

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 1, 2023

The Board of Township Trustees of Anderson Township (“Board”) held its regular Interim Workshop Meeting on June 1, 2023, at 2:00 p.m., in the Anderson Center Large Conference Room. Present were the following Board members:

R. Dee Stone  
Lexi Lausten  
Joshua S. Gerth

**Mrs. Stone** called the meeting to order and welcomed attendees including: Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Township Administrator for Operations Steve Sievers, Assistant Township Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Co-Op Brendan Cloutier, Planner Stephen Springsteen, Public Works Director Eric Luginbuhl, Law Director Margaret Comey, Anderson Township Fire & Rescue Chief Richard Martin, Sheriff’s Department Lt. Daniel Downing, Fiscal Office Clerk Katie Arnold, Planning and Zoning Co-Op Brendan Cloutier and Planner Stephen Springsteen.

**Mrs. Stone moved to adopt the agenda with minor modifications. Mr. Gerth seconded the motion.**

**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Lausten, yes; Mrs. Stone yes.**

**1. Board of Township Trustees/Fiscal Officer**

**Mr. Dietz** stated the Fiscal Office and Administrator’s Office worked together on tax budget and thanked staff for their help.

**2. Discussion Items – Vicky Earhart**

**a. Request to Initiate Adoption of Trails Plan**

**Mr. Drury** introduced Planning and Zoning Co-Op Brendan Cloutier and Planning and Zoning Planner Stephen Springsteen. The Board welcomed them. **Mr. Drury** referred the Board to the Trail Plan for 2023. He stated the Trails Committee had solicited input from residents for the past year. He asked the Board to approve initiating the adoption of the plan for trails and walkways. Additionally, Mr. Drury stated next steps would be public hearing on June 26, at the Zoning Commission meeting, followed by Hamilton County Regional Planning review and adoption by Trustees at the July meeting.

**Mrs. Lausten** inquired regarding Hamilton County’s role in the planning process. **Mr. Sievers** stated County land could be impacted, therefore the County needed to approve all plans.

**Mr. Gerth** moved to authorize the following resolution. **Mrs. Lausten** seconded.

**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Lausten, yes; Mrs. Stone yes.**

There was no further discussion.

**RESOLUTION NO. 23-0601-01**

**INITIATING THE ADOPTION PROCESS FOR THE 2023 UPDATE TO THE  
ANDERSON TOWNSHIP TRAILS & WALKWAYS PLAN**

WHEREAS, this Board of Township Trustees ("Board"), through powers granted by Chapter 519 of the Revised Code, believes it is important to update the 2018 Anderson Trails & Walkways Plan, guiding sidewalk development and multi-modal transportation decision making activities, so as to maintain a high quality of life in the community; and

WHEREAS, the Board appointed a 21-member Transportation Advisory Committee (TAC), comprised of township residents, with an Anderson Trails Plan Subcommittee, which began meeting in March 2022 to guide the planning process and develop a 2023 Update to the Anderson Township Trails & Walkways ("Plan"); and

WHEREAS, information from the 2018 Anderson Trails Plan, as well as the results of input gleaned from the public during outreach opportunities beginning in the spring of 2022 continuing through early fall 2022 provided the basis for plan recommendations; and

WHEREAS, staff met biweekly though from the fall of 2022 into the spring of 2023, and bimonthly with the TAC to prepare a draft Plan; and

WHEREAS, a public meeting was held in May 2023, and virtual open house was held for several weeks before and after that meeting, where public feedback from property owners and businesses was solicited; and

WHEREAS, background information and the draft Plan was available for public to review and comment on the Anderson Township website and various social media platforms; and

WHEREAS, the draft Plan embodies recommendations found in previously approved township and regional plans, including, but not limited to, Anderson Township Comprehensive Plan, Ohio Riverfront Plan, Eastern Corridor Land Use Vision Plan, The Beechmont Plan, and Clough Pike Business District Redevelopment Plan;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Anderson Township, Hamilton County, Ohio ("Board"), as follows:

SECTION 1. That this Board hereby accepts the recommendations of the Transportation Advisory Committee and the Anderson Township Zoning Commission and adopts the Plan, which are hereby incorporated in Exhibit A and made part of this Resolution.

