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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**September 7, 2021**

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The meeting was called to order at 7:00 p.m. Elected officials present were Mr. Kenneth Bryant, Ms. Jodie Leis and Mr. Joe Grossi.

Also, present: Kimberly Lapensee – Township Administrator; Jeff Forbes - Law Director; Lieutenant David Downing – HCSO, and Chief Ott Huber – LSFD.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Bryant made a motion to the agenda. Ms. Leis seconded the motion. The roll call vote was as follows: Ms. Leis - ‘aye’ and Mr. Bryant - ‘aye’. Motion passes.

APPROVAL OF MINUTES

Mr. Bryant made a motion to approve the regular minutes for August 3, 2021, and the special meeting minutes for August 11, 2021. Ms. Leis seconded the motion. The roll call vote was as follows: Ms. Leis - ‘aye’ and Mr. Bryant - ‘aye’. Motion passes.

FISCAL OFFICERS REPORT

Mr. Grossi stated that we had \$25,515.94 in our HRA Account, \$9,143,243.38 in the checking account, and \$8,123,137.98 in our Meeder Investment account from July. He stated that we have received our second half of the property tax collections and the first part of the American Rescue Plan (ARP) Funds in the amount of \$784,899.69. He stated that we have \$2,815,166.53 in the General Fund, \$1,159,527.32 in the Police Levy Fund, \$1,192,142.98 in the Road Fund, \$905,384.30 in the Fire Fund, and \$3,217,560.36 in the Safety Services account.

Mr. Grossi stated that there are also other grant monies available to the township that we will take advantage of, and they are 1) stimulus funding through ODOT 2) ARP Funding thru the federal government where \$350 billion is available and 3) CDBG Federal funding through Hamilton County. He stated that there is \$8,000,000.00 dollars available for infrastructure projects through ODOT and the township can receive up to \$250,000.00 for a project and there is \$3,500,000.00 dollars available in CDBG monies in Hamilton County which can be used for infrastructure projects that benefit low-and-moderate income areas. He stated that we can also use CDBG monies for Historic Preservation efforts for the Meade House and to overcome ADA issues. Mr. Grossi reported that we can use the ARP monies for replacing lost public sector revenues, premium pay for the employees, and investment in infrastructure project (water, sewer, storm sewer and expansion of broadband).

PRESENTATIONS

None.

PUBLIC HEARINGS

None.

APPROVAL OF DISBURSEMENTS

Mr. Bryant made a motion to approve the warrants from 79857 – 80042 and vouchers 205 – 242 in the amount of \$1,167,877.10 from the month of August. Ms. Leis seconded the motion.

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

### REPORTS

JEFF FORBES, LAW DIRECTOR – Mr. Forbes had no report.

LIEUTENANT DAVID DOWNING, HAMILTON COUNTY SHERIFF'S DEPT – Lieutenant Downing had no report.

CHIEF OTT HUBER, LSFD – Chief Huber stated that the board has his written report and that they have received \$212,400 in grant money to purchase thermal imaging cameras \$7,200.00, Mobile air compressor trailer \$123,600.00, and paramedic training \$60,000.00. He stated that they also received \$61,000.00 for fire prevention activities which include \$32,500 part-time fire inspector, \$6,250.00 for smoke detectors, \$1,250.00 for fire prevention literature, and \$21,000.00 for 600 smoke detectors. He stated that there are local matches for these grants, and we will need to budget for our share.

BILL PITMAN, DIRECTOR OF PUBLIC WORKS – Mrs. Lapensee had no report.

COMMITTEE – None.

OTHER – None.

### HEARING OF RESIDENTS

Barbara Wilson, 7906 Clement Street, stated that she would like for the Trustees to consider some beautification efforts in Camp Dennison which would include larger signage at the entrances, clean up cannon area (new landscaping and reorganize it), make repairs to the signs in the cannon area, plant trees along the bike trail, install signage on the bike trail so that the bikers know they are in Camp Dennison and provide a link to the cannon area so that the bikers can come into Camp and read about the history, install a book box, close a portion of Kugler Mill so that they can make the park larger (triangle area at SR126) and install signals on the stop signs for the bikers to make sure that they stop at street intersections. Mrs. Wilson stated that Camp Dennison is a community with rich history and wants to continue to promote that and ask that the Board set aside money to complete the items they have listed in the proposal.

