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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**APRIL 2, 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 and Mrs. Jodie Leis.

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; Otto Huber - Chief, Loveland Symmes Fire Department.

MR. BRYANT moved to appoint Brian Elliff as Acting Fiscal Officer. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

PRESENTATION

MR. BRYANT moved to adopt the following resolution:

**RESOLUTION G2013-10**  
Resolution of Commendation for  
Brian D. Dowers

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio utilizes the Loveland Symmes Fire Department for fire and emergency medical services for the residents and businesses of the township; and

WHEREAS, Brian D. Dowers has served with the Loveland Symmes Fire Department since June, 1989 and obtained the rank of Deputy Chief in 2007; and

WHEREAS, Brian D. Dowers has been honored as Diver of the Year and Paramedic of the Year and received an Officer of the Year award on three occasions; and

WHEREAS, Brian D. Dowers has been instrumental in the Emergency Medical Technician/Tactical Program, Swift Water/Ice/Flood Water Rescue program and most recently managed the Loveland Symmes Fire Department's EMS Division; and

WHEREAS, Brian D. Dowers has demonstrated commitment to the residents of Symmes Township and served in a professional manner with utmost integrity; and

WHEREAS, Brian A. Dowers has decided to retire from the Loveland Symmes Fire Department.

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

Section 1. Hereby recognizes Brian D. Dowers for his dedicated service to the residents of Symmes Township.

Section 2. Hereby expresses its most sincere respect and profound gratitude to Brian D. Dowers for his efforts and accomplishments throughout his term with the Loveland Symmes Fire Department.

Section 3. Hereby extends best wishes for good health and happiness in the years ahead.

Section 4. Hereby directs the Fiscal Officer to deliver to Brian D. Dowers a copy of this resolution.

Section 5. Hereby directs that this Resolution be permanently recorded in the official records of the Township.

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

The Board thanked Lt. Dowers for his service to the residents of Symmes Township.

#### RECEIPTS

Receipts totaling \$90,456.39 were read and accepted.

#### WARRANTS

MR. BRYANT moved that the Township pay its bills. Mrs. Leis seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$433,772.34 were issued.

#### REPORTS

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

1. BOND - Advised Ms. Sims was unable to attend tonight's meeting, but has requested that her bond be presented to the Board.
2. FACEBOOK - Questioned if the Board would like to extend the Township's on-line presence by having a Facebook account.

MRS. LEIS advised she requested Mr. Elliff to bring this to the Board for discussion and stated she thought this would provide another means of keeping residents aware of what is happening in the Township.

MR. BRYANT questioned if the Township was staffed to handle this request.

MR. ELLIFF stated there would be some staff time needed in order to update the page. Mr. Elliff advised that he had previously recommended the Board not use this means of communication because of staff time; however, it is hard to determine the amount of time.

MR. BRYANT stated it appears this is something the Board would like to explore and requested the Township Administrator to bring back additional information on this request.

3. HOB ENTRANCE - Advised Staff is still working on a site plan to improve landscaping at this park.

4. MEMORIAL DAY - Presented the Board with an estimate of \$1,500.00 for this ceremony.

MR. BECK advised that he has spoken with various veteran groups in the area who have indicated an interest in participating. The Board had no objection to the estimated cost for this program.

LT. BUTLER - Advised the monthly reports have been submitted to the Township.

CHIEF HUBER - Advised that a written report has been presented to the Board.

#### CORRESPONDENCE

HAMILTON COUNTY SHERIFF DEPT - Activity reports.

WOOD & LAMPING - e-mail regarding zoning question for property located at 12080 Montgomery Road.

cc:CHIEF HUBER to DEPUTY CHIEF GREGORY - Request to look at possible fire lanes for Kemperwoods Drive.

HCRPC - e-mail regarding revised zoning map.

OHIO CO-OP - e-mail regarding certificate of membership.

MERCY HEALTH - e-mail regarding current contract.

SYMMES FIRE DEPARTMENT - 4th Quarter 2012 report.

JOHN JOHNSTON, ENQUIRER - e-mail notification that he will be covering Symmes Township.

DEPT OF COMMERCE - Information regarding renewal of liquor permits.

ODOT - Response to request for median break on I-71.

LAWN SYSTEMS - Proposals for 2013 insect control and 2013 traffic island maintenance

HAMILTON COUNTY SOLID WASTE DISTRICT - Letter regarding recycling program.

cc:MSD to HAMILTON COUNTY HEALTH - Letter regarding conditional availability of sewer for 9964 Washington.

BESCO - Proposal for maintenance of pump station of HOB Park.

CINTI HORTICULTURAL SOCIETY - Notice that 2014 Flower Show will be part of Cincinnati Parks RiverFlora.

cc:MOTOR VEHICLES to LOVELAND - Letter regarding audit findings for January-March 2012.

