

# **Hamilton Township Trustee Meeting**

## **January 15, 2025**

Trustee Board Chairman, Joe Rozzi, called the meeting to order at 6:02 PM. Mr. Rozzi, Mr. Cordrey and Mr. Sousa were present.

Roll call as follows: Joe Rozzi  
Darryl Cordrey  
Mark Sousa

The Pledge of Allegiance was recited by all.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the clerk's journal as the Official Meeting Minutes of December 18, 2024, Trustee Meeting.

Roll call as follows: Darryl Cordrey Yes  
Mark Sousa Yes  
Joe Rozzi Yes

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the bills as presented before the Board.

Roll call as follows: Mark Sousa Yes  
Darryl Cordrey Yes  
Joe Rozzi Yes

### **Site Plan Review- Hopewell Valley Market Place**

The public hearing for the proposed fuel center at 1 State Route 22/3 was opened by Law Director Brodi Conover, who explained the procedures and administered the oath to all speakers.

Zoning Director Cathy Walton presented the site plan for the proposed development by Rhinovations, which includes a 12,000-square-foot building with a gas station, restaurant, and retail space, along with a fuel canopy featuring four gas pumps. The property is zoned B-2 General Business, and the Future Land Use Plan also designates it as B-2. The development requires an Earth Disturbing permit from Warren County Soil and Water, and a traffic impact study will be conducted by both the Warren County Engineer's Office and the Ohio Department of Transportation. The applicant must provide additional information about the type of access proposed and a truck turning path for fuel and semi-trucks. Stormwater detention and water quality calculations are under review and centralized sanitary sewer service is available with sufficient capacity for the development. Hamilton Township staff recommended approval of the

project with conditions, including the submission of a photometric lighting plan and a landscape plan designed by a certified landscape architect as well as meeting all requirements from ODOT and Warren County partner organizations.

Mr. Cordrey asked Ms. Walton if a curb cut would be included in the proposal. Administrator Jeff Wright responded, explaining that ODOT's review will determine whether a curb cut is approved based on the Traffic Impact Study (TIS). He also clarified that a traffic light will not be required at the entrance to Hopewell Valley.

Mr. Rozzi invited the applicant to address the Board. Mr. Matthew Ward, representing Rhinovations, began by noting that the proposed fuel center will hold a state liquor license, which distinguishes it from other gas stations. When asked by Mr. Rozzi if the building would be similar to the Vibrant Express, Mr. Ward confirmed it would, mentioning that he was also the builder of the BP in South Lebanon, though not the Shell on State Route 22/3. Mr. Ward explained that he is in discussions with the County regarding taxes and how that will impact his decision to either include vacant retail space in the initial building or add it later. He expressed his hope of gaining approval for the entire project, with the option to complete it in phases, rather than needing to revise plans each time additional retail space is added.

Mr. Cordrey asked the applicant to consider the neighbors adjacent to the proposed site and suggested adding additional screening to the berm that is currently in place.

Mr. Wright inquired with the traffic engineer whether there would be sufficient space on the frontage of Route 22/3 for a de-escalation lane. Mr. Ward responded affirmatively but noted that if widening is required, the drainage ditch could not be properly stabilized. To address this, permission or an easement from the Little Miami School District would be necessary to shift the ditch onto their property, unless an alternative widening design is used. The design for the right-turn lane is still under review.

Mr. Sousa inquired about the vacant space on the parcel and whether it would include a detention pond. Mr. Ward clarified that there is already a detention pond located along the western property line.

Mr. Rozzi closed the floor to public comments and opened the discussion for deliberation. The board members unanimously agreed that the proposed plan complies with the zoning code and the designated zoning for the area. Given that the property has been zoned for this use for an extended period, the board acknowledged that development in this area was inevitable.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve of the Hopewell Valley Marketplace Site Plan as presented.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

## **Public Comments**

Mr. Rozzi opened the floor to public comments at 6:18 PM.

Mr. Brad Turner expressed concerns regarding snowplowing in cul-de-sacs. He observed that snow was being pushed to the center, potentially leaving insufficient space for emergency vehicles to safely turn around. He asked why the snowplows were clearing the streets in this manner.

