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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**JUNE 4, 2013**

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The meeting was called to order at 7:00 p.m. Elected officials (Trustees and Fiscal Officer) present were: Mr. Phil Beck, Mr. Kenneth Bryant, Mrs. Jodie Leis, and Ms. Carol Sims.

Also present: Brian Elliff - Township Administrator; Robert Malloy - Township Law Director; Bill Pitman - Director of Public Works; Lt. Thomas Butler - Hamilton County Sheriff's Department; Tom Turner - Assistant Chief, Loveland Symmes Fire Department.

RECEIPTS

Receipts totaling \$341,715.72 were read and accepted.

WARRANTS

MR. BRYANT moved that the Township pay its bills. Mr. Beck seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$1,021,394.29 were issued.

REPORTS

BRIAN ELLIFF - Reported on activities in the township since the last meeting:

1. JULY MEETING DATE - Questioned if the Board wished to re-schedule this regular meeting due to the Holiday.

The Board discussed possible dates and agreed to hold the meeting on June 25. Ms. Sims noted that a short meeting on July 2 might still be needed in order to adopt the 2014 Tax Budget. The Board had no objection to this possibility.

2. AUDIT & FINANCE COMMITTEE - Advised a term ends on July 18, 2013 and questioned when the Board would like to schedule interviews for this position. Mr. Elliff recommended that a special meeting be scheduled on June 25 at 6:00 p.m.

3. WORK SESSION - Reminded the Board of its desire to hold a work session to discuss and review landscaping of entryways and medians. Due to the meeting re-scheduling, Mr. Elliff suggested that this work session be held later in the year. The Board had no objection.

4. HOME OF THE BRAVE ENTRANCE - Reminded the Board of its request for improvements to this area. A proposal has been received at a cost of \$6,795.00 and questioned how Staff should proceed.

MRS. LEIS stated this area does not provide a good impression and would like to see additional landscaping.

MR. BRYANT agreed that the detention area is in poor condition and has no problem with the estimate of \$6,795.00.

MR. BECK stated he felt this was a good price for the proposed landscaping material. Mr. Beck questioned what future maintenance would be required for this material.

MR. PITMAN indicated this would not be a problem.

MR. BRYANT questioned if the proposal mounding and landscaping will hide the detention area.

MR. BECK agreed that the detention area will not be hidden and questioned what could be added in order to accomplish this.

MR. ELLIFF thanked the Board for the input. Mr. Elliff stated he would check with the Fiscal Officer on available funds, as well as obtain additional information from the contractor. This will be on a future agenda for the Board's approval.

5. GET FIT - Noted that this program will be starting the first part of June.

ASSISTANT CHIEF TURNER - Announced that the annual Symmesfest is scheduled for June 14 and June 15.

CHIEF ANDY KNAPP stated he was at the meeting to answer any questions the Board might have regarding the internet connectivity issue for Station 60 and 61.

The Board noted that this was not on the agenda.

MR. ELLIFF advised any comments from the Fire Department could be made at this time.

CHIEF KNAPP stated that Stations 60 and 61 currently has an older connectivity connection to the other stations. The current connection is similar to residential service which has become an issue in the last couple years and now needs to be upgraded to allow for better data transfer. Chief Knapp provided the Board with various situations which would benefit from this upgrade.

Chief Knapp advised the current cost for both locations is \$160.00 per month and the new cost would be an increase to \$480.00 or \$3,840.00 per year.

MS. SIMS stated this additional expenditure will work into the utilities budget.

MR. BECK requested additional information regarding the storm siren item contained in Chief Huber's report.

CHIEF KNAPP advised that, through a Homeland Security Grant, all the sirens will be upgraded. The County will be taking responsibility for the maintenance of these sirens once the upgrade is completed.

OTHER - MR. BRYANT reported that he and Ms. Sims met with the Township Administrator and Law Director to discuss the status of the Township records policy. Mr. Bryant advised he would like to schedule a work session with the Board to review this issue.

#### CORRESPONDENCE

WOOD & LAMPING - Letter regarding license agreement for Knicely Alley.

JURGENSEN CO - Request for copy of Notice of Commencement on Resurfacing project.

HAMILTON COUNTY SHERIFF DEPT - April activity reports and recap of ticket payments.

STATE OF OHIO - List of liquor permits.

SYMMES FIRE - 1st Quarter 2013 report.

RAY WILLIAMS - Note of appreciation for interview.

BETHESDA HEALTHCARE - Signed agreement for proposed engagement.

CLARK THEDERS INSURANCE COMPANY - Insurance documents and capital distribution payment (\$5,483.64) from Burnham & Flowers.

BOARD OF TRUSTEES - Memo to staff regarding upcoming interviews with CONCERN.

WOOD & LAMPING - Memo regarding duty to maintain and improve roads.

ANN ARENAS, 9979 CUNNINGHAM (45111) - Letter expressing concern regarding dead trees in adjacent alley way.

CINCINNATI WATER - Notice of leak at 9425 Loveland Madeira Road.

