

**RECORD OF PROCEEDINGS**  
**CLEARCREEK TOWNSHIP TRUSTEES**  
**Minutes of Regular Meeting**  
**December 11, 2023**

The Clearcreek Township Trustees met in regular session at 5:30 p.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 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 Public Comment. No comments were noted.

Mr. Wade read a Proclamation of Recognition honoring Charles “Charley” Mofield. Mr. Mofield, who passed away earlier this year, was an Assistant Clerk for the Township.

Mr. Wade administered the Oath of Office for the Board of Zoning Appeals to:

- a. Steve Bond for a term from December 11, 2023, to November 30, 2028.
- b. Sarah Mellon for a term from December 11, 2023, to November 30, 2024.

The Board and audience congratulated the pair on their appointments.

Mr. Wade asked for a motion to suspend the Regular Meeting to continue a Public Hearing that was tabled from the November 13<sup>th</sup> Regular Meeting on Resolution 5467 – A Resolution to approve/modify/deny exhibit 2023-1, a revised text amendment that establishes rental definitions, updates home occupation regulations, removes terms and prohibits short-term rentals in the Clearcreek Township, Warren County, Ohio, Zoning Code, 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 Resolution. Mr. Wade and Mr. Gabbard asked Mr. Palmer concerning the intent of the Resolution.

Hearing no further questions, Mr. Wade asked for a motion to conclude the Public Hearing and immediately resume the Regular Meeting. 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, modify, or deny Resolution 5467. Mr. Gabbard moved to approve Resolution 5467 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 5476 – A Resolution determining that the maintenance of the specific tract of land at 3555 Mary Ann Drive constitutes a nuisance and ordering the removal of debris and the removal of junk vehicles after sufficient notice, dispensing with the second reading, and declaring an

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emergency. Mr. Palmer updated the Board on the condition of the property noted in the Resolution. 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. Terrill, Police Chief, asked the Board to approve the up-fit agreement with Parr Public Safety for a 2023 Dodge Durango cruiser at a total cost of \$25,328. Chief Terrill noted that this upfit will be placed into a new cruiser that is a replacement for one that was totaled recently. Chief Terrill then advised that by placing the order now the Township will be able to save seven to ten percent on parts. Mr. Gabbard asked a question on whether the upfit was covered by insurance. Chief Terrill noted that upfits are part of the insurance process. Mr. Wade asked for a motion to approve the purchase. 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 asked Chief Terrill whether the Dodge Durango would continue to be manufactured. Chief Terrill gave the Board information on the availability of the Durango and other possible police cruisers.

Chief Terrill asked the Board to approve the purchase of three sets of night vision eyewear for three Township officers who are members of the Warren County Tactical Response Unit at a total cost of \$24,690 of which \$12,000 will be covered by Loeb Grant funding. Mr. Wade asked for a motion to approve the purchase. 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. Jones, Road Superintendent, updated the Board on prices for 2024 road construction materials and possible solutions using cape sealing or micro sealing. Mr. Gabbard asked if any complaints were noted on cape sealing for the streets that were cape sealed this year. Mr. Jones stated that no further complaints from the residents whose street was cape sealed had been received since the project was completed.

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

- 1 Approval of Amended Minutes – November 27, 2023, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Set a public hearing for the rezoning application of San Juan, LLC to rezone five acres of the property at 2094 Old Route 122 from Open Space Rural Residential Zone (OSR-1) to General Business Zone (B-2) for Monday, January 8, 2024, at 5:30 p.m.
- 4 Accept the Road, Planning and Zoning, Police and Fire monthly reports for November 2023.

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

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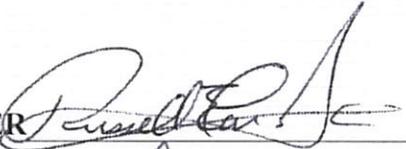
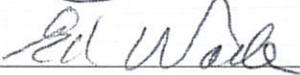
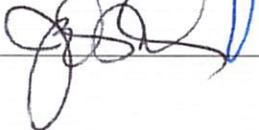
At 5:50 p.m., Mr. Wade asked if the Board wished to go into executive session pursuant to Ohio Revised Code 121.22(G)(1) and (4).

- (1) To consider the appointment and compensation of a public employee.
- (4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment

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

The Board returned from executive session at 6:45 p.m. with Mr. Wade immediately resuming the regular meeting.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting. 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  \_\_\_\_\_  
TRUSTEE  \_\_\_\_\_  
TRUSTEE  \_\_\_\_\_  
TRUSTEE  \_\_\_\_\_