Mrs. Leis stated that she agrees with beautification and would like to see the list of ideas so that they can be discussed in the future and priorities set for funding. She stated that there are many things on the beautification list, and we need to prioritize them.

Mr. Bryant stated that he is interested in these items as well, but we will have to prioritize them and set budgets for completion. He stated that there are other items going on in the background that may impact some of the requests. Ms. Leis suggested that we work on this at the same time we work on Blong Park.

Ms. Carol Sims, 9972 Washington Street, stated that she wanted to thank Mrs. Wilson for her presentation but is confused by Ms. Leis' statement that they needed to be prioritized and Mr. Bryant's statement that there are other things in the works. Ms. Leis stated that she would like to talk about the Camp Dennison improvements outline by Mrs. Wilson at the same time we are talking about the improvements to Blong Park. She stated that park improvements can be expensive and need to be prioritized and budgeted for. Ms. Sims stated that if the board is willing to spend \$25,000 for a design for signs at the interstate, then she believes that the board should be putting neighborhoods first where people live. Mr. Bryant stated that there are a lot of properties that are owned by and will be annexed by Indian Hill in the Camp Dennison area. He stated that we will need to see how that impacts what Mrs. Wilson is asking for. Mrs. Leis stated that the cannon area will not be annexed.

She also asked when the trail at Meade will be decorated since they have many people asking about it. Ms. Leis stated that they will be decorating the trail once again and it will be when she gets to it since she is the one who decorates it. She stated that she hopes to have it completed by the beginning of October and will stay up all month. Ms. Sims asked about the food decision for Fall Festival and how that was made. Mr. Bryant stated that we said at the last meeting that we would hold off on deciding closer to the event. He stated that they have decided that we are not going to have food or beverages. She wanted to know when that decision was made. Mr. Bryant stated that the Administrator surveyed the Board and they individually responded to the staff that they did not want to have food at the event.

Ms. Sims asked what the changes to Resolution 73 entailed. Mrs. Lapensee stated that the Auditor's office requires that the public records policy be included in the personnel manual.

CJ Carr, 10403 Willow Drive, stated that he made a request in August to get a copy of a zoning certificate from 2020. He stated that Mr. Grossi replied to the email saying that the township did not have a copy of that certificate. He stated that he then asked for a list of the zoning certificates in the receipts and Mr. Grossi stated that they do not keep the records in that manner. He stated that from January to March, the receipt logs have the certificate numbers listed and after that date, they do not. He stated that the reason he requested this is because the certificate he asked about was issued on 9/14/20 and the check for that permit finally cleared the bank in August of 2021. He wondered how we track incidents such as this one, so it doesn't happen again and if there are hundreds or thousands of dollars out there we did not deposit. Mr. Grossi clarified that records are being kept, they are just not being kept in the manner in which he asked for them. He stated that just because Ms. Sims used to do it that way does not mean that the other township staff must record it in the same manner. Mr. Carr wanted to know how we would know if there are numbers missing? Mr. Grossi stated that most people will call us if their check does not clear the bank.

Mrs. Lapensee clarified that what happened in this case was the when the public records request was made for that certificate, we tried to find it to make a copy and it was not there with all the other certificates so we called Hamilton County to find out if they could send us a copy to send to Mr. Carr. She stated that Hamilton County called them back to say they found it in a filing cabinet and then immediately sent it out to the township and then it was deposited. Mr. Carr is concerned about this happening again and how do we prevent it with our new record keeping.

Mr. Bryant asked why he waited 11 months to contact us about his check that did clear from September of 2020?

