



HAMILTON TOWNSHIP

HAMILTON TOWNSHIP ADMINISTRATION

Joseph Rozzi – *Board Chair*

Darryl Cordrey – *Vice Chair*

Mark Sousa – *Trustee*

Leah Elliott – *Fiscal Officer*

7780 South State Route 48
Maineville, Ohio 45039
Phone: (513) 683-8520

Township Administrator

Jeff Wright
(513) 683-8520

Police Department

Scott Hughes – Police Chief
Phone: (513) 683-0538

Fire and Emergency Services

Jason Jewett – Fire Chief
7684 South State Route 48
Maineville, Ohio 45039
Phone: (513) 683-1622

Public Works

Don Pelfrey – Director
Phone: (513) 683-5320

Assist. Fiscal Officer

Ellen Horman
Phone: (513) 239-2377

Human Resources

Cheryl Allgeyer
Phone: (513) 239-2384

Zoning Administrator

Cathy Walton
Phone: (513) 683-8520

Parks and Recreation

Nicole Earley
(513) 683-5360

TRUSTEE MEETING & ANNUAL RETREAT AGENDA 2/5/2025

8:30 AM

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and Accept the audio/video recording as the Official Minutes of the January 15th Board of Trustees regular meeting.
- Bills before the Board

Public Comments

New Business

Resolutions

- Resolution No. 2025-0205A – Zoning Text Amendment
- Resolution No. 2025-0205B – Declaring Amberwood Way a Nuisance
- Resolution No. 2025-0205C – Private Sale of Unneeded and Unfit-For-Use Property in the Police Department

Motion

- Amend the Hamilton Township Roster as Presented
- Authorize Agreement for the Modification of the Warren County Throughfare Plan

2025 Departments Work Session

Trustee Comments

Adjournment

The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.

The following guidelines protect your rights as well as those of others:

1. Speakers must state their name and full address for the record.
2. The Board Chair will recognize each speaker, and only one person may speak at a time.
3. Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.
4. Anyone who willfully disrupts a Board meeting may be barred from speaking further or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)

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



Planning and Zoning Director
02/05/2025 Trustee Meeting

The following motion is requested by the Board of Hamilton Township Trustees from the Planning and Zoning Director Cathy Walton

Motion to approve Resolution 25-0205A- A resolution initiating certain text amendments to the official Zoning Code of Hamilton Township, Warren County, Ohio.

This motion is only to initiate the process for making text amendments to the zoning code.

Per ORC 505.86, at least thirty days before the removal, repair, or securance of any insecure, unsafe, or structurally defective building or other structure, the Board of Township Trustees shall give notice by certified mail, return receipt requested, to each party in interest of its intention with respect to the removal, repair, or securance of an insecure, unsafe, or structurally defective or unfit building or other structure.

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:00 p.m. on February 5, 2025, with the following Trustees present:

Joseph P. Rozzi – Trustee, *Chair*
Darryl Cordrey – Trustee, *Vice Chair*
Mark Sousa – Trustee

Mr. _____ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY, OHIO
RESOLUTION NUMBER 25-0205A**

**RESOLUTION INITIATING CERTAIN TEXT AMENDMENTS
TO THE OFFICIAL ZONING CODE
OF HAMILTON TOWNSHIP, WARREN COUNTY, OHIO**

WHEREAS, the Hamilton Township Board of Trustees are empowered by Ohio Revised Code 519.12, and Sections 2.3.1 and 3.7.1 of the Hamilton Township Zoning Code (the “HTZC”), to initiate amendments to the HTZC text;

WHEREAS, the Board of Trustees has determined, in consultation with Township Zoning staff, that it is necessary and desirable to amend certain provisions of the HTZC;

WHEREAS, Township zoning staff have prepared a number of proposed HTZC text amendments, attached as Exhibit A to this Resolution, which the Board of Trustees finds are in the interests of the public health, safety, and general welfare; and

WHEREAS, the Board of Trustees hereby initiates certain amendments to the HTZC text pursuant to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Hamilton Township, Warren County, State of Ohio, that:

Section 1. The Board of Trustees hereby initiates certain text amendments to the HTZC; which amendments shall include those set forth in the attached Exhibit A and any other amendments the Township Zoning Administrator and Zoning Commission may find are in the public interest during the HTZC amendment process.

