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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**NOVEMBER 4, 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; Bill Pitman - Director of Public Works; Lt. Chris Kettemann - Hamilton County Sheriff's Department; Otto Huber - Chief, Loveland Symmes Fire Department.

RECEIPTS

Receipts totaling \$368,682.60 were read and accepted:

19916 Anderson Township	5-D	1,000.00
19917 PNC Bank	9-F	150.00
19918 D. Whittenburg	1-L	115.00
19919 Meyer Sign Co.	1-L	164.86
19920 SORTA	1-P	250.00
19921 Meyer Funeral Home	5-D	1,400.00
19922 Tufts Funeral Home	5-D	1,050.00
19923 Workers Comp	1-N	9,802.87
19924 Ham Cty Auditor	1-K	1,510.75
19925 N. American Signs	1-L	1,100.00
19926 Paul Conrad	1-L	115.00
19927 Champion OPCO	1-L	115.00
19928 K. Nachtweich	1-L	115.00
19929 Ted Kalsbeek	1-L	115.00
19930 Ham Cty Auditor	23-C	3,595.62
19931 Ham Cty Auditor	2-A	1,251.24
19932 Ham Cty Auditor	1-D,3-B	15,287.51
19933 Homewood Design	1-L	175.00
19934 Symmes Fire	28-A,14-C	21,952.76
19935 Elmira Nikitina	5-C	650.00
19936 David Kaufman	1-L	115.00
19937 Hightech Signs	1-L	208.58
19938 Tufts Funeral Home	5-C,5-D	2,365.00
19939 Bryant Construction	1-P	50.00
19940 C&D Company	1-L	115.00
19941 Kentucky Hotels	1-E	2,286.51
19942 Duke Energy	1-N	38.93
19943 State of Ohio	1-R,10-G,14-E,4-H, 9-H,20-C,12-F,11-E,12-FB	296,317.46
19944 MEMO		
19945 First Amer. CDS	1-L	75.00
19946 Atlantic Sign Co.	1-L	505.55
19947 Kuenkel Construction	1-L	175.00
19948 D. McAllister	1-L	115.00
19949 Robyn Spurlock	5-D	450.00
19950 Fischer Homes	1-P	50.00
19951 PNC Bank	1-I	77.46
19952 Tufts Funeral Home	5-D	350.00
19953 Combs Builders	1-L	175.00
19954 Horter Investment	1-L	4,216.00
19955 Fischer Homes	1-L	175.00
19956 Dept of Commerce	1-F	906.50
	<b>TOTAL \$</b>	<b>368,682.60</b>

## 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 \$447,648.62 were issued:

63280 Print Management	1-A-26	\$ 6,501.85
63281 Cinti Bell	1-B-4	364.35
63282 Adleta	14-A-8	10,631.40
63283 Tractor Supply	12-A-8	149.76
63284 Beckman Services	20-A-6	48.60
63285 Cincy Tool	12-A-5	75.00
63286 Blust Motor	2-A-6	322.03
63287 Home Depot	1-B-8	84.79
63288 Sears	2-A-7	5.80
63289 Johnson Electric	20-A-6	413.32
63290 Jones Fish	12-A-4	178.50
63291 Cinti Interiors	14-A-8	87.00
63292 Rumpke	1-A-26	360.26
63293 Rumpke	12-A-3,1-B-4,1-A-26 10-A-7,9-A-13,14-A-8	609.40
63294 Red Wing Shoes	1-B-8	150.00
63295 Brian Elliff	1-A-2A	2,036.74
63296 Luanne Felter	1-A-2A	1,450.76
63297 Jana Grant	1-A-2A	971.41
63298 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,275.02
63299 W.Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,672.77
63300 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	1,083.76
63301 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,960.28
63302 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,313.38
63303 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,140.81
63304 D. Martin	1-B-1,12-A-1,1-D_1,4-B-1	233.90
63305 B.Pitman	1-B-1,12-A-1,1-D-1,4-B-1	2,121.19
63306 M. Rose	1-B-1,12-A-1,1-D_1,4-B-1	666.23
63307 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,199.90
63308 R. Williams	1-B-1,12-A-1,1-D_1,4-B-1	731.11
63309 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	4,179.90
63310 Defer Comp	1-A-2A	2,185.00
63311 Montg. Transmission	3-A-6	2,309.40
63312 Ed's Feed	12-A-8	107.38
63313 Thys. Elevator	20-A-6	285.43
63314 4 State Trucks	12-A-5	706.50
63315 Business Card	2-A-6	150.00
63316 Rumpke	1-A-26	1,408.92
63317 Cinti Bell	9-A-13,10-A-7	712.74
63318 Sam's	12-A-6,1-A-26,1-A-5,1-B-5	268.71
63319 Cinti Bell	12-A-3	25.18
63320 Y2K	20-A-8,5-A-11,12-A-9	3,506.00
63321 Ham Cty Sheriff	9-A-9,20-A-7,1-G-3	82,760.45
63322 Business Card	1-A-26	100.00
63323 Buchanan's	12-A-5	80.26
63324 Summit Digital	1-B-7	433.33
63325 Systems Insight	1-B-4	225.00
63326 O'Reilly Auto	2-A-7	32.21
63327 Cintas	1-B-8	172.57
63328 Tyco	10-A-7	93.27
63329 NE Center	10-A-11,14-A-7,20-A-7	12,694.40
63330 Business Card	1-A-26	120.00
63331 Prus Construction	11-C-4	2000.00