SECTION 2. That this Board requests that the Hamilton County Regional Planning Commission review the Plan at their forthcoming meeting and provide recommendations to this Board as to the Plan's adoption.

SECTION 3. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 4. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal

actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Revised Code Section 121.22, except as otherwise permitted thereby.

- b. Resolution Determining Existence of Nuisance on Land Owned by Maria Flores and Amiliar Santamaria-Hernandez, Located at 1716 Fitzwalter Court, in Anderson Township, and Providing for Notice and Remediation Pursuant to ORC Section 505.87

**Mr. Drury** stated residents appeared to have vacated property and debris was in the yard and it was overgrown.

**Mrs. Lausten** moved to authorize the following resolution. **Mr. Gerth** seconded.

**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Lausten, yes; Mrs. Stone yes.**

There was no further discussion.

### **RESOLUTION NO. 23-0601-02**

#### **RESOLUTION DETERMINING EXISTENCE OF NUISANCE ON LAND OWNED BY MARIA FLORES AND AMILIAR SANTAMARIA-HERNANDEZ, LOCATED AT 1716 FITZWALTER COURT, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION PURSUANT TO ORC SECTION 505.87**

Whereas, a board of township trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance, pursuant to Ohio Revised Code Section 505.87 (the "Statute");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES (THE "BOARD") OF ANDERSON TOWNSHIP, OHIO (the "Township"), that:

Section 1. Maintenance of the vegetation, garbage, refuse or other debris by the owner or owners (the "owner"), as specified in Schedule A hereto (which by this reference is incorporated herein), is hereby determined to constitute a nuisance within the meaning of the Statute and the owner is hereby ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris as set forth herein.

Section 2. If the owner of the land upon which the nuisance is located is determined by the Zoning Inspector to be a resident of the Township or a nonresident whose address is known, the Zoning Inspector shall give notice to such owner, on behalf of this Board, in substantially the form attached hereto as Schedule A, by posting that notice in a sheltered place and/or in a waterproof envelope on the principal structure (if any) on such land and photographing the posted notice with a camera capable of recording the date of the photograph on it. Such notice shall also be sent, on behalf of this Board, by certified mail to the owner and to each lienholder of record. If such owner's address is unknown and cannot reasonably be obtained, the Zoning Inspector shall cause such notice to be published once in a newspaper of general circulation in the Township.

Section 3. If, within seven (7) days after the giving of the notice or notices provided for in Section 2 hereof, the owner of such land fails to abate, control, or remove the vegetation, garbage, refuse or debris, and no agreement is entered into with the Board under Ohio Revised Code Section 505.87(B)(2) to provide for the abatement, control, or removal, then the Zoning Inspector, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard are hereby authorized and appropriated to be paid from the Township General Fund from moneys not otherwise appropriated. Those expenses shall be recovered by the Township pursuant to Ohio Revised Code Section 505.87(F).

Section 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

- c. Resolution Determining Existence of Nuisance on Land Owned by The Estate of Donald E. Schuch and/or by Keith D. Schuch, Located at 1558 Hilltree Drive, in Anderson Township, and Providing for Notice and Remediation Pursuant to ORC Section 505.87

**Mrs. Drury** stated he hoped this would be resolved as owner is deceased and beneficiary has been located.

**Mr. Gerth** moved to authorize the following resolution. **Mrs. Lausten** seconded.

**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Lausten, yes; Mrs. Stone yes.**

There was no further discussion.

