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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**JUNE 24, 2014**

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The meeting was called to order at 7:00 p.m. Elected officials 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; Bryan Snyder - Hamilton County Zoning; Tom Turner - Assistant Chief, Loveland Symmes Fire Department.

PUBLIC HEARING

The Public Hearing for Symmes Case 2014-01, Parkland Meadows Community Unit Plan was called to order at 7:02 p.m.

MR. SNYDER presented the proposal to the Board regarding a zone change from "B' Residence District to Community Unit Plan (CUP) for the property located at 11716 and 11730 Lebanon Road. The proposal is for the construction of a 16-lot clustered single-family subdivision on the property with reduced lot sizes and setbacks, a 3.3 acre dedicated open space tract and one new public street connection to Lebanon Road.

Mr. Snyder advised the lots would average approximately 60 feet in width with a minimum lot size ranging from 6,400 square feet to 15,000 square feet. A larger oval shaped landscape median is proposed within the interior of the site with a street width of 15.7 feet, curb and gutter and a sidewalk on one side of the street. The density of the proposed development would be 2.18 dwelling units per net acre.

Mr. Snyder advised the Hamilton County Regional Planning Commission and the Symmes Township Zoning Commission have recommended approval. The proposed plan will also need to go through the subdivision process.

MR. BECK requested additional information on the dedicated open space.

MR. SNYDER noted this will be owned and maintained by the Homeowners Association. There will need to be some type of easement for maintenance.

MR. BECK questioned how drainage will be maintained so this development does not impact surrounding properties.

MR. SNYDER advised the detention basin is to the rear of the property. The current requirements are more restrictive and storm water will need to meet all the guidelines of the Hamilton County and EPA.

MR. ELLIFF stated the resolution prepared for the Board follows the recommendation of the Zoning Commission with the exception of Item #3. A change was made to require a permanent declaration of restricted covenants be recorded with the Hamilton County Recorder.

MARK WALKER, PROFESSIONAL ENGINEERING GROUP - Noted there is a unique island in the center of the development and they would be willing to work with the fire department if this needs to be widened. This was done in order to break up the frontage.

Mr. Walker stated everything will drain down to the creeks at the rear of the property.

JAMES WILMES, BROOKSTONE HOMES - Advised the price range will be \$350,000 to \$400,000. They will be ranch homes with target to empty nester owners. A landscaping plan will be submitted at a later date to the Township Zoning Commission.

The Public Hearing concluded at 7:30 p.m.

RECEIPTS

Receipts totaling \$14,410.32 were read and accepted:

19629 VOID		
19630 Megan Fink	12-D	150.00
19631 Ronald Stark	1-L	115.00
19632 Ham Cty Auditor	1-K	1,869.30
19633 C. Dimaculangan	12-D	150.00
19634 Jason Kelly	1-P	50.00
19635 C&M Woodcrafters	1-P	50.00
19636 Paramount Storage	1-P	10.47
19637 K. Del Favero	12-D	70.00
19638 Chic Kida	12-D	70.00
19639 SORTA	1-P	250.00
19640 M. Gunnerson	12-D	40.00
19641 Nicholas Dobbs	12-D	100.00
19642 Joseph Frees	12-D	100.00
19643 Christine Haddard	12-D	100.00
19644 Teresa Sutton	12-D	40.00
19645 Ruth Liming	12-D	150.00
19646 Jennifer Frisch	12-D	85.00
19647 Jerry McCane	1-L	215.00
19648 Towne Services	1-L	230.00
19649 Melanie Wright	12-D	40.00
19650 Fischer Homes	1-P	50.00
19651 Chris Hansen	1-P	7.40
19652 Shiv Hospitality	1-E	4,111.39
19653 Mary Lunig	12-D	150.00
19654 Ham Cty Auditor	1-K	1,386.50
19655 Paramount Storage	1-P	7.40
19656 Fischer Homes	1-L	175.00
19657 Gorden Signs	1-L	221.95
19658 Tom Wilkinson	12-D	100.00
19659 Michael O'Brien	12-D	100.00
19660 Gabbard Signs	1-L	175.00
19661 Linda Blust	5-D	550.00
19662 PERSO	1-N	452.11
19663 Azat Uulie	12-D	70.00
19664 Patrick Scoggins	12-D	85.00
19665 Tufts Funeral Home	5-D	748.80
19666 Auto Haus	1-L	175.00
19667 Mark Williams	1-L	115.00
19668 Jeff Whitaker	5-C,5-D	800.00
19669 Lois Mulligan	5-D	450.00
19670 Carol Scheider	12-D	150.00
19671 Rachelle Sekerka	12-D	100.00
19672 Angelic Turner	12-D	75.00
	TOTAL \$	14,140.32