63332 Bill Pitman	1-A-3	35.00
63333 Ed Dawes	1-A-26	44.75
63334 Johnson Electric	20-A-6	413.32
63335 Zep Mfg.	23-A-9	30.00
63336 LA Supply	12-A-4	214.00
63337 Valley Ashpalt	3-B-2	597.92
63338 Ace Exterm. 9-A-13,10-A-7	142.72	
63339 Cintas	1-B-8	150.08
63340 Cinti Bell	10-A-7	222.97
63341 Duke	10-A-7	1,027.62
63342 Home Depot	3-B-2	71.82
63343 Moose-Schuler	12-A-3	54.00
63344 Time Warner	1-B-4	69.95
63345 Lykins Oil	3-A-5	925.53
63346 Hotel Trucking	3-B-2	300.00
63347 Enzo's	23-A-4	329.90
63348 La Supply	1-A-26	1,200.00
63349 Sherwin Williams	3-A-7	32.79
63350 Duke	1-E-1	1,388.23
63351 Shell Oil	3-A-5	99.94
63352 Lykins Oil	20-A-6	118.58
63353 La Supply	23-A-9	60.00
63354 Duke	10-A-7,9-A-13	2,112.01
63355 Loveland	12-A-3	452.04
63356 Superamerica	9-A-8	3,528.39
63357 Mercy Health	1-A-26	98.00
63358 Reliance Life	1-A-6	582.44
63359 Business Card	1-A-26	70.00
63360 Business Card	12-A-8	712.65
63361 Superamerica	3-A-5	1,984.98
63362 ABCO Pavement	12-A-4	2,850.00
63363 Blust Motor	3-A-6	375.54
63364 Y2K	5-A-11,12-A-9,20-A-8	3,095.00
63365 Loveland	12-A-3	748.63
63366 Duke	12-A-3	170.19
63367 Cinti Bell	12-A-3	162.77
63368 Loveland	1-B-4	52.19
63369 Cincy Tool	23-A-9	15.04
63370 Business Card	1-A-26	17.90
63371 Lykins Oil	3-A-5	368.65
63372 Duke	20-A-8	23.23
63373 Brian Elliff	1-A-2A	2,036.74
63374 Luanne Felter	1-A-2A	1,356.86
63375 Jana Grant	1-A-2A	971.41
63376 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,188.02
63377 W.Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,608.70
63378 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	886.42
63379 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,783.10
63380 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,079.29
63381 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,204.79
63382 D. Martin	1-B-1,12-A-1,1-D_1,4-B-1	45080
63383 B.Pitman	1-B-1,12-A-1,1-D-1,4-B-1	1,974.39
63384 M. Rose	1-B-1,12-A-1,1-D_1,4-B-1	713.83
63384 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,136.73
63386 R. Williams	1-B-1,12-A-1,1-D_1,4-B-1	690.70
63387 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	3,950.22
63388 Defer Comp	1-A-2A	2,185.00
63389 Business Card	1-A-4	143.13
63390 Johnson Electric		88.15
63391 Loveland	1-B-4	118.65