#### **RESOLUTION NO. 23-0601-03**

#### **RESOLUTION DETERMINING EXISTENCE OF NUISANCE ON LAND OWNED BY THE ESTATE OF DONALD E. SCHUCH AND/OR BY KEITH D. SCHUCH, LOCATED AT 1558 HILLTREE DRIVE, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION PURSUANT TO ORC SECTION 505.87**

Whereas, a board of township trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance, pursuant to Ohio Revised Code Section 505.87 (the "Statute");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES (THE "BOARD") OF ANDERSON TOWNSHIP, OHIO (the "Township"), that:

Section 1. Maintenance of the vegetation, garbage, refuse or other debris by the owner or owners (the "owner"), as specified in Schedule A hereto (which by this reference is incorporated herein), is hereby

determined to constitute a nuisance within the meaning of the Statute and the owner is hereby ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris as set forth herein.

Section 2. If the owner of the land upon which the nuisance is located is determined by the Zoning Inspector to be a resident of the Township or a nonresident whose address is known, the Zoning Inspector shall give notice to such owner, on behalf of this Board, in substantially the form attached hereto as Schedule A, by posting that notice in a sheltered place and/or in a waterproof envelope on the principal structure (if any) on such land and photographing the posted notice with a camera capable of recording the date of the photograph on it. Such notice shall also be sent, on behalf of this Board, by certified mail to the owner and to each lienholder of record. If such owner's address is unknown and cannot reasonably be obtained, the Zoning Inspector shall cause such notice to be published once in a newspaper of general circulation in the Township.

Section 3. If, within seven (7) days after the giving of the notice or notices provided for in Section 2 hereof, the owner of such land fails to abate, control, or remove the vegetation, garbage, refuse or debris, and no agreement is entered into with the Board under Ohio Revised Code Section 505.87(B)(2) to provide for the abatement, control, or removal, then the Zoning Inspector, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard are hereby authorized and appropriated to be paid from the Township General Fund from moneys not otherwise appropriated. Those expenses shall be recovered by the Township pursuant to Ohio Revised Code Section 505.87(F).

Section 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

- d. Resolution Determining Existence of Nuisance on Land Owned by Patrick H. Doran, Located at 1096 Birney Lane in Anderson Township, and Providing for Notice and Remediation Pursuant to ORC Section 505.87

**Mr. Drury** stated the property was in foreclosure and not yet bank owned.

**Mr. Lausten** moved to authorize the following resolution. **Mr. Gerth** seconded.

**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Lausten, yes; Mrs. Stone yes.**

There was no further discussion.

#### **RESOLUTION NO. 23-0601-04**

**RESOLUTION DETERMINING EXISTENCE OF NUISANCE ON  
LAND OWNED BY PATRICK H. DORAN, LOCATED AT 1096  
BIRNEY LANE IN ANDERSON TOWNSHIP, AND PROVIDING  
FOR NOTICE AND REMEDIATION PURSUANT TO ORC  
SECTION 505.87**

Whereas, a board of township trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance, pursuant to Ohio Revised Code Section 505.87 (the "Statute");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES (THE "BOARD") OF ANDERSON TOWNSHIP, OHIO (the "Township"), that:

Section 1. Maintenance of the vegetation, garbage, refuse or other debris by the owner or owners (the "owner"), as specified in Schedule A hereto (which by this reference is incorporated herein), is hereby determined to constitute a nuisance within the meaning of the Statute and the owner is hereby ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris as set forth herein.

Section 2. If the owner of the land upon which the nuisance is located is determined by the Zoning Inspector to be a resident of the Township or a nonresident whose address is known, the Zoning Inspector shall give notice to such owner, on behalf of this Board, in substantially the form attached hereto as Schedule A, by posting that notice in a sheltered place and/or in a waterproof envelope on the principal structure (if any) on such land and photographing the posted notice with a camera capable of recording the date of the photograph on it. Such notice shall also be sent, on behalf of this Board, by certified mail to the owner and to each lienholder of record. If such owner's address is unknown and cannot reasonably be obtained, the Zoning Inspector shall cause such notice to be published once in a newspaper of general circulation in the Township.

