The Fairfield Township Trustees held a Regular Trustee Meeting Tuesday, February 13, 2024, at the Administration Building, 6032 Morris Road, Fairfield Township, OH 45011, for conducting Township business. Meeting was called to order by Mrs. Hartkemeyer at 7:00 PM.

ROLL CALL

Trustee Chairperson, Shannon Hartkemeyer
Trustee Vice Chairperson, Michael Berding
Trustee, Joe McAbee
Present
Present

INVOCATION: Deacon Rick Reder

PRESENTATION

RESOLUTION AUTHORIZING THE APPOINTMENT OF FULL-TIME POLICE SERGEANT TERRENCE PATRICK VIEL WHO IS CERTIFIED BY OHIO PEACE OFFICERS TRAINING COUNCIL, AT AN HOURLY RATE OF \$42.44 PER/HOUR, WITH A 12-MONTH PROBATIONARY PERIOD #24-20 Resolution authorizing the appointment of full-time Police Sergeant Terrence Patrick Viel who is certified by Ohio Peace Officers Training Council, at an hourly rate of \$42.44 per/hour, with a 12-month probationary period.

• Chief Chabali and Caption Doug Lanier – Presentation of Police Sergeant Terrence Patrick Viel.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to adopt Resolution #24-20.

All in favor.

• Trustees – Swearing in ceremony.

OLD BUSINESS

Consent Agenda – Administrator & Law Director

Assistant Law Director, Larry Barbiere – The idea of the consent agenda is 4 or 5 days before meeting you can review and take items off the agenda if a trustee wishes to. Items on the consent agenda can be voted on at one time. On today's agenda the matters that could be taken off are the motions to suspend the reading of the minutes, motion to approve the minutes and motion to approve payment of the bills. Those are the kind of things that would go on the consent agenda. They could go in as one item and be voted on as a group. In order to do that the day they were going to be put on the consent agenda adopt a rule permitting a consent agenda before that happens and put on the meeting and usually that is voted on right before the meeting.

Mr. Berding – Sometimes we have questions about some of the bills. I'm not sure those are items that can always be put on there unless there is some kind of discussion.

Assistant Law Director, Larry Barbiere - Normally if one of the trustees had a question then in advance of the meeting ask if that item could be taken off the consent agenda. If they ask for that it would be automatically taken off. There isn't supposed to be any items for discussion on the consent agenda. They are voted on as a group.

Mr. McAbee - The way it's been described I don't think it's going to save us any time.

Mr. Berding – I agree.

Assistant Law Director, Larry Barbiere - A rule has to be adopted for consent agenda.

Mrs. Hartkemeyer - Is this something we can do that we don't want to do it tonight or just add some adaptation to our processes or we could just do it at the next meeting. What does that rule say?

Assistant Law Director, Larry Barbiere – I think that way it could probably be best done is when the agenda is being set up if there is a desire to do a consent agenda then the board president would suggest that and the consent agenda would be sent to all trustees and then if all trustees agree that they don't want anything taken off or they do want the consent agenda to be voted on as a group then the consent agenda is voted on as a group and you can vote on that rule. The rule is only adopted once.

Mrs. Hartkemeyer - Do we want to try it?

Mr. Berding - I think the first move would be to pass a policy or rule that allows a consent agenda and going forward we could keep notes of what items we would want on there. As of now there wouldn't be very many items but there could be if we are having multiple meetings with minutes or other items on fiscal officer recommendations and reports. I think we should at least have the policy in place so we can try it.

Assistant Law Director, Larry Barbiere - If you would like us to do that we could at least prepare the language for the rule and put that in a form for a motion. Then you could at least make a decision from then on.

Mrs. Hartkemeyer - I think that is a good way to proceed with the rule.

Assistant Law Director, Larry Barbiere - You can use the consent agenda for routine matters.

Mrs. Hartkemeyer - At the next meeting we'll look for a rule and start putting some things together for a consent agenda.

ITEMS FOR BOARD DISCUSSION

A. Recreational Marijuana - Administrator and Law Director

Mrs. Vonderhaar - I pulled some information from the OTA and highlighted some areas. The new law went into effect in December 2023. Right now, there are things townships can and cannot do. The big thing is there are a lot of regulations and things in flux at the state level.

Assistant Law Director, Larry Barbiere – I've prepared a moratorium and we've done this with other issues. This is a moratorium to give the township an opportunity to study what the new regulations are, what the effects of recreational marijuana are what the law means to what the township can and cannot do, how it relates to township zoning and those kinds of things. In the meantime, no recreational marijuana selling places would be able to establish in Fairfield Township while the trustees are taking some time with the administration to study the effects of what these retail outlets would be. This is something being done all over the state.

