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**LIBERTY TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
TUESDAY OCTOBER 1ST, 2019
6400 PRINCETON ROAD
LIBERTY TOWNSHIP OH 45011**

**REGULAR SESSION
6:00 P.M.**

On Tuesday October 1st, 2019 at 6:00 P.M., the Liberty Township Board of Trustees met this day for a Regular Meeting. Upon call of the roll, Mr. Farrell – present, Mr. Schramm present, Ms. Matacic – absent.

Mr. Schramm led the Pledge of Allegiance.

PUBLIC PRESENTATION

Recognition and pinning ceremony for Liberty Township Fire Department Career Firefighter, Josiah Young.

PUBLIC HEARING

- 1) Street lighting request for Section 8 of the Windsor Estates subdivision for six (6) lights.

Mrs. Quinlisk presented the staff report.

Comments in Favor:

No comments.

Comments for Opposition:

No comments.

Comments Neutral to Proposal:

No comments.

Mr. Farrell **MOVED TO CLOSE THE PUBLIC HEARING ON THE STREET LIGHTING REQUEST FOR SECTION 8 OF THE WINDSOR ESTATES SUBDIVISION FOR SIX (6) LIGHTS.** Mr. Schramm seconded. The motion passed.

Mr. Farrell **MOVED TO APPROVE A RESOLUTION FOR A STREET LIGHTING REQUEST FOR SECTION 8 OF THE WINDSOR ESTATES SUBDIVISION FOR SIX (6) LIGHTS. (2019-126)** Mr. Schramm seconded. The motion passed.

- 2) **ZC19-022:** John Candle Homes, LLC. is requesting a Zoning Map Amendment from R-SE (Residential Suburban Estates) to R-PUD (Residential Planned Unit Development District) for a 59.956-acre site, and Preliminary PUD Review for a 143 unit single-family residential development. The subject properties are located on the north side of Millikin Road, Parcels #D2010-003.000-006; #D2010-003.000-030; #D2010-003.000-031), Section 3, Town 2, Range 3, Liberty Township, Butler County, Ohio.

Mr. Alma presented the staff report.



Comments in Favor:

Rick Seitz, Applicant John Candle Homes, stated they have addressed all recommendation and complied with the recommendations of the zoning commission.

Rich MSP, the development has a great transition with density between the property to the east and the west.

Mr. Schramm – how are you buffering along Millikin Road.

Ms. Seitz stated they are including a berm and buffering along Millikin Road.

Dan Haughey, 7981 Green Lake Trail, stated that John Candle Homes is a quality builder. He think the project will exceed the vision plan and the project makes sense for the township.

Comments for Opposition:

Aleicia Ennis, 5895 Tilbury Trail, speaking for all residents of Carriage Crossing. She has a petition stating that all residents of Carriage Crossing oppose the proposed development. The residents are concerned with traffic using their neighborhood, housing saturation, lack of amenities, transition from commercial.

Barbara Bower, 5307 Sugar Maple Run, is worried about the walking trails and the water run off that could affect Falling Waters subdivision

Comments Neutral to Proposal:

Todd Hall, 7791 Joan Drive, would like to make sure that the Township is looking at the when considering how the buffering will affect the commercial properties along 747.

TC Rogers, 6029 Winding Creek, believes that transition is a positive move from commercial to larger residential lots.

Mr. Farrell MOVED TO CLOSE THE PUBLIC HEARING ON ZC19-022: JOHN CANDLE HOMES, LLC. IS REQUESTING A ZONING MAP AMENDMENT FROM R-SE (RESIDENTIAL SUBURBAN ESTATES) TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT) FOR A 59.956-ACRE SITE, AND PRELIMINARY PUD REVIEW FOR A 143 UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT. THE SUBJECT PROPERTIES ARE LOCATED ON THE NORTH SIDE OF MILLIKIN ROAD, PARCELS #D2010-003.000-006; #D2010-003.000-030; #D2010-003.000-031), SECTION 3, TOWN 2, RANGE 3, LIBERTY TOWNSHIP, BUTLER COUNTY, OHIO. Mr. Schramm seconded. The motion passed.

