
MINUTES OF SYMMES TOWNSHIP REGULAR MEETING

November 6, 2018

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

Also present: Kim Lapensee - Administrator; Kevin McDonough – Law Director; Chief Ott Huber - LSFD; Lieutenant Tory Smith - Hamilton County Sheriff’s Department; Bill Pitman – Director of Public Works.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mr. Bryant made a motion to approve the Minutes of the special meeting for Work Session Minutes from September 25, 2018, the Regular Minutes from October 2, 2018, the Work Session Minutes from October 17, 2018 and the Special Meeting Minutes from October 23, 2018. Mr. Beck seconded the motion.

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

FISCAL OFFICERS REPORT

Ms. Sims went over the Finance Report and stated that the Parkland Escrow Account has \$6,675,248.16, the Huntington Investment has \$7,872,503.77. As of October 31, 2018, the PNC Checking Account has \$79,343.82, PNC Money Market has \$4,530,186.61, PNC HRA Account has \$27,105.61. The Board just approved transfer of one million dollars from the Money Market Account to the checking account to cover the current check run totaling 1.5 million dollars. So, the Money Market will go down to 3.5 million dollars.

It is still her intention to provide them with the cash reconciliation once they are reviewed by the Board President. This will then provide them with a better understanding of the current cash balances.

Ms. Sims stated that at the end of ten months, the total year to date spent compared to appropriations 61.6%. However, there are several funds which are around 80% - Fund 4, Fund7,

Fund9, Fund 10, Fund 11 and Fund 14. The total year to date revenue is at 102% of estimated revenue. There are several funds which will still be receiving money for November and December.

Ms. Sims stated that at the special meeting to adopt the numbers from the County Budget Commission, she presented the with recaps of their major funds. The recaps were revised on October 5 to reflect the adjusted 2019 revenue from the Budget Commission, as well adjusted 2018 actual revenue trends and any approved appropriation changes through the October meeting.

Ms. Sims advised that based on 2018 appropriations and 2019 Budget, there are several funds which need to have proposed 2019 expenditures reviewed due to the project ending balances in 2019 and then the carried over into 2020. These will be discussed at a future Finance & Audit Committee meeting.

PRESENTATIONS

Mrs. Lapensee stated that in two previous meetings, we have had multiple residents attend that had questions regarding the residential facility that we received an application for in Symmes Creek. She stated that the application was received and processed through the Hamilton County building department and did not need a zoning certificate. She stated that Bryan Snyder our zoning representative from Hamilton County Regional Planning has been working with the applicants to make sure their application meets our zoning requirements and the requirements set forth in the ORC that pertains to residential facilities.

Mart Hutton and Janet Davies – Mimi’s House. Ms. Davies stated that she is a speech pathologist and currently works in a nursing home and did live in this area for 16 years prior to her leaving. Mr. Hutton stated that he is from the Centerville area and moved down south to marry Ms. Davies. Ms. Davies stated that they want to help seniors who may need help doing daily tasks. She stated that there will be 1 caregiver for each 4 residents during the day and they will have 1 person at night who will be awake. She stated that there will be no skilled care in this home but they will have access to medical if needed. She stated that they will be licensed as a residential care facility. Mr. Hutton stated that everyone may have noticed the work being done on the house because they are renovating the garage and turning them into 3 bedrooms with 3 bathrooms. He stated that they will also be opening up the common areas and renovating the kitchen. He stated that there will be no change to the footprint of the house and he encourages all family members to visit. He stated he wants everyone to feel loved and welcome in this home.

Mr. Kevin McDonough, Law Director, stated that the Ohio Revised Code provides for these residential facilities and we cannot zone them out. He stated that he was not here in 2015 when the code was revised, but it now states that there has to be 1,000 feet of separation between facilities and the parking requirements were increased.

Mr. Bryan Snyder, Hamilton County Regional Planning and Development, stated that this house was previously used as a residential facility and had 5 people living there. He stated that the State removed group homes and family home wording from the ORC and now everything is called a residential facility. He stated that the Township followed suit during a review of the code and added new parking requirements and a separation between similar facilities. He stated that he met with the applicants and there is no zoning certificate required and Hamilton County building department signed off on the building permit and the work began.

