

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 26, 2025

*Lexi Lausten, Trustee Chair*  
*Joshua S. Gerth, Trustee Vice Chair*  
*R. Dee Stone, Trustee*  
*Brian M. Johnson, Fiscal Officer*

**Mrs. Lausten** called the meeting to order and welcomed attendees including: Fiscal Officer Brian Johnson, Township Administrator Vicky Earhart, Assistant Township Administrator for Operations Steve Sievers, Assistant Township Administrator for Human Resources Suzanne Parker, Assistant Planning & Zoning Director Sarah Donovan, Public Works Director Eric Luginbuhl, Law Director Margaret Comey, Anderson Township Fire & Rescue Chief Richard Martin, Sheriff's Department Lt. Dave Downing, Fiscal Office Manager Katie Arnold, Director of Finance Tammy Disque.

**CALL TO ORDER – 4:30 P.M.**

**MOTION TO ADOPT AGENDA**

**Mrs. Lausten** moved to adopt the agenda. **Mrs. Stone** seconded the motion.

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

**Mrs. Lausten** moved to retire to Executive Session to consider the discipline of a public employee as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes, of 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** seconded the motion.

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

**Mrs. Lausten** moved to return from Executive Session. **Mrs. Stone** seconded the motion.

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

**PLEDGE OF ALLEGIANCE**

**Mrs. Lausten** led the Pledge of Allegiance.

**PUBLIC HEARING – 2026 TAX BUDGET**

**Ms. Disque** stated the expectation was revenue to remain flat while there is an anticipated 18% increase in expenditures, mostly from planned capital improvements from TIF funds.

**Mrs. Lausten** opened the public hearing.

**Mrs. Lausten** closed the public hearing.

**Mrs. Stone** stated the preliminary budget was online for public review.

**Consideration of Resolution Approving and Adopting the 2026 Tax Budget and Authorizing its Filing with the Hamilton County Budget Commission**

**Mr. Gerth** moved to approve the below resolution as presented by Ms. Disque. **Mrs. Stone** seconded the motion.

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

**RESOLUTION NO. 25 – 0626 – 01**

**RESOLUTION APPROVING AND ADOPTING THE 2026 TAX BUDGET AND  
AUTHORIZING ITS FILING WITH THE HAMILTON COUNTY BUDGET  
COMMISSION**

WHEREAS, with limited exception, Ohio Revised Code Section 5705.28 requires that on or before the fifteenth day of July each year, the taxing authority of all subdivisions and taxing units other than school districts and the city of Cincinnati shall adopt a tax budget for the succeeding year; and

WHEREAS, Ohio Revised Code Section 5705.30 requires that at least two copies of the budget of each subdivision be filed in the office of the fiscal officer of the subdivision for public inspection not less than ten days before its adoption by the taxing authority and such taxing authority shall hold at least one public hearing thereon, of which public notice shall be given by at least one publication not less than ten days prior to the date of the hearing in the official publication of such subdivision, or in a newspaper of general circulation in the subdivision; and

WHEREAS, after its adoption, the budget shall be submitted to the county auditor on or before the twentieth day of July; and

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

SECTION 1. That, a public hearing having been duly noticed and held, this Board hereby adopts the 2026 Tax Budget as presented by the Township Administrator and authorizes the Fiscal Officer to file the 2026 Tax Budget with the Hamilton County Budget Commission no later than July 20, 2025, as generally set forth in Attachment A hereto.

SECTION 2. That the preambles to this Resolution are deemed to be integral parts of this Resolution.

SECTION 3. 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 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) Ohio Revised Code Section 121.22, except as otherwise permitted hereby.

There was no further discussion.

## **PUBLIC FORUM**

**Mr. Cochran** of 1466 Apple Farm Lane expressed concern regarding people riding bullet bikes in groups. He noted his concern about safety for residents because of speeding and the noise nuisance they create. He stated he is worried an injury will create a liability for the township.

**Bruce Berno** of 2156 Heather Hill Blvd. asked the Board to consider joining Green Umbrella. He presented the various initiatives and programs the group leads, its partnership with OKI, and stated they host the Midwest Regional Sustainability Summit.