Mr. Carr asked what the status of the Willow Road vacation is at this time. Mr. Forbes stated that he was asked by the board to seek an opinion from the Ohio Attorney General's office concerning the vacation of a roadway under the statute because it was unclear what constitutes a township roadway under this provision. He stated that the County Engineer decided that the paper portion of Willow was a township roadway under the statute, and we disagreed that it was a township road. He stated that the Attorney General opined that for a roadway to be a township road must be established in a certain manner which includes dedication and acceptance from the township. He stated that there was a resolution in 1947 that accepted only the portion of Willow Road from Rich to Cedar. Mr. Forbes stated that he shared the AG's opinion and his own opinion with the County Engineer's Office that the township did not dedicate and accept the portion of Willow from Rich to Cedar and therefore is not a township road. He stated that the township does not and will not play a role in the vacation process for this request. Mr. Carr disagreed and stated that the original plat was dedicated and accepted by the Township Trustees in 1927. Mr. Forbes reiterated his opinion that the portion of Willow Road that is listed in the petition to vacate was never accepted by the Township and therefore is not an established township road and it is up to the County to decide on what to do with it. Mr. Carr stated that at the township level, it is pretty much up to the property owners to defend their neighborhood and take whatever steps they need to with the county to address this issue and the wording on the plat from 1927 that dedicated and accepted the plat is meaningless. Mr. Forbes stated that he is just passing along the opinion that they received from the Attorney General.

Ms. Sims asked if Mr. Forbes took into consideration the plat from 1927. He stated that he is going to say this one last time that he has issued the opinion both to this board and the county, end of story. Ms. Sims stated that he mentioned the 1947 resolution. Mr. Forbes stated yes, the most

recent resolution that this board addressed. Ms. Sims wanted to know if that resolution dismissed what was done in 1927. Mr. Forbes stated that the 1947 resolution accepts certain portions of ROW and specifically lists the portion of Willow from Rich to Cedar and does not accept any other portion of Willow Road and he has nothing more to say.

### CORRESPONDENCE

Attached to the packet.

### EVENTS/MEETINGS

- Board of Zoning Appeals Meeting – Monday, September 13, 2021, at 7:00 p.m. at the Safety Center.
- Storytime with the Library – Monday, September 27, 2021, from 10:00 until 12:00 p.m. at Symmes Park.
- Trustees Work Session – Tuesday, September 28, 2021, at 6:00 p.m. at the Administration building.
- Zoning Staff Review – Tuesday, September 28, 2021, at 6:00 p.m. at the Safety Services Center.
- Fall for Symmes – Friday, October 1, 2021, from 5:00 p.m. to 9:00 p.m. at Symmes Park.
- Board of Zoning Appeals Meeting – Monday, October 4, 2021, at 7:00 p.m. at the Safety Center.
- Regular Trustees Meeting – Tuesday, October 5, 2021, at 7:00 p.m. at the Safety Center.
- Finance Committee Meeting – Wednesday, October 13, 2021, at 6:00 p.m. at the Safety Center.

### OLD BUSINESS

Mr. Bryant made a motion to approve Resolution G2021-62 – Resolution Authorizing the Fiscal Officer to Hire a Records Retention Assistant Pursuant to Section 507.021 of the Ohio Revised Code. Ms. Leis seconded the motion.

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

### NEW BUSINESS

Mr. Bryant stated that we have already discussed Camp Dennison beautification.

Ms. Leis asked if we could wait to schedule the special meeting date for interviews for various committee applications until Mr. Beck has a chance to review his schedule. Ms. Leis made a motion to table this item until Mr. Beck returns. Mr. Bryant seconded the motion.

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

Mr. Bryant made a motion to set a public hearing date/special meeting on Wednesday, September 22, 2021, at 6:00 p.m. for a zone change request from “OO” Planned Residence with subservient office/Major Revision to an existing EE Planned Residence district for 9365 Fields Ertel Road. Ms. Leis seconded the motion.

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

Mr. Bryant made a motion to approve Resolution G2021-71 – Resolution Approving the 2021 Street Lighting Assessments. Ms. Leis seconded the motion. Discussion continued.

Ms. Leis stated that we are on top of it now. Mr. Bryant stated that this expenses are from the end of 2020 and the beginning of 2021.