Mr. Greg Bickford, Sycamore Township Administrator, stated that he works for Sycamore Township and was asked to be here tonight to explain their residential facilities in Sycamore Township. He stated that there are 5 residential facilities in Sycamore Township and there have been no police calls that he knows of. He stated that it starts with a good operator and that the zoning code can only do so much. He stated that Symmes Township will need a good property maintenance code to go along with the zoning code. He stated that there are fire inspections once a year, there have been no decreases in property values and everything surrounding these areas have been very positive.

Ms. Jodie Leis asked how they decide who will live in the house. Ms. Davies stated that they will originally recruit people to be there at first and they will need to be interviewed to find out their needs. She stated that they won't have anyone living there that has extensive medical needs. She stated that they will be helping out with meal preps but most of them will be independent living.

Mr. Ken Bryant asked when construction will be over. Mr. Hutton stated late this year. He stated that we will need a certificate of occupancy in order to get their license from the state. He stated that it takes about 3 months to get their license and they can have up to 2 people living there while they obtain it. He stated that he believes they would be able to get it in late February or March. Mr. Hutton stated that they will also need 4 parking spaces and 2 of them would have to be in the front yard setback so they had to add a second driveway with parking area to the left of the house.

Ms. Jodie Leis asked if they had any sewer issues. Mr. Hutton stated that he did not know of any.

Ms. Gail Prather, 11613 Symmes Creek Drive, stated that she lives next door to Mimi's House and the water from the back yard is running down and ruining her driveway. She wants Mr. Hutton to know that they have had a back experience with the last residence. They need to clean up the weeds and the creek in the backyard. Mr. Hutton stated they are going to have professional landscapers come to take care of the backyard.

Bryan Snyder stated that the code requires 4 parking spaces and they must be behind the front yard setback. He stated the building permit that they have right now shows the second driveway with parking spaces on the side of house adjacent to the private driveway.

Mr. Kevin McDonough, stated that because we have received a variance for this property that pertains to the parking, we will need to discuss the driveway and parking at the next BZA meeting on December 3, 2018 at 7 p.m.

William Benham, 11666 Symmes Valley Drive, asked why they were all here tonight if they all need to talk at the next BZA meeting and they went to two other meetings before this one.

Mrs. Lapensee stated this is a meeting for you to get some of your questions answered by Mr. Hutton so everyone is getting the same information. The Zoning Board did not know anything about Mimi's House when you went to their last meeting, that is why they told you to talk to the Trustees at their next meeting.

Mr. Bryan Snyder stated that during those other two meetings, a BZA application for the parking variance had not been received.

Ms. Jodie Leis stated that at the work session held on October 17, they were discussing the proposed property maintenance code.

Mr. Phil Beck stated that we felt that this was an important topic and wanted to give the residents the opportunity to address the applicants.

Mr. Robert Henson, 9084 Symmes Ridge, stated that this is a for profit business venture and he asked the Huttons if they had any other facilities like this. They said no. Mr. Henson asked what happens if this fails. He asked if they would have to find another buyer. Mr. Henson stated that this house sat empty for 2 years and he thinks that the township needs to communicate this to the residents.

Mr. Bryan Snyder stated that this house can only be used for single family purposes or a residential facility that meets the definition in the Ohio Revised Code. He stated that the ORC prohibits the township from treating them any differently than they treat anyone else that buys a house in that neighborhood or township. He stated that there are no notice requirements or public meetings required.

Mr. Phil Beck asked how much the house was purchased for and how much were they putting into renovating this house. Mr. Hutton stated that it has been vacant for 2 years now and is not a desirable single-family home. He stated that they purchased the house for \$330,000 and are putting over \$200,000 back into the house in renovations.

Mrs. Nicki Henson, 9084 Symmes Ridge, asked when they would have their occupancy permits. Mr. Hutton stated mid-March. Mrs. Henson asked about employee turnover, payment to the caregivers and if they will be state certified. Ms. Davies stated that she will do the interviews for caregivers and that they payment to them will be above market for retention. She stated that she will be there everyday at first until she can find a good manager. Mrs. Henson asked if there will be anyone there with dementia. Ms. Davies said yes, there may be. She stated that she will have someone there that is awake at night just in case. Mrs. Henson asked if there was a website or any way to contact them just in case someone gets out and can't get back. Mr. Hutton stated that they are still working on their business cards but he gave out his cell phone number just in case.

