

**RESOLUTION G2020-15**

**RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SIGN AN AGREEMENT WITH FILLMORE CONSTRUCTION LLC. TO INSTALL SIDEWALKS IN HEARTHSTONE ESTATES ON UNDEVELOPED LOTS AND MAKE REPAIRS TO OTHER SIDEWALKS IN THE NEIGHBORHOOD IN THE AMOUNT NOT TO EXCEED \$43,111.00 AND CHOICE ONE ENGINEERING TO LAYOUT THE LOCATION OF THE SIDEWALKS IN AN AMOUNT NOT TO EXCEED \$1,750.00**

**WHEREAS**, the subdivision regulations require sidewalks to be installed in all subdivisions, and most of the time the sidewalks are installed during the construction of the house; and

**WHEREAS**, Hearthstone Estates was developed around the time of the housing slow-down in 2007 and sat until 2015 with no activity

**WHEREAS**, the developer asked the county and township to accept the roadway in 2015, but the township refused unless they received money from the developer to use later and install sidewalks when the lots eventually developed; and

**WHEREAS**, some of the lots were developed and other lots were purchased by existing homeowners in the subdivision; and

**WHEREAS**, the Homeowners Association approached the township and asked that the remaining sidewalks on the undeveloped lots be installed in 2019 with the bond money that township had received; and

**WHEREAS**, Fillmore Construction was hired to do install sidewalks on Hopewell and Enyart Road and will already be in the township with their equipment and have given the township a bid to finish the sidewalks in the neighborhood; and

**WHEREAS**, pursuant to Ohio Revised Code §5571.01, the Board of Trustees may construct, reconstruct, resurface, or improve any public road or part thereof under its jurisdiction within its township.

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

**Section 1.** The Symmes Township Trustees authorize the township administrator to sign an agreement with Fillmore Construction to install sidewalks in Hearthstone Estates and make other necessary repairs as directed by the Public Works Director in an amount not to exceed \$43,111.00 and sign an agreement with Choice One Engineering in an amount of \$1,750.00 to layout the sidewalks for Fillmore Construction.

**Section 2.** The funds for the paving shall be taken from the Hearthstone Fund (#14).

**Section 3.** That the temporary appropriations for Fund 14-J-1 be increased from \$0.00 to \$44,861.00 to pay for the project.

**Section 4.** The Fiscal Officer is hereby authorized to make payment to Fillmore Construction in the amount not to exceed \$44,861.00 once the work is finished and the Public Works Director has given final approval of the project.

**Section 5.** 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 6.** That it is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 7.** This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

**ADOPTED FEBRUARY 4, 2020 – RESOLUTION G2020-15**

Vote Record: Ms. Leis \_\_\_\_ Mr. Bryant \_\_\_\_ Mr. Beck \_\_\_\_

**BOARD OF TRUSTEES:**

\_\_\_\_\_  
Jodie L. Leis, President

\_\_\_\_\_  
Kenneth N. Bryant, Vice President

\_\_\_\_\_  
Philip J. Beck, Trustee

**ATTEST:**

**APPROVED AS TO FORM:**

---

Carol A. Sims, Fiscal Officer

---

Kevin McDonough, Law Director