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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**JANUARY 6, 2015**

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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; Bill Pitman - Director of Public Works; Lt. Chris Ketteman - Hamilton County Sheriff's Department; Otto Huber - Chief, Loveland Symmes Fire Department.

ORGANIZATION OF THE BOARD

MS. SIMS asked for nominations for President of the Board and noted that a second would not be required.

MRS. LEIS moved to appoint Phil Beck as President of the Board. There was no second to the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

MR. BECK asked for nominations for Vice-President of the Board and noted that a second would not be required.

MRS. LEIS moved to appoint Ken Bryant as Vice President. There was no second and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

MR. BECK announced that Trustee meetings for 2015 will continue to be held on the first Tuesday each month at 7:00 p.m., with Special meetings scheduled as needed.

Mr. Beck announced the salary for the Township Trustees will be \$15,998.00 and will be paid in monthly installments. The salary for the Township Fiscal Officer will be \$24,355.00 per year, paid in monthly installments.

Mr. Beck announced that members of the Township Zoning Commission and Board of Zoning Appeals will receive \$50.00 per meeting.

Mr. Beck announced that the Employee Personnel Policy will remain the same and that the Holiday schedule will remain as outlined in the Employee Personnel Policy.

Mr. Beck announced the Township will continue its contract with the Loveland Symmes Fire Department at an annual fee of \$2,170,725.00 and its contract with the Hamilton County Sheriff's Patrol at an estimated cost of \$1,026,781.11.

Mr. Beck announced the Township will continue employee reimbursement for cell phones in the amount of \$700.00 to employees who use their own phone/service and in the amount of \$550.00 to employees who use a Township phone with personal calls.

The following appointments were made by the Board:

Carol Sims as the Board Representative to Finance & Audit Committee;

Ken Bryant as the Board Representative to the Ad Hoc Community Reinvestment Area Committee;

Ken Bryant as the Board Representative and Carol Sims as the Alternate to C.L.O.U.T.;

Jodie Leis as the Board Representative to Hamilton County Planning Partnership;

Jodie Leis as the Board Representative to Hamilton County General Health District Advisory Council;

Ken Bryant as the Township Representative to ICRC;

Phil Beck as the Township Representative to the Hamilton County Township Association;

Brian Elliff as the Township Representative to the Hamilton County Tax Incentive Review Council;  
Bill Pitman as the Township Representative to Hamilton County Township Road Superintendents Association; and  
Brian Elliff as the Township Representative to the Hamilton County Storm Water District.

## PRESENTATION

HOLLY CHRISTMANN, HAMILTON COUNTY ENVIRONMENTAL SERVICES - Provided the Board with an overview of its current assistance to a small group of townships interested in contracting out residential waste collection. It was noted that Miami and Columbia Townships currently offer this service to residents.

MRS. CHRISTMANN advised there are some benefits including reduction in cost, more control over the company, fewer trucks on Township streets and higher recycling rates. An orientation meeting is scheduled for tomorrow to further discuss details with interested townships. Bids should go out in February with a decision in March/April for a potential start date in 2016.

MR. BRYANT noted that Colerain and Sycamore Townships are working on an Request for Proposals (RFP) and have asked if Symmes Township would like to participate. Mr. Bryant questioned if this is different from their process.

MRS. CHRISTMANN noted these townships are involved with this group.

MR. ELLIFF stated the first step in the process is the RFP and then a decision can be made based on the proposals. Mr. Elliff questioned if the Board wishes to proceed with being included in this proposal.

MRS. CHRISTMANN advised they have reviewed some of the questions received from Township residents. Mrs. Christmann noted that recycling bins would be included; an opt-out would probably not be an option; contract would be for 2-3 years; there would be some exclusions, such as condos and residents within Loveland water district and pick-up scheduling.

MRS. LEIS questioned how billing would be handled.

MRS. CHRISTMANN advised there are various options and that would be discussed tomorrow.

MR. BECK noted there are two companies currently serving residents - Rumpke and CSI. They provide good service with some noise complaints. Mr. Beck questioned how the other communities are making residents aware of this possibility. Mr. Beck stated it appears there would be a savings to residents, but was concerned about the no "opt-out" option.

MRS. CHRISTMANN advised this would be in the Township's RFP and they are just trying to assist communities with the specifications and process.

MR. BECK stated he is interested in the possibility, but would like additional information.

MR. BRYANT agreed the Township needs to look into some hard numbers before making any decision.

MR. ELLIFF noted he would be at tomorrow's meeting. Mr. Elliff stated the Board will not know actual numbers until an RFP is completed. The Board would be making a commitment to the RFP process and not the waste collection program.