Mrs. Chris Turnwald, 11590 Symmes Creek Drive, stated that we have had a bad operator in the past with the old owners of this house. She stated that everything was done behind closed doors and she can't imagine having 8 people in this house every day. She stated that it does not fit there. She did not understand how they could be running a business in a single-family residential area. She stated that the first operator had 5 in the house and it did not work either and she wondered how 8 people would work. Mrs. Turnwald stated that the owners should have checked to make sure that the parking would work for them before they purchased the house. She stated that she is concerned about the elder care and who will be checking on their welfare. She stated there will only be 2 aids during the day and 1 at night and who is going to be checking on the people to make sure that they are properly taking care of these patients.

Mr. Hutton stated that they cannot get their license from the State for the facility until after they have received their certificate of occupancy from the county and that includes all their inspections.

Mr. Bryan Snyder stated that the Federal Fair Housing Act has always said that 8 persons is the number and has always been regulated as such and the state considers that to be a single-family home. He stated that the code allows for 9 - 16 persons in multi-family districts.

Tracy Johns, 9025 Symmes Ridge, stated that this was a commercial enterprise and she understands that they are abiding by all the rules set up in the ORC. She stated that this has changed the value of the house and it can never be used again for single family residential purposes. She asked if they could move the spotlight at the rear of the house because it shines into the neighbor's house and she continues to be worried about everyone getting out at night. She stated that they should be locked up. She stated that she is concerned about the material on the front of the house – EFIS to emulate brick. She believes that will take on water and be damaged. Ms. Johns stated that she is in favor of the Property Maintenance Code. She asked if special districts could be set up because that 1000'-0" separation rule only puts these houses 10 away from each other.

Mr. Bryan Snyder stated that if you allow single-family homes in any district, then you have to allow residential facilities. Ms. Johns stated that she does not want any more in her neighborhood and that we need to tighten up our regulations or get creative.

Al Turnwald, 11590 Symmes Creek Drive, stated that if we now have a 1000'-0" separation rule, can we change the rule to be more restrictive.

Mr. Bryan Snyder stated that when they originally looked at changing the code, they tried to find a good legal rule to measure against and all they found was 250'-0" to 500'-0". Mr. Turnwald stated that we should not allow a business to come into these neighborhoods. He stated that these variances are usually good for the person asking for the variance, but they are not good for anyone else.

Mr. Robert Henson, 9084 Symmes Ridge, stated that he hoped that they are successful, but they would like to see safeguards in place to protect everyone.

Ms. Patty Younkin, 11602 Symmes Creek Drive, asked is it a Federal Law that allows these homes or a State Law? Mr. Beck advised her that is a State Law. Ms. Younkin stated that state laws can be changed they get revised all the time. She wanted to know the cost for the residence at this home? Mr. Hutton stated that they will have to wait until they get open to decide the cost. Ms. Younkin asked who is going to inspect it on a on going basis? Mr. Hutton stated that the state would inspect the home annually.

Ms. Charlotte Wilson, 9062 Symmes View, stated that she appreciated the enthusiasm and is concerned about how it will really operate. She stated that there is marketing appeal and that is why everyone feels threatened. She stated that she heard the word parking lot earlier where the employees will park. She stated that she lives in a cul-de-sac and parking is a bid deal there because most people do not care where or how they park and block driveways, etc.

Mrs. Julie Vorholt, 9095 Symmes Ridge, stated that they have only lived in this neighborhood for 2 years now and are worried about the values. She stated that they are young and this is a huge investment for them.

Mr. Greg Vorholt, 9095 Symmes Ridge, stated that he would like to see the security issues addressed.

