

RESOLUTION G2019-70

**RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO
ENTER INTO A CONTRACT WITH THE HAMILTON COUNTY REGIONAL
PLANNING COMMISSION TO PROVIDE PLANNING AND ZONING
SERVICES FOR SYMMES TOWNSHIP FOR 2020**

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, entered into a one-year contract with the Hamilton County Regional Planning Commission pursuant to Resolution G-9647 adopted November 19, 1996 and renewed the contract pursuant to subsequent resolutions; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, has determined that it is in the best interest of Township zoning to continue to contract for assistance in zoning administration and enforcement with the Hamilton County Regional Planning Commission.

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

- Section 1.** The Board of Trustees, pursuant to the authority provided in Chapter 504 of the Ohio Revised Code, hereby approves and authorizes the execution of the contract for zoning administration and enforcement assistance substantially set forth and attached hereto as Exhibit A.
- Section 2.** The Township Administrator is authorized to execute the contract on behalf of the Board of Trustees.
- Section 3.** The Board of Township Trustees hereby authorizes and directs the Township Fiscal Officer to expend such funds in accordance with the terms as set forth in the contract.
- Section 4.** 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 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 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 §121.22, except as otherwise permitted thereby.

Section 5. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

ADOPTED DECEMBER 10, 2019 – RESOLUTION G2019-70

Vote Record: Mr. Beck ____ Ms. Leis ____ Mr. Bryant ____

BOARD OF TRUSTEES:

Philip J. Beck, President

Jodie L. Leis, Vice-President

Kenneth N. Bryant, Trustee

ATTEST:

APPROVED AS TO FORM:

Carol A. Sims, Fiscal Officer

Kevin C. McDonough, Law Director

EXHIBIT A

CONTRACT FOR SERVICES

This contract is made and executed on the _____ day of _____ 2019 by and between the SYMMES TOWNSHIP BOARD OF TRUSTEES, HAMILTON COUNTY, OHIO (herein referred to as the "Township") and the HAMILTON COUNTY REGIONAL PLANNING COMMISSION (herein referred to as the "Contractor")

1. **SERVICES:** The Contractor shall perform professional and technical services outlined in Appendix A (Services Program) attached to this contract.
2. **TERMS:** The services of the contractor shall commence on January 1, 2020 and be completed December 31, 2020. All terms of this contract shall remain in full force and effect unless and until either party hereto gives thirty (30) days' written notice to the other party of its intent to terminate this agreement, in which event this agreement will terminate, after the said thirty (30) day period, or unless and until either party desires to change the terms of the contract and such changes are agreed upon by a properly executed revision, as per Section 7 of this contract.
3. **COMPENSATION:** The amount of compensation to be paid by the Township to the Contractor for the professional and technical services outlined in Appendix B (Method of Payment) attached to this contract. The Contractor shall keep an accounting of all charges against this contract which shall be accessible to the Township for review.
4. **DATA TO BE FURNISHED TO CONTRACTOR:** If the services to be performed by the Contractor are dependent upon the Township furnishing data and information to the Contractor, all information, data, reports, records, maps, and other graphic material as are existing, available, and necessary for the carrying out of the work shall be furnished to the Contractor without charge by the Township, and the Township shall cooperate with the Contractor in every way possible in carrying out the Services Program outlined in Appendix A.
5. **PERSONNEL:** The Contractor represents that it has, or will secure, at its own expense, all personnel required in performing the services under this contract. Such personnel shall not be deemed employees of, or have any contractual or agency relation with the Township, but shall be subject to necessary supervision as defined in the "Services Program".
6. **TERMINATION OR SUSPENSION OF CONTRACT:** In the event of termination as provided for in Section 2 of this contract, all finished or unfinished documents, data, studies, surveys, drawings, maps, photographs, files, and reports, or other materials prepared by the Contractor and delivered

to the Township under this contract, shall at the option of the Township, become the Township's property, and the Contractor shall be entitled to receive just and equitable compensation for any work completed on such documents and other materials for which the Contractor has not already invoiced the Township.

- 7. **WAIVERS OR REVISIONS:** To be valid, a waiver or revision of any portion of this contract must be in writing from a duly authorized representative of the Township and the Contractor.

- 8. **AUTHORITY:** The Township and the Contractor warrant that they have taken all necessary steps, in accordance with the Ohio Revised Code to lawfully empower their representatives signed below, to execute this contract and any revisions thereto.