63392 Jones Fish	12-A-4	200.00
63393 Harold Gregory	1-B-2	13,300.00
63394 Jones Fish	12-A-8	168.00
63395 Johnson Electric	20-A-6	156.43
63396 HCRPC	1-J-3	7,181.83
63397 Staples	1-A-5	19.99
63398 PERSO	1-A-10	2,096.24
63399 Burnham & Flowers	1-A-6	30.00
63430 Doug Gehner	12-A-8	650.00
63431 Brian Elliff	1-A-3	28.00
63432 Dinsmore & Shohl	1-A-10	1,000.00
63403 Duke	1-B-4	328.24
63404 Sam's	1-A-26	249.52
63405 Sam's	1-A-4,1-A-26	72.30
63406 Ace Exterm.	12-A-3,10-A-7,1-B-4	196.83
63407 Caldwell Welding	3-B-2	3,750.00
63408 Cintas	1-B-8	75.04
63409 VOID		
63410 Comm. Center	10-A-11,14-A-7,9-A-10	1,665.00
63411 Postmaster	1-A-26,1-J-3	500.00
63412 ABCO Pavement	14-A-8	3,935.00
63413 D. Druffel Inc	12-A-4	4,552.00
63414 Home Depot	20-A-6	149.60
63415 Sears	20-A-4	169.99
63416 Stigler Co.	12-A-6,1-B-5, 20-A-6,14-A-8	879.08
63417 Pavement Tech.	20-A-6,12-A-4	500.00
63418 Lykins Oil	3-A-5	526.52
63419 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	110.89
63420 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	262.22
63421 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	3,309.00
63422 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	14,702.14
63423 Lanrm Tech.	10-A-11,9-A-10,14-A-7	300.00
63424 Sprint	14-A-8	62.61
63425 Bound Tree	14-A-5	326.23
63426 Schein Inc.	14-A-5	1,231.82
63427 Duke	12-A-3	775.25
63428 Duke	1-B-4,5-A-12	545.18
63429 Rumpke	12-A-3	350.00
63430 Batteries Plus	10-A-10	156.96
63431 Cinti Bell	10-A-7	440.00
63432 Duke	12-A-3,10-A-7	16.44
63433 Zep Mfg.	12-A-6,3-A-7,20-A-6	717.52
63434 Home Depot	12-A-8	55.71
63435 Cinti Bell LD	1-B-4,10-A-7	52.19
63436 Business Card	1-A-4	101.80
63437 Witmer Safety	10-A-10	1,647.99
63438 McCabe's	1-B-2,12-A-8,1-B-8	121.72
63439 Tractor Supply	1-B-8	144.98
63440 Tractor Supply	12-A-8	183.39
63441 O'Reilly Auto	3-A-7	67.06
63442 Duke	12-A-3	326.27
63443 Duke	12-A-3	303.94
63444 Business Card	10-A-10	4.69
63445 Shaw Farms	12-A-8	364.00
63446 Buckeye Power	20-A-6,14-A-8	1,299.02
63447 Duke	7-A-1	1,003.76
63448 Duke	7-A-1	396.48

63449 Duke	7-A-1	1,592.76
63450 Duke	7-A-1	605.32
63451 Symmes Fire	14-A-7	500.00
63452 Symmes Fire	14-A-7,10-A-10,20-A-7	172,280.00
	TOTAL	\$ 447,648.62

## REPORTS

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

1. CHAMBER AWARD - Noted the Township has been dominated for the Loveland Chamber's Civic Award. Mr. Elliff advised he was planning on attending on behalf of the Board.
2. FAMILY HOMES - Reminded the Board of recent discussion regarding group homes in the Township. Mr. Elliff questioned if the Board wished to initiate a text amendment to the zoning resolution to require separation of group homes within residential neighborhoods.

The Board was in agreement.

MR. BECK questioned if the separation could be more than five hundred (500) feet.

MR. MALLOY advised there is no fixed number by statute. The number of five hundred (500) could be used to start the conversation. A larger distance than this could create some concern; however, there is nothing in the Ohio Revised Code which would prevent the Township from making it a greater distance.

MR. BECK stated these businesses are within a residential district. If the Board might be challenged at five hundred feet, should the Board move forward with a larger distance.