CAROL SIMS - Notice of retirement from Symmes Township effective March 19, 2013.

HCRPC - Letter regarding 2014 review of Land Use Plan.

WOOD & LAMPING - Memo regarding resignation of Fiscal Officer

SEALED BIDS FOR HUMPHREY SIDEWALK PROJECT received from:

- a. Gertz Company
- b. Hendy Inc.

- c. JD Contracting
- d. JK Excavating
- e. Prus Construction
- f. JK Muerer
- g. Adleta
- h. Advanced Contractors
- i. R.E. Middleton Construction
- j. Stauffer Site Services

SEALED BIDS FOR 2013 RESURFACING PROJECT received from:

- a. RA Miller Construction
- b. JK Meuer
- c. Adelta
- d. Jurgensen Company
- e. Mt. Pleasant Blacktopping
- f. Prus Construction
- g. Barrett Paving

STOP TECH - Proposal for police stop sticks.

STEEPLECHASE HOA - e-mail regarding safety issues at Hopewell Park.

PECK SHAFFER - e-mail documentation of 2013 filing of Material Event Notice.

ODOT - Information regarding cooperative purchasing for road salt.

NEW BUSINESS

MR. BRYANT moved to adopt the following resolution:

RESOLUTION G2013-11  
 Resolution Declaring It Necessary to Levy  
 A Tax in Excess of the Ten-Mill Limitation and  
 to Request the County Auditor to Certify Matters  
 in Connection Therewith

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio desires to continue to provide to the residents of Symmes Township the use of Township streets, curbs and sidewalks that are in safe and useable condition; and

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of Symmes Township, Hamilton County, Ohio; and

WHEREAS, the Board of Trustees has determined that it is necessary to renew an existing levy in excess of the ten-mill limitation for the purposes of the general construction, reconstruction, resurfacing and repair of streets, roads, and bridges within the Township and for constructing, rehabilitating, repairing or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interest in land necessary for the foregoing improvements under the provisions of 5705.19(PP) of the Ohio Revised Code; and

WHEREAS, pursuant to Section 5707.03 of the Ohio revised Code, this Board of Trustees is required to certify to the County Auditor a resolution requesting the County Auditor to certify certain matters in connection with such a tax levy.

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

- Section 1. That pursuant to the provisions of Section 5705.19 (PP) of the Ohio Revised Code, it is necessary that a an additional tax be levied in excess of the ten-mill limitation for the purpose of the

general construction, reconstruction, resurfacing and repair of streets, roads, and bridges within the Township and for constructing, rehabilitating, repairing or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interest in land necessary for the foregoing improvements by the Board of Trustees.

- Section 2. That it is necessary to renew an existing nine tenths (0.9) mill Levy for general construction, reconstruction, resurfacing and repair of streets, roads, and bridges within the Township and for constructing, rehabilitating, repairing or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interest in land necessary for the foregoing improvements, at a rate not to exceeding nine tenths (0.9) mills for each one dollar (\$1.00) of valuation which amounts to nine cents (\$0.09) for each one hundred dollars (\$100.00) of valuation, for a seven (7) year period of time.
- Section 3. That the question of the passage of said tax levy shall be submitted to the electors of Symmes Township at the election to be held at the usual voting places within Symmes Township on November 5, 2013. If approved by the electors, said levy shall first be placed upon the 2013 tax list and duplicate, for first collection in calendar year 2014.
- Section 4. That pursuant to Section 5705.03 of the Ohio revised Code, the county auditor is hereby requested to certify to this Board of Trustees the current tax valuation of the Township and the dollar amount of revenue that would be generated by the number of renewal mills specified in Section 2 hereof, and the Symmes Township Fiscal Officer is hereby directed to certify immediately to the County Auditor a copy of this Resolution so that the County Auditor may certify such matters in accordance with such Section 5705.03.
- Section 5. It is found and determined that all formal actions of this Board of Trustees of Symmes Township, Hamilton County, Ohio, concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees of Symmes Township, Hamilton County, Ohio, and that all deliberations of the Board of Trustees of Symmes Township, Hamilton County, Ohio, and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.
- Section 6. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public health, safety and welfare within the community for the reason that it is necessary to continue the maintenance of public streets and roads.

MR. BECK seconded the motion.

MR. ELLIFF advised the Finance & Audit Committee recommended that the Board proceed with a renewal levy for the Road Fund. Mr. Elliff stated that this resolution is the first step in this process.

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

MR. ELLIFF reported the Township received the following bids for the 2013 Resurfacing Project:

	Base Bid	Alternate
Prus Construction	\$554,356.40	\$ 26,618.90
J.K. Meurer	\$508,218.72	\$ 25,335.60
R.A. Miller Const.	\$464,427.36	\$ 27,831.20
Barrett Paving	\$477,637.00	\$ 27,168.10
Mt. Pleasant	\$510,390.80	\$ 30,616.40
Jurgensen Co.	\$459,809.60	\$ 26,328.90
Adleta	\$506,340.80	\$ 25,815.60

Mr. Elliff advised Staff has reviewed these proposals and recommend the Board award the contract to R.A. Miller Construction. This would include both the base bid and alternate and these proposals were less than the estimated cost.