Section 3. If, within seven (7) days after the giving of the notice or notices provided for in Section 2 hereof, the owner of such land fails to abate, control, or remove the vegetation, garbage, refuse or debris, and no agreement is entered into with the Board under Ohio Revised Code Section 505.87(B)(2) to provide for the abatement, control, or removal, then the Zoning Inspector, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard are hereby authorized and appropriated to be paid from the Township General Fund from moneys not otherwise appropriated. Those expenses shall be recovered by the Township pursuant to Ohio Revised Code Section 505.87(F).

Section 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal

requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

e. Fire and Rescue Request for Additional Personnel

**Chief Martin** requested the Board approve hiring three firefighters for 2023 and three additional firefighters in 2024. **Mrs. Stone** inquired about the length of time an EMT would have to become a certified paramedic. **Chief Martin** stated timeframes and requirements for what the Township would financially cover while certification was being earned.

f. Operations Center RFQ

**Mr. Sievers** stated the proposal had been received and would be presented to the Board at the June meeting.

a. Park District

**Mrs. Earhart** stated a request was received from the Anderson Park District to erect a 6-foot chain link fence on a parcel of Township owned land. The fence would separate the Township owned RecPlex parcel from land currently being sold by Beech Acres Parenting Center. Additionally, Mrs. Earhart stated she, Mr. Sievers, Mr. Drury, and Mr. Magna had met with members of the Park District and learned gates had been installed without zoning approval on an access road. The road connects Salem Road Beechmont Avenue via the RecPlex and Beech Acres Park. The Park District planned to close the gates, restricting access to the Rec Plex from Salem Road, beginning next week. The Park District stated they believed this was a safety issue and they were working to protect Park patrons. Additionally, the District planned to erect temporary storage for Park District maintenance equipment while they work to build a new maintenance structure, as they need to vacate facility currently used. The temporary storage would be constructed on the road connecting the Rec Plex to Salem Avenue. Mrs. Earhart explained that easements were in place between the Township, District, and Beech Acres which required the access road remain open. She had reminded the District of this requirement. **Mr. Gerth** expressed concern the District would want to erect a fence on property owned by the Trustees before neighboring land had been sold and new ownership had been established. **Mrs. Earhart** asked the Board for direction on how to proceed; and agreed to keep the Board informed of any new developments.

**3. Items for Board Consideration During June 21, 2023 Meeting – Vicky Earhart**

- a. Public Hearing for 2024 Tax Budget
- b. Adoption of 2024 Tax Budget

**Executive Session – Mrs. Stone moved to retire to Executive Session to consider the appointment or compensation of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), and to confer with the Law Director concerning disputes that are the subject of pending or imminent court action as permitted by Ohio Revised Code Section 121.22(G)(3). Mrs. Stone moved to return from Executive Session. Mrs. Lausten seconded the motion.**

**Mr. Dietz called the roll: Mr. Gerth Mrs. Lausten, yes; Mrs. Stone yes.**

**4. OPEN SESSION**

- a. Decisions Arising from Executive Session

**MOTION N O. 23-0601-05**

**Mrs. Lausten moved to authorize the Township Administrator to hire Tammy Disque as the Township's Director of Finance, as presented, effective June 21, 2023. Mrs. Stone seconded the motion.**

**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Lausten, yes; Mrs. Stone yes.**

There was no further discussion.

**MOTION TO ADJOURN**

**Mrs. Stone moved to adjourn. Mrs. Lausten seconded the motion.**

**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Lausten, yes; Mrs. Stone yes.**

  
R. Dee Stone, Chair

  
Kenneth G. Dietz, Fiscal Officer

**CERTIFICATION**

The undersigned duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true excerpt from the minutes of a regular meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 17<sup>th</sup> day of August 2023, and that said minutes have been duly entered upon the Journal of said Township.

This 17<sup>th</sup> day of August, 2023.

  
Kenneth G. Dietz, Fiscal Officer