

The June 13, 2018 regular meeting of the Delhi Township Board of Trustees was called to order by President Rose K. Stertz. Trustee Cheryl A. Sieve, Trustee Michael D. Davis, Fiscal Officer James J. Luebbe, Administrator Jack Cameron and Law Director David C. Lane were present.

OPEN THE MEETING:

- The Board received certification that the rules adopted pursuant to Section 121.22 of the Ohio Revised Code had been complied with for the meeting.
- The meeting began with the Pledge of Allegiance, followed by a moment of silence, for those who have recently passed away, their families and survivors.

APPROVAL OF MINUTES:

Motion 2018-110 (May 30, 2018)

Trustee Sieve moved and Trustee Davis seconded to approve the minutes from the Board of Trustees meeting held on May 30, 2018 and dispense with the reading. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

Motion 2018-111 (June 11, 2018)

Trustee Sieve moved and Trustee Davis seconded to approve the minutes from the Board of Trustees special meeting held on June 11, 2018 and dispense with the reading. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

APPROVAL OF BILLS:

Motion 2018-112

Trustee Sieve moved and Trustee Davis seconded to approve bills for payment. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

APPROVAL OF PAYMENT OF OVERTIME: (Period ending June 5, 2018)

Motion 2018-113

Trustee Sieve moved and Trustee Davis seconded to approve the payment of overtime for pay periods ending June 5, 2018. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

REPORT FROM THE FISCAL OFFICER: James Luebbe

1. Resolution 2018-083 – Approve Purchase Orders

Trustee Sieve introduced and moved the adoption of a resolution approving purchase order obligations incurred on behalf of the Township by the Township Administrator, authorizing payment of certain purchase order obligations and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

2. Significant Transactions – Mr. Luebbe reported on the following:

Disbursements: Payroll of \$266,000.00 processed on May 31st.

Cash Receipts: On May 31st we received \$57,000.00 for the Cable Franchise fee distribution and \$22,000.00 in EMS reimbursements, and on June 1st \$25,000.00 in EMS reimbursements.

TRUSTEES' CORRESPONDENCE:

- Trustee Sieve reported that she and Trustee Stertz attended the Delhi Township Veterans Association's general meeting. She congratulated Commander Don Osterfeld on his re-election and thanked him for his leadership in the organization. She also recognized Officer Jeff Miller and K-9 Levi for providing a demonstration at the meeting.
- Trustee Davis reported on a complaint that he received from several residents who live in the Mount Alverno Estates neighborhood regarding speeding near the intersection of Mt. Alverno and Greenwell. He thanked the Police Chief for the quick response with the increased police patrols.
- Trustee Stertz referenced the first movie night in Delhi Park of which she attended. She commented that it was a nice family event with 100 families in attendance.
- Trustee Stertz recognized Officer Joe Vennemeier for his participation in the Police K-9 demonstration conducted at the Veteran's meeting, being the person who received the attack from Levi.

SPECIAL PRESENTATION:

Judge Marilyn Zayas, Hamilton County Court of Appeals:

Judge Zayas introduced herself as one of six appellate judges that serve on the Hamilton County Court of Appeals, one of twelve appellate districts in the state of Ohio, committed to serving the citizens of Hamilton County.

She reported that the Court of Appeals review and rule on cases that have gone before a trial judge in either of the Court of Common Pleas, Municipal, Domestic Relations or Probate courts when an appeal from a trial court has been granted. If a case heard by the Court of Appeals would get appealed, which is uncommon, it would get referred to the Ohio Supreme Court for review and ruling.

Trustee Stertz thanked Judge Zayas for her presentation on the appeal process.

PUBLIC HEARINGS: Proposed amendments ZC2018-1 & ZC2018-2: Community Development Director Greg DeLong

Trustee Stertz reported on the order of business for the public hearings.

1. Motion 2018-114

Trustee Sieve moved and Trustee Davis seconded to approve the opening of the Public Hearing for Case ZC2018-1 which involves a proposed amendment to the map and text of the Delhi Township Zoning Resolution adding Mixed-Family Residential and Neighborhood Business Districts also known as Delhi Pike Phase II. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

Mr. DeLong referenced the findings and recommended zone changes for the Mixed Family Residential and Neighborhood Business Districts, the final piece of Plan the Pike of which the process began in 2015, the completion of the Commercial District in 2016, and work on the residential piece that began in 2017.

He introduced planner and consultant Elizabeth Fields with McBride Dale Clarion who assisted with the process.

Ms. Fields referred to her responsibilities working in the capacity of planning and zoning consultant, to implement the necessary changes that will further define the Zoning Resolution to reflect the vision of Plan the Pike. She reported on details of the project scope and recommended zone changes.

She referenced a request from a property owner to re-zone five lots from Mixed Family Residential to Neighborhood Business District that was approved and included in the changes.

Mr. DeLong reported that the zone changes being proposed for the Neighborhood Business District reflect a positive change for business owners who are currently zoned Residential by providing more flexibility with conforming uses.

In response to Fiscal Officer Luebbe's question regarding the option to re-zone, Mr. DeLong responded that property owners have the legal right to apply for a re-zone of their property at any time.