MR. BRYANT moved to accept the base and alternate bids of R.A. Miller Construction Company in the amounts of \$464,427.36 and \$27,831.20, to award the 2013 Road Resurfacing contract to said company and to authorize the Township Administrator to execute any necessary paperwork. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. ELLIFF advised the Township received the following bids for the Humphrey Road Sidewalk project:

Gertz Company	\$151,678.51
Hendy Inc.	\$163,994.25
J.D. Contracting	\$127,785.00
J.K. Excavating	\$143,252.72
Prus Construction	\$207,98.05
J.K. Meurer	\$155,763.00
Adleta	\$203,111.20
AC&E Contractors	\$142,876.00
R.E. Middleton	\$168,302.00
Stauffer	\$132,158.75

Mr. Elliff stated that Staff has reviewed these proposals and recommend the Board award the contract to J.D. Contracting. Mr. Elliff noted that this project was also proposed at a lower than estimated cost.

MR. BRYANT moved to award the Humphrey Road Sidewalk Construction contract (Mistymorn Lane to Pinto Court) in the amount of \$127,785.00 to J.D. Contracting Services and to authorize the Township Administrator to execute any necessary paperwork. 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 authorize the Township Administrator to enter into an agreement as presented with Beckman Environmental Services Company for the maintenance of pump stations at the Home of the Brave Park. 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 authorize the Township Administrator to enter into an agreement as presented with Lawn Systems for seasonal insect control for trees and to approve an expenditure in an amount not to exceed \$3,200.00. 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 authorize the Township Administrator to enter into an agreement as presented with Lawn Systems for landscape maintenance of the Twilight Tear traffic island and to approve an expenditure in the amount of \$920.00. 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 approve the purchase of the body for the fire supervisor vehicle in an amount not to exceed \$50,000.00 to Wain Apparatus, to declare the 2004 Ford Excursion currently in use by LSFD as surplus and to authorize the Township Administrator to sell it and to authorize the Township Administrator to sign any necessary paperwork. Mr. Beck seconded the motion.

Mr. Bryant noted that the Board had previously approved the purchase of the chassis for this vehicle.

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

MR. BRYANT moved to approve the purchase of a 2013 Ford Explorer in an amount not to exceed \$30,000.00 to Kings Ford and trade in of \$2,800.00, to authorize the transfer of the current administrator vehicle for use by the LSFD, and to authorize the Township Administrator to sign any necessary paperwork. Mrs. Leis seconded the motion.

MR. ELLIFF advised that this amount also includes the installation of emergency lighting by the K.E. Rose Company.

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

MR. BRYANT moved to approve the purchase and installation of two shade structures in an amount not to exceed \$17,490.00 from Playworld Midstates, consistent with the terms and specifications contained in the proposal dated March 26, 2013 and to authorize the Township Administrator to sign any necessary paperwork. Mrs. Leis seconded.

MRS. LEIS stated these structures are necessary in order to provide some shade at the water/playground area in the Home of the Brave Park.

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

MR. BRYANT moved to approve the following:

- a. Expenditure in the amount of \$2,895.00 (less trade in of \$300.00) for upgrade of Wycom signature machine
- b. Expenditure in the amount of \$1,475.69 (less trade-in of \$150.00) for taser
- c. Expenditure in the amount of \$3,494.00 for stop sticks for police cruisers
- d. Expenditure in the amount of \$1,934.00 for led "hide-away" lights for police cruisers
- e. Expenditure in the amount of \$815.00 for Kissmail Charger for T61
- f. Expenditure in the amount of \$800.00 for batteries for T61
- g. Expenditure in the amount of \$1,000.00 for one skid of toilet paper

MR. BECK seconded the motion.

LT. BUTLER advised the Township currently has one taser which needs to be repairs; however, it is considered obsolete and would cost \$807.00 to repair. Lt. Butler requested the Board consider the purchase of a new X2 taser in the amount of \$1,325.69. This X2 is the latest version and comes with a 4 year warranty.

Lt. Butler further requested the Board approve the purchase of stop sticks and lights for the Township police cruisers.

The Board thanked Lt. Butler for this information.

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

#### EXECUTIVE SESSION

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

follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

The meeting adjourned for Executive Session at 7:57 p.m.

The meeting reconvened from Executive Session at 9:20 p.m.

MR. BRYANT moved to accept the proposal for the organizational assessment of Symmes Township administrative offices to be performed by Tri-Health Concern Services for an amount not to exceed \$2,700.00. 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 9:21 p.m.