

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
May 12, 2025

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

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

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

Mr. Wade asked Andrew Durniat to come forward. Mr. Wade administered the Oath of Office as a Firefighter/Paramedic. Mr. Durniat's badge was pinned by his girlfriend Gretchen Polinski. The Board and audience congratulated Firefighter/Paramedic Durniat.

Mr. Wade then asked the Board for a motion to suspend the Regular Meeting and begin a Public Hearing on Resolution 5589 – A Resolution to (approve/modify/deny) the zone change request for 1176 W. State Route 73, Parcel Number 04-07-200-004, from Suburban Residence Zone “SR-1” to Residential Planned Unit Development “R-PUD,” and dispense with the second reading. 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. Palmer, Planning and Zoning Director, gave background information on the proposed rezoning. Mr. Wade asked for the applicant representative to come forward. Mr. Brandon Kaiser, Springboro Development Company, gave a presentation on the project. Mr. Wade asked if the Board had any questions. Mr. Muterspaw asked about landscaping treatments with Mr. Kaiser giving information on landscaping.

Mr. Wade then opened the hearing to Public Comment. Mr. David Marshall, 3527 Ferry Road, Bellbrook, Ohio, who represents an adjacent landowner to the project, asked the Board to consider sanitary sewer extensions towards the neighbor's property as part of Stage 1 (Zoning Resolution) instead of the usual negotiations that occur at later stages. Mr. Wade and Mr. Palmer noted that Stage Two usually is the proper venue for sanitary sewer connections. Mr. Bill Paden, 480 North Hills, Blvd, noted his concerns about traffic within the proposed subdivision and construction traffic for the project. Mr. Wade advised that updates on the project will be posted on the Township's website. Mr. Peter Ford, 289 Triple Crown Circle, representing the Richard's Run Homeowners' Association, stated his concerns about traffic issues, noting that most property owners in the Richard Run's development had signed a petition urging the rejection of the road extension on Steeplechase Drive. Mr. Muterspaw noted that residents of Richard's Run may use the extension to access State Route 73 through the new development. Mr. Gabbard noted the traffic study would take into consideration many of the concerns stated by Mr. Ford. Ms. Robyn Lovely, 330 E State Route 73, discussed drainage issues on her property along with concerns about the environmental impact of the new development. Mr. John Cowan, 120 North Hills Blvd, discussed his concerns about the proposed development increasing crime and negatively affecting the quality of life to adjacent subdivisions by increasing traffic through

RECORD OF PROCEEDINGS
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the North Hills Blvd. Terry Rosenbaum, 1183 State Route 73, discussed his concerns about traffic from the proposed development being a further impediment to getting out of his property which is directly opposite of the proposed development entrance along with construction traffic. Bob Perky, 116 Cobblestone Lane, expressed his concerns about the additional traffic caused by the proposed development. Dawn Nelson, 154 BentrIDGE Dr, expressed her concerns about the additional children that will be coming into the Springboro school system. Steve Gabbard, 325 North Hills Blvd, representative for the North Hills Homeowners' Association, noted his concerns about the new subdivision stating the traffic connections between existing subdivisions and the proposed development could lead to more crime and additional traffic in the existing subdivisions. Michael Johnson, 277 Triple Crown Circle, stated his concerns about drainage issues that would result from the proposed subdivision. Oliver Soldes, 65 Crest Oak Court, stated his concerns about the additional traffic from proposed interconnections, construction traffic, and traffic safety. Clayton Luckie, 8 English Oak Lane, noted his concerns about traffic safety and environmental concerns for the proposed subdivision. Mr. Luckie, also stated his concern about water and sewer connections from Springboro. Pat Brazie, 7623 Old Woods Court, expressed her concerns about additional traffic from the proposed development. Kate Rottmayer, 7534 Old Woods Court, stated her concerns about additional traffic coming from the proposed subdivision along with the need to have additional infrastructure in place before accepting new developments. Mr. Wade noted that he had lived in the area for his entire life and how he learned to tolerate additional people and traffic coming from people moving into the Township. Mr. Wade noted that people have a right to use their property as they see fit. Ms. Rottmayer rebutted stating that planned development should include infrastructure improvements. Randy Gunlock, 8623 Crossley Road, came forward and stated that he is a property owner of farmland adjacent to the proposed development. Mr. Gunlock offered his property for additional traffic connections. Mr. Gunlock asked the Board to place sanitary sewer access to his property as part of the rezoning process for the proposed subdivision. Diane Alspaugh, 1384 West State Route 73, asked the developer to pay homage to the Mills family who farmed the land. Ms. Alspaugh stated her concerns about drainage and requested that the developer add gray water capability to the proposed subdivision. Jaime Garrett, 1187 State Route 73, expressed his concern about traffic from the proposed subdivision. Andrew Freeman, 1075 State Route 73, expressed his desire to have sufficient green space to buffer the proposed development. Mr. Freeman asked for less density for the proposed development. Mike Schellhouse, 105 South Pond Court, asked the Board to include sidewalks as part of the proposed development. Dan Moles, 165 South Pond Court, expressed his concern about how government interacts during property development, requesting all levels of government to be initially involved with the process. Mr. Gunlock came forward to again state his support for the proposed development. Hearing no further Public Hearing Comment, Mr. Wade asked Mr. Kaiser to return to the podium to respond to issues discussed prior. Mr. Kaiser discussed various issues brought forth in the Public Hearing. Mr. Kaiser mentioned the Board didn't have anything to do with schools. Mr. Gabbard informed Mr. Kaiser that the Board does work with the schools to keep everyone apprised of new development. Mr. Kaiser also answered several questions brought forth during the Public Hearing. The Board, Mr. Palmer, and Bryan Pacheco, Law Director, discussed how best to proceed. At 7:30 p.m., Mr. Wade asked for a motion to close the Public Hearing and resume the regular meeting. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
May 12, 2025