RECEIPTS

Receipts totaling \$54,690.09 were read and accepted:

20010 P. Franks	1-P	75.00
20011 Shiv Hospitality	1-E	2,308.45
20012 N. American Signs	1-L	716.32
20013 Schmidt Builders	1-P	50.00
20014 J. Burkhardt	1-L	115.00
20015 Daniel beck	1-P	75.00
20016 PNC Bank	1-I	87.67
20017 B. Dummerman	1-L	115.00
20018 Tri-State Pools	1-L	115.00
20019 Golden Corral	9-F	150.00
20020 Ham Cty Auditor	23-C	3,518.05
20021 Ham Cty Auditor	2-A	1,003.48
20022 Ham Cty Auditor	1-D, 3-B	13,791.32
20023 Ham Cty Auditor	1-K	1,994.55
20024 OTARMA	1-N	500.00
20025 Braddock Investment	1-L	311.52
20026 D. McCurdy	1-L	115.00
20027 Hills Properties	1-L	100.00
20028 Kentucky Hotels	1-E	1,624.16
20029 Ham Cty Auditor	3-A	7,928.01
20030 J. Mangent	1-L	115.00
20031 Steven Chuey	1-L	115.00
20032 J. Zuhn	1-L	457.00
20033 Wendel Assoc.	1-L	1,186.68
20034 AK Capital	1-L	130.00
20035 Symmes Fire	28-A, 14-C	17,992.80
20036-39 MEMO		
	TOTAL \$	54,690.09

WARRANTS

MR. BECK moved that the Township pay its bills. Mr. Bryant seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$266,818.74 were issued:

63775 Brian Elliff	1-A-2A	2,048.74
63776 Luanne Felter	1-A-2A	1,402.82
63777 Jana Grant	1-A-2A	1,017.41
63778 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,192.02
63779 W. Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,449.91
63780 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	821.97
63781 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,612.93
63782 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,082.29
63783 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,143.81
63784 D. Martin	1-B-1,12-A-1,1-D_1,4-B-1	308.20
63785 B.Pitman	1-B-1,12-A-1,1-D-1,4-B-1	2,093.49
63786 M. Rose	1-B-1,12-A-1,1-D_1,4-B-1	749.92
63787 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,150.92
63788 R. Williams	1-B-1,12-A-1,1-D_1,4-B-1	472.80
63789 D. Havill	1-J-1	137.52
63790 Todd Flagel	1-J-1	184.70
63791 J. Harlow	1-J-1	138.52
63792 R. Ruehlmann	1-J-1	183.70
63793 R. Wolfe	1-J-1	181.70
63794 C. Bucco	1-J-1	275.05
63795 G. Flynn	1-J-1	276.05
63796 Alan Forsythe	1-J-1	322.22

63797 Greg Kessler	1-J-1	276.05
63798 Don Misrach	1-J-1	229.87
63799 John Mallowney	1-J-1	229.87
63800 Jay Stewart	1-J-1	92.35
63801 Defer Comp	1-A-2A	2,235.00
63802 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	4,239.50
63803 Ferguson Ent.	20-A-6	731.96
63804 Lykins Oil	3-A-5	85.72
63805 HCRPC	1-J-3	4,261.08
63806 Koorsen Fire	20-A-6	101.48
63807 Elite Fire	14-A-8,20-A-6	236.00
63808 Accent Signs	12-A-4	1,100.00
63809 Duke	1-E-1	1,322.81
63810 Sam's Club	1-B-8,23-A-9,1-A-26	130.66
63811 Hewlett-Packard	1-A-5	749.19
63812 Enzo's Cleaning	3-A-7	150.00
63813 O'Reilly Auto	2-A-7	92.24
63814 Sears	12-A-5	33.96
63815 Tractor Supply	2-A-7,23-A-4	31.97
63816 Kings Ford	2-A-6	525.49
63817 D&R Tarping	3-A-7	917.96
63818 Beth. Healthcare	1-A-26	37.92
63819 Cintas	1-B-8	83.59
63810 Hewlett-Packard	1-A-5	544.00
63821 McCabe's	12-A-8	18.75
63822 Enzo's Cleaning	23-A-4,2-A-7	449.00
63823 Business Card	1-A-26	27.34
63824 Staples Advan.	1-A-4	143.13
63825 Staples	1-A-4	29.28
63826 Staples Advan.	1-A-4	52.19
63827 Staples Advan.	1-A-4	118.98
63828 Staples Advan.	1-A-4,1-A-5	147.49
63829 Mason Fasteners	3-A-10	306.85
63830 Dorn's	1-A-4	6.49
63831 OTA	1-A-26	200.00
63832 HCRPC	1-A-26	1,904.00
63833 Bill Pitman	1-A-3	20.00
63834 Kleem	3-A-10	700.20
63835 H. Gregory	1-B-2	10,000.00
63836 Duke	1-B-4	583.54
63837 Loveland	12-A-3,1-B-4	373.43
63838 Duke	12-A-3	187.29
63839 Larry's Lock	1-B-8	19.39
63840 Advantage Signs	1-A-26	185.00
63841 Cintas	1-B-8	83.59
63842 Kleem	3-A-10	583.20
63843 Loveland	1-B-4	52.65
63844 Fifth Third Bank	1-A-6	430.00
63845 Johnson Electric	12-A-4	88.59
63846 Fuller Ford	10-A-10	178.56
63847 Enzo's Cleaning	23-A-4	86.65
63848 Accountemps	1-A-2B	525.50
63849 Kleem	3-A-10	388.80
63850 Smyth Auto.	2-A-7	45.80
63851 Batteries Plus	12-A-8	67.90
63852 Duke	20-A-8	25.52
63853 Duke	10-A-7, 9-A-13	2,707.07
63854 KOI Auto	14-A-6	6.99
63855 Castrucci Ford	10-A-10	159.90
63856 Sprint	10-A-7	62.40