Section 2. Within five days of the certification of this Resolution, the Township Zoning Administrator is hereby instructed to transmit a copy of the Resolution to the Warren County Regional Planning Commission for

review of the proposed text amendments and recommendation as to whether they should be modified and/or adopted by the Township.

Section 3. The Township Zoning Administrator is further instructed to certify a copy of this Resolution to Zoning Commission so that the Commission may set a date for a public hearing regarding the proposed text amendments. At the conclusion of such hearing, Zoning Commission shall issue to the Board of Trustees a recommendation as to whether the text amendments should be approved, approved with modifications, or denied.

Section 4. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution shall be effective from the earliest date permitted by law.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Joseph P. Rozzi – Aye _____ Nay _____
Mark Sousa – Aye _____ Nay _____
Darryl Cordrey – Aye _____ Nay _____

Resolution adopted this 5th day of February, 2025.

Attest:

Leah M. Elliott, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Leah M. Elliott, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on February 5, 2025.

Date: _____

Leah M. Elliott, *Fiscal Officer*



Planning and Zoning Director
02/05/2025 Trustee Meeting

The following motion is requested by the Board of Hamilton Township Trustees from the Planning and Zoning Director Cathy Walton

Motion to approve Resolution: 25-0205B- a resolution providing for the declaration of nuisance and securing of an unsafe structure for the property located at 1715 Amberwood Way and authorizing all necessary steps to undertake action and declaring an emergency.

This motion approves the securing of the unsafe structure and debris removal on the lot. Notice was sent to the owner of the property and his attorney.

Per ORC 505.86, at least thirty days before the removal, repair, or securance of any insecure, unsafe, or structurally defective building or other structure, the Board of Township Trustees shall give notice by certified mail, return receipt requested, to each party in interest of its intention with respect to the removal, repair, or securance of an insecure, unsafe, or structurally defective or unfit building or other structure.

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 8:30AM on February 5, 2025, with the following Trustees present:

Joseph P. Rozzi, Trustee, *Board Chair*
Mark Sousa – Trustee, *Board Vice Chair*
Darryl Cordrey, Trustee

Mr. _____ introduced the following resolution and moved its adoption:

HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 25-0205B

RESOLUTION PROVIDING FOR THE DECLARATION OF NUISANCE AND REMOVAL OF AN UNSAFE STRUCTURE FOR THE PROPERTY LOCATED AT 1715 AMBERWOOD WAY, PARCEL NO. 1611454042 AND AUTHORIZING ALL NECESSARY STEPS TO UNDERTAKE ACTION AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Trustees is authorized under Ohio Revised Code §505.86 to remove, repair, or secure buildings or structures that have been declared unsecure, unsafe, or structurally defective by the fire department or building department, or that have been declared unfit for human habitation by a board of health, and collect the costs of said actions; and

WHEREAS, a complaint has been received concerning a nuisance structure located 1715 Amberwood Way, Parcel no. 1611454042 (“Location”); and

WHEREAS, The Location was investigated, and the building located thereon (“subject building”) was found to be unsafe due to fire damage;

WHEREAS, Violation Notices with detailed instructions were mailed to the property owner and the property owner’s attorney and no action to repair or secure the subject building has been taken; and;

WHEREAS, under Ohio Revised Code §505.86 a condition precedent to finding a building to be an open, unsafe and unsecure nuisance is a determination of such conditions by the appropriate safety agency, and;

WHEREAS, after inspection, determination of such conditions was documented by the Hamilton Township Fire Department on February 3, 2025;

NOW THEREFORE, Be It Resolved by the Board of Township Trustees, Hamilton Township, Ohio:

- Section 1.** The determinations of the Hamilton Township Fire Department concerning the conditions of the subject building are hereby adopted.
- Section 2.** Subject to the requirements of Section 505.86, the Board of Trustees hereby orders the subject building to be secured.
- Section 3.** Prior to securing of the subject building, notice shall be given to parties in interest in accordance with Sections 505.86(B) and (C).
- Section 4.** Prior to any securing of the subject building, a hearing will be held on the matter if requested by a party in interest timely pursuant to Section 505.86(C).
- Section 5.** Prior to any securing of the subject building, the Board of Trustees will issue a final order deciding the matter in accordance with Section 505.86(C)(3) regarding final disposition of the subject building.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Joseph P. Rozzi-	Aye _____	Nay _____
Mark Sousa-	Aye _____	Nay _____
Darryl Cordrey-	Aye _____	Nay _____

Resolution adopted this 5th day of February, 2025.

Attest:

Leah M. Elliott, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Leah M. Elliott, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on February 5, 2025

Date: _____

Leah M. Elliott, *Fiscal Officer*



**Office of Chief of Police
2/5/25 Trustee Meeting**

The following motion is requested by the Board of Hamilton Township Trustees from the Chief of Police

Motion to approve Resolution 25-0205C- resolution authorizing private sale of unneeded and unfit-for-use property in the Police Department.

This property involves vehicles, which were recently impounded, and their titles signed over to the police department. Most of these vehicles were ‘totaled’ in car crashes, and/or the value of the vehicle exceeds the tow bill.

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 8:30 a.m. on February 5, 2025, with the following Trustees present:

Joseph P. Rozzi– Trustee, *Chair*
Darryl Cordrey – Trustee, *Vice Chair*
Mark Sousa– Trustee

Mr. _____ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 25-0205C**

**A RESOLUTION AUTHORIZING PRIVATE SALE OF UNNEEDED AND UNFIT-FOR-
USE PROPERTY IN THE POLICE DEPARTMENT**

WHEREAS, the Board of Trustees has certain property in its Police Department, which is no longer needed for public use, is obsolete, or is unfit for the use for which it was acquired;

WHEREAS, the property which the Board of Trustees has determined to no longer be needed for public use or to be obsolete or unfit for the use for which it was acquired is as follows:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN</u>
2014	Nissan	Pathfinder	5N1AR2MM8EC628845

WHEREAS, the Board of Trustees has determined that the fair market value of the above listed items is not in excess of two thousand five hundred dollars (\$2,500.00);

WHEREAS, due to the determination of the value of the above-listed property, Section 505.10(A) (2) (a) of the Ohio Revised Code authorizes the Board of Trustees to sell the property by private sale, without advertisement or public notification;

WHEREAS, the Board of Trustees has determined that due to the nature of the above-listed items, disposal of that property by private sale is desirable.

NOW THEREFORE BE IT RESOLVED, that the above-listed property shall be sold, by private sale, without advertisement or public notification.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Joseph P. Rozzi -	Aye _____	Nay _____
Mark Sousa -	Aye _____	Nay _____
Darryl Cordrey -	Aye _____	Nay _____

Resolution adopted this 5th day of February 2025.

Attest:

Leah M. Elliott, Fiscal Officer

Approved as to form:

Benjamin J. Yoder, Law Director

I, Leah M. Elliott, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on February 5th, 2025

Date: _____

Leah M. Elliott, Fiscal Officer



**Office of Human Resources
02/05/2025 Trustee Meeting**

The following motion(s) is/are requested to the Board of Hamilton Township Trustees from the Human Resources Manager:

Motion to re-appoint Julie Perelman to the Zoning Commission for a five (5) year term, with term expiring 12/31/2029.

Motion to appoint Scott Gravett to the Zoning Commission as a mid-term appointment, with term expiring 12/31/2026.

Mr. Gravett is the current alternate for the Zoning Commission; he would fill the unexpired term vacancy from the resignation of Brady Hood.