MR. MALLOY recommend the Board moved forward with a rule establishing the guidelines and then the business could choose to challenge or abide by the resolution. The Township is not trying to restrict a group home but just establishing guidelines by which this type of business operates within the Township.

MR. BRYANT stated he is in favor of moving forward.

LT. KETTEMAN - Advised monthly reports will be presented next week.

OTHER - MS. SIMS announced the Finance & Audit Committee will be meeting on November 13 and November 20 at 7:00 p.m. The Committee will review/discuss the Safety Funds and possible safety levy on November 13 and the General Fund at the November 20 meeting.

MR. BRYANT reminded the Board the next meeting is scheduled for December 2 which is before the Operation Santa event. Mr. Bryant questioned if the Board wished to postpone the meeting to allow for the presentation of the collected items.

MR. BRYANT moved to re-schedule the regular December meeting from December 2 to December 9 at 7:00 p.m. Mrs. Leis seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

## CORRESPONDENCE

HCRPC - e-mail response to inquiry regarding placement of beehive by road way.

HAMILTON COUNTY SHERIFF DEPT - Activity reports.

HRCPC - Memo regarding annual membership renewal.

CASSIDY TURLEY - e-mail regarding easement package for Horter Financial development.

GOOGLE - October website activity report.

CITY OF LOVELAND - Quotation for Symmes Township portion of amount not covered by OPWC Grant.

CLOUT - Memo regarding membership.

MOODY'S - Request for 2013 audited financial statement.

CACTUS LAKE DEVELOPERS - Letter requesting relief of required sidewalks in Hearthstone subdivision.

HAMILTON COUNTY ENGINEER - e-mail acknowledgement of request for vacation of streets in Symmes Township.

PITNEY BOWES - e-mail regarding postage meter lease.

INTEGRYS - e-mail regarding draft of opt out letter for natural gas program.

CONSTELLATION - Letter advising that Intergys is now part of this company.

CLARK SCHAFFER - e-mail response in inquiry regarding payment of zoning commissions as reimbursement of expenses rather than salary.

OHIO INSURANCE SERVICES - e-mail response to inquiry regarding public records request.

PATTI HOCHGESANG - e-mail inquiry regarding electric suppliers.

DILAY AKCADAG - e-mail regarding dead tree at 9101 Cummings Farm.

HAMILTON COUNTY BOARD OF ELECTIONS - Fax verifying information provided by the County Auditor on Township levies.

LAND STRATEGIES - e-mail response to decision regarding sidewalks in Hearthstone.

WARNER CABLE - 3rd Quarter franchise report (\$45,334.69)

HAMILTON COUNTY AUDITOR - Amended certificate.

EVEREST GROUP - e-mail regarding purchase contract for Chapelsquare property.

PERSO - Letter advising Steffen case has been closed.

cc:M/M CHRISTOS to APPLESEED/APPLEJACK RESIDENTS - Letter regarding various issues in neighborhood.

JULIE BYRNE - Letter of resignation from Finance & Audit Committee.

ACCOUNTEMPS - Letter regarding selection process.

JAMES LAKER - e-mail regarding Fields Ertel/Lebanon Road congestion.

EVEREST GROUP - e-mail with purchase contract for Chapelsquare property.

EATON VANCE MANAGEMENT - Public Records Request.

ROCKMILL FINANCIAL - Public Records Request.

HAMILTON COUNTY ZONING - e-mail regarding property at 11924 Lebanon Road.

cc:INTEGRYS to TOWNE PROPERTIES - e-mail response to inquiry regarding aggregation for Stonebridge Farm HOA.

BROOKSTONE HOMES - e-mail regarding easement for new subdivision on Lebanon Road.

M/M BENNETT - e-mail of appreciation for sidewalk on Mason Montgomery Road.

CITY OF LOVELAND - e-mail regarding Change Order #6 for Union Cemetery project.

HAMILTON COUNTY ZONING - e-mail regarding 2015 contract for services.

TOM VAN WERT - e-mail regarding commercial use of parks for baseball tournament.

COLERAIN TOWNSHIP - e-mail regarding trash/recycling service for residents.

SYMMES FIRE DEPT - 3rd Quarter report.

GARY SPENCER - e-mail of appreciation for meeting.

HAMILTON COUNTY ZONING - e-mail regarding meeting on December 18 to discuss community planning issues in Symmes.