63857 Motorola		39,572.50
63858 Accountemps	1-A-2B	504.48
63859 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	76.51
63860 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	204.82
63861 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	2,343.00
63862 Springdale	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	282.13
63863 Accountemps	1-A-2B	504.48
63864 PERS	1-A-1,1-A-2A,1-B-1,5-A-3 4-B-1,5-A-2,1-A-12,4-A-2	15,857.82
63865 Ham Cty Sher.	9-A-10	81,099.00
63866 Comm. Center	9-A-10,14-A-7,10-A-11	1,665.00
63867 Duke	1-B-4,5-A-12	1,025.67
63868 Ritz Safety	2-A-4	51.11
63869 Reliance Life	1-A-6	616.91
63870 Dental Care	1-A-6	1,140.37
63871 Duke	1-E-1	1,303.26
63872 Medical Mutual	1-A-6	18,187.52
63873 Tyco	1-B-4, 10-A-7	59.02
63874 Duke	1-B-4	566.72
63875 Duke	12-A-3, 10-A-7	12.14
63876 Blust Motor	2-A-7	57.84
63877 Thys. Elevator	20-A-6	294.71
63878 Duke	12-A-3	728.08
63879 Mike Howell	12-A-1	53.13
63880 Robert Malloy	1-A-2A	1,398.35
63881 Phil Beck	1-A-1	499.52
63882 Ken Bryant	1-A-1	632.52
63883 Jodie Leis	1-A-1	1,047.52
63884 Carol Sims	1-A-2, 5-A-2	1,607.02
63885 Brian Elliff	1-A-2A	2,048.74
63886 Luanne Felter	1-A-2A	1,361.86
63887 Jana Grant	1-A-2A	974.41
63888 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,192.02
63889 W. Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,449.91
63890 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	821.97
63891 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,612.94
63892 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,082.29
63893 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,143.81
63894 D. Martin	1-B-1,12-A-1,1-D_1,4-B-1	158.60
63895 B. Pitman	1-B-1,12-A-1,1-D-1,4-B-1	1,982.39
63896 M. Rose	1-B-1,12-A-1,1-D_1,4-B-1	749.92
63897 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,140.73
63898 R. Williams	1-B-1,12-A-1,1-D_1,4-B-1	472.80
63899 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	5,081.64
63900 Verizon	10-A-7	160.62
63921 Duke	12-A-3	448.21
63902 Cinti Bell	10-A-7, 9-A-13	712.77
63903 Duke	12-A-3	952.23
63904 Cinti Bell	1-B-4	364.60
63905 Duke	10-A-7	4.30
63906 Fifth Third	1-A-6	11,500.00
63907 Defer Comp	1-A-2, 4-B-1,12-A-1	2,360.00
	TOTAL	\$ 266,818.74

## REPORTS

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

1. NATURAL GAS AGGREGATION - Advised the Township has locked into the maximum rate for gas through August 2015. This rate is \$0.497/CCF.

CHIEF HUBER - Reported on recent meeting regarding annual Township events. The recommendation is to change Symmesfest to a Saturday in the Park. This would be held at the Home of the Brave Park on June 20 starting at 2:00 p.m. Chief Huber advised that some other concerts could be held in Symmes park.

Chief Huber stated it was important that residents are aware of the various Township functions and questioned if some type of "Save the Date" flyer could be included in the upcoming newsletter.

The Board agreed with this concept.

Chief Huber stated the committee is continuing to work on different activities for the Saturday in the Park event.