Ms. Sharon Taormina, 9017 Symmes Knoll Court, stated that she lives directly behind this house and she would like the flood light moved, the landscaping issues addressed and she worried about the plumbing in the house. She stated that if there are 9 bathrooms in the house, how does that really work? Mr. Hutton stated that they did receive a plumbing, electrical and building permit and they will all be inspected. Ms. Taormina asked what age range of people they expected to have there. Mr. Hutton stated that they will target older individuals because that is what their expertise is in.

Mr. Dan Baker, 9021 Symmes Ridge, asked Mr. Bickford how many people live in the group homes in Sycamore Township. Mr. Greg Bickford stated that there are 8, 8, 6 and 4 living in the houses that he knows of. He stated that they have never had a problem with any of them.

Ms. Judy Wilson, 9012 Symmes Knoll Court, stated that the neighborhood is zoned residential A and that the township contracts with Hamilton County to administer the zoning. She asked if the Symmes Township Zoning code was the same as Hamilton County's. Mr. Bryan Snyder stated that Symmes Township has a very different code than Hamilton County does. Ms. Wilson stated that all residential houses should stay residential in nature.

Ben Bedinghaus, 9099 Symmes Ridge, stated that he appreciates the clarity but he wanted the board to clarify what a variance is as it is applied to the building department to eliminate the parking area. Mr. Bryan Snyder stated the Board of Zoning Appeals is set up for residence to appeal the decision of the Administrative Staff. If they applied for a permit and that permit was denied by staff because the zoning code requires it, they can appeal that denial to the Board of Zoning Appeals. Members of the BZA follow the rules of testimony. To speak at the hearing, they need to be sworn in, they cannot bring letters from their neighbors, they have to be sworn affidavits

or they have to be here in person. They will speak directly to the Board Members and they can ask questions of staff or talk to the Board directly. The Board will deliberate and make a decision at that meeting.

Ms. Tracy Johns, 9025 Symmes Ridge, stated that she has a copy of the Symmes Creek protective covenants and deed restrictions for this neighborhood and wanted the applicants to have a copy.

Mrs. Chris Turnwald, 11590 Symmes Creek Drive, stated at last election they talked about getting signage up at the Seven Gables crosswalk from her subdivision to the park. However, it has never been restriped.

Mr. Bill Pitman stated that he has contacted ODOT several times to request that they stripe the crosswalk on Montgomery Road at Symmes Creek. He stated that ODOT has told him that it is on their list to do and it is done by an outside contractor.

PUBLIC HEARINGS

None.

APPROVAL OF DISBURSEMENTS

Mr. Bryant made a motion to approve the warrants 73436 to 73560 in the amount of \$95,360.76 for September and 73561 to 73896 in the amount of \$1,812,599.40 for October. Mr. Beck seconded the motion.

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

REPORTS

KEVIN MCDONOUGH, LAW DIRECTOR had no report.

LIEUTENANT TORY SMITH, HAMILTON COUNTY SHERIFF'S DEPT had no report.

CHIEF OTT HUBER had no report.

BILL PITMAN, DIRECTOR OF PUBLIC WORKS had no report.

COMMITTEE – None.

OTHER – None.

HEARING FROM RESIDENTS

Jeff Reichman, 9519 Appomattox Court, stated that he wanted to thank the Trustees for having a public hearing about sidewalks and appreciated the opportunity for his family to talk about what

he sees are the needs of his community. He requested that the Board change the text in the Zoning Resolution to require sidewalks if new houses are built regardless of whether or not they are in a subdivision, minor lot splits or in a commercial/industrial area. He presented sample language to the board and asked that Section 51.4 be modified to "All new commercial properties or residential developments approved after (a specified date) and for any redeveloped single-family lots and for any properties which have been approved as minor subdivisions/lot splits since (a specified date), pedestrian sidewalks shall be required on said property and sidewalks shall generally be required on both sides of the street. A waiver of this requirement may be requested of the Township Zoning Commission provided it is supported by a study prepared by a professional traffic consultant.

The Board thanked him for his time and preparing that language and stated that they will take it under advisement.

Joe Grossi, 11982 Paulmeadows, stated he has a couple of questions. He wanted to know if the issue of disagreement between the Fiscal Officer and Township Attorney and Trustees concerning the Paycor issue been resolved?