The Regular Meeting resumed at 7:38 after a short break.

Mr. Wade then asked for a motion to approve, modify, or deny Resolution 5589. Mr. Muterspaw moved to approve Resolution 5589 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. Carolus, Fiscal Officer, notified the Board that work on the 2026 Tax Budget was proceeding and that the first meeting in June would be the Public Hearing on that subject.

Mr. Wade read Resolution 5590 – 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 emergency is the need to pay for the services at the earliest time permitted by law. Mr. Clark, Township Administrator, gave background information on the proposed purchases. The items being purchased were:

- A. Authorize the Township Administrator to enter into an agreement with The Aero-Mark Company, LLC to complete the Township's 2025 road striping program as bid with the Warren County Engineer's Office at an estimated cost of \$20,941.66.
- B. Authorize the Township Administrator to enter into an agreement with SealMaster to purchase mastic patching material and machine rental for our 2025 Mastic Path Program at an estimated cost of \$21,375.00

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. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5591 – A Resolution authorizing the Township Administrator to execute a contract with Cargill, Inc. for the 2025-2026 Bulk Ice Control Salt Bid through the Warren County Engineer's Office and dispense with the second reading. 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. Clark and Mr. Jones, Road Superintendent, updated the Board on the speed limit signs for Red Lion Five Points Road.

The Board and Mr. Clark, Township Administrator, advised that the County Commissioners would be having a meeting on June 10th at 9:00 a.m. to discuss repaving Auteur Estates. Mr. Wade asked all the Board members to attend.

Mr. Wade read Resolution 5592 – 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:

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
May 12, 2025

- a. 263 Riley Wills Road; parcel ID #09-34-126-001
- b. 248 Turner Drive; parcel ID #08-03-226-001
- c. 339 Turner Drive; parcel ID #08-03-202-007

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.

Steve Cox, Assistant Fire Chief, asked the Board to make a conditional offer of probationary employment to Barrett Moore as a Firefighter/Emergency Medical Technician after post-offer, preemployment testing and background at the CBA Step 1 pay of \$22.13 per hour. Mr. Wade asked for a motion to make the conditional offer of employment. 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.

Assistant Fire Chief Cox asked the Board to authorize an internal promotional process to fill a vacant EMS Supervisor (Lieutenant) role vacated by a recent resignation. Mr. Wade asked for a motion to authorize the internal promotional process. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Assistant Fire Chief Cox asked the Board to rescind the conditional offer of probationary employment from Firefighter/Paramedic Harold (Brad) Loudermilk. Mr. Wade asked for a motion to rescind the conditional offer of employment. 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.

Assistant Fire Chief Cox asked the Board to authorize the repair of the roof at Station 22 by D&G Roofing & Restoration at an estimated cost of \$5,201.29 as submitted. Mr. Wade asked for a motion to authorize the repair. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Terrill, Police Chief, asked the Board to accept the resignation of police officer Brian McWhorter and approve the release and severance agreement as submitted. Mr. Wade asked for a motion to accept the resignation and approve the agreement. 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.

Chief Terrill asked the Board to authorize a hiring process to replace a recent full-time resignation and leave the process open until it is filled. Mr. Wade asked for a motion to authorize the hiring process

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
May 12, 2025

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

Chief Terrill asked the Board to adjust the pay rate of Officer Daron Williams to \$45.44 per hour as he has been chosen for a Corporal assignment. Chief Terrill gave a short explanation for the assignment. Mr. Wade asked for a motion to authorize the pay adjustment. 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 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 28, 2025, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the Road, Planning and Zoning, Police and Fire monthly reports for April 2025.

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

Mr. Clark noted that the next regularly scheduled meeting was on Memorial Day and asked the Board if they wished to move the meeting to the following day. The Board requested to move the next regular meeting to Tuesday, May 27th at 9:00.

Mr. Clark updated the Board on the proposed Police Levy.

Mr. Pacheco advised the Board on the proposed Ohio Constitutional Amendment to deny qualified immunity to police officers. Mr. Pacheco advised this would have a very negative impact on how police interactions are accomplished and asked the Board to support any efforts against the Amendment. Chief Terrill also added additional comments on the subject.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 7:57 p.m. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

FISCAL OFFICER

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