WARRANTS

MRS. LEIS moved that the Township pay its bills. Mr. Bryant seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$272,047.96 were issued:

62376 Buchanan's	12-A-7	109.05
62377 Accent Signs	3-A-10	400.00
62478 Brian Elliff	1-A-2A	2,036.74

62479 Luanne Felter	1-A-2A	1,398.83
62480 Jana Grant	1-A-2A	971.41
62481 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,253.03
62482 W.Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,443.91
62483 S. Connor	1-B-1,12-A-1,1-D_1,4-B-1	1,270.88
62484 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	1,003.21
62485 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	2,225.04
62486 Mike Howell	12-A-1	53.13
62487 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,079.29
62488 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,140.81
62489 R. Malloy	1-A-2A	1,396.35
62490 D. Martin	1-B-1,12-A-1,1-D-1,4-B-1	308.20
62491 B.Pitman	1-B-1,12-A-1,1-D-1,4-B-1	2,121.19
62492 M. Rose	1-B-1,12-A-1,1-D-1,4-B-1	588.40
62493 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,136.73
62494 R. Williams	1-B-1,12-A-1,1-D-1,4-B-1	545.10
62395 Philip Beck	1-A-1	498.52
62396 Ken Bryant	1-A-1	631.52
62397 Jodie Leis	1-A-1	1,046.52
62398 Carol Sims	1-A-2	1,705.02
62399 C. Bucco	1-J-1	44.27
62400 G. Flynn	1-J-1	44.27
62401 A. Forsythe	1-J-1	44.27
62402 G. Kessler	1-J-1	44.27
62403 J. Stewart	1-J-1	44.27
62404 PNC Bank	1-A-1,1-A-2,5-A-2,1-A-26,1-A-2A,1-B-1,1-D-1,4-B-1	5,520.70
62405 Defer Comp	1-A-2A	2,185.00
62406 Carpet Depot	20-A-6	662.40
62407 LA Supply	1-A-26	1,200.00
62408 Grainger	1-B-5	21.40
62409 Fairfield Auto	3-A-6	3,042.00
62410 Hotel Trucking	3-B-2	327.50
62411 Cinti Bell	1-B-4	363.20
62412 Duke	12-A-3	290.12
62413 Cintas	1-B-8	84.86
62414 Y2K	20-A-8,5-A-11	2,606.00
62415 Y2K	12-A-9	2,250.00
62416 Duke	12-A-3	94.98
62417 Duke	1-B-4	362.27
62418 Sam's	1-A-4,1-B-5,1-A-26	109.54
62419 O'Reilly Auto	3-A-7	20.77
62420 ICRC	1-A-26	20,720.96
62421 Kenworth of Cinti	14-A-6	1,993.57
62422 Ohio Risk Ins.	10-A-14	1,275.00
62423 Schwaab	1-A-4	103.24
62424 Adrian Florists	12-A-8	250.00
62425 Verizon	9-A-13	91.56
62426 Cinti Bell	12-A-3,9-A-13,10-A-7	735.67
62427 Brenda Clark	1-A-26	400.00
62428 Duke	1-B-4	47.56
62429 Duke	12-a-3	629.70
62430 Duke	12-A-3	274.52
62431 Duke	10-A-7	4.33
62432 Duke	1-B-4,5-A-12	597.71
62433 Duke	10-A-7,12-A-3	11.69
62434 Duke	7-A-1	2,948.12
62435 Duke	7-A-1	853.23
62436 Best One	12-A-7	136.00
62437 Enzo's Solutions	2-A-7	205.00
62438 Fairfield Auto	3-A-6	3,042.00
62439 ARC	1-A-26	27.09
62440 Alphagraphics	1-A-26	142.45