Ms. Leis stated that they received an e-mail today. Mr. Bryant stated that they were going to talk about the e-mail after this meeting in Executive Session. Mr. Grossi stated, so it has not been resolved. Mr. Bryant answered no, not 100%.

Mr. Grossi stated that he had a question for the Fiscal Officer. He heard her stated her opinion on this issue at the work session meeting and was curious what is the basis for her information, was it a legal opinion from an attorney or an Ohio statue? What did she base her position on. Ms. Sims stated the she based her opinion on stuff that she is aware of. Things that she has heard in seminars' plus statues and stuff. Mr. Grossi asked if she could give him a copy of that or a number.

Ms. Sims stated that there is information that was provided in a statement to the Trustees and the Trustees have the letter that she submitted to them. Mr. Grossi stated that it should be readily available if it was information that was provided. Ms. Sims stated correct and she said that the Trustees have the letter. The letter was sent but it did not make it back to the Master File and he needs to talk to the Administrator for a copy.

Mr. Bryant stated that the letter was sent from the Fiscal Officer to the Trustees when she objected to the Paycor scenario. She put it in writing citing chapter and verse, we disagreed with it and our attorney disagreed with it. She is asking for a ruling from a higher authority, namely the Auditors office, and we received an e-mail from the Auditors Office late this afternoon. Mr. Grossi asked if they were going to share the letter.

Mr. Kevin McDonough, Law Director stated that it was not a letter, it was an e-mail from the Auditors Office. They had their legal department review his written opinion on the Paycor issue, their legal department responded back to Mr. Crisp at the Auditors Office and deferred to his opinion and said it was a well-reasoned opinion. That e-mail arrived about 4:30 this afternoon and that e-mail was sent to Carol Sims, the Trustees, Kim Lapensee and him. Mr. Grossi asked Ms. Sims if she accepted the opinion that came down or is she still disputing it?

Ms. Sims stated that she mentioned in September that once she received the opinion, she still would like to meet with Mr. Crisp to understand the rationale. Mr. Grossi asked if she still does not accept the opinion. Ms. Sims stated that she just received it tonight. Mr. Grossi advised her that she read it. Ms. Sims stated yes, she read it but she is still deferring to meet with Mr. Crisp and Mr. Harding to understand the rationale. Mr. Grossi asked how is talking to Mr. Crisp going to solve anything and she is still simply refusing to accept the opinion. Ms. Sims stated that she is not refusing to accept, she just wants to understand the explanation of the rationale.

Ms. Leis asked what if they do not want to meet with her. Ms. Sims stated that all she can say is that the 2018 payroll was completed through her accounting system in her office. She filed and reconciled all the payroll reports monthly and quarterly and all the bi-monthly reports made to the Federal Government. She is responsible to file the year end report and she intends to file the year end report. If the Trustees want to pursue having Paycor to do payroll, let Paycor do the next pay period. Mr. Grossi asked if she will comply with the information that came down from the Auditors Office. Ms. Sims stated that all she is saying is that if the Board still wants to proceed that is fine, all she is stating is that she still wants to talk to the Auditors Office. Every seminar that she has gone to explains that it is the Fiscal Officers job to do payroll and the Trustees cannot interfere with her responsibilities as an Elected Official. If the Trustees want to have Paycor do the payroll they can start next pay period.

Mr. Grossi stated that the Trustees have already voted and passed having Paycor do the payroll so what is required of the Fiscal Officer to assist that transition. Ms. Leis stated that she needs to supply the information to Pay Cor. Ms. Sims stated that all she is saying is that those three reports that she has filed are going to be filed by her, so providing that information to Pay Cor would be a duplication to State and Government. Mr. Beck asked that if they starting January 1, 2019 does that void all duplications. Ms. Sims stated yes. Mr. Beck asked if starting with January 1 a reasonable cut off compromise that works for this transition. Ms. Sims stated that to her it is not a compromise or transition, it is the Trustees taking over part of her responsibilities as an Elected Official. If that is what the Township Trustees chose to do, to work with Pay Cor, then that is the Trustees decision to make. What she is saying to the Trustees is that any payroll that she has completed for 2018 is going to be processed and filed through her system at year end. Mr. Bryant stated that he thinks that is a reasonable compromise. Mr. Grossi stated that giving up that part of her job in no way impacts what she earns, it will not diminish her income, correct. Ms. Sims answered correct but it takes away the responsibilities of her office. Mr. Grossi stated to her, lightening her load in that respect would probably help going towards any repeat of anything like the lighting district problem that happened in his subdivision. We are talking multiple thousands of dollars in late fees, now if you had more time perhaps that would not have happened. It seems to him that perhaps lightening her job in one area would help not letting that happen in another area or areas like document requests.