IN WITNESS WHEREOF, the parties have caused the contract to be duly executed by its duly authorized officers, all as of the day and year written herein as the date of execution.

SYMMES TOWNSHIP BOARD OF TRUSTEES

Witness

Kimberly A. Lapensee, Township Administrator

HAMILTON COUNTY REGIONAL PLANNING COMMISSION

Witness

Steve Johns, Executive Director

COUNTY ADMINISTRATOR

Witness

Jeffrey Aluotto

APPENDIX A

SERVICES PROGRAM

The Hamilton County Regional Planning Commission shall by agreement perform the following services for the Symmes Township Zoning Commission (STZC). All official actions shall be executed by the Symmes Township Zoning Inspector officially appointed in accordance with Ohio Revised Code Section 519.16.

1. ZONING ADMINISTRATION AND ENFORCEMENT SUPPORT SERVICES

PROCESSING ZONING CERTIFICATES

Processing Tasks:

- a. Receiving application and data entry;
- b. Zoning verification;
- c. Site plan review (Symmes code interpretation);
- d. Processing Zoning Certificate;
- e. Data entry;
- f. Transfer fees and send certificate to applicant;
- g. Write refusals;
- h. Communication with applicant.

CERTIFICATE OF OCCUPANCY, INSPECTION AND PROCESSING

Certifying Tasks:

- a. Setting up appointment with applicants and builders;
- b. Physical survey of site;
- c. Data entry/certificate processing.

ZONING VIOLATION ENFORCEMENT

Enforcement Tasks:

- a. Log in complaint and preparation;
- b. Make first (investigative) inspection (public contact);
- c. Issue notice of zoning violation;
- d. Make second (21 days) inspection;
- e. Issue citation if violation is not abated or appealed.

PROCESSING ZONING MAP AND TEXT AMENDMENTS

Processing Zoning Map and Text Amendment Tasks:

- a. Meeting with the applicant;
- b. Filing the application;
- c. Certifying the application to the Rural Zoning Commission;
- d. Presenting the application to the Township Zoning Commission;

- e. Presenting the application to the Board of Township Trustees;
- f. Preparation of adoption or denial resolution of application;
- g. Recording the amendment with the County Recorder;
- h. Maintenance of the Township Zoning map.

PROCESSING BOARD OF ZONING APPEALS APPLICATIONS

Township Board of Zoning Appeals (TBZA) Application Tasks:

- a. Meeting with the applicant;
- b. Filing the application;
- c. Preparing and processing notices for public hearings;
- d. Preparing presentation material for TBZA;
- e. Preparing staff report;
- f. Presenting application to TBZA;
- g. Maintenance of TBZA records.

TELEPHONE/WALK-IN INQUIRIES

Information Tasks:

- a. Telephone inquiries;
- b. Walk-in inquiries;

2. The Contractor shall make available to STZC, a Zoning Inspector, Zoning Plans Examiner, Development Review Planner and other support staff to assist STZC and Symmes Township’s officially appointed Township Zoning Inspector in the administration and enforcement of zoning in Symmes Township’s zoning jurisdiction. Said assistance shall be provided by staff in the Hamilton County Rural Zoning Commission (RZC) or Hamilton County Regional Planning Commission (RPC) under the supervision of the Executive Director of the RPC/RZC. The Hamilton County Regional Planning Commission or its agency will furnish all materials, equipment, tools, mileage, supplies and task specific training it deems are necessary to satisfactorily complete the work subject to this contract.

IN CONSIDERATION of the foregoing services, the STZC shall compensate the Hamilton County Regional Planning Commission for all services performed by RPC/RZC staff as follows:

Technicians	\$42.30 per hour
Zoning Inspectors, GIS and Plans Examiners	\$59.37 per hour
Coordinators, Planners and Team Leaders	\$73.83 per hour
Administrators	\$91.69 per hour
Interns	\$15.45 per hour
Mileage	IRS current Standard Rate

Other Miscellaneous Direct Costs
(postage, materials, equipment, tools, supplies)

APPENDIX B

METHOD OF PAYMENT

1. The Contractor shall submit monthly invoices covering expenses incurred in carrying out this contract. All costs to be eligible for reimbursement must be reasonable, incurred pursuant to work performed on this contract, and recorded in a manner consistent with generally accepted accounting principles. The Township shall process the Contractor's invoices within thirty (30) days following submission by the Contractor.