

**RECORD OF PROCEEDINGS
REGULAR TRUSTEE MEETING HELD MARCH 8, 2022**

The Fairfield Township Trustees held a Regular Trustee Meeting Tuesday, March 8, 2022, at the Administration Building, 6032 Morris Road, Fairfield Township, OH 45011, for conducting Township business. Meeting was called to order by Mrs. Hartkemeyer 7:00 PM.

ROLL CALL

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

Motion made by Mrs. Hartkemeyer, second by Mr. McAbee to make Dianne French Clerk Pro Tem.

All in favor

INVOCATION: Deacon Rick Reder

PLEDGE OF ALLEGIANCE

RESOLUTION AUTHORIZING THE APPOINTMENT OF FULL-TIME
FIREFIGHTER PARAMEDIC ERIC ROLLS TO THE FAIRFIELD TOWNSHIP FIRE
DEPARTMENT AT AN HOURLY RATE OF \$18.25 ON A 24/48 SHIFT WITH A 12-
MONTH PROBATIONARY PERIOD #22-48

Resolution authorizing the appointment of full-time Firefighter Paramedic Eric Rolls to the Fairfield Township Fire Department at an hourly rate of \$18.25 on a 24/48 shift with a 12-month probationary period.

Motion made by Mr. McAbee, second by Mrs. Hartkemeyer to adopt Resolution #22-48.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

RESOLUTION AUTHORIZING THE APPOINTMENT OF FULL-TIME
FIREFIGHTER PARAMEDIC NOAH ENDERLE TO THE FAIRFIELD TOWNSHIP
FIRE DEPARTMENT AT AN HOURLY RATE OF \$18.25 ON A 24/48 SHIFT WITH
A 12-MONTH PROBATIONARY PERIOD #22-49

Resolution authorizing the appointment of full-time Firefighter Paramedic Noah Enderle to the Fairfield Township Fire Department at an hourly rate of \$18.25 on a 24/48 shift with a 12-month probationary period.

Motion made by Mr. McAbee, second by Mr. Berding to adopt Resolution #22-49.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

Chief Thomas - Pinning ceremony.

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PRESENTATIONS – Mr. Chuck Goins

NVR, Inc. Final PUD Zoning Case FTZC21-3C

CASE: FTZC21-3C Final PUD Plan
APPLICANT: NVR, Inc.
LOCATION: Hamilton-Middletown Road (S.R 4)
A0300-023-000-066, A0300-023-000- 063, A0300-023-000-083
CURRENTLY ZONED: R-PUD- Residential Planned Unit Development District
REQUEST: Approval of Final PUD Plan

SITUATION OF PROPERTY

The subject property is located on the north side of Hamilton-Middletown Road (State Route 4) and northwest of the intersection of State Route 4 and State Route 4 Bypass, situated between Creekside Drive, Indian Meadows Drive and Reigart Road. The subject property is comprised of three parcels totaling 37.665 acres. The subject parcels are all currently zoned R-PUD Residential Planned Unit Development District. Properties to the north are zoned R-2, properties to the west are zoned B-1, properties to the east are zoned R-1 and B-2, and properties to the south are zoned B-PUD.

DESCRIPTION OF REQUEST

The applicant is currently requesting approval of the Final PUD Plan for the Walden Springs development.

FINDINGS OF FACT

Final PUD Plan for Walden Springs subdivision includes 62 duplexes comprised of 124 units on the 37.665 acres. The proposed lots would have a minimum square footage of 5,000 sqft, front yard setback would be 30 ft (from back of curb), side yard setbacks would be 6' and 0 ft (0 ft applies to common lot lines only), and rear yard setback would be 5 ft. The development is a cluster subdivision that integrates open space throughout the development.

The proposed open space is 49.7% (18.728 acres) which exceeds the minimum 25% requirement and exceeds what was proposed in the Preliminary PUD. The proposed open space includes a dog park, a water quality basin east of Indian Meadows Drive, a 50 ft buffer along the public roads to the west, south, east, as well as a 50 ft buffer along the existing residential development to the north. The Final PUD Plan eliminates the

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majority of the unmanicured and invasive vegetation in the 50 ft. buffer along Route 4 and improves the buffer by incorporating mounding and a variety of deciduous (minimum of 2” caliper) and evergreen trees (minimum of 6’ in height). The landscape plans also incorporate heavily landscaped gateways at both of the development’s entrances, on Indian Meadows Drive and Creekside Drive. The plans show the inclusion of street trees (minimum of 2” caliper) placed halfway between each home and the curb, on both sides of the street throughout the development. Plans show 5 ft wide sidewalks on both sides of the internal streets. In addition, the applicant is requesting a waiver for sidewalks along Hamilton-Middletown Road.