Mr. Grossi stated that he made a document request six weeks ago. He was told it would take two weeks, then it was longer than that. He received most of it but still has not gotten all of the documents that he requested. Ms. Sims stated that she explained to him that this is a huge request. She asked him if he wanted the copies that they already have made or does he want to wait until

they completely have it and he said he would wait until they have it complete because he understood it was a large volume of copies. Mr. Grossi stated that what is left is not a large volume. Ms. Sims answered no it is not a large volume left but they have to go through every vendor invoice that was sent to Duke from 2013 – 2017 for his request to see where they have missed that invoice that they cannot locate for him previously. They are in the process of doing that, they have already some of the 2013, so they are working on it. Mr. Grossi asked if it would be ready by the first of the year, May of next year, when is it coming? Ms. Sims advised they are working on it. Mr. Grossi asked what is reasonable for a document request as the law allows him to make? Ms. Sims stated that reasonable for that large volume of copies is more than two weeks.

Mr. Grossi stated that it has been six weeks not two weeks, so don't put two weeks in the record when it is not two weeks. Ms. Sims stated that she has been sending Mr. Grossi information saying to him that they are working on it and he has stated to her that he understands that it is a large increase. Mr. Grossi stated that he does understand that but there is a limit to patience when something is expected. Mr. Grossi stated that there is nothing that he read anywhere that says unlimited time to comply to that kind of a request for public records. That is why there is Sunshine Laws. Ms. Sims stated that they have complied to the majority of his request and as she said they are now going back through 2013 – 2017. Mr. Sims stated that if Mr. Grossi wants, she can give him what they have already recovered. Mr. Grossi stated no, that he will wait for all of them. Ms. Sims stated that is fine and as to the fact about payroll, for her and her assistant for every two weeks of payroll it takes them 45 minutes to process, so that is not a large amount of time involved to process payroll through the Township in house.

Mr. Grossi stated that there are further document requests that he would like to request. He would like a list of vendors that supply this Township with services of the past three years and the billing statement for the last three years for whatever credit card is used for gasoline purchases for the cruisers in the police department. Ms. Sims asked Mr. Grossi if he wanted the credit card statement for gasoline for the administration? Mr. Grossi stated not at this time.

Mr. Grossi asked Ms. Sims if she is bonded. Ms. Sims stated yes. Mr. Grossi asked how does that work with the late fees that was paid on his subdivision's lighting district. Is she going to claim that on that? Mrs. Sims stated no and that is actually under auditor review currently. Mr. Grossi stated that the auditor review does not come out until May of 2019.

CORRESPONDENCE

See Attached.

EVENTS AND MEETINGS

- Saturday, November 17 – Cram the Cruiser – Harpers Point Kroger from 10:00 a.m. to 2:00 p.m. with the City of Montgomery.
- Thursday, November 22 and Friday November 23 – Township Offices Closed for Thanksgiving.
- Saturday, December 1 – Operation Santa beginning at 5:00 p.m.

- Monday, December 3 – Board of Zoning Appeals at 7:00 p.m.
- Tuesday, December 4 – Regular Trustees Meeting at 7:00 p.m.
- Wednesday, December 5 – Open House for the Fields Ertel Road (Snyder to Wilkens Blvd) project at Deerfield Township from 4:30 to 7:00 p.m.

OLD BUSINESS

None.

NEW BUSINESS

Mr. Bryant asked for discussion concerning a request to use Home of the Brave Park for the Loveland Schools cross country meet on August 31, 2019.