MIKE TINGLEY, 7881 DANIEL (45111) - e-mail regarding recent confusion on zoning inquiry.

CENTRAL - Request for Notice of Commencement for 11605 Lebanon Road.

ERNST CONCRETE - Request for Notice of Commencement for 2013 Resurfacing project.

THELEN ASSOC - Proposal for construction review services for 2013 resurfacing project.

ANDY BROWNELL - e-mail request for Block Party Permit in Hopewell Meadows.

BRETT OSBORN - e-mail from Sycamore student on sidewalks.

MARINERS COVE HOA - e-mail regarding where to file their amended covenants and by-laws.

JINGYING LIN - e-mail from Sycamore student regarding recycling.

SAEED PIRACHA - e-mail from Sycamore student regarding bike lanes.

BURNHAM & FLOWER - Notice of FormFire account activation.

EVERETT GROUP - Listing contract for Chapelsquare Fire Station.

PETE MATHER, 11311 AVANT LANE - Letter regarding the replacement of dead pine trees which were buffer between retail and Hartland Subdivision.

BHE ENVIRONMENTAL - e-mail regarding wetland situation at Home of Brave Park

HAMILTON COUNTY AUDITOR - Notice of 2014 General Health District charges.

WORKERS COMP - Experience and premium worksheet for Township.

JURGENSEN COMPANY - Notice of furnishing on 2013 resurfacing project.

cc:MSD to IMRE SOLTI - Letter regarding conditional availability of sewer for 9433 E Kemper Road.

PAUL BELLMAN - e-mail regarding condition of property at 12074 Snider Road.

JEFF SHIMKUS, 12111 CRESTFIELD CT - e-mail question regarding trash collection.

ANDY BROWNELL - follow-up e-mail regarding Block Party Request.

ACADEMY OF SPORTS - Signed notification regarding workers comp and liability insurance.

cc:MSD to GORMAN CONSTRUCTION - Letter regarding conditional availability of sewer for Union Cemetery sewer extension.

ATTORNEY GENERAL - Letter regarding payment due for Consumers Council Fund.

cc:OPERS to JOHN BORCHERS - Letter regarding application.

STATE FARM - Letter regarding claim filed by Susan McCormack.

VIRGINIA ANCONA - e-mail regarding spill over lighting from Sycamore Church.

RAY LO - e-mail regarding previous e-mails.

SYMMES FIRE - Notification that public records request has been completed.

DUKE RETAIL - e-mail response to recent notice from Attorney General.

SYMMES FIRE - e-mail notification that Accreditation team has recommended full accreditation.

PERSO - Letter regarding file claim on 2009 Ford.

cc:MSD to PUBLIC HEALTH - Letter regarding conditional availability of sewer for 11726 Seven Gables Road.

JOHN BORCHERS - Letter of appreciation for retirement event.

SMITH TRAILERS - Proposal for a 16' bobcat and 7x16 Ramp Door

MOBILCOM - Proposal for Repeater and radios and Portable radio

LANDFORM - Proposal for landscape at HOB.

SKEETS HUMPHRIES - Proposal for replacement of garage doors.

SPECTRA - Proposal for work at Hopewell Park.

ABCO - Proposal for Asphalt sealcoating at Hopewell Park and Asphalt sealcoating at Safety Center

MARK ANDERKIN - e-mail regarding hosting event in 2014 to honor veterans.

OSTERWISCH - Proposal for replacement of furnace and HVAC at Maintenance Building.

CENTRAL - Letter advising they are providing material for work on Montgomery Road for Prus Construction.

#### NEW BUSINESS

MR. BRYANT moved to re-schedule the regular July 2 meeting to June 25 at 7:00 p.m. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to hold a special meeting on June 25 at 6:00 p.m. for the purpose of entering Executive Session to discuss the appointment of a public employee. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to hold a special meeting on July 30 at 7:00 p.m. for the purpose of holding a work session to discuss the Township's records policy. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to hold a special meeting on July 2 at 6:00 p.m. for the purpose of discussing and adopting the 2014 Tax Budget. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. Bryant moved to adopt the following resolution:

## RESOLUTION G2013-17

### Resolution Providing for the Declaration of Nuisance for the Property Located at 9070 Link Road and Authorizing All Necessary Steps for the Abatement of the Nuisance

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is authorized under Ohio Revised Code §505.87 to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the Board determines that the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance; and

WHEREAS, complaints have been received regarding the condition of the property located at 9070 Link Road (Parcel 620-0150-0095-00); and

WHEREAS, visual inspections of said property revealed significant overgrowth of grass and weeds, which are confirmed in photographs reviewed by the Board of Trustees; and

WHEREAS, Ohio Revised Code §3767.02 provides that any person, who uses, occupies, establishes, or conducts a nuisance, or aids or abets in the use, occupancy, establishment, or conduct of a nuisance; the owner, agent, or lessee of an interest in any such nuisance; any person who is employed in that nuisance by that owner, agent, or lessee; and any person who is in control of that nuisance is guilty of maintaining a nuisance and shall be enjoined from further maintaining such a nuisance; and

WHEREAS, R.C. 3767.03 provides that whenever a nuisance exists, the law director of a township that has adopted a limited home rule government under Chapter 504 of the Revised Code may bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it.

