
MINUTES OF SYMMES TOWNSHIP REGULAR MEETING

NOVEMBER 14, 2017

The meeting was called to order at 7:00 p.m. Elected officials present were: Mr. Phil Beck, Ms. Jodie Leis, and Ms. Carol Sims

Also present: Kevin McDonough - Township Law Director; Kim Lapensee - Administrator; Deputy Chief Mike Books – LSF; Lt. Tory Smith - Hamilton County Sheriff’s Department.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Ms. Leis made a motion to approve the Agenda. Mr. Beck seconded the motion. Motion passes.

APPROVAL OF MINUTES

Ms. Leis made a motion to approve the Minutes of the regular meeting for April 4, May 2 and October 3, 2017. Mr. Beck seconded the motion. Motion passes.

Ms. Leis made a motion to approve the Minutes of the special meeting for October 17, 2017. Mr. Beck seconded the motion. Motion passes.

FISCAL OFFICERS REPORT

None.

PRESENTATIONS

None

PUBLIC HEARINGS

Text Amendment – Fences, Section 346.1 Symmes Township Zoning Resolution Proposed Change.

Ms. Leis opened the public hearing at 7:05 p.m. and asked for the staff report.

BRYAN SNYDER, Hamilton County Regional Planning Commission, stated that the request is to amend the Symmes Township Zoning Resolution to revise Article 33 – accessory uses and structures. Mr. Snyder stated that this amendment would reduce the open face requirement for fences in the front and side yard from 75% to 62% to allow for the Kentucky Board type fence. He stated that they have received a number of requests through the BZA to reduce the percentage and they have overwhelmingly been approved by the Board. Mr. Snyder stated that both the Regional Planning Commission and the Zoning Commission recommended approval of the text amendment.

Ms. Jodie Leis asked if this is just an old outdated zoning that needed to be up dated.

Mr. Snyder stated that this is a typical zoning standard and the Hamilton County Board of Commissioners adopted a similar amendment three (3) or four (4) years ago. Since that amendment was adopted, we have not seen any increase of undesirable fences.

PHIL BECK stated that he is assuming that this 62% openness for the Kentucky Board Fence is not unique just in Symmes Township.

Mr. Snyder advised that it is not. There are a lot of them in Indian Hill and numerous ones in Hamilton County.

Ms. Leis moved to close the public hearing at 7:10 p.m.

APPROVAL OF DISBURSEMENTS

Receipts 70711 - 71066 totaling \$1,137,352.85 were read and approved for payment.

REPORTS

KEVIN MCDONOUGH, LAW DIRECTOR had no report at this time.

LIEUTENANT TORY SMITH thanked the Board for the candy at Halloween. He said that he had extra patrols out that night and they were able to pass it all out to the kids in the neighborhoods.

DEPUTY CHIEF MIKE BOOKS had no report at this time.

BILL PITMAN, DIRECTOR OF PUBLIC WORKS was absent.

COMMITTEE – None.

OTHER – Mr. Beck stated that we had a terrific Fall Fest event last month and that the NEST ninja course was amazing. He congratulated Ken and Jodie on their re-election to the Board and said that there was a Freedom Foundation Veterans Day Celebration that was widely attended. He also stated that the Indian Hill Girls Soccer Team won the state title in their division. Ms. Leis stated that the Loveland Girls Soccer Team also won the state title in their division.

HEARING FROM RESIDENTS

Ms. Evangeline DeVol, NEST, stated that she wanted to thank the Trustees for allowing NEST to use Symmes Park for their Kids Ninja Challenge. She stated that it was a huge success as they had 670 children register for the event from Ohio, Kentucky and Indiana and we able to raise over \$16,000.00 to fund their afterschool programs. She stated that they have also started a before school program thanks to this fund raiser.

CORRESPONDENCE

See Attached.

EVENTS AND MEETINGS

Zoning Commission Meeting - Wednesday, November 15, 2017 at 7:00 p.m.