## HEARING FROM RESIDENTS

GAIL TRICKEY, 7879 CAMP ROAD (45111) - Stated a resident should be able to make the decision whether to be part of the program and not have to deal with an "opt-out" option.

LAURA SHARP, 9988 LINCOLN ROAD (45111) - Stated it appears there is a number of unknown for this program and questioned what prompted this discussion.

MR. BECK advised the Township was contacted by Colerain and Sycamore Townships about participating in their RFP.

MS. SHARP questioned if the Board had a preference in how residents would be billed.

MR. BRYANT stated he would like to see direct billing. This type of program might eliminate the "fuel surcharge" which is always reflected on the invoice.

MS. SHARP questioned when the Board might make a decision.

MR. BRYANT noted the Board will not be meeting until February 3.

KAREN DIEHL, 10072 LINCOLN (45111) - Stated she understands the Board is just in the process of gathering information and expressed concern about the lack of an "opt-out" option.

Mrs. Diehl expressed concern regarding the proposed facility use policy as it seems very excessive. Mrs. Diehl stated these facilities are paid by tax dollars and requested the Board not approve the policy as it is written.

MR. BECK stated he also has concerns about this policy.

## CORRESPONDENCE

OHIO STATE TREASURER - Certificate of CPIM for Carol Sims.

HAMILTON COUNTY COMMUNICATION CENTER - e-mail notification of 2015 increase from \$1,665 per month to \$1,831.50 per month.

LAWN SYSTEMS - Proposal for 2015 yard waste drop off program.

OUPS - Letter regarding annual assessment for 2015 in amount of \$303.19.

HAMILTON COUNTY ENGINEER - Pre-final inspection of Hearthstone Estates.

WOOD & LAMPING - e-mail update Birch Drive nuisance.

HAMILTON COUNTY SHERIFF DEPT - November activity reports.

EVEREST GROUP - Contract for Chapelsquare property.

cc: NORTHEAST FIRE COLLABORATION to SYCAMORE FIRE - Letter regarding Sycamore's lack of participation in the group and no longer involved with the collaboration.

HAMILTON COUNTY ENGINEER - Documents on Mason Montgomery Road Project including letter regarding OPWC payment request.

CINCINNATI HORTICULTURAL SOCIETY - Announcement that 2015 Flower Show will be held at Yeatman's Cove.

ENERGY ALLIANCE - e-mail regarding executed price request.

i9SPORTS - Note of appreciation for allowing its commercial enterprise use Symmes Park.

HAMILTON COUNTY SHERIFF - Letter regarding projected costs for 2015 through 2019.

DENTAL CARE - Request for current address for Robert Jackson.

CIVIL WAR ROUND TABLE - e-mail regarding maintenance of cannon area in Camp Dennison.

VARIOUS - e-mails received regarding propose waste services.

HAMILTON COUNTY ZONING - e-mail regarding draft of ticket text amendment.

ENERGY ALLIANCE - e-mail regarding price request form for Flex Down Locked Price.

OTARMA - Letter regarding 2014 MORE Grant and remittance of \$500.00.

INTEGRYS - e-mail with executed Price Request form.

MOOSE/SCHULER - Proposal for repairs at Remington Fire Station.

TOM ROCKWOOD - e-mail of appreciation for additional dumpster at Hopewell Park.

ELLIOT GROSSMAN - e-mails questioning the closure of dog run in winter.

SYMMES FIRE - e-mail regarding AMARS with Milford for Camp Dennison in 2015.

ELIZABETH STANTON - e-mail regarding 2015 retainer.

CASSIDY TURLEY - e-mail regarding Horter easement.

DINSMORE & SHOHL - e-mail regarding 2015 retainer agreements.

WOOD & LAMPING - e-mail regarding Facilities Use policy and Law Director employment agreement.

HAMILTON COUNTY ENGINEER - e-mail regarding Hearthstone Subdivision.

ZONING AND PLANNING ISSUES

MR. BECK moved to adopt the following resolution:

RESOLUTION G2015-01  
RESOLUTION INITIATING AMENDMENTS TO ARTICLE V GENERAL  
PROVISIONS OF THE ZONING RESOLUTION FOR SYMMES TOWNSHIP,  
HAMILTON COUNTY, OHIO TO ADD SECTION 54.2 "RESIDENTIAL FACILITIES  
AND RELATED

WHEREAS, pursuant to Ohio Revised Code Chapters 5119 and 5123, depending on the applicable code section and subject to specific requirements, certain residential facilities are allowed in single family or multiple-family residential districts as a permitted use, conditionally permitted use or special exceptions; and

WHEREAS, the applicable sections of the Ohio Revised Code require such residential facilities to comply with requirements and regulations that are uniformly imposed upon all structures within the district or zone as well as permit the political subdivision to limit the excessive concentration of such residential facilities;