No public comment was presented at the hearing.

Motion 2018-115

Trustee Sieve moved and Trustee Davis seconded to approve the closing of the Public Hearing. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

2. Motion 2018-116

Trustee Sieve moved and Trustee Davis seconded to approve the opening of the Public Hearing for Case No. ZC2018-2 which involves a proposed amendment to the text of the Delhi Township Zoning Resolution by adding regulations prohibiting medical marijuana cultivators, processors, retail dispensaries and medical marijuana related businesses. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

Mr. DeLong reported that the proposed amendment would ban medical marijuana in the form of growing, processing and dispensing in a location within the Township. He informed the Board that the proposed amendment has been reviewed and received unanimous approval from the Delhi Township Zoning Commission and the Hamilton County Regional Planning Commission.

He reviewed the history of House Bill 523 effective September 8, 2018 legalizing medical marijuana, the delay with regard to the state of Ohio establishing regulations, the Township's adoption of a moratorium and its extension which is due to expire August 9, 2018.

He referred to details of the Ohio Medical Law, the Ohio Medical Marijuana Program and relationship with the State Pharmacy Board that allows people with certain medical conditions, upon recommendation of a licensed Ohio physician, to legally purchase medical marijuana.

For residents who qualify for the program, he reported that there would be opportunities for them to purchase medical marijuana at eight locations throughout Hamilton County, in addition to locations for cultivators in Brown and Butler counties, approved by the state of Ohio. He added that the State is currently reviewing applications for processors and testing sites having a completion date of September 9, 2018.

No public comment was presented at the hearing.

Motion 2018-117

Trustee Sieve moved and Trustee Davis seconded to approve the closing of the Public Hearing. Trustees Stertz, Sieve and Davis voted YES. Motion Carried.

ADMINISTRATION: Administrator Jack Cameron

Motion 2018-118 – Memento of Service Recommendation

Trustee Sieve moved and Trustee Davis seconded to approve the Police and Fire Chief to allow members of their Departments, retiring in good standing after at least 15 years of service, to receive their badge and have badge number retired, for Police to be given their gun belt and service firearm, and for Fire to be given their helmet. This action shall be memorialized in a future update of the Township's Summary of Policies. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

Mr. Cameron reported that in the past the memento of service recommendation has been approved by the Board by resolution. To simplify the process future requests will be referred to the Township's Summary of Policies.

PARKS AND RECREATION: Director Josh Torbeck

1. Resolution 2018-084

Trustee Sieve introduced and moved the adoption of a resolution supporting the Western Wildlife Corridor's efforts to obtain Clean Ohio Funds for the purchase and preservation of land in Delhi Township and dispensing with the second reading. Trustee Davis seconded.

Mr. Sisson, president of Western Wildlife Corridor, reported that the grant funding, if approved, would allow them to add an extension to one of their current preserves on Hillside called the Buckeye Trace Preserve, which is located in Cincinnati. The extension, which would be located in Delhi Township, would be attached to the current park and would provide additional recreational opportunities for the residents, including hiking trails and a view overlooking the Ohio River at the ridge top, as well as being protected as a natural resource.

He reported that part of the application process for the Clean Ohio Fund is a resolution of support from the jurisdiction in which the property is located. He commented that the program has been around for 25 years, and that in the past they have applied for and received partial funding to purchase three properties at Bender Mountain. He stated that the funding request will be \$27,000 while they will put in an additional \$10,000 to purchase the property.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

FIRE DEPARTMENT: No agenda items.

PUBLIC WORKS: Director Ron Ripperger

1. Rapid Run Road Hazard Mitigation Grant Program Application Recommendation:

Mr. Ripperger referenced the submission of a grant in March for the acquisition and demolition of repetitive flooded homes on Rapid Run Road that was denied. He informed the Board that he received a phone call a couple of weeks ago from the Metropolitan Sewer District informing him that they are now interested in assisting with funding of the project. He stated that the original project scope, which included up to twenty-four homes, has been reduced by half, they are now prioritizing the damages, and there is a good chance that residual money could come in and it could end up being a pretty big project.

He reported that they will need to make minor changes to the original application and re-submit before the end of the month, and that the local match would be provided by the Metropolitan Sewer District.

Motion 2018-119

Trustee Sieve moved and Trustee Davis seconded to approve the Public Works Director to submit a grant pre-application and application to FEMA and/or OEMA for funding to acquire homes along portions of Rapid Run Road. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

POLICE DEPARTMENT: No Agenda Items.

COMMUNITY DEVELOPMENT: Director Greg DeLong

1. Resolution 2018-085

Trustees Sieve introduced and moved the adoption of a resolution adopting the recommendations of the Delhi Township Zoning Commission at its Resolution #2018-3 in case ZC2018-1 concerning map and text amendments to the Delhi Township Zoning Resolution to add the Mixed-Family Residential District & Neighborhood Business District. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

2. Resolution 2018-086

Trustees Sieve introduced and moved the adoption of a resolution adopting the recommendations of the Delhi Township Zoning Commission at its Resolution #2018-4, in case ZC2018-2, concerning text amendments to the Delhi Township Zoning Resolution, adding regulations prohibiting medical marijuana cultivators, processors, retail dispensaries and medical marijuana related to businesses or home occupations licensed under ORC Chapter 3796, in all zone districts in the Township. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

3. Resolution 2018-087

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 5000 Francisview Drive and dispensing with the second reading. Trustee Davis seconded.