Cram the Cruiser – Symmes Twp Kroger/Montgomery Road, Saturday November 18, 2017 from 11 – 3 p.m.

Thanksgiving Holiday/Building Closed – Thursday/Friday, November 23 and 24, 2017.

Great Holiday Light Challenge - Friday, November 24th thru January 31st. Drop off lights to the administration building (bin in parking lot).

Operation Santa - Saturday, December 2 from 5:00 p.m. to 8:30 p.m.

Board of Zoning Appeals Meeting - Monday, December 4, 2017 at 7:00 p.m.

Board of Trustees Meeting - Tuesday, December 5, 2017 at 7:00 p.m.

Merry and Bright Lights Contest - Judging on December 14th and 15th.

OLD BUSINESS

Property Maintenance Code – Next Steps. Mrs. Lapensee asked what the Board wanted to do next for the property maintenance code. Mr. Beck stated that he wanted to see a full draft of the changes we talked about at the last work session before he made any decisions about where we wanted to go next. Mrs. Lapensee stated that she should have a draft ready by mid-December for the Board to review.

Status of Direct Deposit – Mrs. Lapensee asked what the status of the Direct Deposit is at this time. Ms. Sims stated that it should be up and running by January of 2018.

NEW BUSINESS

Ms. Leis moved for approval of Resolution Z2017-01. This resolution will amend Section 346.1 Fences and Walls of the Symmes Township Zoning Resolution and Dispensing with the Second Reading. Mr. Beck seconded the motion. The roll call vote was as follows: Mr. Beck - ‘aye’; Ms. Leis - ‘aye’.

Ms. Leis moved for approval of Resolution G2017-65. This resolution will authorize the acceptance of bids for the Lebanon Road Sidewalk Project and Awarding the contract to Ford Development in the amount of \$82,894.00. Mr. Beck seconded the motion. The roll call vote was as follows: Mr. Beck - ‘aye’; Ms. Leis - ‘aye’.

Ms. Leis moved for approval of Resolution G2017-66. This resolution will amend the fees for applications and other procedures under the Symmes Township Zoning Resolution. Mr. Beck seconded the motion.

Ms. Sims asked Mr. Snyder what the increase in fees will be. Mr. Snyder stated 2% which is in line with the Consumer Price Index. Ms. Sims stated that the Board has talked before about zoning paying for itself and it will not happen with a 2% increase. She stated that we are approximately \$10,000 in the hole for zoning costs. She stated that we should be looking at a 5% or more increase across the board. Ms. Leis stated that she felt that our fees are already too high. She would only support a 5% increase for commercial permits.

Ms. Leis made a motion to table this resolution until the next meeting. Mr. Beck seconded the motion. The roll call vote was as follows: Mr. Beck - ‘aye’; Ms. Leis - ‘aye’.

Ms. Leis moved for approval of Resolution G2017-67. This resolution will amend Resolution G2015-19 which adopted new rules in compliance for open meetings, ORC Section 121.22. Mr. Beck seconded the motion.

Mrs. Lapensee stated that she would like for the Board to revise this resolution so that the list of notifications gets increased to include an email or fax to the media for a 24 hour notice for special meetings. She would also like to change the wording so that only two ways of notifications occur which includes a legal ad, post the notice in our building, website posting and/or notification to the press. She stated that legally for a special meeting, we are only required to send a notice to the media 24 hours in advance. She stated that it is still important to notify everyone in as many ways as possible, but sometimes a special meeting is needed where we can’t meet the paper legal ad deadlines.

The roll call vote was as follows: Mr. Beck - ‘aye’; Ms. Leis - ‘aye’

Ms. Leis moved to table Resolution G2017-68. This resolution will initiate the text amendment process to change Sections 62.1, 66.1, 70.1, 74.1, 78.1, 82.1 and 92.1 from “...on lots less than five (5) acres...shall be at least ten (10) feet from every property line...” as it pertains to any building or structure that relates to agriculture uses. Mr. Beck seconded the motion.