JAMES DAUMEYER 452 Pintail stated that on September 1, 2018 Loveland Mid School and High held their first cross country invitational meet in four years. Just wanting to thank you for letting us have it there. The event was a success and there were 14 mid schools and 12 high schools from the surrounding area. Participating in the September meet there were 8 races, over 900 runners for the day and 100 parent volunteers.

He stated that they are hoping to repeat this event next year over the Labor Day weekend. They would like to secure the date for August 31, 2019 in the park. Ms. Leis stated that she thinks this event is a good idea, we had some issues last time and she thinks that they need to discuss at a meeting.

Mr. Bryant moved to set the date of August 31, 2019 as the date for the Loveland High School to hold their annual Cross-Country Race at Home of the Brave Park. Ms. Leis second the motion

The roll call vote was as follows: Mr. Beck - 'aye', Ms. Leis - 'aye', Mr. Bryant - 'aye'. Motion passes.

Mr. Bryant asked for discussion concerning the concession stand for Home of the Brave Park pertaining to the second level viewing area. Mrs. Lapensee stated needs to know what the Board wants to put in a second level because if they do an elevator needs to be put in. Mr. Bryant stated that they would restrict the second level to 500 feet or less.

Mr. Bryant asked for discussion concerning the Meade Property grant award. Mrs. Lapensee stated that we had applied for a grant to complete the paved trail and storybook walk at the Meade Property for a total of \$87,000 of which we only received \$48,210.00. She asked if the board wanted to go forward with the project and pay the difference or cut items from the original application? Mr. Bryant stated that he suggested that they only complete the trail, the storybook walk posts and the signage. Mr. Bryant stated that we could always complete the camera purchase at another time and take down some of the dangerous trees separately.

Mr. Bryant made a motion to accept the ODR Grant to do the paved trail, storybook walk and the required signage. Any money left over to try to get at least one camera. Mr. Beck seconded the motion.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye', Mr. Beck - 'aye'. Motion passes.

Mr. Bryant made a motion to approve a liquor license transfer with no objections for Jefraaj Group, LLC. DbA Bombay Brazier, 12140 Royal Point Drive, Cincinnati, Ohio 45249. Ms. Leis seconded the motion.

The roll call vote was as follows: Mr. Bryant - 'aye', Mr. Beck - 'aye', Ms. Leis - 'aye'. Motion passes.

Mr. Bryant made a motion to approve a Trex liquor license transfer with no objections for La Jaiba LLC dba La Jaiba Seafood & Taqueria, 11941 Montgomery Road, Cincinnati, Ohio 45249. Ms. Leis seconded the motion.

The roll call vote was as follows: Mr. Beck - 'aye', Ms. Leis - 'aye', Mr. Bryant - 'aye'. Motion passes.

Mr. Bryant made a motion to appoint Jack Horvath to the Board of Zoning Appeals as a regular member for a term 1/1/2019 to 12/31/2023. Mr. Beck seconded the motion.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye', Mr. Beck - 'aye'. Motion passes.

Mr. Bryant made a motion to schedule a public hearing for the Property Maintenance Code on November 27, 2018 at 7:00 p.m. at the Safety Service Center. Mr. Beck seconded the motion.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye', Mr. Beck - 'aye'. Motion passes.

Mr. Bryant made a motion to approve Resolution G2018-80 – Resolution Supporting House Bill 602, The “Clean Water Fair Pricing Act”. Ms. Leis seconded the motion.

The roll call vote was as follows: Mr. Beck - 'aye', Ms. Leis - 'aye', Mr. Bryant - 'aye'. Motion passes.

Mr. Bryant made a motion to approve Resolution G2018-81 – Resolution Authorizing Signers on all Township Checking, Savings, and Investment Accounts. Mr. Beck seconded the motion.

The roll call vote was as follows: Mr. Bryant - 'aye', Mr. Beck - 'aye', Ms. Leis - 'aye'. Motion passes.

Mr. Bryant made a motion to approve Resolution G2018-82 – Resolution Authorizing the Township Administrator to sign an agreement with Artworks for Professional Services for the Home of the Brave Park Mural Project in the amount of \$23,466.00 from Fund 12. Mr. Beck seconded the motion. Discussion continued.