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

Section 1. That the property located at 9070 Link Road (Parcel 620-0150-0095-00) is hereby declared to be a nuisance.

Section 2. That the Township Administrator is hereby directed to notify the property owner, any known occupants of and any known responsible party for the property, and any lien holders of record upon said parcel that the property has been declared a nuisance using notice language and manner of notice specified in R.C. 505.87 and this resolution.

Section 3. That if the nuisance is not abated by the owner, occupants, or responsible parties then the Township Administrator is authorized to take all necessary steps to abate the nuisance.

Section 4. That the Township Law Director may if necessary in the future be authorized by the Board to bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it, pursuant to R.C. 3767.03.

Section 5. That the Township Fiscal Officer shall pay out of the Township general fund for all expenses incurred for abating the nuisance and to bill the property owner for said expenses.

Section 6. That the Township Fiscal Officer shall enter upon the tax duplicate for said expenses if not paid within fourteen (14) days from date of billing.

Section 7. That, in addition to the authority granted the Township Law Director, the Township Administrator is directed to monitor said property for ninety (90) days to ensure compliance and is authorized to take appropriate measures to abate future nuisances after written notification is made to the property owner.

MRS. LEIS seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to accept the resignation of Darrel Pettigrew as a seasonal employee effective June 4, 2013. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to hire Ray Williams as seasonal employee at a rate of \$11.66 per hour for a term to begin June 5, 2013 through October 31, 2013. Mrs. Leis seconded the motion.

Mr. Bryant noted this employee is subject to the 80 hour per week limit mentioned at the last meeting.

The roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to enter into a license agreement for the use of Singleton Alley by Curtis and Rikke Hensley substantially in the form of the license dated May 1, 2012 and to authorize the Township Administrator to execute same subject to approval by the Township Law Director. Mr. Beck seconded the motion.

MR. ELLIFF noted this allows for an additional user to Singleton Alley for which the Board approved a previous license agreement with the Weisfelders.

The roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to approve:

- a. Expenditure in the amount of \$13,280.00 for new garage doors and openers and to authorize the Township Administrator to accept the proposal
- b. Expenditure in the amount of \$6,982.00 for sealing and striping of parking lot at the Safety Center and to authorize the Township Administrator to accept proposal
- c. Expenditure in the amount of \$7,588.00 for sealing and striping of parking lot, including walking path at Hopewell Meadows Park and to authorize the Township Administrator to accept proposal
- d. Expenditure in the amount of \$41,350.00 for playground resurfacing at the Hopewell Meadows Park and to authorize the Township Administrator to accept proposal
- e. Expenditure in an amount not to exceed \$3,500.00 for sidewalk repair and to authorize the Township Administrator to sign any necessary paperwork
- f. Expenditure in an amount not to exceed \$4,500.00 for the purchase of additional trailer for road use
- g. Expenditure in an amount not to exceed \$5,000.00 for the purchase of enclosed trailer for cemetery use
- h. Expenditure in the amount of \$8,296.00 for replacement HVAC system at the Township Service Building and to authorize the Township Administrator to accept proposal
- i. Expenditure in the amount of \$1,275.00 for Fire Department ESU (volunteer) annual insurance
- j. Expenditure in the amount of \$7,221.60 for turnout gear for fire department
- k. Expenditure in the amount of \$2,027.00 for repair to an AC unit at the Safety Center and to authorize the Township Administrator to accept proposal.

Mrs. Leis seconded the motion.

The Board requested additional information on the expenditure of \$41,350.00 for the playground at Hopewell Meadows Park.

MR. PITMAN advised this surface is almost thirteen years old and various repairs have been made to extend the life. In the past, no maintenance was recommended; however, the manufacturer now recommends an annual sealing process for new surfaces. Mr. Pitman recommended that the Board should replace this surface this year. Mr. Pitman noted that the new surface should last approximately fifteen years with the recommended annual maintenance.

The roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

The following cemetery deed was approved:

- Reginald Vest, KERR, Lot 506, Grave 7

#### EXECUTIVE SESSION

MR. BRYANT moved that the Board enter Executive Session to discuss the appointment of a public employee, to discuss the employment of a public employee and to consider the sale by competitive bid of real property. Mr. Leis seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

The meeting adjourned for Executive Session at 8:03 p.m.

The meeting reconvened from Executive Session at 8:48 p.m.

MR. BRYANT moved to appoint Carol Sims as Cemetery Sexton for Symmes Township cemeteries from June 1, 2013 to December 31, 2013 with a monthly salary of \$125.00. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to appoint Carol Sims as the Board liaison to the Township Finance & Audit Committee. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

The meeting adjourned at 8:50 p.m.