

The November 12, 2008 regular meeting of the Delhi Township Board of Trustees was called to order at 6:00 p.m. by President Jerome F. Luebbers. Trustee Albert C. Duebber, Michael D. Davis, Fiscal Officer Kenneth J. Ryan, Administrator Gerard G. Schroeder and Law Director Dave C. Lane were present.

## Open the Meeting:

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- Moment of silence in remembrance of Virginia Ruehlmann, mother of Pete Ruehlmann, FAB member and wife of former Cincinnati Mayor Eugene P. Ruehlmann, which was then followed by the Pledge of Allegiance to the Flag.
- The Board received certification from the Fiscal Officer that the rules adopted pursuant to Section 121.22 of the Ohio Revised Code had been complied with for the meeting.

## Motions for Consideration:

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### **Motion 2008-139**

Trustee Duebber moved and Trustee Davis seconded to approve the minutes of the meeting of October 29 and dispense with the reading. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

### **Motion 2008-140**

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

### **Motion 2008-141**

Trustee Davis moved and Trustee Duebber seconded to approve payment of overtime. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

### **Motion 2008-142**

Trustee Davis moved and Trustee Duebber seconded to authorize the Public Works department to reapply for two FEMA/OEMA grants to acquire various homes along Rapid Run Road with 75% of the cost to be from FEMA funds and 25% match from local funds of the Metropolitan Sewer District. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

### **Motion 2008-143**

Trustee Duebber moved and Trustee Davis seconded to approve the granting of the sidewalk variance requested for Victory View subdivision so as not to require sidewalks along Foley Road east and west of Mitchell Way Ct. or along the west side of Mitchell Way Ct. extending from Foley Rd. north for approximately 240 feet provided that the sidewalk along the west side of Mitchell Way Ct. begins on the west side of the driveway located at 535 Mitchell Way Ct. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

### **Motion 2008-143 (Amended)**

Trustee Duebber moved and Trustee Davis seconded to approve the granting of the sidewalk variance requested for Victory View subdivision so as not to require sidewalks

along Foley east and west along Mitchell Way Ct. or along the west side of Mitchell Way Ct. extending from Foley Rd. north for approximately 240 feet. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

**Motion 2008-144**

Trustee Duebber moved and Trustee Davis seconded to approve the rescheduling of the Parks budget hearing from Thursday, November 13 to Tuesday, November 25 at 5:30 p.m. in the Trustee meeting room. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

## Reading of the Resolutions:

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**Resolution 2008-166**

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

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-167**

Trustee Duebber introduced and moved the adoption of a resolution appointing two (2) members to the Volunteer Fire Fighters' Dependents Fund Board and dispensing with the second reading. Trustee Davis seconded.

The appointed members are Bob Sanker and Terry Baker.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-168**

Trustee Duebber introduced and moved the adoption of a resolution entering into an agreement with Susan C. Pride to audit Bureau of Motor Vehicle records for 2008, appointing agent, authorizing and directing the Township Administrator to execute said agreement and dispensing with the second reading. Trustee Davis seconded.

Administrator Schroeder reported that the audit ensures the correct Motor Vehicle Tax funding.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-169**

Trustee Duebber introduced and moved the adoption of a resolution entering into amended and restated lease agreement with the Board of County Commissioners, Hamilton County, Ohio for a portion of the Township maintenance facility for an initial term ending December 31, 2011 and dispensing with the second reading. Trustee Davis seconded.

Mr. Bass reported that the purpose is to update the lease agreement with the County Engineer's Office in order to permit both entities to maintain a sufficient amount of salt.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-170**

Trustee Duebber introduced and moved the adoption of a resolution budgeting and amending revenues, making appropriations for expenses in various funds, authorizing transfers and dispensing with the second reading. Trustee Davis seconded.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-171**

Trustee Duebber introduced and moved the adoption of a resolution authorizing transfer from one appropriation item to another pursuant to R.C. 5705.40 and dispensing with the second reading. Trustee Davis seconded.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-172**

Trustee Duebber introduced and moved the adoption of a resolution declaring nuisance for accumulated debris at 452 Wilke Drive and dispensing with the second reading. Trustee Davis seconded.

Mr. Stahlheber reported that the property was vacant and in foreclosure, the complaint was received late July and informal orders were issued with an August deadline. He commented that a follow up inspection found additional tree limbs and debris as a result of the September 14 storm.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-173**

Trustee Duebber introduced and moved the adoption of a resolution declaring nuisance for accumulated debris at 869 Martini Road and dispensing with the second reading. Trustee Davis seconded.