62441 Kings Ford	3-A-6	298.81
62442 Bill Pitman	1-A-3	75.00
62443 DJL Material	3-B-2	1,567.33
62444 Cinti Bell	12-A-3	129.84
62445 Cinti Water	12-A-3	1,224.27
62446 Dental Care	1-A-6	1,262.95
62447 Duke	1-E-1	1,374.53
62448 Jones Fish	12-A-4	200.00
62449 Cinti Water	10-A-7,20-A-6,9-A-13	1,362.29
62450 Osterwisch	20-A-6	440.00
62451 Rumpke	1-A-26	356.90
62452 Superamerica	3-A-5	1,680.18
62453 Time Warner	1-B-4	69.95
62454 HCRPC	1-J-3	6,176.04
62455 Medical Mutual	1-A-6	15,863.69
62456 Caldwell Welding	12-A-7	250.00
62457 Johnson Electric	12-A-8	208.55
62458 Jones Fish	12-A-4	143.50
62459 Century Equip.	12-A-7	295.48
62460 EBCA Supply	1-B-5	185.00
62461 Cinti Supplies	12-A-6	138.00
62462 Ace Exterm.	9-A-13,10-A-7	142.72
62463 Rumpke	10-A-7,9-A-13	55.00
62464 Sam's	1-A-26	43.80
62465 Shell Oil	3-A-5	140.59
62466 Beth. Healthcare	1-A-26	37.92
62467 Jani-King	20-A-6,9-A-14	814.00
62468 Accent Signs	1-A-26	1,900.00
62469 Cinti Bell	10-A-7	222.53
62470 Zep Mfg.	12-A-6,3-B-2	263.26
62471 Ham Cty Sheriff	9-A-10,9-A-9	77,823.19
62472 Rumpke	1-A-26,10-A-7, 1-B-4,12-A-3	554.40
62473 Cinti Water	12-A-3	157.27
62474 Cinti Water	1-B-4	27.23
62475 Cinti Bell LD	1-B-4,10-A-7	51.80
62476 Cinti Supplies	3-A-7	108.00
62477 Brian Elliff	1-A-26	75.00
62478 NE Center	10-A-11,14-A-7,9-A-10	12,981.92
62479 Pitney Bowes	1-A-26	315.00
62480 Concrete Solutions	11-B-4	4,355.00
62481 Y2K	20-A-8,5-A-11,12-A-9	4,856.00
62482 Cinti Water	12-A-3	57.34
62483 Duke	7-A-1	1,678.32
62484 Duke	7-A-1	876.03
62485 Staples	1-A-4	152.89
62486 Reliance Life	1-A-6	622.01
62487 Enquirer	1-A-26	216.72
62488 Sam's	1-A-26	10.31
62489 Perf. Graphics	3-A-6	915.00
62490 Beth. North	14-A-5	116.36
62491 Ed's Feed	3-B-2	67.99
62492 Roto-Rooter	12-A-8,20-A-6	690.00
62493 Lykins Oil	3-A-5	701.47
62494 Cinti Water	10-A-7	565.35
62495 Cintas	1-B-8	183.22
62496 Fire Safety	20-A-4	600.00
62497 Perf. Graphics	3-A-6	235.00
62498 J&N Auto	14-A-6	131.47
62499 McCluskey Chev.	14-A-6	55.17
62500 Schein Inc.	14-A-5	4.80
62501 Verizon	10-A-7	149.76
62502 Gilkey Window	12-A-4	550.00