Motion to appoint Justin King as an alternate to the Zoning Commission as a mid-term appointment, with term expiring 12/31/2026.

Mr. King would fill the unexpired term vacancy of current alternate Scott Gravett. Mr. Gravett has been recommended to fill the vacancy on the Zoning Commission.

Motion to appoint Susan Erickson to the Board of Zoning Appeals for a five (5) year term, with term expiring 12/31/2029.

Ms. Susan Erickson is the current alternate for the Board of Zoning Appeals; she would fill the current vacancy on the Board of Zoning Appeals.

Motion to appoint Garrick Horton as the alternate to the Board of Zoning Appeals as a mid-term appointment, with term expiring 12/31/2028.

Mr. Horton would fill the unexpired term vacancy of current alternate Susan Erickson. Ms. Erickson has been recommended to fill the vacancy on the Board of Zoning Appeals.



Administrator - 2/5/25 Trustee Meeting

The following motion is requested of the Board of Hamilton Township Trustees from the Township Administrator:

The Myers Y. Cooper Company is a retail and office land developer that has had seven acres of vacant, commercially zoned property at the northeast corner of SR 48 and US 22/3 under contract since early 2024. The developer has received support from Hamilton Township during its due diligence process to bring the project to fruition so it can purchase the property. The adjacent State routes have recently been widened, and the traffic capacity and safety have been greatly improved. Several national retailers have shown interest in being tenants and investing in the multimillion-dollar project.

However, Warren County twenty-five years ago adopted the Hoptown Connector component of the County Thoroughfare Plan that was not recorded nor designed and does not provide for any assistance to property owners or developers to reimburse them for consuming private property for an undefined public road that may never be justified but impedes the aforementioned retail project that we support. Strict enforcement of the Plan is threat to the proposed development plan moving forward. The County Engineer and Administrator have stated that they will recommend that the Board of County Commissioners approve the requested deviation from the County Thoroughfare Plan if the Township and Myers Y. Cooper Company agree to enter into an agreement for the entities to plan on a cross access easement if adjacent properties ever develop to satisfy intentions of the Thoroughfare Plan.

Motion to authorize the Township Administrator to enter into an Agreement with the Myers Y. Cooper Company to modify the Warren County Thoroughfare Plan to support the developer's proposed development at SR 48 and US 22/3.

AGREEMENT TO MODIFY THOROUGHFARE PLAN

This Agreement to Modify Thoroughfare Plan (“Agreement”) is made in Hamilton Township, Ohio, this _____ day of _____, 2025 by and between **THE MYERS Y. COOPER COMPANY** (hereinafter the "Developer") and the **HAMILTON TOWNSHIP BOARD OF TRUSTEES** (hereinafter the “Township”) by authority of the Warren County Board of Commissioners (the “County”) established at the meeting of the Commissioners held on February 4, 2025 through the passage of Resolution No. _____ entitled _____.

WHEREAS:

Developer intends to develop certain parcels of land, for commercial purposes (the “Development”), located in Hamilton Township, Warren County Ohio, identified as Parcel #16-05-276-005 and Parcel #16-05-276-008, and currently described on Exhibit A attached hereto, which may be consolidated into one parcel at some point in the future, but are hereinafter collectively referred to as the “Land”.

WHEREAS:

The unrecorded presently-effective Official Thoroughfare Plan of Warren County, Ohio (the “Thoroughfare Plan”) currently identifies a potential future collector roadway across a part of the Land, more specifically known as the Hopkinsville 2010 Access Management Plan, hereinafter referred to as the “Hoptown Connector”, which would conflict with Developer’s development plans.

WHEREAS:

The Warren County Engineer’s Office (hereinafter “WCEO”) has informed the Developer and the Township that WCEO does not know the final configuration of the potential future collector roadway, and Developer does not know the final configuration of buildings and parking areas on the Land, and WCEO desires the Developer and the Township to enter into this Agreement to advance the potential future Hoptown Connector.