Walden Spring – R-PUD Proposed Lot Information

Front Yard Depths	Side Yard Widths		Rear Yard Depth
	One	Both	
30 ft.	5 ft.	10 ft.	30 ft.

The development plan states that construction would be completed in 2 phases over a period of 4 years. Butler County Water and Sewer will provide public utilities to the site. Water mains have been stubbed on the east and west sides of the property. Public sanitary sewer runs through the middle of the development, portions of the sewer will need to be relocated for the development. Both water and sewer utilities are of adequate size and have capacity available to serve this development. The applicant stated that private streets will be constructed in accordance to Butler County Engineers’ Office standards and will contain curb and gutter.

Butler County Planning Commission

The Butler County Planning Commission held a public hearing on June 8, 2021 and recommended approval of Walden Springs proposal and provided 12 comments.

Fairfield Township Zoning Commission

The Fairfield Township Zoning Commission held a public hearing on June 16, 2020 at the Fairfield Township Administration Building. The Zoning Commission made the recommendation, to the Fairfield Township Board of Trustees, to approve, with conditions, the request for a Zone Change from B-2 (General Business District) to R-PUD (Residential Planned Unit Development).

Fairfield Township Board of Trustees

The Fairfield Township Board of Trustees held a public hearing on July 28, 2021, at the Fairfield Township Administration Building. The Trustees passed a resolution to approve, as recommended by the Fairfield Township Zoning Commission.

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Relevant Sections of the Fairfield Township Zoning Resolution:

615.7 CONDITIONS FOR APPROVAL OF THE DETAILED FINAL PUD PLAN(S).

(a) Upon receipt of the detailed Final PUD Plan(s) for each section of the Planned Unit Development landholding, the Fairfield Township Board of Trustees shall study and review the detailed Final PUD Plan(s) and shall approve, modify or disapprove the plan(s) on the basis of; (1) that all requirements have been satisfied, and (2) finding that the following specific conditions are fully met:

(b) That the proposed detailed Final PUD Plan(s) for the individual section(s) of the overall R-PUD or B-PUD District are in conformance with the approved Preliminary PUD Plan.

(c) That any part of the Planned Unit Development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved, unless approved to be left in its natural state.

(d) That any exception from the standard resolution requirements is warranted by the design and amenities, incorporated in the detailed Final PUD Plan(s), in accordance with the adopted policy of the Board of Fairfield Township Trustees.

(e) That the internal streets and thoroughfares proposed are suitable and adequate to accommodate the anticipated traffic within and through the development.

(f) That the Final PUD Plan(s) is consistent with the intent and purpose of this Resolution to promote public health, safety and general welfare of the residents of Fairfield Township, Butler County.

STAFF RECOMMENDATION

It is the opinion of the staff that all conditions that were placed on the PUD during the Zone Change and the Preliminary PUD process have been addressed in the plans provided or are planned to be addressed in future sections of the PUD development. Staff further believes that the Final PUD Plan is consistent with sections 615.7 of the Township Zoning Resolution and will promote public health, safety, and the general welfare of the residents of Fairfield Township. Based on the findings of fact & submitted proposal to the Fairfield Township Board of Trustees staff make the makes the recommendation to **Approve** the Final PUD Plan.

Mr. Berding - I like the idea of that space. It's been kind of an eyesore along Route 4 coming into Fairfield Township. I like the idea that its going to be put to good use.

Mrs. Hartkemeyer – We were presented with the HOA guidelines. I'd like to read one of the restrictions: Leasing or renting of a home shall not be permitted. I know some of us were concerned about this. For the record this is in the document.

Katherine Barbieri, Township Law Director sworn in Craig Rassie Sworn to offer testimony.

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Craig Rassic, Ryan Homes, 8622 Jacquemin Dr., West Chester, OH 45069 – We would be starting in April on the development and hope to have a model home by the end of the year. 62 lots are what we are starting with and another 62 lots to finish the community. Projected timeline is probably 4 years. Price point will be in the low \$300k to upper \$300's, average will be about \$350k.