WHEREAS, Symmes Township desires to adopt the provisions set forth in Chapters 5119 and 5123 related to the residential facilities subject to certain limitations;

WHEREAS, pursuant to Article XXIII, Section 231 of the Symmes Township Zoning Resolution and Ohio Revised Code Section 519.12, amendments to the zoning resolution may be initiated by the passage of a resolution by the Board of Township Trustees;

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

Section 1. Pursuant to Article XXIII, Section 231 of the Symmes Township Zoning Resolution and Ohio Revised Code §519.12(A)(1), the Board of Trustees of Symmes Township hereby initiates a text amendment of Article V General Provisions to add Section 54.2 "Residential Facilities and to amend Article III Definitions and all references thereto as set forth on Attachment "A" attached hereto and incorporated herein by reference. The Resolution shall be certified to the Township Zoning Commission upon passage.

Section 2. The Board of Trustees, 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 this first reading. This action was taken in open meetings in accordance with law. This Resolution shall be effective immediately.

MR. BRYANT seconded the motion.

Mr. Bryant questioned if this resolution addresses the spacing issues of group homes in residential districts.

MR. MALLOY stated this resolution establishes a spacing of 1,000 feet which appears to be a defensible distance.

MR. BECK advised it is important for the Township to adopt this regulation in order to preserve the residential character of our subdivisions.

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

MR. BECK moved to adopt the following resolution:

RESOLUTION G2015-02

RESOLUTION INITIATING AMENDMENTS TO ARTICLES XXV (ENFORCEMENT)  
AND XXVIII (VIOLATIONS AND PENALTIES) OF THE ZONING RESOLUTION  
FOR SYMMES TOWNSHIP, HAMILTON COUNTY, OHIO

WHEREAS, the Board of Trustees relies on the Municipal Court of Hamilton County, Ohio (Municipal Court) and other courts to assist in the enforcement of the Symmes Township, Hamilton County, OH Zoning Resolution (Zoning Resolution); and

WHEREAS, the Municipal Court has advised that certain modifications to the Zoning Resolution are necessary and appropriate in order for that Court to exercise jurisdiction in the enforcement of the Zoning Resolution; and

WHEREAS, the Symmes Township Board of Trustees desires to continue to seek the assistance of the Municipal Court in the enforcement of the Zoning Resolution; and

WHEREAS, Articles XXV (Enforcement) and XXVIII (Violations and Penalties) address the terms of enforcement of the Zoning Resolution.

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

Section 1. Pursuant to Article XXIII, Section 231 of the Symmes Township Zoning Resolution and Ohio Revised Code §519.12(A)(1), the Board of Trustees of Symmes Township hereby initiates a text amendment to Articles XXV (Enforcement) and XXVII (Violations and Penalties) as set forth on Attachment "A" attached hereto and incorporated herein by reference. The Resolution shall be certified to the Township Zoning Commission upon passage.

Section 2. The Board of Trustees, 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 this first reading. This action was taken in open meetings in accordance with law. This Resolution shall be effective immediately.

MRS. LEIS seconded the motion.

MR. MALLOY advised this was triggered in order to incorporate the Hamilton County Housing Court's directives. This will allow the Township to enforce its Zoning Resolution when special relief is necessary.

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

MR. ELLIFF explained the next step in the process would be for the Township Zoning Commission to hold a public hearing on these proposed amendments. They would then forward a recommendation to the Board.

OLD BUSINESS

MR. ELLIFF noted that Staff had included this on the agenda; however, it appears the Board is not ready to adopt a resolution regarding the creation of a waste disposal district.

MR. BECK moved to table Resolution G2014-28, Resolution Authorizing Administrator to Investigate Creation of a Waste District and RFP. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

The Board agreed they would like more information on this subject before proceeding.

MR. BECK moved to untable Resolution G2014-20. Mr. Bryant seconded the motion.

MR. MALLOY stated this resolution is coming before the Board for discussion purposes. Mr. Malloy advised these facilities are primarily for Township purposes and this policy is to clarify public use. The amount reflected for the fee is just there to start the discussion.

MRS. LEIS questions why the Board wants to limit the use to our facilities.

MR. ELLIFF stated there is no written policy. The practice was for the Township Administrator to handle the scheduling for HOA and the Historical Society. It appeared to him that other groups were not permitted to use the building. Recently another group started to use the Safety Center without permission of the Administrator. A draft policy was presented to the Board last year in order to reduce the burden on Staff.

MR. BRYANT noted this document appears to be an attempt to clarify what or what not is allowed in the building.

MR. BECK stated he agrees a policy should be established; but is concerned about the large fee reflected. A comment was made earlier that these are public buildings paid by tax dollars. This meeting room might not always be acceptable and the Safety Center needs to be available.