62503 Landform Services	12-A-4	225.00
62504 Landform Services	12-A-4	7,573.00
62505 Lykins Oil	3-A-5	67.11
62506 Sam's	1-A-4,12-A-6,1-A-26	268.78
62507 Roto-Rooter	14-A-8	197.50
62508 Duke	7-A-1	926.73
62509 Cinti Supplies	12-A-6	88.00
62510 Enquirer	12-A-8,1-A-26	105.58
62511 LA Supply	12-A-4	500.00
62512 Accent Signs	3-A-10	400.00
62513 Duke	7-A-1	1,061.09
62514 Superamerica	9-A-8	4,263.56
62515 Duke	10-A-7	644.38
62516 Brian Elliff	1-A-2A	2,036.74
62517 Luanne Felter	1-A-2A	1,356.87
62518 Jana Grant	1-A-2A	971.41
62519 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,253.03
62520 W. Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,913.86
62521 S. Connor	1-B-1,12-A-1,1-D_1,4-B-1	1,154.79
62522 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	973.02
62523 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	2,386.77
62524 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,352.73
62525 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,204.79
62526 D. Martin	1-B-1,12-A-1,1-D-1,4-B-1	520.10
62527 B. Pitman	1-B-1,12-A-1,1-D-1,4-B-1	2,358.25
62528 M. Rose	1-B-1,12-A-1,1-D-1,4-B-1	726.00
62529 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,316.04
62530 R. Williams	1-B-1,12-A-1,1-D-1,4-B-1	764.00
62531 Brent Scott	1-B-1	280.42
62532 PNC Bank	1-A-1,1-A-2,5-A-2,1-A-26, 1-A-2A,1-B-1,1-D-1,4-B-1	4,680.74
62533 Defer Comp	1-A-2A	2,185.00
62534 VOID		
62535 Duke	7-A-1	2,071.40
62536 Roto-Rooter	12-A-8	865.00
62537 Fairfield Auto	3-A-6	308.00
62538 Business Card	1-A-26	27.75

## REPORTS

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

1. UNION CEMETERY - Reported the easement agreement for the sidewalk has been accepted. The bid opening is scheduled for June 26, 2014.

2. TAX INCENTIVE REVIEW COMMITTEE - Reported all of the Township's CRAs were found in good standing.

OTHER - MS. SIMS reminded the Board of the scheduled Finance & Audit Committee meeting scheduled for June 25.

MR. BRYANT questioned the status of the Mason Montgomery sidewalk project.

MR. ELLIFF advised he has been notified that the bid opening is scheduled for August 1, 2015.

MRS. LEIS questioned the status of the crosswalk on Lebanon Road.

MR. ELLIFF stated the Township has been advised we will need to apply for a permit from the Hamilton County Engineer's Officer. It also appears the County Engineer is in the process of establishing a permit application for these types of crosswalks.

## HEARING FROM RESIDENTS

ANDREW CIAFARDINI, 11406 TERWILLIGERS LAND (45249) - Questioned the Board's action on the proposed JEDZ based on the action taken by the Economic Review Council and if the Board will rescind the resolution.

The Board indicated this action is required by law.

SUSAN JOHNSTAL, MONTGOMERY TRACE HOA - Expressed concern regarding recent damage caused by contractors last fall. Mrs. Johnstal presented the Board with pictures regarding this damage and requested assistance from the Township to help resolve these issues.

MR. ELLIFF advised that the Director of Public Works has been in contact with various people regarding these issues. However, this is located within the County right-of-way.

MRS. LEIS questioned if the Board could make these repairs.

MR. ELLIFF stated the Board would need to get approval from the County before proceeding.

MRS. LEIS stated she would be in favor of getting an estimate and to make the repairs.

## CORRESPONDENCE

PHIL TEMPEL - e-mail acknowledgment of desire to serve on Finance Committee.

SYMMES FIRE - e-mail response on insurance payment.

JULIE BROWN, 9155 GEROMES WAY - e-mail regarding Block party.