## **TRUSTEE COMMENTS**

**Mrs. Stone** wished the community a Happy July 4<sup>th</sup> and mentioned parade next week.

**Mrs. Lausten** said the parade is always an emotional event and thanked Mr. Sievers and staff for their work on it.

**Mrs. Stone** stated she is glad Mr. Cochran brought the bullet bike matter to the Board's attention.

**Mr. Gerth** asked Mrs. Earhart and Lt. Downing to address Mr. Cochran's concerns regarding the motorcycle nuisance.

**Lt. Downing** stated it would be a constitutional violation to target any specific group driving on a public roadway. He presented area traffic/crash data, specifically motorcycles on Salem. Additionally, he stated the primary issue is related to quality of life, acknowledged there is always risk with motorcycles, and that his first and foremost concern is public safety. He also acknowledged the noise is an annoyance.

**Mrs. Lausten** stated a continuous noise could be investigated, and that ability was limited in this case.

**Mr. Gerth** asked if there is an Ohio noise law. Lt. Downing stated the ORC has only a provision for working mufflers.

## **FISCAL OFFICER**

**Mr. Johnson** stated there is a go-live date in September for the new accounting system.

## Financial Reports

Mr. Johnson presented the monthly financial reports. He mentioned that on the revenue side the homestead rollback and interest were the big items. He noted the school district TIF payments were in the May financials and were eighty percent of the expenditures for the month.

## Resolution Authorizing Payment

**Mr. Johnson** presented the following Then and Now certification:

Mrs. Stone moved to approve the below resolution as presented by Mr. Johnson. Mr. Gerth seconded the motion.

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

**RESOLUTION NO. 25 – 0626 – 02**

**RESOLUTION AUTHORIZING PAYMENTS**

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

SECTION 1. This Board hereby authorizes the payment of that certain Purchase Order No. 31823, dated May 22, 2025, of Lexipol in the amount of \$12,472.55 which funds are hereby appropriated for the payment of Fire & EMS Learning Platform with Services.

SECTION 2. 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 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.

There was no further discussion.

**Appropriation Amendment**

Mr. Johnson presented the following appropriation adjustment for Towne Center Way and recommended its passage.

**MOTION NO. 25 – 0626 – 03**

Mr. Gerth moved to approve the increase in appropriation outlined below. Mrs. Stone seconded the motion.

Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes; Mr. Gerth abstain.

**APPROPRIATION AMENDMENTS:**

<u>ACCOUNT</u>		<u>AMOUNT</u>
40.1100.0799	MISC EXPENSES	\$185,000

Minutes

**Mr. Johnson** presented the following minutes for the Board's consideration

**MOTION NO. 25 – 0626 – 04**

**Mrs. Stone** moved to approve the minutes of March 11, 2025 meeting, as presented by the Fiscal Officer. **Mrs. Lausten** seconded the motion.

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

There was no further discussion.

**MOTION NO. 25 – 0626 – 05**

**Mrs. Stone** moved to approve the minutes of March 20, 2025, April 3, 2025, April 17, 2025, and May 1, 2025, meetings as presented by the Fiscal Officer. **Mr. Gerth** seconded the motion.

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

There was no further discussion.

**LAW DIRECTOR**

There was no new business.

**FINANCE DEPARTMENT**

There was no new business.

**PLANNING & ZONING**

Resolution Determining Existence of Nuisance on Land Owned by Nathan J. Allen, Located at 6664 Foster Avenue, in Anderson Township, and Providing for Notice and Remediation Pursuant to Ohio Revised Code Section 505.87

**Ms. Donovan** presented the following nuisance determination resolution for the Board's consideration.

**Mr. Gerth** moved to approve the below resolution as presented by **Ms. Donovan**. **Mrs. Stone** seconded the motion.

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

**RESOLUTION NO. 25 – 0626 – 06**

**RESOLUTION DETERMINING EXISTENCE OF NUISANCE  
ON LAND OWNED BY NATHAN J. ALLEN, LOCATED AT  
6664 FOSTER AVENUE, IN ANDERSON TOWNSHIP, AND  
PROVIDING FOR NOTICE AND REMEDIATION PURSUANT  
TO OHIO REVISED CODE 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 Anderson Township Planning & Zoning Department to be a resident of the Township or a nonresident whose address is known, the Planning & Zoning Department 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 for the Township 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 and/or debris, and no agreement is entered into with the Board under Ohio Revised Code Section 505.87(D) to provide for said 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, and any cost incurred by the Board in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry. 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

There was no further discussion.

#### **FIRE & RESCUE DEPARTMENT**

There was no new business.

#### **SHERIFF'S OFFICE**

There was no new business.

#### **TOWNSHIP ADMINISTRATOR**

##### **Request to Award Bid for Leaf Sculpture Foundation**

**Mrs. Earhart** presented the following bid award motion for the Board's consideration and presented the project's history.