The roll call vote was as follows: Mr. Beck - ‘aye’; Ms. Leis - ‘aye’

Ms. Leis moved for approval of Resolution G2017-69. This resolution will retain Kim Bojko and the Firm of Carpenter Lipps & LeLand, LLP as Special Counsel and Dispensing with the Second Reading. Mr. Beck seconded the motion.

Ms. Lapensee stated there have been several neighborhoods in Symmes Township impacted by recent tree cutting of a hundred (100) foot swath that goes all the way through the Township from Fields Ertel to Lake Isabella. The entire line is about fifteen (15) miles long, it starts from the Clermont County Beckjord Plant and goes all the way to Port Union in West Chester.

Duke Energy Contractors started in West Chester and they have just worked their way into the Warren County area. Basically the residents here feel that if the whole area is cut one hundred (100) foot wide through all fourteen neighborhoods that it will negatively impact the values in Symmes Township. We've been trying to help the residents help themselves with filing complaints through the PUCO. The residents have hired an attorney to help them fight and they have asked us to help them in their journey. Mrs. Lapensee is asking the Board if they are willing to donate a thousand (\$1,000) dollars to the residents cause to help them in this process.

Ms. Leis stated that we do have a piece of property that this effects.

Mrs. Lapensee stated that the Township does have property on Blong Road that the transmission lines actually goes through.

Mr. Beck stated that this sets a precedents for every single powerline.

Mrs. Lapensee stated that the first step in the process is filing a complaint with the Public Utilities of Ohio, which we have had fifty-one (51) residents to file on their own and we had one (1) successful stop cut work order issued from the PUCO. Now we have an additional twenty-two (22) complaints that were sent to Mrs. Bojko to file along with our complaint. Mrs. Bojko will represent the total group and move forward with all these complaints.

Ms. Leis stated that they are also working different ends.

Mr. Beck stated that what we are trying to do is prevent this clear cutting. There are two (2) important things, the first one is the herbicides that are being applied, lot of questions about the chemicals, and for minimized areas that need to be trimmed is there a resulting erosion prevention.

Mrs. Lapensee stated that this is the first time they have changed their vegetation plan to be this drastic.

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

Ms. Leis moved to authorize the Township Administrator to apply and sign all necessary forms to receive grant funds through the Hamilton County Transient Occupancy Tax and the State of Ohio Capital Budget Funds to help pay for the next phase of Home of the Brave improvements. Mr. Beck seconded the motion.

Mrs. Lapensee stated that she plans to submit a grant to these two agencies to pay for the improvements that the township would like to make to Home of the Brave.

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

Ms. Leis moved to approve the resignation of Shelby Olsen as the alternate to the Zoning Commission. Mr. Beck seconded the motion. The roll call vote was as follows: Mr. Beck - 'aye'; Ms. Leis - 'aye'

Mrs. Leis moved to approve the resignation of John Mallowney as a member of the Zoning Commission. Mr. Beck seconded the motion. The roll call vote was as follows: Mr. Beck - 'aye'; Ms. Leis - 'aye'

Mrs. Leis moved to schedule a work session to discuss new job descriptions, pay increases, changes to personnel manual. Mr. Beck seconded the motion. The Board set a date of December 12th at 7:00 p.m. The roll call vote was as follows: Mr. Beck - 'aye'; Ms. Leis - 'aye'

Mrs. Leis moved to schedule a finance and audit committee meeting to discuss road levy options. Mr. Beck seconded the motion. Ms. Sims stated that she will get with her committee and set a date and let the trustees know a few dates.

Mrs. Leis moved to schedule an end of the year Trustees Meeting in December. Mr. Beck seconded the motion. The Board set a date of December 18th at 7:00 p.m. The roll call vote was as follows: Mr. Beck - 'aye'; Ms. Leis - 'aye'

Mrs. Leis asked to have a discussion on trash/recycling/leaf pick-up services for the township. When she walked through the neighborhood this was the subject that came up frequently.

