

RECORD OF PROCEEDINGS

2158

Minutes of

Clearcreek Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

DECEMBER 12,

2016

(YEAR)

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

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

Mr. Muterspaw moved to approve the regular meeting minutes of November 28, 2016. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mrs. Oda gave the Fiscal Officer's report, and noted the Township has \$12,830,814.09 in its checking and investment accounts.

Mr. Gabbard moved to approve warrants #23552 through #23732 and electronic fund transfers #2273-2016 through #2459-2016. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea.

Mr. Muterspaw moved to approve Resolution #4971 approving the 2017 Clearcreek Township Temporary Appropriations totaling \$13,525,116.08. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Gabbard moved to recess the regular session into a Public Hearing at 5:32 p.m. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea.

Following discussions involving Zoning Director Jeff Palmer, Mr. Muterspaw moved to close the Public Hearing and re-enter the regular session at 5:41 p.m. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mr. Muterspaw moved to approve Resolution #4972 Exhibit 2016-1, an amendment that refines standards for Chapter 8.5 Office Zone and Chapter 17 buffer and screening of zoning appeals for the Clearcreek Township, Warren County, Ohio, Zoning Code. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Gabbard moved to approve Resolution #4973 Exhibit 2016-2, an amendment that creates Chapter 8.25 Public Institutional Zone and refines standards for Chapters: 3 Definitions, 4 zones, and boundaries thereof, 16 parking and loading regulations, 17 buffer and screening, and 28 signage regulations for the Clearcreek Township, Warren County, Ohio, Zoning Code. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Muterspaw moved to approve Resolution #4974 allowing for the application of Allison McKenzie of SHP Leading Design, the agent for the Warren County Career Center to amend the zoning resolution and map for a total of 88.3212 acres of the 163.011 acre parcel. The property is identified as 3525 N. State Route 48. The parcel is identified by parcel number 08-03-276-003 and account number 0410625. The request is located in Section 3, Town 3 and Range 4 in Clearcreek Township. The request is from Open Space Rural Residence Zone "OSR-1" to Public Institution Zone "PI." The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Gabbard moved to approve Resolution #4975 allowing the application of Daniel Kahman to amend the zoning resolution and map. The parcel is identified by parcel number 05-33-200-003, account number 0102148 and is 71.1578 acres. The request is located in Section 33, Town 4 and Range 5 in Clearcreek Township. The request is from Suburban Residence Zone "SR-1" to Residence Zone "R-1A." The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Muterspaw moved to pushed Resolutions #4976, #4977 and \$4980 to the end of the meeting. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mr. Gabbard moved to approve Resolution #4978 allowing the Township to dispose of unneeded, obsolete or unfit personal property, including motor vehicles, by Internet auction for 2017 through govdeals.com. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

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Mr. Muterspaw moved to approve Resolution #4979 accepting a donation of \$200.00 from Joseph B. and Barbara M. Hollander for the Clearcreek Township Police Department. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Gabbard moved to offer to hire as a probationary part-time police Officer Brian Coulton. Once Officer Coulton passes all pre-hire tests, he will be offered a position. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea.

Mr. Muterspaw moved to approve Resolution #4981 accepting a \$200.00 donation from Dr. and Mrs. Harold Fishman for the Clearcreek Fire District. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Sgt. Wallace Stacy gave the monthly Police Department report for November 2017.

Mr. Gabbard moved to approve Resolution #4982 revising the Memorandum of Understanding by and between the Board of Clearcreek Township Trustees and the Clearcreek Professional Firefighters Union Local #4207. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Muterspaw moved to promote Lts. Joshua L Scott and Steve V. Cox to Captain effective December 31, 2016 with a pay rate increase to \$26.09 per hour. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mr. Gabbard moved to promote Firefighter/Paramedics Levi R. Sergeant and Adam W. Stafford to Lieutenant effective December 31, 2016 and to increase their pay to \$24.38 per hour. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea.

Mr. Muterspaw moved to promote Joseph F. Schubert, Nathan A. Waters, and James S. Whitney to full-time Firefighter/EMTs effective January 1, 2017 at a pay rate of \$17.30 per hour. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mr. Cameron congratulated Chief Agenbroad and Capt. Clary on a successful hiring process for the Fire District officers, noting that 17 men applied for the four positions, compared to four the last time the positions were open.

Mr. Gabbard moved to approve the renewal of the FireEMS Academy Online Training Management System at a cost of \$2,950.00. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea.

Chief Agenbroad gave the November 2017 monthly Fire District report.

Mr. Muterspaw moved to allow Mr. Palmer to attend the Public Sector Leadership Program at Xavier University at a cost of \$2,970.00. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea.

The Board asked Mr. Palmer to get some direction from the Warren County Regional Planning Commission on when they will be doing a study on the Township's proposed park land. Speaking as a Township resident, Jason Gabbard of Springboro Road noted that his family sold the park land to the Township in 2008 and assumed it would have been moving forward in development before now, and urged the Board to push forward with the planning phase.

Mr. Palmer gave the November 2017 monthly Zoning Department report.

Mr. Gabbard moved to set a public hearing for 5:30 p.m. January 9, 2017. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea.

Mr. Smith gave the Road Department monthly report.

Mr. Cameron noted a formal swearing in of the new Fire District officers would be held at 5:30 p.m. on Wednesday, January 4, 2017 at Station 21.

Mr. Cameron noted that work with Paycor was continuing.

At 6:17 p.m., Mr. Muterspaw moved to approve Resolution #4976 authorizing an executive session to consider the appointment, employment, dismissal, promotion, demotion or compensation of a public employee. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

The Board returned to regular session at 7:22 p.m.

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Held \_\_\_\_\_, \_\_\_\_\_, 2016 (YEAR)

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Mr. Gabbard moved to approve Resolution #4977 allowing pay rate increases for all non-contractual employees and authorizing the Fiscal Officer to issue payroll payments in 2017 according to the approved rates as well as issue payroll for employees included in approved collective bargaining agreements. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea. A copy of the resolution and a list of the people and their raises are attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Muterspaw moved to approve Resolution #4980 appointing Stephen D. Agenbroad as Fire Chief of the Clearcreek Fire District, effective January 4, 2017, and his salary was set at \$102,165.00. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten within.

Mr. Gabbard moved to cancel the December 27, 2017 special meeting and reschedule it for Friday, December 30, 2017 at 4 p.m. for the purpose of paying bills. The motion was seconded by Mr. Muterspaw and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; Mr. Wade-yea.

With no further business to discuss, Mr. Muterspaw moved to adjourn the meeting at 7:25 p.m. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; Mr. Wade-yea.

FISCAL OFFICER [Signature]  
TRUSTEE [Signature]  
TRUSTEE [Signature]  
TRUSTEE \_\_\_\_\_

2158

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*Clearcreek Twp Trustees*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

*December 12*

*2010*

(YEAR)