AMERISTOP FOOD - e-mail regarding TREX permit for store at 8675 Fields Ertel Road.

cc:WOOD & LAMPING to EVEREST GROUP - e-mail regarding review of purchase contract for Chapelsquare property.

WOOD & LAMPING - e-mail regarding update on Birch property litigation.

HAMILTON COUNTY SOLID WASTE DISTRICT - e-mail inquiry regarding contracts for recycling drop-offs.

HAMILTON COUNTY AUDITOR - e-mail response to inquiry regarding County property tax proposal.

WORKERS COMP - Letter regarding changes in billing system effective January 1, 2016

#### OLD BUSINESS

MR. ELLIFF advised the Board he was on site during the recent sound study at the Oasis Cafe Grill. This was a study requested by the Board prior to approval of a liquor license transfer.

Mr. Elliff stated he agreed with the study presented and does not feel there is a noise issue with this business.

LT. KETTEMAN advised there has not been any recent noise complaints received on this business.

MRS. LEIS questioned the hours of operation.

YORY PIVOR stated they are opened Monday - Friday until 10:00p.m., Saturday till midnight and Sunday till 10:00 p.m. The only exception would be for receptions scheduled on Saturdays.

MRS. LEIS moved to approve the requested TREX liquor license transfer for Oasis Cafe Grill, LLC, finding the transfer in furtherance of economic development, and to authorize the President to sign the form 4244. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

EXECUTIVE SESSION

MRS. LEIS moved that the Board enter Executive Session to consider the sale by competitive bid of real property. Mr. Beck 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 7:22 p.m.

The meeting reconvened from Executive Session at 8:03 p.m.

MRS. LEIS moved to amend the agenda to discuss the sale of real property to Horter Investment. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

DAVID PARKER, CASSIDY TURLEY - Advised he was representing Horter Investment on the proposed development at 11726 Seven Gables Road. They are requesting easements to allow for the stormwater and sanitary connections, as well as an issue along the east fence line.

Mr. Parker stated the stormwater plan provides for the required detention for the site on the southern corner. The outlet would be in the same location as it currently naturally drains. They would like to pipe the detained stormwater to the catch basin when the water currently flows. This requires a construction easement and a permanent stormwater piping easement.

Mr. Parker further stated the site does not have a sanitary connection to the sewer system. There is a connection point on the Safety Center property and therefore another construction easement is required, along with a permanent sanitary easement.

Mr. Parker advised the third issue is along the east fence line. The owner would like to clean the undergrowth and remove some dead trees in the first sixty-two feet of the fence line at the Montgomery Road side of the parcel. This would clean up the corner and be more attractive to both the park and the new building. The majority of the undergrowth is on their site; however, they wish to also provide some clean-up on the adjacent Township park property.

MR. BECK stated the Board is very excited to have Horter Investment develop this property, as well as remaining in the Township. The Board does not have any concern regarding these three issues. The only question is the offered compensation of \$5,000.00 for these necessary easements. The Board would need to determine if this is a fair value.

MR. PARKER advised the developer is asking for the Board's consideration of this offer since there will be improvements to the draining and landscaping in this area. The developer feels that \$5,000 is fair.

MR. BECK stated the Board does not wish to hold up this process; however, it is necessary for the Township to move forward with due diligence before approving.

MRS. LEIS stated this is the only concern and questioned the Board's next step.

MR. MALLOY stated it is important for the Board to determine a fair value for these easements. The Board would need to have an appraisal completed. It is important for the Board to have this information before proceeding.

MR. BECK questioned how this will impact the project and if approval on December 9 would be acceptable.

MR. PARKER stated the only item in dire need is the sanitary connection easements. There is concern that the building permit might be held up if this is not in place.

The Board had no objection to the Township Administrator obtaining an appraisal.

NEW BUSINESS

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2014-23

Resolution Declaring Emergency and  
Providing for Clearing Undedicated Roadway

WHEREAS, the Ohio Revised Code Section 505.82 provides for the Board of Trustees to adopt a resolution declaring that an emergency is imminent which threatens life or property within the unincorporated territory; and

WHEREAS, the O.R.C. Section 505.82 requires that certain procedures be followed for the removal of snow and ice from an undedicated street, where the owner does not cause such snow and ice to be removed from such street; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio has determined that an emergency is imminent requiring the removal of snow and ice from undedicated streets as listed on Exhibit "A"; and

WHEREAS, the owners of the property have not provided for the removal of snow and ice from streets as listed on Exhibit "A".

