

RESOLUTION G2020-38

RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SIGN AN AMENDMENT TO THE CONTRACT FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES WITH THE LOVELAND SYMMES FIRE DEPARTMENT AND DISPENSING WITH A SECOND READING

WHEREAS, the Symmes Township Board of Trustees, Hamilton County, Ohio is authorized to contract for fire protection and emergency medical services; and

WHEREAS, the Symmes Township Board of Trustees and the Loveland Symmes Fire Department have entered into a contract which provides such terms and conditions which are appropriate for the protections of lives and property of all persons and businesses within Symmes Township; and

WHEREAS, the Loveland Symmes Fire Department Board of Directors is requesting a 5% increase in the contract amount from the contract amount from 2019 in 2020, and a 5% increase for 2021 and a 5% increase for 2022; and

WHEREAS, the Symmes Township Board of Trustees hereby approve contributions to the contract and amend paragraph 12 for three years – 2020 with an amount not to exceed \$2,713,494.00 (\$2,634,840.00 for regular fire/ems services and \$78,655 for peak time staffing); 2021 with an amount not to exceed \$2,849,169.00 (\$2,766,582.00 for regular fire/ems services and \$82,587.00 for peak time staffing) and 2022 with an amount not to exceed \$2,991,627.00 (\$2,904,911 for regular fire/ems services and \$86,716.00 for peak time staffing); and

WHEREAS, all other provisions of the contract shall remain in effect for the duration of the contract; and

WHEREAS, the exhibit A of the contract shall be approved as attached and will remain in effect during the duration of the contract and as supported by the current contract language; and

WHEREAS, the amendment to the contract shall take effect and be in effect beginning on January 1, 2020.

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

Section 1. That the Symmes Township Board of Trustees authorize the Administrator to sign an amendment to the contract for fire protection and emergency medical services with the Loveland Symmes Fire Department as it is set forth on the attached exhibit A.

Section 2. Hereby authorizes and directs that such payments be made in accordance with the terms and conditions as set forth in the amendment to paragraph 12, page 4 of the contract.

Section 3. The Township Fiscal Officer is hereby authorized and directed to make payments to the Loveland Symmes Fire Department monthly \$226,124.50 (\$219,570.00 and \$6,554.58) not to exceed \$2,713,494.00 for year 2020; \$237,430.75 (\$230,548.50 and \$6,882.25) not to exceed \$2,849,169.00 for year 2021; and \$249,302.25 (\$242,075.91 and \$7,226.33) not to exceed \$2,991,627.00 for year 2022.

Section 4. It is hereby certified that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

ADOPTED MAY 5, 2020 – RESOLUTION G2020-38

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:

Joseph C. Grossi, Fiscal Officer

Kevin C. McDonough, Law Director

EXHIBIT A

An Amendment to the Contract for Fire Protection and Emergency Medical Services with the Loveland Symmes Fire Department

RESOLUTION G2020-38 – ADOPTED MAY 5, 2020

Amendment is hereby entered into between the Loveland Symmes Fire Department Inc. and the Symmes Township Board of Trustees, Hamilton, County, Ohio to amend the compensation provision.

Amend Paragraph (12) page 4 of the contract to the following compensation:

(12) COMPENSATION TO FIRE DEPARTMENT – the company budget shall be submitted to the Township for review each year as set forth in Section 8. The amount the Township will be required to pay the Fire Department shall be determined as follows:

1. Payment will be based on population;
2. The last United Decennial Census shall be used for determining this number;
3. Any changes in population due to annexation or detachment will be considered during the budget preparation the following budget year and changes to the calculation shall be made accordingly;
4. The current total population for the district in 2010 is 26,852, with the township accounting for 55% of the total population of the district.
5. The current allocation for Symmes Township is 55% and therefore will remain at 55% unless changed by population.
6. Absent population adjustment, and consistent with the above percentages and process, the Fire Department shall receive the following annual contribution payments from the Township:
 - a. 2020 - \$2,713,494.00 (\$2,634,840.00 for regular fire/ems services and \$78,655 for peak time staffing).
 - b. 2021 - \$2,849,169.00 ((\$2,766,582.00 for regular fire/ems services and \$82,587.00 for peak time staffing).
 - c. 2022 - \$2,991,627.00 (\$2,904,911 for regular fire/ems services and \$86,716.00 for peak time staffing).
7. Although for purposes of this Contract the Fire Department's company budget is estimated, in no event will the Township's contribution exceed that stated amount above.
8. The Township contribution will be divided into 12 equal amounts payable by the 10th day of each month. However, the January and December payments will be made in one combined payment in January of the same calendar year (i.e. there will be no payment in December). The December payment is an advance payment for the calendar year (e.g. for December 2020 and January 2020), payment will be made in January of 2020.
9. If after the release of the 2020 census numbers and there is a change for Symmes Township which would affect the current allocation of costs of 55% (Symmes Township)

and 45% (City of Loveland), both parties agree to change the allocation of the portion owed by Symmes Township based on the 2020 census going forward.

All other terms of paragraph 12 and the remainder of the contract remain in full force and effect.

BOARD OF SYMMES TOWNSHIP TRUSTEES

Kimberly A. Lapensee, Township Administrator
Symmes Township, Hamilton County, Ohio

DATE: _____

LOVELAND SYMMES FIRE DEPARTMENT INC.

Otto J. Huber, Fire Chief
Loveland Symmes Fire Department Inc.

DATE: _____