MR. BRYANT stated it appears there needs to be more discussion before making a decision. There are many issues that need to be resolved.

MR. BECK moved to table Resolution G2014-20, Resolution Adopting Building and Facility Use Policy for Symmes Township. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

#### NEW BUSINESS

MR. BECK moved to adopt the following resolution:

RESOLUTION G2015-03  
RESOLUTION APPOINTING ROBERT P. MALLOY  
LAW DIRECTOR PURSUANT TO R.C. 504.15 AND  
DISPENSING WITH THE SECOND READING

WHEREAS, pursuant to R.C. 504.15, the Board of Trustees is required to appoint a full-time or part-time Law Director; and

WHEREAS, Robert P. Malloy is by reason of his training and experience competent to act as legal advisor to the Board, the Township Administrator and other Township officers; and

WHEREAS, R.C. 504.151 provides that the Township Law Director may appoint as Assistant Law Director a person who is an associate or partner of or who is employed by the Township Law Director in the private practice of law; and

WHEREAS, certain associates, partners and employees of Robert P. Malloy are qualified and capable of assisting and supporting the legal services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio pursuant to Chapter 504 of the Revised Code, as follows:

Section 1. Robert P. Malloy is hereby appointed and retained pursuant to R.C. 504.15 as the Township Law Director who shall serve in such pursuant to the terms of the "Law Director Employment Agreement" attached hereto and incorporated as Exhibit "A".

Section 2. The Board hereby authorized and directs that the Township enter into a Law Director Employment Agreement with Robert P. Malloy, which Agreement fully defines the terms and conditions upon which Robert P. Malloy shall serve as Law Director, a copy of which is incorporated herein by reference as Exhibit "A".

Section 3. The Trustees of Symmes Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

Section 4. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public, peace, health, safety or welfare of the community for the reason that it is necessary to maintain the continuity of legal services for this Township.

Section 5. It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

MR. BECK moved to adopt the following resolution:

#### RESOLUTION G2015-04

#### RESOLUTION RETAINING ELIZABETH M. STANTON AND THE FIRM OF TAFT, STETTINIUS & HOLLISTER, LLP AS LEGAL COUNSEL TO ADVISE AND REPRESENT THE TOWNSHIP IN ANNEXATION MATTERS AND DISPENSING WITH THE SECOND READING

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, deems it necessary and advisable to employ legal counsel to advise and represent the Township on legal matters relating to annexation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township that:

Section 1. Elizabeth M. Stanton and the firm of Taft, Stettinius & Hollister, LLP, be retained as Legal Counsel to advise and represent Symmes Township on legal matters relating to annexation.

Section 2. Representation will be per the Retainer Agreement attached hereto at Exhibit "A", which the Board of Trustees is hereby authorized to sign.

Section 3. The Trustees of Symmes Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

Section 4. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public, peace, health, safety or welfare of the community for the reason that it is necessary to maintain the continuity of legal services for this Township.

Section 5. It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

MR. BECK moved to consider Resolution G2015-05, Resolution Retaining Brenda Wehmer and the Firm for Peck, Shaffer & Williams, LLP as Bond and Special Counsel and Dispensing with the Second Reading.

MR. BRYANT seconded the motion.

Mr. Bryant stated he would prefer that "special counsel" be removed from this resolution. Mr. Bryant reminded the Board that this same issue was discussed last year and this firm was only retained for bond counsel.

MR. ELLIFF questioned if the Board wished this reference to be removed. Mr. Elliff noted that this could be changed and only the retainer agreement for bond counsel would be signed by the Board.

MR. BRYANT stated he would be willing to have "special counsel" included provided that the Administrator first receives approval from the Board.

MS. SIMS noted that the resolution adopted last year was for "bond counsel" only. Ms. Sims requested if the Board wished to have "special counsel" that there be two separate resolutions.

MR. ELLIFF stated he not did feel this would be necessary and that he understands the Board's direction regarding "special counsel".

MS. SIMS noted the Board could adopt this resolution to retain this firm as "bond counsel" and adopt a separate one for "special counsel".

MR. BECK moved to amend Resolution G2015-05 to just reflect "bond counsel". Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

The roll call vote on Resolution G2015-05 as amended was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

#### RESOLUTION G2015-05

##### RESOLUTION RETAINING BRENDA WEHMER AND THE FIRM OF PECK, SHAFFER & WILLIAMS, LLP AS BOND COUNSEL AND DISPENSING WITH THE SECOND READING

WHEREAS, from time to time Symmes Township, Ohio (the "Township") must issue obligations in order to finance the costs of improvements (as defined in Chapters 133, 505 and 5709 of the revised Code); and

WHEREAS, in connection with such issuance, it is necessary to employ the services of a law firm to prepare the proceedings and the required associated documentation.