Mr. Berding – We currently have a moratorium on medical marijuana. So, this would be recreational?

Assistant Law Director, Larry Barbiere – Correct. Recreational and medical are separate. We have a separate moratorium for the medical.

- B. Set CIC meeting dates for 2024, 7:00 PM Administrator: March 12, June 11, September 10 and December 10.
- C. Fairfield Township Vision Plan Assistant Administrator

Mr. Goins – Our current vision plan was drafted in 2009 and 2010. It took approximately 20 months to complete. After several rounds of reviews, it was approved by the trustees in 2016. To my knowledge there have not been any official updates made to the plan. The vision plan does recommend regular updates and reviews. The Vision Plan also states that major updates to the plan should occur every 5 years. The plan updates can be a significant task and can involve township officials, members of staff along with citizens throughout the process. Depending on the scope of work the process to revamp and update the comprehensive plan can take upwards of 10-12 months or longer. The result of a major plan update is that the plan will be a new plan for the Township including identification of up-to-date goals, policies, and implementation action items. With that being said there are professionals that specialize in this sort of thing. Kind of where staff is at this point is where do we want to go with this and to what degree to we want to revamp the plan. It has been untouched for quite a while. I think a major update is appropriate. Mrs. Hartkemeyer – I think first I would like Mr. Geis to take a look at this. I don't know that I'm crazy about outsourcing it to a third party. I would like to do this inhouse.

Mr. Goins – We did contract out before with Kleingers and they partnered with

Township staff.

Mr. Berding - I think a good comprehensive vision plan would keep us out of litigation for developers that want to come in. I definitely think it needs to be reviewed and updated.

Mr. McAbee - Do we ask for proposals? Costs? How much to run the study? **Mrs. Hartkemeyer** - I'd like to ask Mr. Geis's opinion.

Mr. Geis - The first step in the process based on this discussion and my experience is you would want to develop a scope of what you want; what kind of foundation you want; what details you want.

Mr. Berding - I guess I would want staff's opinion as to what is lacking on the current vision plan. It's your business and knowledge, Mr. Goins to understand zoning and things like that. If there's any kind of professional development you've had I would hope that if it hasn't involved vision plans that we find out some place where we can get that professional development and then you can inform the Board as to what you feel our current plan lacks.

Mrs. Hartkemeyer – It would also be relative in grants we might be seeking from like OKI or other places. This is one of the first things they ask for "let us see your plan".

Mrs. Vonderhaar - I feel strongly that we've worked with Mr. Geis, and he knows the staff, the community and has experience so if it were me I'd like him to contract with us and work with me and Chuck. I think this would be the proper way to go and then we could develop a scope and process.

Mr. Berding – I'm not opposed to that.

Mr. McAbee - I think your point about the current plan falling short that staff could give us some kind of indication.

Mr. Berding - I think this would be ok to let it go until April. Maybe you could give us some updates in March.

COMMITTEE REPORTS

TID – Trustee McAbee – TID met yesterday. It was a very short meeting. We received an update on all the projects. The administrator sent us a request for a letter of support for the East End of the North Hamilton Crossing. East and West are being separated out into their own projects. I asked what was going to happen to the rest of Princeton Road. This project will have no bearing on this. This will be our responsibility.

Mrs. Hartkemeyer – I've spoken with Greg Wilkins several times on this and he's keenly aware of Fairfield Townships issues on Princeton. This is definitely on his radar, and he is aware of Fairfield Townships needs and wants on that and I anticipate him having support for Fairfield Township.

EMA – Trustee Hartkemeyer – There was an Eclipse Planning meeting. People will most likely be coming into this area. It could impact emergency services.

Mrs. Vonderhaar - Chief Thomas has purchased 2,000 solar glasses. Our hope, in March, we will start to advertise these are available to Township residents. We did discuss a possible event in the park.

Chief Thomas - The direction from EMA and from the state of Ohio is a traffic issue. They are anticipating a 2-3 day window of traffic issue.

Mr. Berding - Should we postpone our April 9th meeting to the 16th to give our staff some time to recover? Our Public Works Department is going to be very busy.

Mrs. Hartkemeyer - We can talk about this at the March meeting.

Mrs. Hartkemeyer – EMA, we are currently paying 39 cents per capita. That rate was set in place in 2010. There was talk at the meeting today of raising that to 50 cents per capita. That would take us from \$8,800 per year to about \$11,385 per year. This will not be going into effect this year, but it is something we need to think about for next year. If you think about the services we get from EMA that's not really bad. OKI – Trustee Hartkemeyer – Did not attend since we were at the OTA.