Mr. Stahlheber reported that the violation was observed while inspecting the property next door. He commented that the informal order was issued early September, while some effort had been made, a recent inspection found no additional progress.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-174**

Trustee Davis introduced and moved the adoption of a resolution certifying violation abatement expenses at 4230 Paul Road to the County Auditor for assessment and dispensing with the second reading. Trustee Duebber seconded.

Contractor fee:	765.00
Admin. fee:	<u>694.12</u>
Total abatement cost:	<u>\$1,459.12</u>

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-175**

Trustee Davis introduced and moved the adoption of a resolution certifying violation abatement expenses at 4798 Basil Lane to the County Auditor for assessment and dispensing with the second reading. Trustee Duebber seconded.

Contractor fee:	500.00
Admin. fee:	<u>542.82</u>
Total abatement cost:	<u>\$1,042.82</u>

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

**Resolution 2008-176**

Trustee Duebber introduced and moved the adoption of a resolution authorizing the Township Administrator to accept a proposal from Fifth Third Bank for tax exempt lease financing in an amount not to exceed \$850,000.00 in connection with the purchase of the property located at 5157, 5159 and 5163 Foley Road authorized at resolution 2008-127, employing special legal counsel in connection with the tax exempt financing, authorizing reimbursement of capital expenditures made for the acquisition of the property, imposing conditions and dispensing with the second reading. Trustee Davis seconded.

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

Trustees Luebbers, Duebber and Davis voted YES at roll call to adopt the resolution. Resolution adopted.

## Announcement of Community Events:

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1. *Ohio Township Association Scholarship* – three \$1,500 scholarships are available in two categories. Students who meet the following requirements may only receive one of the scholarships: live within one of the 1,308 townships in Ohio, submit an application with a 500 word essay, copy of your most recent high school transcript, copy of your SAT or ACT scores and two letters of recommendation. An application can be obtained at our website at [www.delhi.oh.us](http://www.delhi.oh.us).
2. *Greater Cincinnati Airport Runway Closure* – The eastern north/south runway will be closed for maintenance from 7:00 a.m. on Tuesday, November 11<sup>th</sup> until 7:00 a.m. on Tuesday, November 18<sup>th</sup>.
3. *Bayley Place Community Wellness Center – upcoming events* –
  - i) Holiday Stress in Seniors – Thursday, November 13<sup>th</sup> at 1:30 p.m.
  - ii) How to Be a Great Grandparent – Friday, November 14<sup>th</sup> at 1:30 p.m.
  - iii) What Every Woman Should Know About Social Security – Tuesday, November 18<sup>th</sup> from 6:00 p.m. – 7:30 p.m.
  - iv) Medicare – Part D is for Medications – Wednesday, November 19<sup>th</sup> from 1:30 p.m. – 3:00 p.m. or 5:30 p.m. – 7:00 p.m.

To register for any of the above events, call 347-5510. Additional information is also available on the Public Events Calendar at [www.delhi.oh.us](http://www.delhi.oh.us).

4. *Food & Clothing Drive* – sponsored by the Delhi Civic Association on Sunday, November 30<sup>th</sup> from Noon until 4:00 p.m. at the Delhi Park Lodge.
5. *Christmas Parade* – sponsored by the Delhi Business Association on Saturday, December 6<sup>th</sup> at 9:30 a.m., on Delhi Pike between Greenwell and Frisch's.

## Citizen Comments:

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Rakesh Ram reported that the sidewalk variance involved 9 homes on Pontius Road located at the development to the entrance at Rapid Run Middle School. He commented that the sections of sidewalk that currently exist provide no connectivity.

Trustee Luebbers advised that a presentation concerning the variance would be added to the agenda of the November 26 meeting.

### Executive Session:

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#### **Motion 2008-145**

Trustee Duebber moved and Trustee Davis seconded to retire to executive session to review the investigation of a complaint against public employees, the terms and conditions of employment of public employees and review negotiations with public employees. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

### Return from Executive Session:

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#### **Motion 2008-146**

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

### Adjournment:

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There being no further business to come before the Board on motion of Trustee Duebber seconded by Trustee Davis the meeting was adjourned. Trustees Luebbers, Duebber and Davis voted YES. Motion carried.

\_\_\_\_\_, Kenneth J. Ryan, Fiscal Officer

Approved: \_\_\_\_\_, President of Board

\_\_\_\_\_, Vice President

\_\_\_\_\_, Trustee

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

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Kenneth J. Ryan, Fiscal Officer