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

Section 1. That the firm of Peck, Shaffer & Williams LLP ("PSW") is hereby engaged as Township's "bond counsel" .

Section 2. That the Fiscal Officer, the Township Administrator and the Board President are hereby authorized and directed to execute and deliver the engagement letter of PSW attached and incorporated herein as Exhibit "A".

Section 3. The Trustees of Symmes Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

Section 4. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public, peace, health, safety or welfare of the community for the reason that it is necessary to maintain the continuity of legal services for this Township.

Section 5. It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

MR. BECK moved to adopt the following resolution:

#### RESOLUTION G2015-09

#### RESOLUTION RETAINING BRENDA WEHMER AND THE FIRM OF PECK, SHAFFER & WILLIAMS, LLP AS SPECIAL COUNSEL AND DISPENSING WITH THE SECOND READING

WHEREAS, from time to time Symmes Township, Ohio (the "Township") requires legal expertise in the area economic development programs such as TIF, CRA and the like; and

WHEREAS, in connection with such programs, it is on occasion necessary to employ the services of a law firm to provide expertise in guidance; and

WHEREAS, there shall not be consultation in the capacity as special counsel without prior knowledge of the Board of Trustees.

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

Section 1. That the firm of Peck, Shaffer & Williams LLP ("PSW") is hereby engaged as Township's "special counsel" for economic development.

Section 2. That the Fiscal Officer, the Township Administrator and the Board President are hereby authorized and directed to execute and deliver the engagement letter of PSW attached and incorporated herein as Exhibit "A".

Section 3. The Trustees of Symmes Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

Section 4. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public, peace, health, safety or welfare of the community for the reason that it is necessary to maintain the continuity of legal services for this Township.

Section 5. It is hereby determined that all formal actions of the Board of Trustees

relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

MR. BECK moved to adopt the following resolution:

#### RESOLUTION G2015-06

##### RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE ADVANCE PAYMENTS OF TAXES

WHEREAS, the Ohio Revised Code allows a taxing authority to request payment from the County Auditor of funds derived from taxes or other sources to the County Treasurer, which is held on account of a local subdivision; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, wishes the Township Fiscal Officer to make requests for advance payments of property taxes prior to the completion of a tax settlement.

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

Section 1. That the Auditor and Treasurer of Hamilton County, Ohio, in accordance with Ohio Revised Code Section 321.34, be requested to draw and pay to Symmes Township upon written request of Carol A. Sims, Fiscal Officer, to the County Auditor, funds due in any settlement of 2014 derived from taxes or other sources, payment to the County Treasurer to the account of Symmes Township, and lawfully applicable for purposes of the current fiscal year.

Section 2. That the Fiscal Officer is hereby directed to forward a certified copy of this Resolution to the County Auditor.

MR. BRYANT seconded the motion.

MS. SIMS advised this resolution will allow for the Hamilton County Auditor to make advances on the property taxes.

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

MR. BECK moved to adopt the following resolution:

#### RESOLUTION G2015-07

##### RESOLUTION AUTHORIZING EXECUTION OF LIMITED WARRANTY DEED AND CLOSING DOCUMENTS FOR THE SALE OF THE FIREHOUSE PROPERTY LOCATED ON MASON ROAD/CHAPEL SQUARE DRIVE

WHEREAS, the Board of Township Trustees of Symmes Township, Hamilton County, Ohio, deems it necessary and in the best interest of the public to allow for the sale of certain property, namely the former Firehouse property known as 1.15 acres on Chapel Square Drive, Symmes Township, Ohio, 45249, Auditor's parcel no. 620-0202-0056-00 ("Property"); and

WHEREAS, the deed of conveyance and certain seller's closing documents will have to be properly authorized to be executed for closing in order to complete the sale of the Property described in Exhibit "A"; and

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

Section 1. That the Board of Trustees of Symmes Township, Hamilton County, Ohio is authorized to sign the Limited Warranty Deed to convey the Property described in Exhibit "A" to the purchaser, and that the Township Administrator is further authorized to execute any and all other documents on behalf of the Board of Trustees and take all necessary steps to complete the sale of said Property pursuant to the terms of a finalized Real Estate Purchase Contract.

Section 2. That upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorize the adoption of this Resolution upon its first reading.

Section 3. That this Resolution shall take effect and be enforced from and after the earliest period allowed by law.