Mr. Seitz stated that there will be a comprehensive traffic study. He also mentioned that connectivity to the neighboring neighborhood is for fire safety and the county encourages connectivity. He also stated that the Township survey stated most residents want more residential and not commercial. He feels the project is following the vision plan and guidelines of the Township. He also stated in the effort for transition that the lots adjoining Carriage Crossing are larger than the lots to the west.

Mr. Farrell stated that while the Township does not have total control over any development we have rules in place in return for added density. The proposed area is set up for a transition from commercial to residential to the R-PUD model fits the property. Zoning has to find a way to coexist commercial properties and residential. He asked the developer to update the files to show the property to the west will show that those properties will back up to commercial property to avoid issues in the future. He also stated he would prefer the trails be asphalt instead of mulch. Mulch will become a maintenance nightmare in the future.

Mr. Farrell thanked Aleicia for her presentation and the way the residents set up their concerns.



Mr. Schramm echoed Mr. Farrell's statements. He also feels strongly that an asphalt path would be better in the long run.

Mr. Farrell urged the developer to consider a play area for children. He thanked the developer for working with staff and hearing the residents' concerns. More details will be contained in the final PUD.

Mr. Farrell **MOVED TO APPROVE A RESOLUTION FOR CASE ZC19-022: JOHN CANDLE HOMES, LLC. THAT REQUESTED A ZONING MAP AMENDMENT FROM R-SE (RESIDENTIAL SUBURBAN ESTATES) TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT) FOR A 59.956-ACRE SITE, AND PRELIMINARY PUD REVIEW FOR A 143 UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT. THE SUBJECT PROPERTIES ARE LOCATED ON THE NORTH SIDE OF MILLIKIN ROAD, PARCELS #D2010-003.000-006; #D2010-003.000-030; #D2010-003.000-031), SECTION 3, TOWN 2, RANGE 3, LIBERTY TOWNSHIP, BUTLER COUNTY, OHIO WITH STAFF RECOMMENDATIONS. (2019-127)** Mr. Schramm seconded. The motion passed.

FISCAL OFFICER BUSINESS

- Liquor Permit for: A & R Liberty Center LLC, dba Agave & Rye 7125 Fountain View Drive, Liberty Township, OH 45069

MEETING CONSENT AGENDA

All matters under the Consent Agenda are considered by the Board of Trustees to be routine and will be enacted by one motion. Any Trustee may remove an item from the Consent Agenda by request. No second is required for removal of an item. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

CONSENT AGENDA

Fiscal Officer

- Meeting Minutes – Motion to approve the following:
 - Regular Meeting, October 1, 2019
- Check Register – Motion to approve Check Register and Special Check Register
- Motion to approve then and nows over \$3,000.00
 - \$42,499.00 Butler County Engineer's Office (Yankee-Hankins Road Improvement Project)
 - \$42,499.00 2031-760-790-0100

Finance

- Motion to approve a resolution to authorize new appropriations. (Various Funds) **(2019-128)**

Fire / EMS

- Motion to authorize the Township Administrator to execute the Settlement Agreement between Liberty Township and Johnny Mason.

Mr. Farrell **MOVED TO APPROVE THE CONSENT AGENDA.** Mr. Schramm seconded. The motion passed.

PUBLIC COMMENTS

Ron Pfister, Willow Ridge Court, has concerns about the wooden electric poles laying along Route 747. Do the Trustees know the timeline for them to be cleared?

Mr. Plummer stated he will look into the situation.



Departmental Business

Fire/EMS

Chief Klussman requested a motion to hire TJ Fagin to the position of Part-Time Fire Fighter / EMT - Step 1 at \$15.08/hour contingent upon satisfactory completion of pre-employment testing.