Mr. DeLong reported that the nuisance properties addressed in resolutions 2018-87 through 2018-105, were found to be in the same condition during follow up inspections this morning.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

4. Resolution 2018-088

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 5415 Casual Court and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

5. Resolution 2018-089

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 374 Glen Oaks Drive and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

6. Resolution 2018-090

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 445 Leath Avenue and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

7. Resolution 2018-091

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 468 Wilke Drive and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

8. Resolution 2018-092

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 1157 Anderson Ferry Road and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

9. Resolution 2018-093

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 5376 Romance Lane and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

10. Resolution 2018-094

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 5262 Delhi Pike and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

11. Resolution 2018-095

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 5326 Delhill Drive and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

12. Resolution 2018-096

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 5342 Rawhide Court and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

13. Resolution 2018-097

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 3930 Delhi Pike and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

14. Resolution 2018-098

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 4343 Mt. Alverno Road and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

15. Resolution 2018-099

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 450 Greenwell Avenue and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

16. Resolution 2018-100

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation at 5378 Palisades Drive and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

17. Resolution 2018-101

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for accumulated debris at 369 Don Lane and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

18. Resolution 2018-102

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for accumulated debris at 442 Viscount Drive and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

19. Resolution 2018-103

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for excessive vegetation and accumulated debris at 3950 Delhi Pike and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

20. Resolution 2018-104

Trustees Sieve introduced and moved the adoption of a resolution providing for the removal of a junk motor vehicle at 3950 Delhi Pike and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

21. Resolution 2018-105

Trustees Sieve introduced and moved the adoption of a resolution declaring nuisance for accumulated debris at 4081 Delhi Pike and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

CITIZEN COMMENT: N/A

ANNOUNCEMENT OF COMMUNITY EVENTS:

1. Free Friday Fishing at Clearview Lake, available now through September 28th from 7:00 a.m. – dusk.
2. Delhi Farmers' Market open every other Saturday (next date June 23rd) from 9:00 a.m. – 12:00 p.m. at Clearview Lake.
3. Concert in Delhi Park featuring Excalibur on Thursday, June 14, 2018 at 7:00 p.m.
4. Conversation with the Fire Department "When is it the right time to start thinking about Hospice?" on Tuesday, June 19, 2018 at Delhi Fire Headquarters at 7:30 p.m.
5. Public Informational Session for Future Fire Department Operations will be held at the Delhi Senior Center on Tuesday, June 26th from 6:00 p.m. – 7:00 p.m.
6. 29th Annual Rollin' on the River Charity Car Show, presented by the Riverview-Delhi Kiwanis Club, is on Sunday, July 22, 2018.

7. Concert in Delhi Park featuring “Saffire Express” will be on Thursday, July 12, 2018 at 7:00 p.m.

RETIRE TO EXECUTIVE SESSION:

Motion 2018-120

Trustee Sieve moved and Trustee Davis seconded to retire to Executive Session to consider the compensation of a public employee/official. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the motion. Motion carried.

Trustee Stertz reported that the Board’s next meeting will be on Wednesday, June 27th at 6:00 p.m.

RETURN TO PUBLIC MEETING:

Motion 2018-121

Trustee Sieve moved and Trustee Davis seconded to conclude Executive Session and return to the public meeting. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

ACTION AS RESULT OF EXECUTIVE SESSION:

1. Resolution 2018-106

Trustees Sieve introduced and moved the adoption of a resolution updating and replacing pay rates and staffing levels and dispensing with the second reading. Trustee Davis seconded.

Trustee Sieve moved and Trustee Davis seconded to dispense with the second reading. Trustees Stertz, Sieve and Davis voted YES.

Trustees Stertz, Sieve and Davis voted YES during roll call to adopt the resolution. Resolution adopted.

2. Motion 2018-122

Trustee Sieve moved and Trustee Davis seconded to change the Assistant to Fiscal Officer, Lindsey Helmers, from an hourly pay structure to salaried and reducing her salary to \$47,000.00 annually effective June 13, 2018. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

3. Motion 2018-123

Trustee Sieve moved and Trustee Davis seconded to give the Administrative Assistant, Lori Studt, a pay increase from \$20.35 to \$21.00 effective June, 13, 2018. Trustees Stertz, Sieve and Davis voted YES. Motion carried.

ADJOURN MEETING:

There being no further business to come before the Board, Trustee Sieve moved and Trustee Davis seconded to adjourn. Trustees Stertz, Sieve and Davis voted YES.

_____, Fiscal Officer

Approved: _____, President

_____, Vice President

_____, Trustee

I hereby certify that the amounts needed to meet the above obligations have been lawfully appropriated and are in the treasury or the process of collection free from any and all obligations.

James J. Luebbe, Fiscal Officer