Mr. Rozzi explained that due to the large volume of streets, the Public Works Department does not have enough time to fully clear the entire cul-de-sac. Additionally, there is limited space to relocate the excess snow.

The Public Works Director Mr. Pelfrey clarified that the department makes two passes around the cul-de-sacs to ensure that emergency vehicles can navigate through safely.

With no further comments, Mr. Rozzi closed the floor to public comments at 6:21 PM.

## **New Business**

### **Resolution No. 2025-0115A – Extending Cannabis Moratorium**

Mr. Wright stated that on July 17, 2024, the Board adopted a resolution to extend a six-month moratorium on permits for adult-use cannabis operators. This moratorium only applies to commercial cannabis sales and does not affect personal use, such as adult possession of up to two and a half ounces of marijuana or growing up to six plants at home.

The purpose of the moratorium is to give the Board and Township staff time to study the state regulations and the impact of cannabis retail operations in other communities. The Police Department has noted that due to the slow release of state regulations, we have not yet gathered enough data to understand the effects on communities with dispensaries. This information is essential for making informed decisions that prioritize the safety and well-being of our residents.

Allowing the moratorium to expire without this data could weaken the initial intent. Several retail cannabis establishments have opened or are planned to open in southwest Ohio, providing more feedback on their financial and social impacts.

Ohio classifies retail sales, indoor cultivation, and processing into separate categories. Some communities treat indoor cultivation differently from retail sales, as it has less impact on surrounding areas.

A property owner has requested that the Board consider indoor cultivation separately from retail operations if the moratorium is extended. The owner plans to build a 5,000 square-foot indoor

growth facility, provided it meets zoning and state licensing requirements. The property, located on SR 48 south of Hatt Swank Road, may not be suitable for rezoning to commercial use, but the owner asks the Board to exclude indoor cultivation from the moratorium.

The Board asked Mr. Conover to clarify the limitations they can impose on cannabis cultivation and retail in the Township. Mr. Conover explained that there is considerable flexibility regarding retail and manufacturing, and the Township can determine where these operations are allowed by adding a text amendment to the zoning resolution and setting limits on their number.

Mr. Sousa inquired about the tax benefits from both retail and wholesale cannabis sales. Mr. Conover responded that the host community can collect up to 3.6% of sales.

Mr. Cordrey stated that he is not interested in retail operations and expressed concerns about where cultivation might fit within the Township. He suggested continuing the six-month moratorium and, by June, hopefully having more guidance from the state.

Mr. Rozzi recommended that Mr. Wright, Ms. Walton, and Mr. Conover work together to develop a solution on zoning and limitations. He proposed reducing the moratorium from six months to three months to allow the Board to take control of the situation sooner.

Mr. Sousa noted that he does not want to delay the process further, as the issue was voted on by the public. After discussion, all Board members agreed to amend the resolution to extend the moratorium for three months instead of six.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve Resolution 25-0115A, a resolution extending by three months a moratorium on the processing and issuance of any permits allowing adult use cannabis operators within Hamilton Township, Warren County, Ohio.

Roll call as follows:	Mark Sousa	Yes
	Darryl Cordrey	Yes
	Joe Rozzi	Yes

### **Resolution No. 2025-0115B – Renewing Annual CLOUT Membership**

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve Resolution 2025-0115B – A resolution authorizing entering into a contract with the Ohio Township Association (OTA) Coalition of Large Ohio Urban Townships (CLOUT).

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

**Resolution No. 2025-0115C – Decrease in Appropriations for the ODNR Aquatic Education Grant**

Mr. Wright explained that the funds received from the ODNR Conservation Club grant were incorrectly allocated to the Aquatic Education Grant Fund. These funds should have been appropriately allocated to the General Fund.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve 25-0115C, a resolution decreasing appropriations in the ODNR Aquatic Education fund to reconcile budgets for the calendar year 2025.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

**Resolution No. 2025-0115D – Authorizing Private Sale of Unneeded and Unfit-For-Use Property in the Police Department**

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve Resolution 25-0115D, a resolution authorizing private sale of unneeded and unfit-for-use property in the Police Department.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

**Motion – Purchase Cemetery Deeds**

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the purchase of a cemetery deed as presented to the board.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

**Motion- Approve Hamilton Township Roster as presented**

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve of the Hamilton Township Roster as presented before the Board.

