

Minutes

March 23, 2021

1. **Opening of Meeting**

Mr Rajagopal called the meeting to order at 6:00pm.
All Trustees and Fiscal Officer were present.

2. **Executive Session 6PM**

Mr Weckbach recommended the board go into executive session in accordance with ORC section 121.22 (G)(1) to discuss employment and compensation of public employees including the dismissal, discipline, promotion or demotion of employees and also in accordance with ORD section 121.22 (G)(3) to discuss pending and imminent litigation with the township attorney.

Motion Mr Unger, Seconded Mr Rajagopal.

Vote - Mr Unger - Yes, Mr Rajagopal - Yes, Mr Wahlert - Yes

Executive session convened at 6:01pm

Mr Rajagopal called the meeting back to order at 7:00pm. All Trustees and Fiscal Officer were present.

Mr Weckbach had nothing to report from executive session.

3. **Pledge of Allegiance 7PM**

All recited the Pledge of Allegiance

4. **Meditation (Moment of Silence)**

5. **Public Hearings**

- a. Motion to Hold a Public Hearing on Zoning Map Amendment (ZA-2021-01) - Abbeytown Subdivision

Mr Weckbach recommends ADOPTION of a Motion to open the public hearing.

Rationale: A Public Hearing is required per ORC Statutes.

Motion Mr Unger, Seconded Mr Rajagopal.

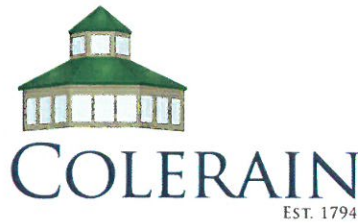
Vote - Mr Unger - Yes, Mr Rajagopal - Yes, Mr Wahlert - Yes

Mr Ionna gave a brief presentation regarding the Zone Map Amendment. Full presentation available in agenda packet on line.

Discussion - Mr Unger - you mentioned the panhandle portion would only be offered for sale to current property owners. Would fencing be required for the parcel of land.

Mr Ionna - fencing would not be required. Mr Unger - The HOA would maintain the retention ponds? Mr Ionna - Yes.

Mr. Deters swore in Brad Austing with MI Homes. Mr. Austing gave a development oversight regarding the proposed Abbeytown Subdivision.



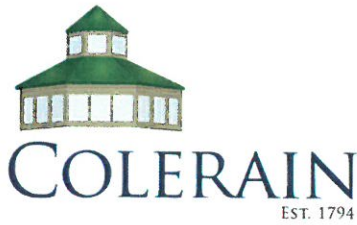
Discussion - Mr. Rajagopal - the two retention ponds will help with the flooding that happened in the area? Mr. Austing - the two retention ponds can help but the existing pipes are lacking the necessary capacity causing the flooding.

Mr. Deters swore in Cathy Hunter - Ms. Hunter has concerns with the proposed Abbeytown Subdivision. She is a lifelong Colerain resident. She said that Mr. Ionna said "if I've done this wrong I'm sorry". She thinks it has been done wrong. She mentions the township has changed a lot over the years. She's not sure that people have driven west of Kemper and she provided pictures for the Board of Trustees. She doesn't think it's safe for kids walking from Pleasant Run School near Kemper Rd. She said M/I Homes is throwing around money and the sidewalks planned are "sidewalks to no where". She's glad that Mr. Austing cleared up the question of green space with regard to the proposed playground, but she thinks the other green space is unusable. She thinks the proposed subdivision should be less dense. The Board of Trustees thanked Ms. Hunter for her time.

Mr. Deters swore in Calvin Hunter - Mr. Hunter provided a hand out to the Board of Trustees. He thanked the Board for the opportunity to come and speak. He asked the Board if they listen to the zoning Board meetings. Mr. Wahlert does not to avoid having a bias. Mr. Unger relies on updates from Mr. Ionna. Read page 6 of the Colerain Township Comprehensive Plan regarding as a "special flood hazard area". Mr. Hunter referenced the Comprehensive Plan, written in 2005 specifies a "strict" guidance regarding rural areas and preserving them with "large wooded hillsides and large lots". The Board of Trustees thanked Mr. Hunter for his time.

Mr Deters swore in Kevin Gerth. Mr Gerth is concerned about the proposed sidewalk from Hunterston to Abbeytown would cross his driveway. He asks where else in Colerain do sidewalks exist in 50MPH roads? There are also no lights so the sidewalks would be completely dark at night and that would be dangerous. The only thing that's changed since 2019 is adding a couple sidewalks. You can't put a price tag on a life. He says the comprehensive plan was put together to benefit the residents of the Township and if you don't follow the plan, what's the point of having it? The Board thanked Mr. Gerth for his time.