Mrs. Lapensee stated that we recently approved this expenditure at the last meeting, but since that time, we have found that there are items in this agreement that we do not have the expertise to do and we asked Artworks to perform them. She stated that they revised their agreement for us to approve.

The roll call vote was as follows: Mr. Bryant - 'aye', Mr. Beck - 'aye', Mr. Leis - 'aye'. Motion passes.

Mr. Bryant made a motion to approve Resolution G2018-83 – Resolution Authorizing the Township Administrator to sign an agreement with the University of Cincinnati Institute of Crime Science for Professional Services for a police staffing analysis in an amount not to exceed \$10,000.00. Mr. Beck seconded the motion. Discussion continued.

Mrs. Lapensee stated that she has been working with Sycamore Township and the City of Silverton on the study parameters and they have both passed resolutions to approve the study. She stated that we are receiving grant money in the amount of \$15,000 each from the Ohio Consortium of Crime Science and that we will only have to pay \$10,000 each to pay for the staffing analysis and the joint police district study. Ms. Leis stated that she is against wasting money on studies.

The roll call vote was as follows: Ms. Leis - 'no', Mr. Bryant - 'no', Mr. Beck - 'aye'. Motion fails.

Mr. Bryant made a motion to approve Resolution G2018-84 – Resolution Declaring an Emergency and Providing for Cleaning of Undedicated Roadways. Motion seconded by Mr. Beck. Discussion continued.

Mr. Bryant asked if this was for snow removal. Mr. Pitman stated yes.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Beck - 'aye', Mr. Bryant - 'aye'. Motion passes.

Mr. Bryant made a motion to approve Resolution G2018-85 – Resolution Authorizing the Township Administrator to enter into a pass-through grant agreement with the Ohio Department of Natural Resources for a Capital Improvement Community Park, Recreation/Conservation Project. Mr. Beck seconded the motion. Discussion continued.

Mrs. Lapensee stated that this is a pass-through agreement for the Capital Grant that we received for Home of the Brave Park in the amount of \$300,000.00 minus \$6,000.00 for an administrative fee for ODNR to run the program.

The roll call vote was as follows: Mr. Beck - 'aye', Ms. Leis - 'aye', Mr. Bryant - 'aye'. Motion passes.

Mr. Bryant made a motion to approve the following expenditures and authorization for the Township Administrator to sign any necessary contracts/agreement or paperwork:

- a. Amend the following Line Items:
 1. Transfer \$2,000.00 from 1-A-27 to 1-B-5
 2. 20-A-8 from \$89,900 to \$102,900.
 3. 12-A-6 from \$22,000 to \$27,000.
- b. Expenditure - \$3,794.70 American Firehouse Furniture LLC to replace 5 recliners at the Safety Center and 1 at Remington.
- c. Expenditure - \$5,119.20 Mutt Mitt to replace our supply for 2019 before the price increase.
- d. Then and Now - \$825.00 William Sechrist for Yoga in September/October.
- e. Then and Now - \$11.51 VISA for Halloween candy.

Ms. Leis seconded the motion. The roll call vote was as follows: Mr. Bryant - 'aye', Mr. Beck - 'aye', Ms. Leis - 'aye'. Motion passes.

HEARING FROM RESIDENTS

None.

EXECUTIVE SESSION

Mr. Bryant made a motion to adjourn into executive session per ORC Section 121.22(G) (1) To consider the compensation and employment of a public employee of official, and (3) To have a conference with the Law Director concerning pending or imminent court action at 10:45 p.m.

Mr. Beck seconded the motion. The roll call vote was as follows: Mr. Beck - 'aye', Ms. Leis - 'aye', Mr. Bryant - 'aye'. Motion passes.

Mr. Bryant made a motion to return from Executive Session at 11:25 p.m. No further action was taken.

ADJOURNMENT

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

Meeting adjourned at 11:26 p.m.

Approved:

Minutes of REGULAR

Held Township Admin. Bldg.

November 6, 2018

Kenneth Bryant, President

Philip Beck, Vice-President

Jodie Leis, Trustee