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

Section 1. The Board of Trustees declares an emergency is imminent which threatens life or property, by reason of the accumulations of snow and ice on these undedicated streets.

Section 2. The Township Director of Public Works is hereby ordered to remove the snow and ice from the said undedicated streets on which the owners thereof have not caused the removal of such snow and ice.

Section 3. Prior to such removal, the Township Director of Public Works shall give, or make a good faith attempt to give oral notice to the owners of the subject streets, notice of the Trustees' intent to clear the said streets and to impose a service charge for doing so.

Section 4. An amount established as just and equitable service charges for such removal, which shall be paid by the owners of said streets, shall be \$100.00 per hour or any portion of an hour. If such owners fail to promptly pay such service charges after written notification, the said charges shall be certified to the Hamilton County Auditor to be included on the owner's tax bill and collected as a lien on the property.

Section 5. The emergency declared herein shall expire six (6) months after date hereof, unless extended by unanimous resolution of this Board pursuant to O.R.C. Section 505.82.

Section 6. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community.

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 G2014-24

RESOLUTION ADOPTING CONTRACT WITH  
LOVELAND-SYMMES FIRE DEPARTMENT, INC.  
FOR FIRE AND EMERGENCY MEDICAL SERVICES

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio desires to provide fire and emergency medical services ("EMS") to Symmes Township residents and businesses; and

WHEREAS, Ohio Revised Code Section 9.60(C) provides that any governmental entity in this state may contract with any private fire company to provide fire protection or emergency medical services; and

WHEREAS, the private fire company Loveland-Symmes Fire Department, Inc. ("LSFD") has demonstrated competence and expertise in providing fire and EMS services as evidence by its Insurance Service Office "ISO" rating of 2 and its accreditation by independent reviewing bodies Accreditation of Ambulance Services and Commission on Fire Accreditation International; and

WHEREAS, the Board of Trustees has negotiated a contract with LSFD that will provide fire and EMS services to the Township at a reasonable value; and

WHEREAS, the Board of Trustees and LSFD have experienced a cooperative and mutually beneficial relationship resulting in a community which is a safe place to live and work, and the Board desires to continue this relationship.

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

Section 1. The agreement entitled "Fire and Emergency Medical Services ("EMS") Contract Between Symmes Township Board of Trustees and the Loveland-Symmes Fire Department, Inc., attached as Exhibit "A" and incorporated herein is hereby adopted and approved.

Section 2. This Resolution and attached contract shall take effect and be enforced from and after the earliest period allowed by law.

Section 3. Finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

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 establish December 9, 2014 at 6:45 p.m. as meeting date for Records Commission. 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 training and costs for Township Administrator for attendance at the Miami Valley Planning and Zoning Workshop, December 5, 2014. 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 authorize the Fiscal Officer to attend Payroll Law 2015 seminar on December 18, 2014 in Cincinnati, Ohio and to approve an expenditure in the amount of \$149.00 for enrollment fee. 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 authorize the Board President to sign "Notice of Intent" for surface water discharge permit. Mr. Bryant seconded the motion.

MR. ELLIFF stated it is time to renew our surface water discharge permit with the Hamilton County Storm Water District. Upon receipt of this signed notice, the District will work on our behalf to obtain the necessary permits.

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 for Aldi Inc. Ohio, dba Aldi, 9450 Fields Ertel Road.

MRS. LEIS moved to adopt zoning fees for 2015 as recommended by staff (rounded to the nearest dollar) and to direct that the Township pay for advertising costs for zoning cases from fees received. Mr. Bryant seconded the motion.

MS. SIMS stated the Board has always adopted the Zoning fee schedule by resolution and questioned why this was not being done this year.

MR. ELLIFF stated that the fees were not approved by resolution last year.

MS. SIMS reminded the Board that fees have been revised by resolution since the adoption of the Zoning Code.

