with the Public Hearing. No comments were noted.

Mr. Gabbard asked for a motion to resume the Regular Meeting. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard read Resolution 5682 – A Resolution to approve/modify/deny the zone change request of Jodi Tesch-Carter of JAT Services to amend the Zoning Resolution and Map for a total of 1.0485 acres from Office Zone "O" To Neighborhood Business Zone "B-1," and dispense with the second reading. Mr. Gabbard asked for a motion to approve, modify, or deny the Resolution. Mr. Holtrey moved to approve the Resolution with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Gabbard opened Public Meeting discussions on the MU-PUD Stage 2 application of WPB Enterprises, LLC, located on Clearcreek Franklin Road, parcel 04-15-101-008. Mr. Palmer gave background information on the MU-PUD application. Mr. Muterspaw and Mr. Gabbard discussed the project with Mr. Palmer concerning the structure and lighting for the property. Mr. Muterspaw asked if any complaints on the project were noted. Mr. Palmer stated that a citizen group from adjacent Franklin Township asked about the project but that no other complaints had been noted. Mr. David Montgomery from Pickrel Schaeffer and Eblin, agent for WPB Enterprises LLC, came forward to summarize the project and answer any questions. Mr. Orville Wright, owner of the property, discussed issues with buffer trees in the Resolution. Mr. Palmer noted that condition 18 on the Resolution would need to be modified. The modification to the Resolution was made.

Mr. Gabbard read Resolution 5683 – A Resolution to approve/modify/deny the request by David Montgomery (Pickrel Schaeffer and Ebeling) agent for WPB Enterprises LLC, (Orville Wright) for a Stage 2 Preliminary Site Plan Review for the Mixed Use Planned Unit Development "MU-PUD" Phase 1 and sign location in Phase 3, and dispense with the second reading with the modification of condition 18. Mr. Muterspaw moved to approve the modified Resolution with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard called for Public Comments. Mr. Driskoll "Pete" Gibbs, 7328 Larkspur Court came forward. Mr. Gibbs commented on storm water issues at his property.

Mr. Gabbard 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. Gabbard read Resolution 5684 – A Resolution approving a transfer of funds from the General Fund to other funds in amounts equal to investment income generated by those funds for the Second Quarter 2026 and dispensing with the second reading. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Holtrey so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea, and Mr. Gabbard-yea.

Mr. Gabbard read Resolution 5685 – 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. The items being purchased are:

A. Authorize the repair work of the scheduled concrete curbs noted in the estimate by WT Sowder Construction at an estimated cost of $13,850.00.
B. Authorize the purchase and 50% upfront deposit for a new sign cabinet for the Government Center from vendor Sign Connection at an estimated cost of $14,505.20.
C. Authorize the purchase of battery powered rescue tools for our Engines from Howell Rescue Systems at an estimated cost of $34,741.00 ($15,978.46 donation from the Warren County Foundation will be used to offset the whole cost).

Mr. Jones, Road Superintendent, gave background information on the concrete curb and catch basin work. Mr. Gabbard asked Mr. Jones if something could be posted to notify residents of the Township's concrete vendor's contact information if they wished to have additional work done at their own expense while the crews were in their neighborhoods. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard opened a discussion on a data center siting moratorium within the township. Mr. Palmer gave additional information on the subject. Mr. Pacheco, Law Director, offered additional information and options the Board could take in relation to data center siting. Mr. Muterspaw noted that no one was asking him to put a data center in the township. Mr. Holtrey noted his concerns as well. Mr. Gabbard asked Mr. Pacheco to put together a resolution for a one-year moratorium on data centers within the township. Mr. Pacheco noted he would have it for the next meeting.

Mr. Gabbard read Resolution 5686 – A Resolution determining that the maintenance of 7335 Eyler Drive, parcel ID #04-07-307-019, constitutes a nuisance for vegetation growth, dispensing with the second reading, and declaring an emergency. Mr. Palmer, Planning and Zoning Director, gave background information on the nuisance. Mr. Gabbard noted that he had contacted the owner to help move the process along. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Cox, Assistant Fire Chief, asked the Board to accept a generous donation of $15,978.46 from the Warren County Foundation to support the Fire Department. Mr. Gabbard asked for a motion to accept the donation. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

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

1. Approval of Regular Minutes – June 22, 2026, Regular Session.
2. Current Bills and Financial Report.
3. Reclassify Firefighter/Paramedic Cory Davis from probationary, full-time to permanent, full-time status effective July 18, 2026, and adjust his earnings rate to $29.29 per hour as required by the collective bargaining agreement.
4. Separate from employment probationary Firefighter/Emergency Medical Technician Ezra Sullivan effective July 9, 2026.
5. Adjust Firefighter/Paramedic Ryan Yates' rate of pay to $29.29 per hour effective July 4, 2026, as he has passed all testing and certifications to become a paramedic.
6. Affirm the reassignment of Officer Kevin Hall to Corporal effective July 14, 2026, and adjust his rate of pay to $46.80 as required by the collective bargaining agreement.
7. Reclassify Police Officer Aaron Ledford from probationary, full-time status to permanent, full-time status effective July 14, 2026.
8. Accept the Road, Planning and Zoning, Police and Fire monthly reports for June 2026.

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

With no further business, Mr. Gabbard asked for a motion to adjourn the Regular Meeting at 6:14 p.m. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

**FISCAL OFFICER**________________

**TRUSTEE** SM Muterspaw

**TRUSTEE**________________

**TRUSTEE** Greg Holtrey