PAT YOUNG - e-mail regarding temporary signage at Waldschmidt House.

OHIO DEPARTMENT OF LIQUOR CONTROL - Notice of liquor license transfer from Midei Service, 1499 3rd Street, Brilliant, OH 43913 to Lakes Venture, 11349 Montgomery Road (45249).

MICHAEL SUCHER - e-mail regarding noise issue at Oasis.

GREG BERBERICH - e-mail regarding requested TREX for Oasis.

CHRIS HANSON - Public Records Request for JEDZ information.

M/M DIEHL - Public Records Request for JEDZ information.

OHIO DEPARTMENT OF LIQUOR CONTROL - Notice of liquor license transfer from Walgreens, 7804 Cinti-Dayton Rd, West Chester (45069) to Walgreen, 10529 Loveland Madeira (45140)

FRANK GATES COMPANY - 2015 Group Rating Program renewal.

SUSAN JOHNSTAL - e-mail regarding condition of property at entrance due to contractor.

BURNHAM & FLOWERS - e-mail response to inquiry regarding status of insurance renewal.

VANTIV - Public Records Request.

JURGENSEN COMPANY - Request for copy of Notice of Commencement for Resurfacing Project.

OHIO DEPARTMENT OF LIQUOR CONTROL - Notice of new liquor license for Kroger, 11390 Montgomery Road (45249)

cc:SENATOR S. JONES to ROBERT MALLOY - e-mail response to letter regarding proposed JEDZ legislation.

OHIO DEPARTMENT OF LIQUOR CONTROL - Notice of liquor license transfer from Walgreens, 5011 Princeton Road, Hamilton (45011) to Walgreen, 9520 Fields Ertel (45140)

cc:HAMILTON COUNTY BOARD OF HEALTH to ELSIE ADAMS, 9070 LINK RD - Notice of Violation and Condemnation.

HAMILTON COUNTY AUDITOR - e-mail response to inquiry regarding inside millage.

MIKE HOWELL - Public Records Request for JEDZ resolution.

MEDICAL MUTUAL - Letter regarding insurance renewal.

SYMMES FIRE - Financial statements.

WOOD & LAMPING - e-mail regarding status of tax foreclosure for 9070 Link Road.

CHRIS HANSON - Public Records Request for original JEDZ resolution passed in May.

BUREAU OF WORKERS COMPENSATION - Letter regarding change in billing system.

HAMILTON COUNTY MUNICIPAL COURT - Copy of action on recent court case against Oasis.

CAROLINE CHANGE, 11629 PLUMHILL - e-mail request for accessibility sidewalk ramp at the NE corner of E. Kemper and Kemperwoods Drive.

MIKE HOWELL - e-mail questioning the appointing of Brian Elliff to Review Council

ELLEN MERSHON - June 13 e-mail complaint regarding loud music at Symmesfest on Friday and June 16 e-mail follow-up to Staff response.

HAMILTON COUNTY ENGINEER - e-mail regarding signed agreements for easements on Union Cemetery Road.

#### ZONING AND PLANNING ISSUES

MRS. LEIS moved to adopt the following resolution:

#### RESOLUTION Z2014-01

Resolution Approving Community Unit Plan  
in an Existing "B" Residence District (Parkland Meadows CUP)

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, on June 24, 2014 heard Case No. Symmes 2014-01, Parkland Meadows CUP, a request to approve a 16 lot clustered single-family subdivision on 3.54 acres plus a 3.3 acre dedicated open space tract at 11716 and 11730 Lebanon Road (Book 620, Page 70, Parcels 21 and 258) ("subject property"); and

WHEREAS, the proposed use is consistent with the Symmes Township Land Use

Plan, the Hamilton County Thoroughfare Plan and includes a density which is permitted is the existing "B" Residence District while preserving close to one-half the property as permanent open space; and

WHEREAS, the Hamilton County Regional Planning Commission on May 2, 2014, at its regular meeting voted to recommend approval; and

WHEREAS, the Symmes Township Zoning Commission on May 21, 2014 held a public hearing and recommended approval of said CUP with conditions; and

WHEREAS, on June 24, 2014, the Board of Trustees of Symmes Township held a public hearing and reviewed said CUP;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Symmes Township, Hamilton County, Ohio concurs with the recommendation of the Symmes Township Zoning Commission and approves the CUP for the subject property.