Ms. Sims expressed concern that the proposed fees are only being increased by 2.1% which is the recommendation from Hamilton County. Ms. Sims reminded the Board of discussions last year regarding increasing our fees different from the Hamilton County's recommendation. This action is necessary as zoning revenue does not pay for zoning expenditures. Ms. Sims stated it does not make sense to start using revenue to pay the advertising cost instead of collecting from the applicants.

MR. ELLIFF stated the Board does not need to adopt a resolution and it can be done by motion. Mr. Elliff noted these fees need to be adopted as soon as possible in order for them to be effective in January.

Mr. Elliff stated he is recommending the advertising fees should be included in the fee schedule as it tends to create problems for Staff.

MS. SIMS reminded the Board that when she was handling zoning cases, there was no problem in collecting these advertising fees from the applicants.

MR. ELLIFF stated that Ms. Sims did an excellent job in collecting fees; however, current Staff does not have the time to handle these requests.

MS. SIMS stated, if there is concern regarding using Staff time, she would be willing to handle this part of the zoning process. There are usually only ten to fifteen cases per year so it would not involve much time.

Ms. Sims requested the Board continue with the process of increasing fees to assist with the offset of the expense to operate zoning.

MR. ELLIFF stated he felt the Board needs to move faster with approving the fees as presented and a study could be completed at a later time.

MRS. LEIS stated it appears that Mr. Elliff and Ms. Sims have different view points on this subject and perhaps they should discuss their differences.

MR. BECK noted that a resolution was adopted last year for the fees and suggested this be continued to the December meeting.

MRS. LEIS moved to table discussion of zoning fees to the December meeting. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MRS. LEIS moved to authorize the scheduling of two current intermittent employees to a combined total hours not to exceed 40 per week beginning November 1, 2014 and ending February 28, 2015. Mr. Bryant seconded the motion.

MR. ELLIFF stated the Director of Public Works has requested the Board's consideration on this matter. This will allow for needed park maintenance to be completed throughout the winter months.

MS. SIMS requested clarification that this is not a request for 40 hours every week, but only as needed.

MR. PITMAN advised it only be as needed.

MS. SIMS requested the Board amend the motion to reflect this intent.

MR. BRYANT moved to amend the motion to authorize scheduling of current intermittent employees (2) up to a combined total hours not to exceed 40 hours per week beginning November 1, 2014 and ending February 28, 2015 as needed. Mrs. Leis second the motion.

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

MR. ELLIFF stated there has been a decline in participation of the Clean-Up Day events and recommended the Board consolidate the event from three times to twice a year and to hold the event at the Hopewell Meadows Park. Mr. Elliff advised this would save on expenses and make it easier on residents.

MR. BRYANT questioned what location would be eliminated.

MR. PITMAN advised these would not longer be held in Camp Dennison or at the Township Administration Building, but only at the Hopewell Meadows Park. A central location would be beneficial to all residents.

MRS. LEIS moved to hold two Clean-Up Day events in 2015 at the Hopewell Meadows Park from 9:00 a.m. to 3:00 p.m. with the dates to be determined. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MR. ELLIFF advised the lease on the current postage machine is due for renewal. Mr. Elliff stated he felt this machine was more than needed by the Township and would like to have an opportunity to look at postage alternatives.

The Board had no objection for the Township Administrator to review possible options.

MR. ELLIFF advised the developer of the Hearthstone Estates Subdivision has been asking for acceptance of these streets. However, the sidewalks are not completed and Staff has not recommending acceptance until the subdivision is complete.

Mr. Elliff noted the developer has submitted a letter to the Board requesting relief regarding the immediate installation of sidewalks on the remaining empty lots. The remaining sidewalks would be built when the lots are built on.

MR. PITMAN stated there is approximately ten empty lots for approximately 1,400 feet of sidewalks at an estimated cost of \$35,000.00. This subdivision has been turned over to the HOA who is now responsible for payment of any snow removal.

MR. ELLIFF questioned if the Board would be in favor of accepting the streets upon receipt of a sidewalk bond from the developer.

The Board agreed this could be considered.