CLOUT – Trustee Hartkemeyer – I was glad to see several of you at the CLOUT lunch. I was reelected to the CLOUT executive board for SW Ohio.

FISCAL OFFICER'S RECOMMENDATIONS AND REPORTS

Fiscal Officer's Report - Shelly Schultz

As you know the 2022 audit has finally wrapped up and you have a report to read. There were no findings.

The JEDD annex for 2023 money came in for the year 2023.

For the audit of 2023 we did spend more than \$750,000 in federal funds. We are required a single audit and that is much more in depth and the requirement is that it be signed and done 3rd quarter.

Recommend motion to suspend reading of the minutes of the following meeting:

- a. Organizational Meeting, January 9, 2024
- b. Trustee Regular Meeting, January 9, 2024
- 1. **Motion** made by Mr. Berding, second by Mr. McAbee to suspend the reading of the minutes.

All in favor

2. **Motion** made by Mr. McAbee, second by Mr. Berding to approve the reading of the minutes.

All in favor

Recommend **motion** made by Mr. McAbee, second by Mr. Berding to approve payment of the bills by the Fiscal Office.

All in favor.

DEPARTMENT SPOTLIGHT – **Jeff Bennett**, Public Works

The Public Works has been doing hot asphalt repairs as well as at the Shafor Park parking lot. We've been getting inventory of block and mortar for the repair process of over 40 catch basins. We will also be crack sealing all roads that were paved last year as well as some others I've planned to do. I've been sending some of the crew to paving seminars to get any knowledge we can about the different processes available. We've become an American Public Works Association member as I feel this will be another tool where we can get information from others. So far this winter season we've worked 13-1/2 hours overtime. We've used 339.86 tons of salt and 2,330 gallons of brine. I'm excited for the new year as we see more new businesses coming to the area and the 5-Points area getting another pocket park. As I close everything that I've mentioned isn't because of one person it's because of the pride and team players making it happen.

Mr. Berding – Maybe you can give us some feedback on the items you're asking for tonight.

Mr. Bennett – We currently have a push-pull camera. We can only inspect 1-1/2" to 4". With the camera I'm asking for tonight I've reached out to the engineers office before and typically they've came out and have done a lot of this work for us. We currently don't have a positive way to do pipe inspections or catch basins. With this new camera you can inspect anything from a 6" to 48" pipe up to 400' away. The other item we need is a backhoe. We currently have a 2008 backhoe. Personally, I would like to hold on to this instead of trying to sell to help with catch basins. I believe another backhoe would come in handy to use for other things. The total costs come in at \$131,008.59. This is with a 37% discount.

ADMINISTRATOR'S REPORT – Julie Vonderhaar

As many of you know Fire Chief Berter started on February 5th. Chief Berter and I have met with the other department heads to start to develop the relationships. Evaluations have started in all departments. The annual sexual harassment and cell phone use training and vehicle use has been scheduled. We will be meeting Dell Hodge regarding the Veterans Memorial. Easter Egg Hunt scheduled for March 30th at 11 AM. We've reached out to both schools in the Township for potential movie night partnerships. Habitat for Humanity is finishing 2 more houses. Chuck is working with Housing Services for potential properties and additional buildings. Salt contract came in at \$90.31/ton. Paving contract was awarded to Barrett. Pocket Park on Milton is underway. Zoning wise Cane's is going up and McDonald's, Starbucks, Tidal Wave, Johnson's, Christian Brothers. Safe Routes to Schools have been finalized. Neyer is moving onto the 3rd building. The roundabout on Seward will begin this summer. The State of the Community is on March 20th at Fairfield Schools.

Motion to accept the resignation of Officer Adam Green as full time Police Officer for the Fairfield Township Police Department effective January 30, 2024, and to accept his appointment as a Reserve Police Officer to the Fairfield Township Police Department effective January 31, 2024.

Motion made by Mrs. Hartkemeyer, second by Mr. McAbee to adopt motion. All in favor.

Motion to accept 1995 – 35C Ambulance donated by the Butler County Sheriff's Department to the Fairfield Township Public Works Department.

Motion made by Mr. Berding, second by Mr. McAbee to accept donation.

Mr. Bennett - Sheriff Jones stated this was given to them by Liberty Township a few years back. We went and looked at it and it has been well maintained. We might have to put new signage on the outside and have it wrapped. All in favor.

Motion made by Mr. McAbee, second by Mr. Berding to accept resignation of full time Police Officer, Scott Singleton effective 2-9-2024. All in favor.