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

MR. BECK moved to adopt the following resolution:

#### RESOLUTION G2015-08

#### AUTHORIZING AND DIRECTING A TEMPORARY ADVANCE OF THIRTY THOUSAND (\$30,000.00) DOLLARS FROM THE GENERAL FUND TO THE LIGHTING ASSESSMENT FUND

WHEREAS, advances can be made from a less restricted fund to a more restrictive fund; and

WHEREAS, the Symmes Township Fiscal Officer has advised that the Lighting Assessment Fund (Fund 07) will experience a cash flow situation due to the receipt of revenue from the Hamilton County Auditor's Office; and

WHEREAS, the Symmes Township Fiscal Officer has further advised that the anticipated revenue stream for the Lighting Assessment Fund (Fund 07) is sufficient to meet the budgeted expenditures for 2015 and for the repayment of this advance; and

WHEREAS, the Symmes Township Fiscal Officer is requesting a temporary advance of Thirty Thousand (\$30,000.00) Dollars from the General Fund (Fund 01) to the Lighting Assessment Fund (Fund 07) until such time as the anticipated revenue is received from the Hamilton County Auditor's Office in 2015.

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

Section 1. The Symmes Township Board of Trustees hereby authorizes a temporary advance of Thirty Thousand (\$30,000.00) Dollars from the General Fund (Fund 01) to the Lighting Assessment Fund (Fund 07) with an anticipated estimated repayment date of May, 2015.

Section 2. The transfer of funds from a General Fund (Fund 01) to any other fund of the Township is authorized pursuant to Section 5705.14(E) of the Ohio Revised Code and therefore this Resolution may be adopted upon a single reading and shall become effective upon the date of its adoption.

MRS. LEIS seconded the motion.

MS. SIMS advised this resolution will allow for funds to be advanced in order to pay for lighting districts charges until the assessments are received.

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

MR. BECK moved to approve the dates and times for special events and cleanup days as provided in the memorandum dated December 22, 2014. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

MR. BECK moved to approve the annual supplemental contract by the Loveland Symmes Fire Department for the Camp Dennison area at \$500.00 per month effective January 1, 2015. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

MR. BECK moved to authorize acceptance of the bond proceeds of \$50,000 in lieu of completion of sidewalk for Hearthstone subdivision and to authorize the Township Administrator to execute any necessary paperwork. Mrs. Leis seconded the motion.

MR. BRYANT questioned if this amount would cover the cost for the unfinished sidewalks within this subdivision.

MR. ELLIFF stated this would be sufficient. Mr. Elliff noted the Township has not received any formal notification on this arrangement from the Hamilton County Engineer's Office.

MR. BRYANT questioned if this money could also be used to bring the roadways up to code.

MR. ELLIFF advised the Director of Public Works feels the roadways are acceptable. Mr. Elliff questioned if the Board wished to table this until County approval is received; however, he recommended proceeding with this agreement.

MR. PITMAN advised the developer is anxious to have this issue resolved and is willing to allow this bond to be liquidated to the Township.

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

MR. BECK moved to accept the proposal for 2015 yard waste drop off from LA Supply, to authorize the Township Administrator to sign agreement and to approve an expenditure in the amount of \$10,800.00. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

MR. BECK moved to authorize the Township Administrator to apply for Township Signage Upgrade Grant. Mr. Bryant seconded the motion.

MR. PITMAN advised this grant would be for speed limit/stop signage, including hardware, and no matching funds are required.

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

The Board had no objection to the liquor permit transfer for Kyojin Japanese Seafood, Inc., d.b.a. Kyojin Japanese Seafood Buffet, 12140 Royal Pointe Drive.

MR. BECK moved to approve:

- a. Expenditure in an amount not to exceed \$7,500.00 for 2015 spring newsletter
- b. Expenditure in an amount not to exceed \$22,000.00 for 2015 special events
- c. Expenditure in an amount not to exceed \$8,000.00 for 2015 Cleanup Days
- d. Expenditure in an amount not to exceed \$17,000.00 for drug re-stock for 2015
- e. Expenditure in an amount not to exceed \$5,000.00 for street sign replacement program
- f. Expenditure in the amount of \$1,950.00 for repairs to Remington Station fire alarm system
- g. Expenditure in the amount of \$920.00 for Twilight Tear island maintenance and authorization for Administrator to sign agreement
- h. Expenditure in the amount of \$3,696.00 for insect control application for trees and authorization for Administrator to sign agreement

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

#### EXECUTIVE SESSION

MR. BECK moved that the Board enter Executive Session to discuss the employment of a public employee. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

The meeting adjourned for Executive Session at 9:28 p.m.

The meeting reconvened from Executive Session at 10:08 p.m.

MR. BECK moved to appoint Carol Sims as Township Cemetery Sexton for 2015 at a salary of \$200.00 per month effective January 1, 2015. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

The meeting adjourned at 10:09 p.m.