Mr Deters swore in Don Smith - Mr Smith would like to do is address some of the issues that were brought up. He has an advanced degree in Physics and was a PMP for two decades handling large projects. He doesn't think the sewer can handle the additional water from 68 homes on 30 acres. He made some assumptions regarding rainfall saturation. His major concern is the flooding for his neighbors. He feels this development violates the trust that the residents have with Colerain Township. He feels like M/I Homes is trying to buy him off with the panhandle portion of the property and that makes him angry. The Board thanked Mr. Smith for his time.



Motion to close public hearing Mr Wahlert, Seconded Mr Unger. All voted Yes.
Public hearing closed.
Motion to take a 5 minute break Mr Unger, Seconded Mr Rajagopal. All voted Yes
Mr Rajagopal called the meeting back to order at 9:19pm. All Trustees and Fiscal Officer were present

- b. Motion to Hold A Public Hearing On Zoning Map Amendment (ZA2021-02) - Commercial Map Amendment

Mr Weckbach recommends ADOPTION of a Motion to open the public hearing.

Rationale:

A Public Hearing is required per ORC Statutes.

Motion Mr Wahlert, Seconded Mr Unger. All voted Yes.

No one from the public was present

Motion to close public hearing - Mr Wahlert, Seconded Mr Unger. All voted Yes.

Public Hearing Closed

- c. Motion to Open A Public Hearing For Zoning Text Amendment (ZA2020-05) - Massage Parlors

Mr Weckbach recommends ADOPTION of a Motion to open the public hearing.

Rationale:

A Public Hearing is required per ORC Statutes

Motion to open hearing - Mr Wahlert, Seconded Mr Unger. All vote Yes.

No one from the public was present.

Motion to close public hearing - Mr Wahlert, Seconded Mr Unger. All voted Yes

Public Hearing Closed.

6. **Citizens Address**

Stephanie Wright via email -

I would like to know the status of the following:

Simply Recycling

False Alarm Program with the PD

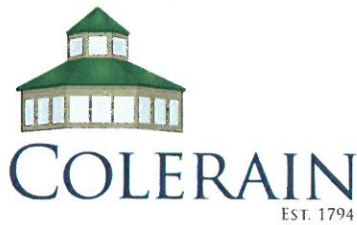
We Thrive

Appointment to the CIC Board

Thank you.

Response - Mr Weckbach -

Simply Recycling - We started partnering with them back 2017. It's my understanding that have taken a pause related to COVID and now they're starting to get back into the swing of things. We will certainly reach back out to them.



False Alarm Program - My understanding is that we are not moving forward with that vendor at this time. Researching their systems with our systems we found that they weren't compatible. We've incurred no expenses at this point and will not be moving forward.

We Thrive - It's been difficult for them to meet in person due to COVID restrictions. They have still been doing great work. They had the Colerain Giveback day again this past year where 150 volunteered showed up on that day and went out into the community to help with emergency home repairs, litter and debris pickup among other side projects.

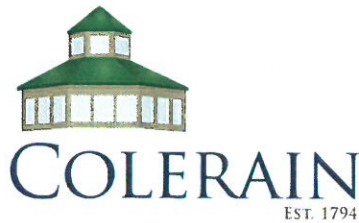
Appointment to the CIC Board - That was discussed at the last CIC meeting and I would imagine The CIC will provide more direction at the next meeting.

Elle Koch-McVay via email

I want to bring to your attention a very troubling issue with the Consulting Services Agreement with Energy Alliances, Inc. d.b.a. Cost Management Alliances.

1 The contract executed between Colerain Township and Energy Alliances, Inc is puzzling. Up until June of this year they were only known as Energy Alliances, Inc. In June, they issued a d.b.a. with the Ohio Secretary of State as Cost Management Alliances. This company according to their website is primarily a utility broker. Rumpke Consolidated is not a utility as per the Supreme Court of Ohio. We are contracting with them to obtain bids for waste collection services. Energy Alliances, Inc's experience in this area is anemic or non-existent according to the website. But the most puzzling is item #4 in the contract (Ownership of Report and Protection of Confidential Information which essentially prohibits any resident or anyone else in obtaining via open records any of the bid information. This is not the transparency that has been spoken of over and over. This is a reflection of a dark governance when bids for services are hidden or cloaked behind a service provider. We ask that you file a resolution to declare that all bids will be subject to open records requests and that going forward no bids for any services shall be cloaked behind a broker or service provider. I also find the fact that this contract does not appear to be executed on Colerain Township paper? In negotiating with a service provider, the township must negotiate all the terms and conditions as well as have the contract executed on Colerain Township Paper. If I am in error in understanding the confidentiality clause in the agreement, please bring that to light during the meeting.

Response - Mr Weckbach - So far we've shown the fact that we're going to be as



transparent as possible. The bid specs and bid documents that have been released to the public are available on our website

Mr Wahlert - I spoke to Ms McVay and I believe her issue is with the wording. I don't know if that's something we can go back over. I read it a bit differently as the confidentiality was up until the bids were opened. Because you don't want somebody sneaking in under the wire and underbidding someone based upon published bids. Am I misunderstanding that?