SET PUBLIC HEARING FOR SEWARD ROAD JEDD

Mrs. Vonderhaar - We need 30 days to notice hearing. April 12th would work.

Mr. McAbee - We haven't had a discussion about this in a long time. The thought that we are going to set a public hearing without a discussion; it's been a long time since we discussed this. I certainly need a review. It's been 2 years.

Mrs. Hartkemeyer - We could do executive session and then we can set the date.

POLICE STAFFING – JULIE VONDERHAAR & CHIEF CHABALI

Mrs. Vonderhaar -I looked at a snapshot of 2015 to 2021 and overall, we're almost \$3 million to the positive. Our Township has been wise in that we've diversified our income streams. The Township isn't dependent on one economic influencer. The Township continues to track and monitor annual revenues and expenses. Through careful planning and thoughtful spending, Fairfield Township has continued to maintain its AA2 bond rating and stable cash position. The General Fund remains at almost \$7 million which is double from 5 years ago. The largest challenge currently facing Fairfield Township now – and into the future – is staffing for police and fire. Safety service salaries typically uses up to 85% of a fund's budget. An average FTE is calculated at \$110,000 annually. With compounding prices and cost of living increases, salaries increase over time. This becomes a challenge for townships which are funded by levies (property taxes). Levies do not grow in size so at some point it becomes necessary for residents to vote on the level of services they desire in their community. With increased services and staffing levels comes increased costs to residents via a new levy – if so voted.

- Report is attached.

Mr. Berding - I know we've had discussions about adding officers; I'm glad to hear you found a way to pay for them. Using the JEDD sounds like a good idea. I definitely think this is needed.

Mrs. Hartkemeyer - Once the debt is paid off this will be sustainable. I think we should have more discussions on this and have a resolution prepared that we could vote on. This gives us a good month to review this data. It's my intent to push any levy down the road.

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Mr. McAbee – We would be adding 6 more officers and I'd really like to see the revenue minus the TIF'S. I'd like to see what the real cost is. I'd like to help find a way to get there.

Report is attached.

ENERGY AGGREGATION – DAN DETERS Presentation

- Natural Gas Aggregation June 2022 Renewal – Report is attached.

We are in year 6 of these. This will be the first renewal of the gas program. When we came in with this program, we had a price of \$0.396 per ccf. Tonight, I'm asking the Board to allow Mrs. Vonderhaar to sign for the rate prior to next meeting to secure and lock in rate. We think the rate is going to be \$0.53 or \$0.54 cents and allowing a ceiling of \$.57 cents. We're only asking for a 2-year contract instead of a 3-year contract this time. As always there is an opt out coming up before June deadline.

COMMUNICATION

Kevin Potter – Are there restrictions to 18-wheel trucks on Morris Road?

Ron McWhorter – Can HOA reverse no rentals down the road?

Maria Tangi – Update on community garden at 1884 Harvard Street.

Michael Yater, Jr. – Update CPO. No one is willing to talk with me or meet.

Mr. Berding – We have asked our Police Chief to handle this situation.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to suspend reading of the minutes of the following meetings:

- a) Trustee Regular Meeting, January 11, 2022
- b) Trustee Regular Meeting, February 8, 2022

All in favor.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to approve the minutes.

- a) Trustee Regular Meeting, January 11, 2022
- b) Trustee Regular Meeting, February 8, 2022
- c) All in favor.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to approve payment of the bills by the Fiscal Officer.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to add motion to add Energy Alliances Natural Gas Aggregation of \$0.57 with contract not to exceed 2 years.
All in favor

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Motion made by Mrs. Hartkemeyer, second by Mr. Berding authorizing the Administrator to accept the rate proposed by Energy Alliances Natural Gas Aggregation. All in favor.

Motion made by Mr. Berding, second by Mrs. Hartkemeyer to approve final PUD plan for NVR, Inc. as set forth in Zoning Case No. FTZC21-3C Final PUD with all the attachments.

YES – Mrs. Hartkemeyer, Mr. Berding

NO – Mr. McAbee

RESOLUTION TO APPROVE OPEN PURCHASE ORDER BALANCES #22-50

Resolution to approve open purchase order balances.