Mr. Farrell **MOVED TO ACCEPT THE MOTION TO HIRE TJ FAGIN TO THE POSITION OF PART-TIME FIRE FIGHTER / EMT - STEP 1 AT \$15.08/HOUR CONTINGENT UPON SATISFACTORY COMPLETION OF PRE-EMPLOYMENT TESTING.** Mr. Schramm seconded. The motion passed.

Chief Klussman requested a motion to accept the Staffing for Adequate Fire and Emergency Response (SAFER) grant award administered through The Federal Emergency Management Agency (FEMA) of the United States Department of Homeland Security.

Mr. Farrell **MOVED TO ACCEPT THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT AWARD ADMINISTERED THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) OF THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY.** Mr. Schramm seconded. The motion passed.

Services

Mr. Plummer requested a motion to approve a resolution to request a speed zone study performed by the Butler County Engineer's Office for Old Kyles Station Road between Ohio State Route 4 and Kyles Station Road.

Mr. Farrell **MOVED TO APPROVE A RESOLUTION TO REQUEST A SPEED ZONE STUDY PERFORMED BY THE BUTLER COUNTY ENGINEER'S OFFICE FOR OLD KYLES STATION ROAD BETWEEN OHIO STATE ROUTE 4 AND KYLES STATION ROAD. (2019-129)** Mr. Schramm seconded. The motion passed.

Department Reports

- Economic Development
- Fire / EMS
- Planning & Zoning
- Services
- Sheriff
- Administration

Trustees had no questions on the Departmental Reports.

TRUSTEE COMMENTS

Mr. Farrell **MOVED TO ADJOURN.** Mr. Schramm seconded. The motion passed.

Mr. Schramm, President

Pamela Quinlisk, Fiscal Officer



RESOLUTION NO. 2019-126

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION TO AUTHORIZE THE CREATION OF WINDSOR ESTATES SECTION 8 LIGHTING DISTRICT

RESOLVED by the Board of Trustees of Liberty Township, Butler County, Ohio, that

WHEREAS, Liberty Township Fiscal Officer Pam Quinlisk presented a request to create a lighting district for Section 8 of the Windsor Estates subdivision;

WHEREAS, Duke Energy has presented an *Outdoor Lighting Service Agreement* requesting six (6) Traditional 50W LED Type III street lights on Coburg Drive and Anmer Hall Lane located in the Windsor Estates subdivision; and

WHEREAS, has yet to receive payment from the developer for the equipment and the first eighteen (18) months of service; and

THEREFORE, BE IT RESOLVED that the Liberty Township Board of Trustees hereby authorizes the creation of the Windsor Estates Section 8 Lighting District for six (6) lights pending payment from the developer for the equipment and the first eighteen (18) months of service.

Trustee Farrell moved to approve the resolution. Trustee Schramm seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Farrell,	yes
Trustee Schramm,	yes
Trustee Maticic,	absent

Adopted: Tuesday, October 1, 2019

Steve Schramm, President

absent

Christine Maticic, Vice President

Tom Farrell, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 1st day of October, 2019.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2019-127

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION TO OVERTURN THE RECOMMENDATION OF THE LIBERTY TOWNSHIP ZONING COMMISSION NOTICE OF DECISION FOR CASE ZC19-022, APPLICANT: JOHN CANDLE HOMES LLC. AND TO APPROVE A ZONING MAP AMENDMENT TO THE LIBERTY TOWNSHIP ZONING MAP FROM R-SE (RESIDENTIAL SUBURBAN ESTATE) TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT) AND PRELIMINARY PUD REVIEW FOR 5180 AND 5200 MILLIKIN ROAD

RESOLVED by the Board of Township Trustees of Liberty Township, Butler County, Ohio that

WHEREAS, the Butler County Planning Commission conducted a public hearing for the proposed request on Tuesday, July 9, 2019 and made a motion to recommend approval of the Zoning Map Amendment to the Liberty Township Zoning Map as presented; and