NOW, THEREFORE:

The Developer and the Township agree to be bound by the following terms and conditions with regard to the development of the Land as follows:

1. The Parties agree, with the County’s express consent, that the portion of the Hoptown Connector that is shown on the Land, in Survey Record 119, Plat 23 of the Warren County Engineers Record of Land Surveys, shall not be required to be built by the Developer (or its successor in title) or the Township, and no portion of the Land will be required to be dedicated to Warren County for the Hoptown Connector or any other right-of-way purpose, provided Developer fulfills its obligations in the following paragraphs 2, 3 and subparagraphs 3a-e. All references in this Agreement to the “Hoptown Connector” shall

be understood to exclude the aforementioned portion of the Hoptown Connector shown on the Thoroughfare Plan.

2. Subject to the understanding in paragraph 1 above, Developer is willing to provide cross easement access across the Land from the full access curb cut on Route 22/3 to a point along the Northern property line of the Land that is currently shared with Parcel #16-05-276-006 (the "Easement").
3. The Easement shall be memorialized in a separate definitive Access Easement Agreement to connect the parking area of the Development to the potential future collector roadway contemplated in the Hoptown Connector plans at such time as the Hoptown Connector is under construction as reflected on the Thoroughfare Plan. The Access Easement Agreement shall include the following minimum terms and conditions:
 - a. The specific metes and bounds description of the Easement area will be agreed upon by the Developer and the Township once the buildings and parking areas of the Development and the configuration of the Hoptown Connector is designed.
 - b. The Easement shall be utilized for passenger vehicular traffic only and not for construction or delivery trucks.
 - c. The Easement area will be a minimum of 24' wide to accommodate two-way traffic, and exclude utilities not for use by the Developer.
 - d. The Easement area will be "at grade" of the parking area of the Development.
 - e. Care and maintenance of the Easement area shall be the sole responsibilities of all owners of parcels directly served by the Hoptown Connector.
 - f. The definitive Access Easement Agreement shall be recorded in the official records of Warren County, Ohio.
4. The Township or its assigns shall serve as the lead agency for purposes of carrying out any and all future public road improvements required by the Ohio Department of Transportation or WCEO related to the construction of the Hoptown Connector on properties not owned by the Developer, and this Agreement shall not be understood as creating any obligation responsibility on the Developer's part to assist with such public improvements.
5. An Affidavit relating to title pursuant to Ohio Revised Code 5301.252(B)(3) that attaches this instrument thereto shall be recorded in the official records of Warren County but only after a vesting deed to the Developer has been recorded in the official records of Warren County.
6. The Parties agree that, if the County revokes or amends the Thoroughfare Plan presently in effect as of the date of this Agreement, such that the Hoptown Connector is no longer a required aspect of the effective County Thoroughfare Plan, this Agreement shall immediately terminate and the Parties shall have no further rights or responsibilities hereunder.

IN WITNESS WHEREOF, the parties hereto confirm their authority to execute this document on behalf of their respective entities and have set their hands to multiple copies hereof as of the date first above-written.

"Developer"
THE MYERS Y. COOPER COMPANY

By: _____
Raymond K. Cooper, II - President

Hamilton Township Board of Trustees
pursuant to Resolution No. _____,
dated _____, 2025.

By: _____
Jeff Wright, Township Administrator

Approved as to form:

By: _____
Benjamin J. Yoder, Law Director

(ACKNOWLEDGMENT OF DEVELOPER)

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

BEFORE ME, a Notary Public in and for said county and state appeared Raymond K. Cooper, II, who being by me sworn, did say that he is the President of The Myers Y. Cooper Company, the corporation named in and which executed the within instrument; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that said instrument his their free act and deed individually and the free act and deed of said corporation. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this _____ day of _____, 2025.