Roll call as follows: Mark Sousa Yes  
Darryl Cordrey Yes  
Joe Rozzi Yes

**Motion- Construction Manager at Risk Agreement for Public Works Facility with Conger**

Mr. Wright reminded the board that in November, the Board approved hiring McGill Smith Punshon and architect Randy Merrill to help select a Construction Manager at Risk (CMR) for the new Public Works Facility. An RFP/RFQ was issued, and six firms responded. After interviews, the top choice was Conger, which has experience with similar public projects and has worked with Mr. Merrill and MSP before.

Over the next few months, we will work with MSP and Conger to finalize design plans, address material and labor shortages, and manage costs at each phase. The goal is to stay on budget through value management and transparent bidding. We will also include incentives for cost-saving measures.

The next step is to finalize a Guaranteed Maximum Price contract with Conger for labor and materials. Construction is expected to start in July 2025, with completion and move-in planned for fall 2026.

Mr. Cordey expressed enthusiasm about the project, noting that the building will be funded without the need for a levy. He also highlighted that selecting Conger, a local company, helps keep funds within Warren County.

Mr. Sousa shared his hope to repurpose the current Public Works building for a future community center and to create additional parking for Testerman Park.

Mr. Rozzi remarked that the project reflects the Township's efficiency in managing its growth.

Mr. Rozzi made a motion with a second from Mr. Cordrey to authorize the Township Administrator to enter into an agreement with Conger Construction Group in the amount of \$51,090 as the Construction Manager at Risk for the Public Works Facility.

Roll call as follows: Joe Rozzi Yes  
Mark Sousa Yes  
Darryl Cordrey Yes

**Motion- Approve 2024 Township Highway System Milage Certification from ODOT**

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the 2024 Township Highway System Milage Certification from the Ohio Department of Transportation.

Roll call as follows: Mark Sousa Yes  
Darryl Cordrey Yes

Joe Rozzi

Yes

### **Public Comments**

Mr. Cordrey opened the floor to public comments at 6:48 PM, with nobody approaching he closed the floor to comments.

### **Fiscal Report**

Mrs. Leah Elliott gave the following updates for the December Fiscal Report:

Through the end of December, which is 100% through the year, we have received \$18.8 million of the \$17 million budgeted anticipated revenue. The final appropriations/expense budget was \$21.5 million, we spent \$ 18.1 million which is 84%. The total cash balance overall is \$19.9 million and the unencumbered fund balance is \$14 million.

Ms. Elliott suggested that for the next meeting, we focus on reviewing the fund categories in the context of a P&L, comparing the revenue and expenditure line items against the budget.

### **Administrator's Report**

The Detective Bureau successfully apprehended three individuals involved in a breaking and entering at a business located on State Route 48.

During the recent six-day snow event, the Public Works Department utilized 500 tons of salt and 420 gallons of beet juice, working an average of 72 to 78 hours to ensure the streets were cleared effectively.

Additionally, Ron Peek has achieved his ASE Prometric Testing Certification for heavy-duty vehicles, further enhancing the department's expertise.

### **Trustee Comments**

Mr. Cordrey expressed his appreciation to the Road Department for their outstanding work in clearing the streets during the recent snow event. He commended their efforts and thanked them for their dedication.

Mr. Sousa also acknowledged the efforts of Mr. Pelfrey and his staff regarding snow removal, noting their exemplary performance. He further mentioned that Kroger has been a great addition to the community since its opening last month.

Mr. Sousa invited Police Chief Hughes to share some positive news. Chief Hughes proudly reported that in recent months, the department has conducted undercover operations to prevent

the sale of vape products to minors. He was pleased to announce that all local retailers were found to be in full compliance with regulations, as no underage individuals were sold vapes.

Mr. Rozzi extended his appreciation to all departments, particularly highlighting the significant number of calls the Fire Department has been responding to. Fire Chief Jewett noted that the department has already responded to 13 calls today and is averaging 11 calls per day.

**Adjournment**

Mr. Rozzi made a motion with a second from Mr. Cordrey to adjourn at 6:56 p.m.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes