
MINUTES OF SYMMES TOWNSHIP REGULAR MEETING

SEPTEMBER 1, 2015

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

Also present: Brian Fox - Acting Township Law Director; Lt. Chris Ketteman - Hamilton County Sheriff's Department; Otto Huber - Chief, Loveland Symmes Fire Department.

PRESENTATIONS

CHIEF DEPUTY MIKE BOOKS - Presented Brenda Hedges with the Loveland Symmes Fire Department's Citizens Life Saving Award in recognition of her action on April 14. While dining at a local restaurant, a patron starting chocking. Mrs. Hedges performed the Heimlich Maneuver and dislodged the stuck food saving the woman's life.

MR. BRYANT presented the Sycamore Boys Tennis Team with a Certificate of Recognition for its outstanding win of Second Division 1 Title.

RECEIPTS

Receipts totaling \$3,119,337.31 were read and accepted:

| | | |
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| 20478 Ham Cty Auditor | 14-CJ | 50,000.00 |
| 20479 Ham Cty Auditor | 1-A,14-A,12-A,4-A, 12-AB,9-A,10-A,20-A, 11-A,14-AD | 2,570,000.00 |
| 20480 V. Kannaly | 12-D | 100.00 |
| 20481 OTARMA | 1-N | 836.20 |
| 20482 C. Whittington | 1-L | 130.00 |
| 20483 Atlantic Sign | 1-L | 1,015.00 |
| 20484 L. Faulhaker | 12-D | 85.00 |
| 20485 J. Bayley | 12-D | 100.00 |
| 20486 L. Slanelle | 12-D | 70.00 |
| 20487 T. Robinson | 12-D | 100.00 |
| 20488 Jeff Neinam | 1-P | 50.00 |
| 20489 D. Neuenschwader | 12-D | 100.00 |
| 20490 SORTA | 1-P | 250.00 |
| 20491 Living Fellowship | 12-D | 100.00 |
| 20492 Council for Pets | 12-D | 70.00 |
| 20493 A. Naragana | 1-P | 50.00 |
| 20494 Shiv Hospitality | 1-E | 7,770.92 |
| 20495 PNC Bank | 1-I | 81.18 |
| 20496 Lisa Kaminski | 12-D | 150.00 |
| 20497 A. Moss | 12-D | 30.00 |
| 20498 M. Rapp | 12-D | 100.00 |
| 20499 K. Neuner | 1-L | 130.00 |
| 20500 Robert Jackson | 1-L | 115.00 |
| 20501 Clerk of Courts | 9-F | 75.00 |
| 20502 Beth Randlet | 1-L | 130.00 |
| 20503 Holthaus Signs | 1-L | 190.00 |
| 20504 Beeco | 5-D | 218.40 |

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| 20505 Loveland Meth. | 12-D | 150.00 |
| 20506 Ethan Farhan | 12-D | 85.00 |
| 20507 Alicia Bush | 12-D | 70.00 |
| 20508 Mark Perryman | 12-D | 70.00 |
| 20509 V. Saneko | 12-D | 100.00 |
| 20510 A. Fitzgerald | 12-D | 40.00 |
| 20511 Fleurish Home | 1-L | 545.00 |
| 20512 J. Davis | 1-L | 365.00 |
| 20513 David Smith | 1-L | 130.00 |
| 20514 Ham Cty Auditor | 2-A | 1,334.24 |
| 20515 Ham Cty Auditor | 1-D | 728.07 |
| 20516 Ham Cty Auditor | 1-D,3-B | 13,785.09 |
| 20517 Ham Cty Auditor | 1-K,23-C | 5,490.47 |
| 20518 Jersey Mike | 9-F | 50.00 |
| 20519 Cinti Bell | 1-T | 8,279.64 |
| 20520 Thomas Smith | 1-L | 130.00 |
| 20521 Tufts Funeral Home | 5-D | 1,400.00 |
| 20522 Terri Sims | 12-D | 85.00 |
| 20523 Jen Carpenter | 12-D | 40.00 |
| 20524 Scott Wansly | 12-D | 150.00 |
| 20525 Y. Yuldashen | 12-D | 150.00 |
| 20526 Kentucky Hotels | 1-E | 6,534.36 |
| 20527 Sidley Arch. | 1-L | 130.00 |
| 20528 Shapa Inc. | 1-L | 190.00 |
| 20529 Brookstone Homes | 1-L | 295.00 |
| 20530 Ham Cty Auditor | 3-A | 7,468.30 |
| 20531 Ham Cty Auditor | 1-A,10-A,14-A, 9-A,20-A,12-AB | .08 |
| 20532 Ham Cty Auditor | 14-B | 39,434.70 |
| 20533 MEMO | | |
| 20534 Ham Cty Auditor | 1-A,10-A-,14-A, 9-A,20-A,12-AB,12-A 11-A,4-A | 354,258.89 |
| 20535 MEMO | | |
| 20536 MEMO | | |
| 20537 MEMO | | |
| 20538 Ham Cty Auditor | 7-A | 39,334.24 |
| 20539 MEMO | | |
| 20540 Ham Cty Auditor | 1-N | 5,335.00 |
| 20541 Ham Cty Auditor | 1-N | 362.66 |
| 20542 Ham Cty Auditor | 1-N | 769.87 |
| 20543 MEMO | | |
| | TOTAL\$ | 3,119,337.31 |

WARRANTS

MR. BECK moved that the Township pay its bills. Mr. Bryant seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$370,063.58 were issued:

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| 65344 VOID | | |
| 65345 McCluskey Chev. | 14-A-6 | 93.65 |
| 65346 Batteries Plus | 10-A-10 | 151.20 |
| 65347 NE Center | 10-A-11,14-A-7,9-A-10 | 14,741.28 |
| 65348 Business Card | 1-A-26 | 117.50 |
| 65349 Sutphen Corp. | 10-A-10 | 42.46 |
| 65350 Honeywell | 10-A-8 | 248.69 |
| 65351 McCluskey Chev. | 14-A-6 | 676.48 |
| 65352 Jani-King | 20-A_6,9-A-14 | 784.00 |
| 65353 Summit Digital | 1-B-7 | 433.33 |
| 65354 Kaffenbarger | 2-A-4 | 88.73 |

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| 65355 Home Depot | 3-B-3 | 113.40 |
| 65356 Staples | 1-A-4 | 64.53 |
| 65357 Rumpke | 12-A-3,9-A-13,1-B-4, 1-A-26,10-A-7 | 543.40 |
| 65358 Cinti Bell | 10-A-7 | 222.88 |
| 65359 Osterwisch | 20-A-6 | 669.00 |
| 65360 Grainger | 1-B-7 | 179.65 |
| 65361 Bushelman | 14-A-8 | 267.15 |
| 65362 Mercy Health | 1-B-8 | 86.00 |
| 65363 Dept. of Agri. | 1-A-26 | 35.00 |
| 65364 LA Supply | 1-A-26 | 1,200.00 |
| 65365 Buchanan's | 12-A-7 | 1733.79 |
| 65366 Haddix Tree | 23-A-9 | 600.00 |
| 65367 Unifirst | 1-B-8 | 73.74 |
| 65368 Ed's Feed | 5-A-9 | 178.00 |
| 65369 Evans Landscaping | 12-A-4 | 42.00 |
| 65370 SE Equipment | 1-K-4 | 6,800.00 |
| 65371 Rumpke | 1-A-26 | 44.00 |
| 65372 Cinti Bell | 12-A-3 | 97.83 |
| 65373 Duke | 10-A-7 | 1,367.49 |
| 65374 Bill Pitman | 1-A-3 | 35.00 |
| 65375 Ace Exterm. | 10-A_7,9-A-13 | 145.60 |
| 65376 John Cheng | 23-A-9 | 28.65 |
| 65377 Home Depot | 12-A-4 | 249.21 |
| 65378 Unifirst | 1-B-8 | 73.74 |
| 65379 Beth. Health | 1-A-26 | 35.55 |
| 65380 Cinti Bell | 10-A-7 | 440.00 |
| 65381 Beckman Envir. | 12-A_8 | 113.30 |
| 65382 La Supply | 5-A-9,12-A-4 | 140.00 |
| 65383 Ham Cty Engineer | 11-C-4 | 7,776.95 |
| 65384 Business Card | 12-A-8 | 604.74 |
| 65385 Lebanon Turf | 12-A-4 | 1,972.96 |
| 65386 OAET | 1-A-26 | 425.00 |
| 65387 Best Western | 1-A-3 | 253.72 |
| 65388 Tyco | 1-B-4 | 27.93 |
| 65389 Sam's | 1-A-4,1-A-26 | 109.48 |
| 65390 HCTRSA | 1-A-26 | 50.00 |
| 65391 Cinti Jan. | 12-A-6,2-A-7,1-B-5 | 585.98 |
| 65392 Ohio Hydr. | 2-A-7 | 76.45 |
| 65393 Y2K | 20-A-8,12-A-9,5-A-11 | 4,856.00 |
| 65394 Concrete Renewal | 11-B-4 | 1,050.00 |
| 65395 Superamerica | 9-A-8 | 2,964.41 |
| 65396 Duke | 1-E-1 | 1,347.42 |
| 65397 O'Reilly Auto | 2-A-7 | 39.84 |
| 65398 Lykins Oil | 12-A-8,3-A-5 | 669.16 |
| 65399 Johnson Electric | 1-B-8 | 81.45 |
| 65400 Superamerica | 3-A-5 | 1,028.53 |
| 65401 Cinti Bell | 12-A-3 | 68.43 |
| 65402 Cinti Bell LD | 1-B-4,10-A-7 | 51.60 |
| 65403 Time Warner | 1-B-4 | 79.95 |
| 65404 Verizon | 9-A-13 | 30.56 |
| 65405 Camp Safety | 10-A-10 | 60.00 |
| 65406 Yargus Mfg. | 2-A-7 | 194.81 |
| 65407 Luanne Felter | 1-A-2A | 1,432.81 |
| 65408 Jana Grant | 1-A-2A | 918.82 |
| 65409 LaWanda Willis | 1-A-2A | 701.54 |
| 65410 J. Andrews | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,217.73 |
| 65411 W.Burns | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,585.92 |
| 65412 Ed Dawes | 1-B-1,12-A-1,1-D-1,4-B-1 | 522.01 |
| 65413 J. Hardin | 1-B-1,12-A-1,1-D-1,4-B-1 | 707.76 |
| 65414 D. Heider | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,830.45 |
| 65415 J. Iles | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,257.99 |

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| 65416 R. Jackson | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,343.61 |
| 65417 D. Martin | 1-B-1,12-A-1,1-D-1,4-B-1 | 311.03 |
| 65418 B. Pitman | 1-B-1,12-A-1,1-D-1,4-B-1 | 2,091.57 |
| 65419 M. Rose | 1-B-1,12-A-1,1-D-1,4-B-1 | 755.88 |
| 65420 Brent Scott | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,164.24 |
| 65421 R. Williams | 1-B-1,12-A-1,1-D-1,4-B-1 | 667.88 |
| 65422 Defer Comp | 1-A-1,1-A-2,5-A-2,1-A-26 | 1,925.00 |
| 65423 Carol Sims | 1-A-2 | 804.88 |
| 65424 Carol Sims | 1-A-2 | 804.88 |
| 65425 Carol Sims | 1-A-3 | 335.23 |
| 65426 Jodie Leis | 1-A-1 | 912.67 |
| 65427 Jodie Leis | 1-A-1 | 912.67 |
| 65428 Jodie Leis | 1-A-1 | 320.23 |
| 65429 Ken Bryant | 1-A-1 | 968.67 |
| 65430 Ken Bryant | 1-A-1 | 968.67 |
| 65431 Ken Bryant | 1-A-1 | 335.23 |
| 65432 Phil Beck | 1-A-1 | 1,005.67 |
| 65433 Phil Beck | 1-A-1 | 1,005.67 |
| 65434 Phil Beck | 1-A-1 | 337.23 |
| 65435 PNC Bank | 1-A-1,1-A-2,5-A-2,1-A-26 1-A-2A,1-B-1, 1-D-1,4-B-1 | 3,663.06 |
| 65436 Unifirst | 1-B-8 | 73.74 |
| 65437 O'Reilly Auto | 2-A-4,2-A_7 | 12.00 |
| 65438 Dental Care | 1-A-6 | 976.44 |
| 65449 Duke | 7-A-1 | 827.74 |
| 65440 Medical Mutual | 1-A-6 | 17,050.48 |
| 65441 VOID | | |
| 65442 Business Card | 12-A-8 | 82.01 |
| 65443 David Heider | 1-A-26 | 95.00 |
| 65444 Duke | 9-A-13,10-A-7 | 2,484.02 |
| 65445 Loveland | 1-B-4 | 54.87 |
| 65446 Lykins Oil | 3-A-5 | 83.34 |
| 65447 Advantage Signs | 1-J-2 | 10.00 |
| 65448 Ed's Feed | 5-A-9 | 19.99 |
| 65449 Duke | 12-A-3 | 459.69 |
| 65450 Hotel Trucking | 3-B-2 | 315.00 |
| 65451 Smyth Auto. | 23-A-7 | 181.38 |
| 65452 John Thomas | 12-A-8 | 15.00 |
| 65453 Sprint | 10-A-7 | 62.27 |
| 65454 Loveland | 12-A-3 | 1,610.91 |
| 65455 Reliance Life | 1-A-6 | 498.91 |
| 65456 Jones Fish | 12-A-4 | 200.00 |
| 65457 Discount Drainage | 3-B-2 | 596.00 |
| 65458 Duke | 1-B-4 | 479.60 |
| 65459 Loveland | 1-B-4 | 86.62 |
| 65460 Buchanan's | 23-A-7 | 75.76 |
| 65461 Blust Motor | 23-A-7 | 361.47 |
| 65462 Kleem | 12-A-4 | 69.20 |
| 65463 Dorn's | 1-A-5 | 113.45 |
| 65464 Duke | 1-B-4,5-A-12 | 553.98 |
| 65465 Business Card | 1-A-26 | 10.00 |
| 65466 Moose-Schuler | 12-A-3 | 54.00 |
| 65467 Kleem | 12-A-4,3-A-10 | 96.29 |
| 65468 Home Depot | 12-A-4 | 89.79 |
| 65469 Tractor Supply | 12-A-8 | 171.86 |
| 65470 Noah Burgdorf | 1-A-26 | 10.50 |
| 65471 Decks-n-More | 12-A-4 | 12,800.00 |
| 65472 Johnson Electric | 12-A-4 | 182.24 |
| 65473 Jones Fish | 12-A-4 | 186.00 |
| 65474 Duke | 20-A-8,12-A-3,10-A-7 | 32.00 |

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| 65475 Home Depot | 3-B-2 | 217.40 |
| 65476 Staples Advan. | 1-A-4 | 9.49 |
| 65477 Lykins Oil | 12-A-8 | 156.90 |
| 65478 Unifirst | 1-B-8 | 73.74 |
| 65479 VOID | | |
| 65480 Sam's | 1-A-4,1-B-5,1-A-26 | 119.60 |
| 65481 Loveland | 12-A-3 | 65.74 |
| 65482 Y2K | 20-A-8,12-A-9,5-A-11 | 4,856.00 |
| 65483 Engel's Auto | 9-A-9 | 96.00 |
| 65484 Symmes Fire | 14-A-8 | 695.72 |
| 65485 Elite Fire | 10-A-10,14-A-6 | 115.00 |
| 65486 Millennium Business | 1-A-5 | 3,095.00 |
| 65487 Enquirer | 1-A-26 | 19.40 |
| 65488 O'Reilly | 1-B-7,23-A-7 | 96.42 |
| 65489 McCabe's | 12-A-4,3-A-10,3-B-2 | 258.29 |
| 65490 Luanne Felter | 1-A-2A | 1,388.95 |
| 65491 Jana Grant | 1-A-2A | 918.82 |
| 65492 LaWanda Willis | 1-A-2A | 701.54 |
| 65493 J. Andrews | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,352.99 |
| 65494 W.Burns | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,496.24 |
| 65495 Ed Dawes | 1-B-1,12-A-1,1-D-1,4-B-1 | 522.01 |
| 65496 J. Hardin | 1-B-1,12-A-1,1-D-1,4-B-1 | 721.70 |
| 65497 D. Heider | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,772.18 |
| 65498 Mike Howell | 12-A-1 | 53.13 |
| 65499 J. Iles | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,194.22 |
| 65500 R. Jackson | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,240.41 |
| 65501 D. Martin | 1-B-1,12-A-1,1-D-1,4-B-1 | 311.03 |
| 65502 B. Pitman | 1-B-1,12-A-1,1-D-1,4-B-1 | 2,019.81 |
| 65503 M. Rose | 1-B-1,12-A-1,1-D-1,4-B-1 | 755.88 |
| 65504 B. Scott | 1-B-1,12-A-1,1-D-1,4-B-1 | 1,364.88 |
| 65505 R. Williams | 1-B-1,12-A-1,1-D-1,4-B-1 | 626.06 |
| 65506 Unifirst | 1-B-8 | 73.74 |
| 65507 Osterwisch | 20-A-6 | 205.00 |
| 65508 Duke | 12-A-3 | 335.06 |
| 65509 Ace Exterm. | 12-A-3,10-A-7,1-B-4 | 200.80 |
| 65510 Duke | 10-A-7,12-A-3 | 345.43 |
| 65511 O'Reilly | 10-A-10 | 69.54 |
| 65512 Duke | 7-A-1 | 5,374.24 |
| 65513 Duke | 7-A-1 | 4,515.17 |
| 65514 Symmes Fire | 14-A-7 | 500.00 |
| 65515 Symmes Fire | 14-A-7,10-A-11, 20-A-7 | 180,800.00 |
| 65516 Philip Beck | 1-A-1 | 636.75 |
| 65517 Ken Bryant | 1-A-1 | 930.75 |
| 65518 Jodie Leis | 1-A-1 | 1,329.75 |
| 65519 Carol Sims | 1-A-2,1-D-1 | 1,862.99 |
| 65520 PNC Bank | 1-A-1,1-A-2,5-A-2,1-A-26 1-A-2A,1-B-1, 1-D-1,4-B-1 | 4,554.38 |
| 65521 State of Ohio | 1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1, 4-B-1,5-A-2 | 81.15 |
| 65522 Defer Comp | 1-A-1,1-A-2,5-A-2,1-A-26 1-A-2A,1-B-1, 1-D-1,4-B-1 | 1,925.00 |
| 65523 State of Ohio | 1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1, 4-B-1,5-A-2 | 172.02 |
| 65524 State of Ohio | 1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1, 4-B-1,5-A-2 | 2,395.00 |
| 65525 Grainger | 14-A-8 | 139.28 |

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| 65526 Millennium Business | 1-A-26 | 467.50 |
| 65527 Summit Digital | 1-B-8 | 433.33 |
| 65528 Perry & Assoc. | 1-A-19 | 7,150.00 |
| | TOTAL | \$ 370,063.58 |

MINUTES

Minutes of the January 6, 2015 meeting were approved as presented.
 Minutes of the February 3, 2015 meeting were approved as presented.
 Minutes of the February 17, 2015 meeting were approved as presented.
 Minutes of the March 3, 2015 meeting were approved as presented.

REPORTS

MS. SIMS reported the annual Records Commission meeting was held early in the evening. There was no action taken by the Commission.

HEARING FROM RESIDENTS

CHRIS WAGNER, 9837 UNION CEMETERY (45140) - Questioned if there was any response to his issues raised at an earlier meeting.

MR. BECK stated that the Director of Public Works had discussed these concerns with the Hamilton County Engineer's Office. These issues were the location of the sidewalk, driveway access and swale. Hamilton County has advised that these were designed per standards and no changes will be made.

MR. BRYANT noted that the Township was not involved with this project and any additional concerns should be addressed to Hamilton County.

MR. WAGNER advised that the contractor did not live up to an agreement they made regarding changes.

MR. BRYANT stated it appears the contractor did not have the authority to make any agreement or changes.

MR. BECK advised that Union Cemetery is a County roadway and the Hamilton County Engineer stands by the decision for the placement of the sidewalk where it is currently located.

MR. WAGNER stated he has heard about the proposed Property Maintenance Code and is opposed based on principles regarding property rights. Mr. Wagner indicated that he would be attending the work session.

MR. BRYANT stated that consideration of the proposed Code is to be helpful, not punitive. There are concerns which this code could address. The Board wants to use this as a means of helping people get assistance.

EXECUTIVE SESSION

MR. BECK moved that the Board enter Executive Session, with legal counsel, to discuss imminent court action. Mr. Bryant seconded the motion and the roll call vote was as follows:
 Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

The meeting adjourned for Executive Session at 7:30 p.m.

The meeting reconvened from Executive Session at 8:30 p.m.

CORRESPONDENCE

TODD HURST- e-mail expressing concern about HOB baseball field condition.

WOOD & LAMPING - e-mail regarding final judgement on the Birch Dr. nuisance case.

PERSO- Letter of notification that the Fire Station generator case is closed

CAREWORKS- 2nd Quarter report for Workers' Compensation claims

OHIO DIVISION LIQUOR CONTROL- Asian Paradise form for transfer of license

HAMILTON COUNTY AUDITOR- Letter regarding tax rates and estimates for 2016

BEIRNE & WIRTHLIN CO., L.P.A- Letter regarding a public records request for 9569 Union Cemetery Rd.

LINDSAY & DAVID WAGNER- Thank you card for service at Kathy Wagner's funeral

M/M JAMES- e-mail regarding plant growth on sidewalks on Liberty Hill and Humphrey

CHRISTINA NESTICO- e-mail regarding stop sign at Lebanon Rd

PERSO- Notification letter that the case with Doug Norwell is closed

cc: HAMILTON COUNTY ENGINEER to BILL PITMAN- Letter regarding Appointment as Township Association's appointment to OPWC District 2 Committee

DUKE ENERGY- Letter regarding Construction Notice at Fields Ertel

AMERICAN TRANSPARENCY- FOIA request for salary information from 2014

SMBP- e-mail regarding Kelkamp oral arguments

MARK BELCIK- e-mail and response regarding a manhole near 9649 Union Cemetery

HAMILTON COUNTY ENGINEER- Bill for sidewalk repairs of various locations in Symmes Township

cc: KEITH STETTLER to PHIL BECK- e-mail regarding 9569 Union Cemetery

SQUIRE PATTON BOGGS- e-mail on status of TIF issue

HAMILTON COUNTY PUBLIC HEALTH- e-mail regarding inspection at 9569 Union Cemetery

CHRIS NEAL- e-mail and response to a request for floor plan for Menchie's Frozen Yogurt at 11397 Montgomery Rd. Suite 30

STRAWSER CONSTRUCTION INC. - Proposal for ONYX Mastic Surface

M/M TRICK - e-mail expressing Appreciation that the Trustees have extended yoga into September

NIKKI PASSMORE- e-mail inquiring about development plans at Seven Gables

CHIEF HUBER- e-mail regarding 911 memorial ceremony September 11th

WOOD & LAMPING- e-mail regarding Transient vendor permits

ENNIS Britton Co., LPA- Notification of representation of Loveland School District on TIF issue.

OLD BUSINESS

MR. BECK announced that a work session on the proposed property maintenance code has been scheduled for September 10, 2015 at 7:00 p.m.

MR. BECK moved to adopt the following resolution:

RESOLUTION G2015-23

Resolution Rescinding Resolution G-0634 and
Adopting New Regulations Regarding
Registration and regulation of Transient Vendors

WHEREAS, pursuant to its authority under O.R.C. Chapter 505.94, the Board of Township Trustees of Symmes Township, Hamilton County, Ohio, (hereinafter the "Township") desires to require the registration of all transient vendors within the unincorporated territory of Symmes Township and desires to regulate the time, place, and manner in which these vendors may sell, offer for sale, or solicit orders for future delivery of goods, or attempt to arrange an appointment for a future estimate or sales call; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, desires to protect the Township residents from fraud, deceit, and crime by unscrupulous transient vendors; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, desires to provide the Township residents with a measure of privacy in their residences; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, desires to regulate the duration for which transient vendors can operate in the Township; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, on September 3, 2006 adopted Resolution G-0634, a Resolution to Require Registration and Regulation of Transient Vendors; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, has determined that Resolution G-0634 should be amended to better regulate transient vendors within Symmes Township and to incorporate amendments made by the General Assembly to Ohio Revised Code §505.94.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio that the Board of Trustees of Symmes Township adopts Resolution G2015-23 with the following provisions and that this Resolution shall take effect and be in force from and after September 1, 2015 and the Board of Trustees of Symmes Township rescinds Resolution G-0634 upon the effective date of Resolution G2015-23.

SECTION 1. DEFINITIONS

- a. "Goods" means goods, wares, services, merchandise, periodicals, and other articles or publications.
- b. "Transient Vendor" means any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the Township, sells or offers for sale goods, or solicits orders for future delivery of goods where payment is required prior to the delivery of the goods, or attempts to arrange an appointment for a future estimate or sales call. "Transient Vendor" does not include any person who represents any entity exempted from taxation under Section 5709.04 of the Ohio Revised Code, that notifies the Board of Township Trustees that its representatives are present in the Township for the purpose of selling or offering for sale goods, or soliciting orders for future delivery of goods, or attempting to arrange an appointment for a future estimate or sales call, and does not include a person licensed under Chapter 4704 of the Ohio Revised Code.

SECTION 2. REGISTRATION

- a. Unless invited by the legal occupants or owners of a private property, residence, or business, all transient vendors shall register with Symmes Township at its offices at 9323 Union Cemetery Road, Symmes Township, Ohio 45140 on a form, a copy of which is attached hereto and made a part hereof, and provide the information required thereon.
- b. All transient vendors at the time of such registration shall provide: (a) a valid driver's license or other acceptable form of photo identification and (b) two color passport photos, one of which shall be incorporated into a "Vendor Identification Badge" (hereinafter "I.D."). A \$10.00 refundable deposit shall be required for each I.D. issued, and such deposit shall be returned upon surrender of the I.D. to the Township Administration Office.
- c. The fee for the registration shall be \$75.00. This amount is in addition to the above referenced \$10.00 refundable deposit.
- d. The registration shall be valid for a period of ninety (90) days from the date of registration.
- e. Each transient vendor must register individually and the registration and I.D are not transferable to another transient vendor.
- f. Charitable Transient Vendor Registration. Any person who represents a business or organization exempted from taxation under Section 5709.04 of the Ohio Revised Code shall notify the Township Administrator of his or her presence before he or she sells or offers for sale goods, or solicits orders for future delivery of goods where payment is required prior to the delivery of the goods, or attempts to arrange an appointment for a future estimate or sales call in the unincorporated areas of the township. Each charitable transient vendor shall be subject to the requirements specified in Section 2, Paragraph b of this Resolution.
- g. Issuance of Permit. Upon receipt of a completed registration that complies with this Section, the Township Administrator, or any authorized Township representative, within seventy-two (72) hours, shall issue a permit to the applicant.
- h. Any applicant having been convicted of a felony, or a misdemeanor which involved theft or drug offense as defined in the Ohio Revised Code, shall be ineligible from registering as a transient vendor.

SECTION 3. MANNER OF SOLICITATION

- a. No transient vendor shall engage in solicitation upon any private property, residence, or business unless (i) invited by the legal occupants or owners of such private property, residence, or business, or (ii) the transient vendor is registered with Symmes Township as provided in this Resolution.
- b. Solicitations shall only be made between 9:00 a.m. and 6:00 p.m. Monday through Sunday.
- c. Each transient vendor shall carry on his or her person the original registration form, and shall prominently display his or her identification badge, at all times, while selling on the street, or while traveling about the Township for the purpose of selling or soliciting orders.
- d. Regardless of any other provision in this Resolution, no person shall engage in solicitation upon any private property after having been asked by the owner or occupant thereof to leave such property. Possession of a certificate of registration does not in any way relieve any transient vendor of this prohibition.
- e. Regardless of any other provision in this Resolution, no person shall engage in solicitation upon any private property if a conspicuous sign against solicitation is

posted thereon. Possession of a certificate of registration does not in any way relieve any transient vendor of this prohibition. It is sufficient notice if any such sign against solicitation contains words such as "no solicitation", "no trespassing", "keep out", "private property", or any message of similar import.

- f. No transient vendor shall use any plan, scheme, or ruse or make any statement which indicates or implies that the purpose of his or her solicitation is other than to obtain orders for or to make present or future sales of goods and services.
- g. No transient vendor shall solicit by shouting or by using any sound device in connection with soliciting, including bells or amplifying systems.
- h. No transient vendor shall make false statements or misrepresentations about the purpose of the solicitation.
- i. No transient vendor shall approach any door or window on a residential structure except for the door that is closest to the adjacent street or is otherwise designed and intended to be used as the front door.
- j. No transient vendor shall remain on private property if he or she fails to receive a response from an occupant after knocking on the door or ringing the doorbell.

SECTION 4. REVOCATION OF REGISTRATION

- a. The registration and I.D. of a transient vendor shall be revoked by the Township Administrator or any authorized Township representative, including Hamilton County Sheriff's Department, for any of the following causes:
 - (i) Fraud, misrepresentation, or false statement contained in the application for registration;
 - (ii) Fraud, misrepresentation, or false statement contained in the course of solicitation and subsequent business;
 - (iii) Any violation of this resolution;
 - (iv) Conviction of any crime or misdemeanor involving moral turpitude;
 - (v) Conducting of a business or being a Transient Vendor in an unlawful manner, or in such manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.
- b. Revocation of the registration and the I.D. immediately and automatically terminates the transient vendor's right to solicitation and any further solicitation by such transient vendor is a violation of this Resolution.
- c. The Township Administrator, or any authorized Township representative, may revoke a permit by so advising a transient vendor in person or by written notice of such revocation being mailed to the transient vendor at the local address specified in his or her application for registration. The transient vendor shall, upon written request, made within five (5) business days of receiving notice of revocation, have a hearing by the Township Administrator on the issue of said revocation prior to its being effective. The Township Administrator shall render a final decision on said revocation within five (5) business days of such hearing.
- d. Any transient vendor whose registration and I.D. is revoked by the Township, pursuant to this Section, forfeits the right to recover his or her \$10.00 registration deposit.

SECTION 5. PENALTY

- a. Pursuant to O.R.C. § 505.94 and §505.99 of the Ohio Revised Code, whoever violates the provisions of this Resolution is guilty of a minor misdemeanor and shall be fined an amount not exceeding \$150.00. Each subsequent instance of violation is a separate offense.

SECTION 6. PROVISIONS NON-EXCLUSIVE

Nothing in this resolution shall be construed as to replace or eliminate any of the provisions or requirements of any other Resolution Symmes Township, Hamilton County, Ohio.

SECTION 7. It is hereby determined 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 of Township Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 8. 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 9. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

MR. BRYANT seconded the motion.

MR. FOX advised this policy is being amended to address revised language regarding the issuance of a permit to an applicant convicted of a felony.

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

NEW BUSINESS

MR. BECK moved to adopt the following resolution:

RESOLUTION C2015-01

Resolution Amending Rules and Regulations and Revising Rate Schedule for Township Cemeteries

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio established and adopted rules and regulations for township cemeteries on March 6, 1990 by passage of Resolution C-9001; and

WHEREAS, the Board of Trustees of Symmes Township established and adopted a Rate Schedule for the cost of grave spaces, opening and closing fees, foundations, and others pursuant to Resolution C-9001; and

WHEREAS, revisions to the adopted rules and regulations and to the Rate Schedule have been made pursuant to Resolutions C-9601, C-0001, C-0201, C-0301, C-0302, C-0401, C-0701, C2011-01, C2011-02 and C2013-01 adopted May 21, 1996, May 19, 2000, September 3, 2002, July 1, 2003, October 7, 2003, September 7, 2004, June 5, 2007, June 1, 2010 and October 1, 2013; and

WHEREAS, the Board of Trustees of Symmes Township has determined the need to amend the rules and regulations and to revise the Rate Schedule; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Symmes Township:

Section 1. Hereby amends the Symmes Township Cemetery Rules and Regulations as follows:

BURIALS

~~10. Burial markers are required for all persons buried in the Township cemeteries effective January 1, 2014. A deposit of \$250.00 will be charged to ensure that a marker is provided within twelve (12) months after the burial.~~

~~_____The deposit can be used toward the foundation charge. If no marker is purchased by the family, this deposit will be used by the Township for a grave marker.~~

Section 2. Hereby revises the Cemetery Rate Schedule as follows:

| | |
|--|-------------------------------------|
| Opening & Closing (includes lowering device, set-up and tent): | |
| Weekday (8:30 a.m. to 2:00 p.m.)..... | \$900.00 <u>950.00</u> |
| Saturday (8:30 a.m. to 2:00 p.m.)..... | \$1400.00 <u>1500.00</u> |
| | |
| Interment of ashes..... | \$450.00 <u>500.00</u> |
| including 2x5 grave..... | 750.00 <u>800.00</u> |
| | |
| Infant burial | \$350.00 <u>400.00</u> |
| including 2x5 grave..... | 650.00 <u>700.00</u> |
| | |
| Foundations (per square inch)..... | \$.65 <u>\$.70</u> |
| | |
| Double Vault | |
| - Residents | \$3500.00 <u>4000.00</u> |
| Double Vault | |
| - Non-Residents..... | \$4000.00 <u>4500.00</u> |

Section 3. This Resolution shall be effective November 1, 2015; and

Section 4. The Township Fiscal Officer is directed to cause the amended cemetery rules and regulations and revised Rate Schedule to be published once a week for two consecutive weeks in a newspaper of general circulation within the Township.

MR. BRYANT seconded the motion.

MS. SIMS advised this resolution is to amend the cemetery rules and fees. The changes to the fees are minor adjustments based on her annual cemetery survey. There are proposed changes to the fee schedule, as well as a change to requirement of a burial marker.

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

MR. BECK moved to authorize the Service Department personnel to attend the annual Hamilton County snow plow training on September 16 in Cincinnati. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

MR. BECK moved to authorize two Service Department personnel to attend the PWOSO snow plow training on October 14 in Mason. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

MR. BECK moved to authorize the Service Department personnel to attend the Southwest Ohio Urban Forestry Conference on September 16 in Symmes Township. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

MR. BECK moved to authorize David Heider to attend Urban Landscape Pest Management Workshop on September 15 in Columbus. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

MR. BECK moved to amend:

- a. 1-A-1 from \$47,994.00 to \$61,704.00
- b. 1-A-2 from \$24,355.00 to \$28,176.00
- c. 1-A-12 from \$75,000.00 to \$77,500.00
- d. 9-A-9 from \$12,000.00 to \$14,000.00
- e. 20-A-6 from \$35,000.00 to \$46,000.00

MR. BRYANT seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

MR. BECK moved to approve the following:

- a. Expenditure in the amount of \$1,249.00 for purchase of replacement computer at Station 61
- b. Expenditure (Then & Now) in the amount of \$3,148.05 for emergency brake repairs to M60
- c. Expenditure in the amount of \$1,719.32 for uniforms for ESU
- d. Expenditure in the amount of \$19,800.00 for repairs to lower walking trail in Symmes Park
- e. Expenditure in the amount of \$4,000.00 for asphalt repairs on Geromes Way, said expenditure to be made from Fund 14J
- f. Expenditure in the amount of \$1,455.68 for Fall fertilizer program at Home of the Brave Park
- g. Expenditure in an amount not to exceed \$3,480.00 for purchase of Mutt Mitts
- h. Expenditure in an amount not to exceed \$2,600.00 for replacement of split rail fence at Hopewell Meadows Park
- i. Expenditure in an amount not to exceed \$9,950.00 for road surface treatment on Mayrow and Weekly at Safety Center
- j. Expenditure in an amount not to exceed \$9,118.00 for replacement of furnace at Safety Center
- k. Expenditure in an amount not to exceed \$21,000.00 for 2nd Quarter franchise fees
- l. Expenditure (Then & Now) for emergency exhaust repairs to Car 99 in the amount of \$1,857.22
- m. Expenditure in the amount of \$2,849.79 for sidewalk repairs by Hamilton County

MR. BRYANT seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

MS. SIMS reviewed her memo regarding money received for special events such as yoga and movie in the park and related expenses. This year a "Walk & Get Fit" was added. The Board received donations of \$4,000.00 for these events; however, expenditures for these events have exceeded this amount. There was a \$810.00 charge for the "Walk & Get Fit" event which was not included within the original purchase order.

MR. BRYANT stated he had no idea there would be a cost for this new event. Mr. Bryant advised he is willing to expend additional funds for these events this year; however, he would like to have a better understanding in the future of what any new event will cost before Board approval.

MR. BECK moved to approve an additional expenditure in an amount not to exceed \$500.00 for Special Events-Donations. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

EXECUTIVE SESSION

MR. BECK moved that the Board enter Executive Session to discuss the employment of a public employee and to discuss the compensation of a public employee. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'absent'.

The meeting adjourned for Executive Session at 9:30 p.m.

The meeting reconvened from Executive Session at 10:35 p.m.

MR. BECK moved to amend:

- a. 1-A-1 from \$61,704.00 to \$75,414.00
- b. 1-A-2 from \$28,176.00 to \$31,997.00
- c. 1-A-12 from \$77,500.00 to \$80,000.00

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

Bryant - 'aye'; Mrs. Leis - 'absent'.

The meeting adjourned at 10:36 p.m.