#### **MOTION NO. 25 – 0626 – 07**

**Mrs. Lausten** moved that this Board hereby accepts the Bid of \$158,000.00, from Perkins/Carmack Construction, LLC, deemed to be the best and lowest and/or most responsible/responsive bidder for the Leaf Sculpture Foundation project in accordance with the Bid plans and specifications, together with a 10% contingency, for a maximum appropriation of \$173,800.00, in Township funds currently secured in purchase orders using 1994 TIF funds and in the 2025 budget; further, this Board hereby authorizes and directs the Township Administrator to give timely Notice of Award to the contractor and, after consultation with the Law Director, to enter into contract with Perkins/Carmack Construction, LLC in accordance with their Bid for the Leaf Sculpture Foundation project. **Mrs. Stone** seconded the motion.

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

**Mrs. Earhart** thanked Ms. Donovan, Mrs. Stone and Mr. Magna for their work on the project and was excited for art to be incorporated into the Township.

##### **Center for Local Government Benefits Pool Renewal**

**Mrs. Parker** described the self-insuring pool and claims costs increases, which she noted was in the premiums and presented the following motion to renew the 2025 - 2026 employee medical insurance coverage through the Center for Local Government Benefits Pool for the Board's consideration.

**MOTION NO. 25 – 0626 – 08**

**Mr. Gerth moved to authorize the Assistant Township Administrator for Human Resources to renew the 2025 - 2026 employee medical insurance coverage through the Center for Local Government Benefits Pool as presented. Mrs. Stone seconded the motion.**

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

There was no further discussion.

**Ohio River Way Membership**

**Mr. Sievers presented the following motion for the township's membership in Ohio River Way for the Board's consideration.**

**MOTION NO. 25 – 0626 – 09**

**Mrs. Stone moved to authorize renewal of Anderson Township's membership in the Ohio River Way, Inc., for 2025, at the annual rate of \$2,750. Mr. Gerth seconded the motion.**

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

There was no further discussion.

**Request for Additional Services from MSA Design Related to Operations Center Engineering**

**Mr. Sievers presented the following motion to execute a contract with MSA Design regarding Operations Center work for the Board's consideration.**

**MOTION NO. 25 – 0626 – 10**

**Mr. Gerth moved to authorize the Township Administrator to enter into contract with MSA Design, following review by the Law Director, for additional engineering of the first phase of the Operations Center Master plan, as outlined in the proposal dated May 1, 2025, utilizing 1994 TIF funds in the 2025 budget, in an amount not to exceed \$58,400. Mrs. Stone seconded the motion.**

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

There was no further discussion.

**Motion Revising Public Hearings for a "Protect and Serve Charge" in the Township in Accordance with Section 503.54 of the Revised Code**

**Mrs. Earhart presented the law change that allows the township to charge a \$1.00 per ticket "Protect and Serve Charge" fee on not-for-profit entities that do not pay property tax that have seating for 2,000 or more and presented the following motion for the Board's consideration.**



**MOTION NO. 25 – 0626 – 11**

**Mrs. Stone moved to revise the Public Hearing dates for a "Protect and Serve Charge" in Anderson Township in accordance with Section 503.54 of the Ohio Revised Code said hearings to be held on Thursday, July 17, 2025, beginning at 5:30 PM and Thursday, July 24, 2025, beginning at 11:00 AM. Both Public Hearings will be held at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio 45230. Mr. Gerth seconded the motion.**

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

There was no further discussion.

**Resolution Authorizing the Township Administrator to Exercise Certain Powers Pursuant to Section 505.032 of the Ohio Revised Code**

**Mrs. Earhart presented the following resolution changing the purchase order approval process for the Board's consideration.**

**Mr. Gerth moved to approve the below resolution as presented by Ms. Earhart. Mrs. Stone seconded the motion.**

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

**RESOLUTION NO. 25 – 0626 – 12**

**RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXERCISE CERTAIN POWERS PURSUANT TO SECTION 505.032 OF THE OHIO REVISED CODE**

WHEREAS, Section 505.032 of the Ohio Revised Code (the "Statute") provides that the township administrator shall, under direction of the board of township trustee, perform the functions stated therein: and

WHEREAS, subsection (G) of the Statute provides that the township administrator shall perform such additional duties as the board may determine by resolution and that the board of township trustees may assign to such township administrator any office, position, or duties under its control; such office, position and duties to be performed under the direction and supervision of the board to be in addition to those set forth in the Statute; and

WHEREAS, the Township Fiscal Office is in the process of converting to a new financial software system that provides for the electronic authorization of purchase orders; and

WHEREAS, the Township Trustees have manually signed each purchase order under present practices and they seek to facilitate a more expeditious process;

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

SECTION 1. This Board hereby determines that it is in the best interest of the Township for this Board to delegate, and this Board does hereby delegate to and authorize, the Township Administrator, pursuant to subsection (G) of the Statute, to electronically authorize purchase orders for those expenditures for which funds have been appropriated either (a) in the Township's

annual Budget, or (b) by means of a resolution duly passed by the Board authorizing the expenditure and appropriating funds therefor.