BE IT FURTHER RESOLVED that the CUP be subject to the standard covenants for planned districts and the following conditions:

1. That the development shall contain a maximum of 16 single-family lots.
2. That further subdividing of the development shall be prohibited to assure conservation of all open spaces.
3. That a minimum of 3.278 acres of the site shall be conserved as open space area consistent with submitted plans, and that specific prohibitions/restrictions for this open space area shall be submitted as part of the Final Development Plan, and that prior to the issuance of any zoning certificate for the subject property a permanent declaration of restrictive covenants (first approved by zoning staff) shall be filed with the Hamilton County Recorder covering the open space area and preserving it as open space in perpetuity;
4. That a homeowners association shall be created and incorporated pursuant to the requirements of the Ohio Revised Code and that the homeowners association shall own and maintain all open space areas.
5. That sidewalks shall be provided on both sides of the street.

BE IT FURTHER RESOLVED, that the Board authorizes the expenditure of funds necessary to meet the requirements of the Ohio Revised Code concerning filing of text amendment with the County Recorder.

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

#### OLD BUSINESS

MRS. LEIS moved to adopt the following resolution:

#### RESOLUTION PR2014-02

#### Resolution Amending Symmes Township Park Rules and Regulations Concerning Acceptance of Payment

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio desires to modify its park rules in order to accept cash for the rental fee.

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

Section 1. The Rules and Regulations governing Symmes Township Parks as modified and contained in Exhibit A hereto are hereby adopted and shall replace all prior park rules and regulations.

Section 2. The Board of Trustees of Symmes Township upon majority vote does hereby dispense with any requirement that this Resolution be read on two separate days and authorizes the adoption of this Resolution upon its first reading.

Section 3. Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading

Section 4. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

MR. BRYANT seconded the motion.

Mr. Bryant noted this was discussed at the last meeting and this is for clarification on accepting cash for rental fees.

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

MR. ELLIFF noted that the attorney for Oasis Cafe Grill was present to update the Board on this issue.

ATTORNEY GREGORY BERBERICH advised the Oasis was found not guilty of the noise violation and it was determined that the complaints all originated from the same person. The next step would be a sound study and this should be available at the next meeting.

The Board thanked Mr. Berberich for the update.

#### NEW BUSINESS

MR. BECK moved to amend the agenda. Mrs. Leis seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MR. BECK moved to rescind the existing and outdated JEDZ issue currently on file with the Hamilton County Board of Elections. Mrs. Leis seconded the motion.

MS. SIMS stated she had been advised this action was needed to be done by resolution.

MR. ELLIFF stated a resolution is not needed, just a motion by the Board.

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

SEAN SPROUSE, BURNHAM & FLOWER INSURANCE GROUP - Presented information to the Board on the proposed health insurance renewal. Mr. Sprouse advised the Township's plan is currently in compliance with the health care reform. This is basically the same as currently provided to the employees. The monthly premium payment will increase from \$15,838 to \$18,458 - an approximately 16% increase.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2014-15

Resolution Adopting Medical  
Insurance Program Available to Symmes Township Employees

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio wishes to provide medical insurance coverage for Symmes Township Employees; and

WHEREAS, Symmes Township's policy has been to provide various medical insurance options to its employees, including family coverage and coverage for employees' spouses; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio adopted Resolution G2012-21 on July 3, 2012 to contract with Medical Mutual of Ohio ("MMO") for medical insurance coverage for the Plan Year starting August 1, 2012; and

WHEREAS, the contract with MMO was renewed last year for continuing medical insurance by Resolution G2013-19; and