Mrs. Lapensee stated that the Township could combine all the services into one. You can pay for trash pickup which also includes recycling, leaf pickup and yard waste. The Township would no longer have to pay for a yard waste service. The Township would be able to control what days and what hours trucks will be coming into the Township and can make the containers uniform.

Mrs. Lapensee stated that it usually ends up being cheaper that what you pay now for trash pickup.

Mr. Beck stated that the Township looked into this a few years back. The only issue was everyone had to be in and all residents would be billed whether they used the service or not. Mr. Beck asked Mrs. Lapensee to do some research and get back to the Board with the information.

Ms. Leis moved to approve the following expenditures and authorizes the Township Administrator to sign any necessary contracts, agreements or paperwork:

- a. Expenditure/then and now \$417.26 Rumpke.
- b. Expenditure/then and now \$830.40 Natorps Landscape Supply for landscaping around the flagpole at the Admin Building.
- c. Expenditure/then and now \$870.00 Ohio Cat for annual pump testing T61, E60 and E61.
- d. Expenditure/then and now \$3,514.42 Team All Sports for re-grading the baseball and soccer field at Stonebridge.
- e. Expenditure \$8,400.00 Freeze Underground to replace the water line at the Remington Fire Station.
- f. Expenditure \$7,140.00 Karl Mattes Co. Inc. to repair both chimneys at the Meade House.
- g. Expenditure \$2,500 (multiple vendors) for winter snow plow equipment parts.
- h. Expenditure \$630.00 Howell Rescue for Genesis Tool preventative maintenance.
- i. Expenditure \$833.30 Fire Safety Services to replace broken control box for remote master stream.
- j. Expenditure \$2,085.00 American Firehouse Furniture for three (3) new chairs for the Remington Fire Station.
- k. Amend the following line items:
 1. 1-A-15A from \$35,000 to \$38,000
 2. 1-J-3 from \$80,000 to \$92,000
 3. 14-A-8 from \$71,500 to \$82,500
 4. 12-A-4 from \$425,000 to \$485,000
 5. 12-A-7 from \$8,000 to \$9,500.00
 6. 1-B-1 from \$160,000 to \$165,000
- l. Transfer monies from the following line items:
 1. \$1,000 from 1-A-21 to 1-A-4
 2. \$2,500 from 1-A-21 to 1-A-5
 3. \$2,000 from 1-B-8 to 1-B-7
 4. \$2,600 from 5-A-5 to 5-2-A
 5. \$400 from 5-A-5 to 5-A-3
 6. \$10,000 from 9-A-8 to 9-A-10
 7. \$50,000 from 1-A-27 to 1-E-1 and \$90,000 from 1-A-6 to 1-E-1 to pay for additional lighting district charges.

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

HEARING FROM RESIDENTS

JOE GROSSI stated that as a tax payer he is interested in seeing the breakdowns for all these monies that are being transferred from the funds? Is there a source that he can go to find that out?

Mr. Beck stated that yes he can go online and find out the break down.

Mr. Grossi stated that he has no idea where the money is coming from in section L. What is 1-A-21 and 1-A-4? He does not know what fund the monies are being moved from, what fund is receiving and what is it for. Also, has a question as to if the Board retained Bojko.

Mrs. Lapensee stated that the Board approved to donate \$1,000 towards retaining Bojko.

Ms. Leis stated that the Board is working with them and waiting to see where it goes. If they need to come back, then absolutely we will come back. We need to review as we go long and she is willing to help them. She stated that we are working with you as a Township.

EXECUTIVE SESSION

None

ADJOURNMENT

Mrs. Leis made a motion to adjourn the meeting. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Ms. Leis- 'aye'.

Meeting adjourned at 8:15 p.m.

Approved:

Jodie Leis, Board President

Carol Sims, Fiscal Officer