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

Mr. Bryant made a motion to approve Resolution G2021-72 – Resolution Approving Various Other Nuisance and False Alarm Drop Assessments for 2021. Ms. Leis seconded the motion. Discussion continued.

Mrs. Lapensee stated that these are expenses from last year that were never paid and will be assessed now for collection in 2022.

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

Mr. Bryant made a motion to approve Resolution G2021-73 – Resolution Revising Symmes Township Personnel Policy Manual Article II Conditions of Employment. Ms. Leis seconded the motion. Discussion continued.

Mr. Bryant stated that we talked about it earlier and it is placing our public records policy into the personnel manual.

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

Mr. Bryant made a motion to approve Resolution G2021-74 – Resolution Providing for the Declaration of Nuisance for the Property Located at 9303 McKinney Road and Authorizing all Necessary Steps for the Abatement of the Nuisance. Ms. Leis seconded the motion. Discussion continued.

Mrs. Lapensee stated that there was no change in the property today.

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

Mr. Bryant made a motion to approve Resolution G2021-75 – Resolution Authorizing the Township Administrator to Purchase a Township Battalion Vehicle from Bob Ross Chevrolet and Southeast Apparatus LLC in the amount of \$57,873.00. Ms. Leis seconded the motion.

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

Mr. Bryant made a motion to approve Resolution G2021-76 – Resolution Authorizing the Township Administrator to hire Jeffrey Weigel to the Position of Service Worker 1. Ms. Leis seconded the motion. Discussion continued.

Ms. Leis asked if we interview him. Mrs. Lapensee stated yes, Mr. Pitman did. She asked about his prior experience. Mr. Bryant stated that his resume is in the packet. He stated that he does not have a CDL. Mrs. Lapensee stated that he plans to get one.

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

Mr. Bryant made a motion to approve Resolution G2021-77 – Resolution Authorizing the Fiscal Officer to Sign a Letter of Arrangement between the Auditor of State and the Township and an Amended Letter of Arrangement for an Increase in Audit Services to the Total Amount of \$18,819.00. Ms. Leis seconded the motion. Discussion continued.

Mr. Bryant stated that the original agreement for the audit was around \$15,000.00 and now they are asking for an amendment to the agreement for additional review.

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

Mr. Bryant made a motion to approve Resolution G2021-78 – Resolution Establishing a Separate Special Fund 2272 Within the UAN to Account for American Rescue Plan Act Funds Pursuant to HB165 and SB111. Ms. Leis seconded the motion. Discussion continued.

Mrs. Lapensee stated that we must have a separate fund for the ARP money and cannot co-mingle the funds with the general fund.

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

Mr. Bryant made a motion to approve Resolution G2021-79 – Resolution Authorizing the Township Administrator to Sign a Community Event License Agreement with the Loveland Boosters for Use of the Home of the Brave Park and Symmes Park for a 5K Fundraiser Race on October 9, 2021. Ms. Leis seconded the motion. Discussion continued.

Mrs. Lapensee stated that we already approved this one at our last meeting, but the schools want the boosters to handle this event and they will be signing the agreement and getting the insurance.

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

Mr. Bryant made a motion to approve Resolution G2021-80 – Resolution Authorizing the Township Administrator to Sign a Community Event License Agreement with the Loveland School District for Use of the Home of the Brave Park and Symmes Parks for a Cross Country Tournament on October 16, 2021. Ms. Leis seconded the motion. Discussion continued.

Ms. Leis asked if this was a second race. Mrs. Lapensee stated that this is their tournament race.

The roll call vote was as follows: 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:

Fund Acct #	Fund	Add	Final Appropriation
2401-310-314-0000	Lighting District	\$186.00	\$4,486.00
2191-210-314-0000	Police Fund	\$220.00	\$11,220.00

Ms. Leis seconded the motion.

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

EXECUTIVE SESSION

None.

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'.

Meeting adjourned at 8:14 p.m.

Approved:

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Kenneth N. Bryant, President

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Jodie L. Leis, Vice-President

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Philip J. Beck, Trustee