Motion made by Mrs. Hartkemeyer, second Mr. McAbee to allow the Administrator to begin the Design Build process which includes engaging an architect or engineer for Fire House 211 Remediation.

Mrs. Vonderhaar - There was a significant water breach and ended up with tiles torn up, no drains in the bathrooms, mold, etc. With that said Chief Thomas and Chief Berter had CUC come out and look at this. I walked around the rest of the building and there are a lot of significant needs. I took CUC's report and asked Mr. Geis to weigh in and this information was sent to you as well.

Mr. Geis - You have a copy of my report. There are a host of problems on this building. It's 20 years old. There are also some design issues that I think you might want to evaluate. Most specifically the roof line on it. There have been problems before with water penetration in the building. Secondly important is ground water. Diverting water away from the building as quickly and efficiently as possible is critical. In conclusion, the Township should consider a Design-Build approach to this process. I further recommend that the Township charge the Criterion Architect/Engineer with reviewing all reasonable changes so that the Township can adequately evaluate the program based upon all factors including but not limited to budget, staffing, period of construction, etc. Once completed, the Township can bid the level of remediation desired.

RESOLUTION APPROVING OPEN PURCHASE ORDER BALANCES #24-21 Resolution approving open purchase order balances.

All in favor.

Motion made by Mr. Berding, second by Mr. McAbee to adopt Resolution #24-21. All in favor.

RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE AGREEMENT WITH THE BUTLER COUNTY EMERGENCY MANAGEMENT COOPERATIVE PROGRAM AT A TOTAL COST OF \$8,880.69 #24-22 Resolution authorizing the Administrator to execute agreement with the Butler County Emergency Management Cooperative Program at a total cost of \$8,880.69. **Motion** made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-22. All in favor.

RESOLUTION AUTHORIZING THE APPOINTMENT OF PART-TIME FIREFIGHTER/EMT ELIJAH EMMONS TO THE FAIRFIELD TOWNSHIP FIRE DEPARTMENT, AT AN HOURLY RATE OF \$18.50 PER/HOUR, WITH A 12-MONTH PROBATIONARY PERIOD #24-23

Resolution authorizing the appointment of part-time Firefighter/EMT Elijah Emmons to the Fairfield Township Fire Department, at an hourly rate of \$18.50 per/hour, with a 12-month probationary period.

Motion made by Mr. Berding, second by Mr. McAbee to adopt Resolution #24-24. All in favor.

RESOLUTION AUTHORIZING THE PURCHASE OF CASE 580SN T4
BACKHOE FROM SOUTHEASTERN EQUIPMENT COMPANY AT A TOTAL
COST OF \$131,008.59 (FIRST READ WITH OPTION TO APPROVE) #24-25
Resolution authorizing the purchase of Case 580SN T4 Backhoe from Southeastern
Equipment Company at a total cost of \$131,008.59.

Motion made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-25. All in favor.

RESOLUTION APPROVING PURCHASE OF 30-FOOT QV AIR CARBON FIBER TELESCOPING POLE CAMERA FROM BEST EQUIPMENT COMPANY FOR THE PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF \$17,833.33 #24-26

Resolution approving purchase of 30-foot QV Air Carbon Fiber Telescoping Pole camera from Best Equipment Company for the Public Works Department in the amount of \$17,833.33.

Motion made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-26. All in favor.

RESOLUTION AUTHORIZING CRACK SEAL TO BE PURCHASED AT A PRICE NOT TO EXCEED \$10,000.00 #24-27

Resolution authorizing crack seal to be purchased at a price not to exceed \$10,000.00.

Motion made by Mrs. Hartkemeyer, second by Mr. McAbee to adopt Resolution #24-27.

All in favor.

RESOLUTION AUTHORIZING THE BUTLER COUNTY ENGINEER TO REMOVE DIRT AND DEBRIS FROM THE DITCH ALONG PRINCETON ROAD AT BYPASS-4 NOT TO EXCEED \$10,000 #24-28

Resolution authorizing the Butler County Engineer to remove dirt and debris from the ditch along Princeton Road at Bypass-4 not to exceed \$10,000.

Mr. Bennett - This is the ditch by Home Depot.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to adopt Resolution #24-28.

All in favor.

RESOLUTION IMPOSING A MORATORIUM ON THE CULTIVATION,
PROCESSING, AND RETAIL SALE OF ADULT USE CANNABIS WITHIN
FAIRFIELD TOWNSHIP, OHIO #24-29

Resolution imposing a moratorium on the cultivation, processing, and retail sale of adult use cannabis within Fairfield Township, Ohio.

Motion made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-29. All in favor.