Mr Weckbach - To your point, these types of processes, we typically will not open any of the bids until after all the bids are received. This Friday March 26th is the bid submission date.

7. New Business

Planning & Zoning

- Resolution to Approve Zoning Case ZA2021-01 Changing The Zoning On The
- a. Site From R-4 And R-6 To PD-R To Allow For The Construction Of 68 Detached Single-Family Homes

Mr Ionna recommends ADOPTION of Resolution #20-21.

Rationale:

The submitted request meets the finding required for the proposed Zone Change. A digital copy of the case file

can be found online at: <https://www.colerain.org/454/Now-Pending>

Motion - Mr Wahlert, Seconded Mr Unger

Discussion

Mr Unger - This has to go to Hamilton County regarding the storm water even if this passes tonight correct

Mr Austing - That is correct.

Mr Unger - Regarding the comprehensive plan a sewer easement was done in 2006 so obviously a development was planned correct?

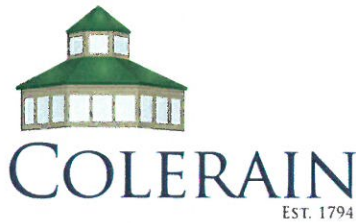
Mr Austing - That is correct. The storm water situation will go to Hamilton County for approval.

Mr Wahlert - Thank you to Mr Austing for getting the traffic study. Regarding the comprehensive plan. He sees that as suggesting less density and I think you've done that. He thinks bringing in families to the township is a good thing. I am a proponent of property rights and I think you have the right to build on this property.

Mr Rajagopal - Thanked Mr Austing for the changes he made and listening to the people. Would like Mr Austing to think about reducing the number of homes and the density. Also would like him to re-think the sidewalk plan.

Vote - Mr Unger - Yes, Mr Rajagopal - Yes, Mr Wahlert - Yes

Resolution Passes.



b. Resolution to Approve A Sidewalk Waiver Along Kemper Road

Mr Ionna recommends ADOPTION of Resolution #21-21.

Rationale:

To approve the proposed sidewalk waiver

Motion Mr Wahlert, Seconded Mr Unger

Discussion - Mr wahlert - I would like for the funds to be used as close to the area as possible.

Vote - Mr Unger - Yes, Mr Rajagopal - Yes, Mr Wahlert - Yes

Resolution Passes.

c. Resolution to Approve Zoning Case ZA2021-02 Changing The Zoning On The Site From R-7 To PD-B To Allow For The Construction Of A Parking Lot

Mr Ionna recommends ADOPTION of Resolution #22-21.

Rationale:

The submitted request is consistent with the findings for approval. The entire case file is available for online

viewing at: <https://www.colerain.org/454/Now-Pending>

Motion Mr Wahlert, Seconded Mr Unger.

Discussion:

Mr Unger - So the public knows, that's the little piece of land down by Groesbeck Park. It's unused and covered in weeds. This will a give a business that is nearby to use the land.

Vote - Mr Unger - Yes, Mr Rajagopal - Yes, Mr Wahlert - Yes

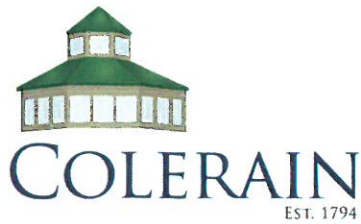
Resolution Passes

d. Resolution to Approve A Text Amendment To The Zoning Resolution Adding Regulations, Including Definitions, For Massage Therapy And Massage Parlors

Mr Ionna recommends ADOPTION of Resolution #23-21.

Rationale:

In 2020, the Township Trustees instructed staff to explore additional zoning regulations related to massage therapy and massage parlors throughout Colerain Township. In consultation with other jurisdictions and after extensive research, the proposed zoning regulations should help to address the issues enumerated by the Board



of Trustees. To view the case file online, please visit: www.colerain.org/454/Now-Pending

Motion Mr Wahlert, Seconded Mr Unger

Discussion:

Mr Unger - This has been reviewed by our legal counsel?

Mr Ionna - Yes it has.

Mr. Unger - If anyone is aware of that type of illegal activity, contact the police department.

Mr Wahlert - How does this apply to current businesses?

Mr Ionna - We would administer it based on the adopted resolution.

Vote - Mr Unger - Yes, Mr Rajagopal - Yes, Mr Wahert - Yes

Resolution Passes

8. **Executive Session** – if needed

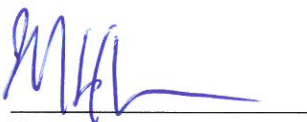
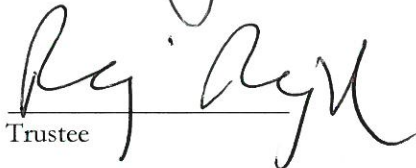
Not needed

9. **Adjournment**

Motion to adjourn - Mr Unger, Seconded Mr Rajagopal

All voted Yes

Meeting adjourned at 9:58PM


Fiscal Officer
Trustee
Trustee
Trustee