WHEREAS, the Township Administrator, in association with renewing coverage for the 2014-2015 program year, has evaluated alternatives in order to provide quality and affordable health insurance coverage to the Township's employees and determined that if the Township varies from its "non-grandfathered existing" plan, it will experience a substantial decrease in coverage at approximately the same cost as if it were to maintain the current plan and coverage, and therefore has recommended that the Board continue with MMO as the provider under the current plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Symmes Township, Hamilton County, Ohio takes the following action:

Section 1. The insurance benefits plan offer by MMO currently in effect and also known as Super Med Plus "H.S.A. P2500/5000 Consumer MM Rx" ("Plan") shall continue as the medical insurance program available to Symmes Township employees for the Plan Year effective August 1, 2014. The renewal Plan rates offered by MMO and contained in Exhibit "A" hereto are approved for the plan year 2014-2015.

Section 2. Deductible, Health Savings Account and Health Reimbursement Account contributions shall remain in effect for the 2014-2015 program year at current levels.

Section 3. The Administrator is authorized to sign on behalf of the Township all documents and agreements necessary to implement the insurance and related programs authorized under this resolution.

Section 4. The Board of Trustees of Symmes Township upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

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

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2014-16

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 Section 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, the Board of Trustees of Symmes Township, Hamilton County, Ohio is further authorized under Ohio Revised Code Section 505.86 to remove, repair, or secure buildings or structures that have been declared insecure, unsafe, or structurally defective by the fire department or building department, or buildings or structures that have been declared unfit for human habitation by the board of health; and

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

WHEREAS, visual inspections have determined the presence of serious nuisance conditions on the property including overgrowth, broken windows, broken doors, junk and debris strewn around the property and unsecured openings to the building; and

WHEREAS, Hamilton County Public Health has declared the property to be a nuisance (#40005, April 22, 2014) citing numerous health and safety matters in violation of Hamilton County District Board of Health Environmental Sanitation Regulation No. 1-67 and the Ohio Revised Code, and has further issued a notice of condemnation for the property, all as documented in the report attached and incorporated as Exhibit "A" hereto; and

WHEREAS, Ohio Revised Code Section 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, Ohio Revised Code Section 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 is hereby declared to be a nuisance.

Section 2. That the Township Administrator is hereby directed to notify the property owner and known occupants of 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 Ohio Revised Code and this resolution.

Section 3. That if the nuisance is not abated by the owner or occupants, the Township Administrator is authorized to take all necessary steps to abate the nuisance or remove, repair, or secure the building and items located on the property.

Section 4. That the Township Law Director is hereby authorized and directed to monitor the tax foreclosure action being undertaken by Hamilton County and to assist in bringing that foreclosure to a conclusion to the extent practical.

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 the 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 (including posting notice on the subject nuisance property) is made to the property owners.

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

MRS. LEIS moved to approve participation in the Workers' Compensation Group Rating Program with the Frank Gates Service Company, to approve an expenditure in the amount of \$1,643.00 and to authorize the Administrator to sign necessary documentation. Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to approve a contract with Bethesda Healthcare, Inc. (Concern) for management training services, to approve an expenditure in the amount of \$1,450.00 and to authorize the President to sign agreement. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

The Board had no objection to the TREX liquor permit transfer from Walgreens, 7804 Cincinnati Dayton Road, West Chester, OH (45069) to Walgreens, 10529 Loveland Madeira Road (45140).

The Board had no objection to the liquor permit for Kroger Limited Partnership, dba Kroger, 11390 Montgomery Road (45249).

The Board had no objection to the new liquor permit for Rare Hospitality International, Inc., dba Longhorn Steakhouse, 9141 Fields Ertel Road (45249).

MRS. LEIS moved to amend permanent appropriation 2-A-6 (Motor Vehicle-Repairs) from \$5,000.00 to \$6,500.00. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to approve:

- a. Expenditure (Then & Now) in the amount of \$1,442.51 for repairs to T-202
- b. Expenditure in the amount of \$1,300.00 for replacement fire hose

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

The meeting adjourned at 8:30 p.m.