WHEREAS, the Liberty Township Zoning Commission conducted a public hearing for the proposed request on Monday, August 19, 2019 and made a motion to recommend denial of the proposed Zoning Map Amendment to the Liberty Township Zoning Map as presented; and

WHEREAS, a public hearing was conducted by the Liberty Township Board of Trustees on Tuesday, October 1, 2019 at 6:00 p.m. to review the proposed Zoning Map Amendment to the Liberty Township Zoning Map; and

WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto; and,

WHEREAS, said application was reviewed by the Board of Township Trustees and determined to be consistent with the Liberty Township Comprehensive Plan; now,

THEREFORE BE IT RESOLVED that the Liberty Township Board of Trustees do hereby overturn the recommendation of the Liberty Township Zoning Commission and to approve the request for the Zoning Map Amendment from R-SE (Residential Suburban Estate District) to R-PUD (Residential Planned Unit Development District) and Preliminary PUD Review, subject to the details listed in the staff report, all attachments and exhibits, and the following conditions:

1. A revised set of plans shall be submitted by the applicant, which shall reflect the following modifications to the Preliminary PUD Plan: a) The existing B-2 zoning district to the west of the subject property, shall be accurately reflected on the plan; b) The pedestrian walkway within the open space parcel at the north end of the site shall be a 6' wide hard surface path (asphalt or concrete) and shall be labeled as such; and, c) The stormwater pond at the main entrance of the subdivision shall be a retention pond with a fountain that holds water at all times and shall be labeled as such.
2. The following building material standards shall apply for all single-family residential structures for the Carriage Meadows PUD:
 - One-Story Home – 1,500 sq. ft. minimum; Two-Story Home – 1,800sq. ft. (exclusive of porches, decks, basement, and garage)
 - Front elevations shall be brick natural stone and/or cast stone that has the appearance of natural style stone for all primary vertical planes (those supported by the foundation). The use of Faux Stone, MDO Smooth Face Laminate trimmed with Primed Redwood, Shakes (hardi-, cement, wood, or vinyl), Hardi-Plank or Cem-Plank siding (masonry based product) and Architectural Composite Trim Materials (i.e. Fypon) or other approved materials of equal quality are permitted as alternative materials for architectural features, such as Bay Windows (box and neo-traditional), Detail Gable Projections, Window Gables, and select features where brick/masonry cannot be supported.
 - Side and rear elevation shall be brick and/or natural stone for the entire 1st story. Extensions on the 1st floor, such as fireplaces and bay windows may be sided using Hardi-Plank or Cem-Plank siding (masonry based product). Areas above the 1st story may be sided using Hardi-Plank, Cem-Plank, or premium vinyl siding no less than .44 mils thick.
 - Building additions, including enclosed sunrooms, shall be held to the same building material requirements as listed above and constructed using materials matching the house.
 - The applicant shall have the ability to submit a typical building catalog at the time of Final PUD Review. Staff shall have the authority to approve alternate designs that are generally consistent with elevations outlined in the submitted catalog and the above building material standards. At no time shall vinyl be permitted as an approved material on a front elevation, except with shakes, which shall be limited to accent areas (ie. gables).
3. Where streets are proposed at a width of 25', parking shall be restricted to one side of the street (side opposite the fire hydrants). These streets shall be constructed in accordance with all BCEO standards.
4. All streets, sidewalks, and asphalt paths shall be constructed in accordance with the current BCEO standards. Concrete walks shall be a minimum width of five feet (5') as indicated on the Preliminary PUD Plan.