SECTION 2. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 3. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of the foregoing 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) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

**Mrs. Lausten** thanked staff for the work they are doing on the software transition.

Resolution Approving Second Amendment to Parking Facilities License Agreement with Anderson Investors OH, LLC and Authorizing its Execution and Delivery

**Mrs. Earhart** presented the following resolution regarding the parking facilities agreement with Anderson Investors for the Board's consideration.

**Mr. Gerth** moved to approve the below resolution as presented by Mrs. Earhart. **Mrs. Stone** seconded the motion

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

**RESOLUTION NO. 25 – 0626 – 13**

**RESOLUTION APPROVING SECOND AMENDMENT TO PARKING FACILITIES  
LICENSE AGREEMENT WITH ANDERSON INVESTORS OH, LLC AND  
AUTHORIZING ITS EXECUTION AND DELIVERY**

WHEREAS, Anderson Investors OH, LLC, a Delaware limited liability company ("Anderson Investors"), is the fee owner of certain real property comprised of Hamilton County Auditor's Parcel Numbered 500-0202-0197-00 located at 7500 Beechmont Avenue, in Anderson Township (the "AI Property"), on which open parking spaces are located; and

WHEREAS, the AI Property is in close proximity to the former Anderson Center Station, and lies along existing METRO transit routes which provide service to the former Anderson Center Station; and

WHEREAS, Anderson Township, County of Hamilton, Ohio (the "Township"), secured public parking spaces and facilities for a METRO Park & Ride, during the redevelopment of the Anderson Center Station subject to the terms of that certain Parking Facilities License Agreement, effective November 1, 2021, by and between Anderson Township, acting by and through this Board, and Anderson Investors (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended by that certain First Amendment to Parking Facilities License Agreement, effective the 5<sup>th</sup> day of September, 2023 (the "First Amendment"); and

WHEREAS, the Township and Anderson Investors desire to extend the term of the Original Agreement as amended by the First Amendment to December 31, 2025 and to enter into that certain Second Amendment to Parking Facilities License Agreement (the "Second Amendment" and together with the Original Agreement as amended by the First Amendment, the "Agreement") attached hereto as Exhibit A and by this reference incorporated herein;

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

SECTION 1. This Board hereby determines that it is in the best interest of the Township to extend the term of the Original Agreement as amended by the First Amendment through December 31, 2025 (subject to earlier termination as provided in the Agreement) by entering into the Second Amendment to provide an alternative and temporary public Park & Ride facility during the continued redevelopment of the Anderson Center Station site on the terms and subject to the conditions contained in the Agreement.

SECTION 2. This Board hereby approves the form of the Second Amendment attached hereto as Exhibit A and hereby authorizes and directs the Township Administrator to execute and deliver the Second Amendment in substantially the form of Exhibit A, with such revisions thereto as she deems, after consultation with the Law Director, not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Second Amendment. This Board hereby authorizes performance of the Agreement and covenants to perform its obligations in accordance with the terms and conditions of the Agreement.

SECTION 3. The preambles to this resolution are and shall be for all purposes integral and operative parts of this resolution.

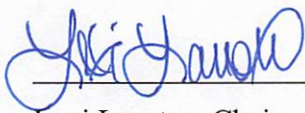
SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were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

There was no further discussion.

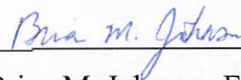
**MOTION TO ADJOURN 6:15 P.M**

**As there was no further business, Mrs. Lausten moved to adjourn the meeting. Mr. Gerth seconded the motion.**

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



Lexi Lausten, Chair



Brian M. Johnson, 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 26<sup>th</sup> day of June 2025, and that said minutes have been duly entered upon the Journal of said Township.

This day 21<sup>st</sup> day of August, 2025.

*Brian M. Johnson*

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Brian M. Johnson, Fiscal Officer