Notary Public

(ACKNOWLEDGMENT OF TOWNSHIP)

STATE OF OHIO)
) SS:
COUNTY OF WARREN)

BEFORE ME, a Notary Public in and for said county and state appeared Jeff Wright, proven to me or personally known who, being by me sworn, did say that he is the Township Administrator of the Hamilton Township, Ohio, the entity named in and which executed the within instrument; that said instrument was signed on behalf of said entity by authority of its office; and that said instrument is his free act and deed individually and the free act and deed of said entity. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this _____ day of _____, 2025.

Notary Public

EXHIBIT A

Legal Description

PARCEL 1:

Situate in Hamilton Township, Warren County, Ohio, in Military Survey No. 2956 and being that land conveyed to James Murphy Jr. and Louelia Murphy as recorded in Official Record 225, Page 558, of the Warren County records and being more particularly described as follows:

Beginning at a spike nail set in the center of State Route 48, said point bears North 4 deg 58 minutes 37 seconds East 502.40 feet from the intersection of the centerlines of U.S. and Ohio 3 with said State Route 48; thence leaving said road and passing an iron pin set at 35.00 feet South 85 deg 04 minutes 19 seconds East 141.80 feet to an iron pin set; thence North 44 deg 36 minutes 17 seconds East, 550.84 feet to an iron rod found; thence North 83 deg 17 minutes 46 seconds west and passing an iron rod found at 146.11 feet a distance of 332.89 feet to an iron pin set; thence South 12 deg 51 minutes West, 125.04 feet to a corner post in concrete; thence North 84 deg 30 minutes West and passing an iron pin set at 108.25 feet a distance of 143.25 feet to a spike nail set in the center of State Route 48; thence along said road South 4 deg 58 minutes 37 seconds West, 311.86 feet to the point of beginning.

Containing 2.738 acres of land, more or less.

The above description is in accordance with a survey made by Charles R. Duncan, Reg. No. 5853, on December 15, 1986. Recorded in Land Survey Vol. No. 63, Plat 72.

PPN 16-05-276-005

PARCEL 2:

Situated in the Virginia Military Survey No. 2956, Hamilton Township, Warren County, Ohio and being more particularly described as follows:

Commencing at an existing iron pin in the centerline monument box located South 3 degrees 51 minutes 34 seconds West, 0.32 feet from the Intersection of U.S. 22/3 and Ohio State Route 48; Thence along the centerline of State Route 48 North 3 degrees 51 minutes 34 seconds East 0.32 feet to the above mentioned intersection; Thence continuing along the centerline of Ohio State Route 48 North 02 degrees 32 minutes 52 seconds East 499.00 feet to a point; Thence leaving said centerline South 87 degrees 37 minutes 31 seconds East 53.40 feet to an existing Iron Pin, passing an existing Iron Pin at 45.85 feet, and the true place of beginning for this description;

Thence South 87 degrees 37 minutes 31 seconds East 89.97 feet to an existing iron pin;
Thence North 42 degrees 03 minutes 05 seconds East 550.84 feet to an existing axle;
Thence South 28 degrees 01 minutes 21 seconds East 389.57 feet to an existing Iron Pin;
Thence South 60 degrees 15 minutes 42 seconds West 224.98 feet to an iron pin (set);
Thence South 56 degrees 21 minutes 11 seconds West 508.63 feet to an iron pin (set);
Thence North 66 degrees 35 minutes 28 seconds West 41.10 feet to an iron pin (set);
Thence North 02 degrees 39 minutes 04 seconds East 316.03' to an existing iron pin and the Point of Beginning. This parcel containing 4.7373 acres of land, more or less.

The above described real estate is part of the same premises described in O.R. Vol. 2472 Page 533 of the Warren County Ohio Deed Records and identified as Parcel ID, 16-05-276-003 on the tax maps of said county.

Basis of North Bearing is the centerline of U.S. 22/3 North 55 degrees 14 minutes 39 seconds East of the Ohio Department of Transportation Drawing WAR-22/3-8.642 dated December 26, 2001.

PPN: 16-05-276-008.