RESOLUTION APPROVING REPAIRS TO FIRE DEPARTMENT MEDIC #214 IN THE AMOUNT OF \$23,662.90 FROM SPECIALTY TRUCK REPAIR #24-30 Resolution approving repairs to Fire Department Medic #214 in the amount of \$23,662.90 from specialty truck repair.

Motion made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-30. All in favor.

RESOLUTION APPOINTING JASON AUSTERMAN AS A MEMBER OF THE FAIRFIELD TOWNSHIP ZONING COMMISSION TO FILL THE VACANT, UNEXPIRED TERM WHICH EXPIRES JANUARY 31, 2025 #24-31 Resolution appointing Jason Austerman as a member of the Fairfield Township Zoning Commission to fill the vacant, unexpired term which expires January 31, 2025.

Motion made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-31. All in favor.

RESOLUTION APPOINTING PAUL WEINGARTNER AS A MEMBER OF THE FAIRFIELD TOWNSHIP BOARD OF ZONING APPEALS TO FILL THE VACANT, UNEXPIRED TERM WHICH EXPIRES JANUARY 31, 2026 #24-32 Resolution appointing Paul Weingartner as a member of the Fairfield Township Board of Zoning Appeals to fill the vacant, unexpired term which expires January 31, 2026.

Motion made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-32. All in favor.

RESOLUTION APPOINTING MICHAEL FANNON AS A MEMBER OF THE FAIRFIELD TOWNSHIP BOARD OF ZONING APPEALS TO FILL THE VACANT, UNEXPIRED TERM WHICH EXPIRES JANUARY 31, 2029 #24-33 Resolution appointing Michael Fannon as a member of the Fairfield Township Board of Zoning Appeals to fill the vacant, unexpired term which expires January 31, 2029. **Motion** made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-33. All in favor.

RESOLUTION APPOINTING KARLA CHANEY AS A MEMBER OF THE FAIRFIELD TOWNSHIP ZONING COMMISSION TO FILL THE VACANT, UNEXPIRED TERM WHICH EXPIRES JANUARY 31, 2026 #24-34 Resolution appointing Karla Chaney as a member of the Fairfield Township Zoning Commission to fill the vacant, unexpired term which expires January 31, 2026. **Motion** made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-34. All in favor.

RESOLUTION APPROVING THE APPOINTMENT OF DOUG JOHNSON FROM HANOVER TOWNSHIP TO THE BUTLER COUNTY 911 PROGRAM REVIEW COMMITTEE #24-35

Resolution approving the appointment of Doug Johnson from Hanover Township to the Butler County 911 Program Review Committee.

Mrs. Hartkemeyer - This is something that came up in the Butler County Township Association meeting. All of the townships have to vote for him to be on that board. **Motion** made by Mr. McAbee, second by Mr. Berding to adopt Resolution #24-35. All in favor.

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT ON THE PROPERTIES LISTED BELOW AND FURTHER AUTHORIZING THE ZONING ADMINISTRATOR TO INITIATE COMPLAINT #24-36

Resolution declaring nuisance and ordering abatement on the properties listed below and further authorizing the zoning administrator to initiate complaint.

Motion made by Mr. Berding, second by Mr. McAbee to adopt Resolution #24-36. All in favor.

ANNOUNCEMENTS

- Offices closed for President's Day Holiday Monday, February 19, 2024
- Fairfield Township Board of Trustees Meeting Tuesday, March 12, 2024, 7
 PM
- Hamilton/Indian Springs JEDD Meeting Thursday, March 21, 2024, 9 AM

BOARD MEMBER COMMENTS

Mrs. Hartkemeyer - We did do the SWOT Session and will be getting that out to the Board. Went to the OTA, as several of us did, it was very informative and learned a lot.

EXECUTIVE SESSION

Motion, made by Mrs. Hartkemeyer, second by Mr. Berding to go into Executive Session, in accordance with:

1. **ORC 121.22 G (4)** to discuss collective bargaining sessions with public employees concerning their compensation and other terms and conditions of

employment All in favor

Joe McAbee, Trustee

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President convenes ex	xecutive sessions at 9:02 PM.
President resumes reg	gular meeting at 9:13 PM.
ROLL CALL	
Mrs. Hartkemeyer	Yes
Mr. Berding	Yes
Mr. McAbee	Yes
No action followed ex	xecutive session.
ADJOURNMENT	
Motion, made by Mr. All in favor.	Berding, second by Mr. McAbee to adjourn.
President declares me	eting adjourned at 9:13 PM.
Minutes submitted by	;
Shelly Schultz, Fiscal	Officer
Shannon Hartkemeye	r, Trustee Chairperson
Michael Berding, Tru	stee Vice-Chairperson