Motion made by Mr. Berding, second by Mr. McAbee to adopt Resolution #22-50.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

RESOLUTION AUTHORIZING THE FISCAL OFFICER TO INITIATE PAYMENT FROM THE FAIRFIELD TOWNSHIP GENERAL FUND TO THE CIC, INC. (CIC) IN THE AMOUNT OF \$5,000.00 #22-51

Resolution authorizing the fiscal officer to initiate payment from the Fairfield Township General Fund to the CIC, Inc. (CIC) in the amount of \$5,000.00.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to adopt Resolution #22-51.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

RESOLUTION TO AUTHORIZE A THEN AND NOW PURCHASE ORDER FOR ROAD SALT & BRINE MIXTURE FROM THE BUTLER COUNTY ENGINEER AT A PRICE NOT TO EXCEED \$5,300.00 #22-52

Resolution to authorize a Then and Now purchase order for road salt & brine mixture from the Butler County Engineer at a price not to exceed \$5,300.00.

Motion made by Mr. McAbee, second by Mrs. Hartkemeyer to adopt Resolution #22-52.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

RESOLUTION TO APPROVE PURCHASE OF SHELVING AND CABINETS FROM PATTERSON-POPE FOR THE POLICE DEPARTMENT IN THE TOTAL AMOUNT OF \$11,083.94 #22-53

Resolution to approve purchase of shelving and cabinets from Patterson-Pope for the police department in the total amount of \$11,083.94.

Motion made by Mr. Berding, second by Mr. McAbee to adopt Resolution #22-52.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

****TABLED** 22-54**

RESOLUTION ADOPTING STANDARD ALLOWANCE FOR EXPENDITURE FROM AMERICAN RESCUE PLAN ACT FUNDS.

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Motion made by Mrs. Hartkemeyer, second by Mr. Berding to table Resolution 22-54.
YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

****TABLED** 22-55**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE FROM AMERICAN RESCUE PLAN ACT FUNDS.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to table Resolution 22-55.
YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

RESOLUTION TO AUTHORIZE A THEN AND NOW PURCHASE ORDER FOR ANNUAL MAINTENANCE ON RADIOS FROM THE BUTLER COUNTY SHERIFF'S OFFICE AT A PRICE NOT TO EXCEED \$4,000.00 #22-56

Resolution to authorize a Then and Now purchase order for annual maintenance on radios from the Butler County Sheriff's Office at a price not to exceed \$4,000.00

Motion made by Mrs. Hartkemeyer, second by Mr. McAbee to adopt Resolution #22-56.

YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT ON THE PROPERTIES LISTED BELOW AND FURTHER AUTHORIZING THE ZONING DEPARTMENT ADMINISTRATOR TO INITIATE COMPLAINT #22-57

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

Motion made by Mr. Berding, second by Mrs. Hartkemeyer to adopt Resolution #22-57.
YES – Mrs. Hartkemeyer, Mr. Berding, Mr. McAbee

ANNOUNCEMENTS

Fairfield Township Board of Trustees Meeting – Tuesday, April 12, 2022 at 7 PM

BOARD MEMBER COMMENTS

Mr. McAbee - Have we made any progress on the motorcycle shop on Bridgewater? Does he have permission from the Township? I'd like you to keep me posted.

I saw the light at the park. There seems to be a tree in the way.

The TID Option 1 is back on the table. I think we need to be concerned about this.

Mrs. Hartkemeyer - I think this entire Board agrees this should not be going through the Boehm Farm.

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EXECUTIVE SESSION

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

1. ORC 121.22 G (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.
2. ORC 121.22 G (8) To consider confidential information related to the marketing plans or specific business strategy for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.

ROLL CALL

Mrs. Hartkemeyer	Yes
Mr. Berding	Yes
Mr. McAbee	Yes

Adjourned into executive session at 8:50 PM

Trustee's reconvened at 9:55 PM

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to allow Administrator to advertise JEDD hearing at 7 PM on April 12, 2022.
All in favor.

Motion made by Mrs. Hartkemeyer, second by Mr. Berding to adjourn at 9:58 P.M.
All in favor.

Minutes submitted by:

Shelly Schultz, Fiscal Officer

Shannon Hartkemeyer, Trustee Chairperson

Michael Berding, Trustee Vice-Chairperson

Joe McAbee, Trustee

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