MRS. LEIS moved to establish Permanent Appropriation 28-A-8 (Fire/Rescue - Contracts) in the amount of \$15,000.00. 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 amend

- a. Permanent Appropriation 1-G-3 (General - Police Contracts) from \$5000.00 to \$14,000.00
- b. Permanent Appropriation 1-J-3 (General - Zoning Other) from \$70,000.00 to \$86,000.00
- c. Permanent Appropriation 2-A-6 (MVA - Repairs) from \$6,500.00 to \$8,500.00
- d. Permanent Appropriation 4-B-1 (Road - Salaries) from \$191,580.00 to \$201,000.00
- e. Permanent Appropriation 4-A-2 (Road - Retirement) from \$27,000.00 to \$28,000.00
- f. Permanent Appropriation 23-A-9 (Permissive MV - Other) from \$9,000.00 to \$10,000.00

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 transfer:

- a. \$2,500.00 from 1-A-27 (General-Transfer) to 1-A-12 (General-Retirement)
- b. \$5,000.00 from 1-A-27 (General-Transfer) to 1-B-1 (General-Salaries)
- c. \$2,000.00 from 1-A-27 (General-Transfer) to 1-B-2 (Improvement of site)
- d. \$2,000.00 from 1-A-27 (General-Transfer) to 1-D-1 (General-Cemetery-Salaries)
- e. \$6,500.00 from 7-A-2 (Lighting-Other) to 7-A-1 (Lighting-Contracts)
- f. \$3,000.00 from 9-A-14 (Police-Other) to 9-A-10 (Police-Contracts)
- g. \$3,000.00 from 10-A-15 (Fire-Other) to 10-A-11 (Fire-Contracts)
- h. \$5,000.00 from 12-A-8 (Parks-Other) to 12-A-4 (Parks-Improve of site)

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 in the amount of \$800.00 for debris dumpster
- b. Expenditure in the amount of \$1,800.00 for a second brine storage tank
- c. Expenditure in the amount of \$120.00 per month for two additional recycling dumpsters
- d. Expenditure in the amount of \$2,000.00 for snow plow equipment
- e. Expenditure (Then & Now) in the amount of \$895.00 for electronic door parts for Safety Center
- f. Expenditure in the amount of \$200.00 to renew CLOUT membership for 2015
- g. Expenditure in the amount of \$1,903.50 for 2015 annual membership to the Hamilton County Planning Partnership
- h. Expenditure in the amount of \$2,500.00 for purchase of tires for T-207
- i. Expenditure in the amount of \$961.10 to Y2K Landscaping per mowing contracts for 2014

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

The Board approve the following cemetery deeds:

- Debra Wrenn, KERR, Lot 510, Grave 7
- Elmira Nikitina, KERR, Lot 830, Graves 7 and 8
- Tim Wellage, KERR, Lot 717, Graves 6 and 7

#### EXECUTIVE SESSION

MRS. LEIS moved that the Board enter Executive Session to discuss the compensation of a

public employee and the employment of a public employee. Mr. Beck 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 9:12 p.m.

The meeting reconvened from Executive Session at 10:30 p.m.

MRS. LEIS moved to amend the agenda to include adoption of Resolution P2014-02 and to include discussion of Accountemps. 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 adopt the following resolution:

RESOLUTION P2014-02

Resolution Establishing Merit Raise Fund and  
Adjustment to 2015 Pay Ranges

WHEREAS, pursuant to Resolution P2012-02 ("merit resolution") the Board of Trustees created a merit pay system to adjust on a competitive basis compensation for Symmes Township employees; and

WHEREAS, under the merit resolution the Board each year may establish a merit Raise Fund based upon a percentage of total payroll; and

WHEREAS, under the merit resolution the Board each year may adjust pay classification ranges looking to established indices such as the Consumer Price Index; and

WHEREAS, under the merit resolution the Board at least every second year will examine the adopted job classification pay ranges and adjust starting and ending values if necessary to remain competitive in the market place; and

WHEREAS, the Board has determined to proceed with merit raises for employees for 2014 performance and adjustment to pay classification ranges effective for 2015.

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

Section 1. A Raise Fund is established as shown in Exhibit "A" attached and incorporated herein, which shall be distributed, subject to future resolution, to employees in the form of a merit raise in accordance with the merit resolution.

Section 2. A new pay classification range applicable for the year 2015 is established as shown in Exhibit "B" attached and incorporated herein.

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.

Section 5. Finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and any of its committee that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

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 authorize the Board President to enter into an agreement with Accountemps for no more than 25 hours per week. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

The meeting adjourned at 10:32 p.m.