5. The walkway that is illustrated within the open space at the north end of the development shall be 6' in width and shall be constructed of a hard surface (concrete or asphalt). The final location and design shall be subject to approval by the Zoning Commission with the Final PUD Plan.
6. The entry sign and/ or gateway feature into the development shall be reviewed at the final PUD stage. Signage and gateway features shall be compatible with comparable developments in the area.
7. Street trees shall be provided at a rate of one (1) tree per 40 feet of frontage for all public roads, except for along Millikin Road where street trees shall be provided at a rate of one (1) tree per 20 feet of frontage due to the double frontage lots and the rear of the homes facing the public roadway. As an alternative along Millikin Road, at the Final PUD Plan stage, the applicant may propose a more extensive buffer along the frontage instead of the extra street trees that may include mounding, landscaping, fencing or a combination of such, which shall be subject to Zoning Commission approval. All trees shall be 1.5" caliper at the time of planting. All street trees shall be setback a minimum of 20 feet from the intersections to preserve the appropriate site distance, which shall be measured from where the radius of the intersection begins. A detailed landscape plan shall be provided with each Final PUD Plan, illustrating the required street trees and indicating any existing vegetation that will be preserved.
8. Open Space, street trees, entry landscape island (installed per Liberty Township and BCEO standards), stormwater facilities (retention ponds and detention basins) and trails shall be governed by Covenant and Restrictions, which shall be the responsibility of the Home Owner's Association. Open Space and landscaping shall be maintained regularly in accordance with the Zoning Resolution. All paths shall be regularly maintained in good condition
9. All construction traffic for the PUD shall access the site from the Millikin Road entrance to the development. No construction traffic shall access the site via the Carriage Crossing subdivision.
10. All comments and concerns of the Butler County Planning Commission shall be addressed to their satisfaction prior to submittal of Final PUD Plans.
11. All comments and concerns of the Butler County Engineer's Office shall be addressed to their satisfaction prior to submittal of Final PUD Plans.
12. All comments and concerns of the Liberty Township Fire Department shall be addressed to their satisfaction prior to submittal of Final PUD Plans.

Trustee Farrell moved to approve the resolution. Trustee Schramm seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Farrell,	yes
Trustee Schramm,	yes
Trustee Maticic,	absent

Adopted: Tuesday, October 1, 2019

Steve Schramm, President

absent
Christine Maticic, Vice President

Tom Farrell, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 1st day of October, 2019.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2019-128

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION TO AUTHORIZE NEW APPROPRIATIONS

RESOLVED by the Board of Trustees of Liberty Township, Butler County, Ohio, that

WHEREAS, Michelle Greis, Finance Director, requests the Liberty Township Board of Trustees authorize the following new appropriations:

747/Princeton Road TIF Fund		
3101-110-314	Tax Collection Fees	328.05
Trails of Four Bridges RID Fund		
3107-110-360-0006	Contracted Services (Lakota)	503,898.61
Townhomes of Four Bridges RID Fund		
3108-110-314	Tax Collection Fees	146.34
3108-110-360-0006	Contracted Services (Lakota)	80,235.11
Four Bridges RID Fund		
3109-110-314	Tax Collection Fees	4,903.97
3109-110-360-0006	Contracted Services (Lakota)	380,657.59
3109-110-360-0005	Contracted Services (TID)	23,741.93
3109-810-810-0000	Principal Payments	6,250.00
Cedarbrook RID Fund		
3110-110-360-0006	Contracted Services (Lakota)	360,115.62
Summerlin RID Fund		
4309-110-314	Tax Collection Fees	830.09
Aspen Trails RID Fund		
4311-110-314	Tax Collection Fees	597.43
Kyles Station Meadows RID Fund		
4315-110-314	Tax Collection Fees	4.75
Road and Bridge Fund		
2031-760-790-0100	Capital Outlay	42,499.00
EMS Fund		
2281-230-190	Salaries	1,550.00
2281-230-190-0195	Other Salaries - Overtime	3,000.00
2281-230-215	Ohio Police and Fire Pension	6,650.00

THEREFORE, BE IT RESOLVED that the Liberty Township Board of Trustees hereby authorizes the new appropriations as listed above.

Trustee Farrell moved to approve the resolution. Trustee Schramm seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Farrell,	yes
Trustee Schramm,	yes
Trustee Maticic,	absent

Adopted: Tuesday, October 1, 2019

Steve Schramm, President

absent
Christine Maticic, Vice President

Tom Farrell, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 1st day of October, 2019.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director