

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 21, 2018

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on June 21, 2018, at 5:30 p.m., in the Anderson Center Board Room. Present were the following Board members:

Joshua S. Gerth
Andrew S. Pappas
Robin D. Stone

Also present at the start of the meeting were Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, and Assistant Administrator for Human Resources Suzanne Parker.

Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the purchase of property for public purposes, or 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). Mr. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Mr. Pappas moved to return from Executive Session. Ms. Stone seconded the motion. Mr. Dietz called the roll Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Mr. Gerth welcomed the additional attendees, including a number of citizens and other public officials including: Planning & Zoning Director Paul Drury, Planner 1 Sarah Donovan, Fire Chief Mark Ober, Interim Public Works Director Mark Magna, Lt. Matt Guy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker and Administrative Assistant Molly Mohrfield.

In Celebration of Anderson's 225th Anniversary – **Mr. Gerth** stated that in celebration of Anderson's 225th Anniversary this year the theme of the Township's Independence Day Parade would be "Anderson Township, 225 Years in the Making!" The parade would be held on July 4th beginning at 10 a.m. He asked everyone to join him in the Pledge of Allegiance.

Mr. Pappas moved to adopt the agenda. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

PUBLIC HEARINGS

Mr. Gerth opened the public hearing for Case 2-2018 LUP: Beechmont Plan Consolidation.

Case 2-2018: Beechmont Plan Consolidation – **Ms. Donovan** stated that staff believed it was important to update and consolidate the Beechmont Corridor Vision Plan, the Beechmont Landscape Plan, Anderson Trails Update, and Downtown Anderson Plan into one comprehensive document, the 2018 Beechmont Plan. A public meeting was held on October 25, 2017, and public feedback from property owners and businesses had been solicited. The plan

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was reviewed and recommended for approval from the Anderson Township Zoning Commission on May 21, 2018.

Mr. Gerth asked if anyone would like to comment on Case 2-2018 LUP: Beechmont Plan Consolidation.

As no one came forward **Mr. Gerth** closed the public hearing.

Resolution 18-0621-01: Ms. Stone moved to adopt a resolution approving the 2018 Beechmont Plan Update as follows; Mr. Pappas seconded the motion:

**RESOLUTION NO. 18-0621-01
APPROVING THE 2018 BEECHMONT PLAN UPDATE**

WHEREAS, this Board of Township Trustees ("Board"), through powers granted by Chapter 519 of the Revised Code, believes it is important to update and consolidate the Beechmont Corridor Vision Plan, the Beechmont Landscape Plan and Downtown Anderson Plan into one comprehensive document, to be known as the 2018 Beechmont Plan ("Plan") to guide development decisions and decision-making activities, so as to maintain a high quality of life in the community; and

WHEREAS, a public meeting was held on October 25, 2017, and public feedback from property owners and businesses was solicited; and

WHEREAS, background information and the draft Plan, were available to the public for review and comment on the Anderson Township website throughout April 2018; and

WHEREAS, efforts were undertaken to discuss the Plan with key stakeholders, and the draft Plan was emailed to various organizations, including, but not limited to, neighboring political jurisdictions, environmental organizations, and state and local government agencies; and

WHEREAS, the Plan embodies recommendations found in previously approved township and regional plans, including, but not limited to, the Anderson Trails Update, Beechmont Landscape and Beechmont Corridor Plans, and Downtown Anderson Plan; and

WHEREAS, the Plan was reviewed and recommended for approval by the Anderson Township Zoning Commission at its May 21, 2018 meeting; 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 Anderson Township Zoning Commission and adopts the Plan, which is attached hereto as Exhibit A and by this reference made part of this Resolution.

SECTION 2. That this Board requests that the Hamilton County Regional

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Planning Commission review the Plan at its 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.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Mr. Gerth opened the public hearing for Case 2-2018: Anderson-Skytop

Case 2-2018 Anderson – Skytop –**Mr. Drury** presented a request for a zone change on property located at 5218 Beechmont Avenue. The zone change request was from A Single Family, E Retail, and H Riverfront to EE Planned Retail. The applicant was Parkstone Capital LLC, on behalf of Wood Stone IV Holding. The request was to allow demolition of a 125,000 square foot shopping center to construct nine, 3 story apartment buildings towards the northern portion of the site. The two existing commercial buildings closest to Beechmont Avenue would remain. A third and larger 1-story out lot commercial building was proposed near the eastern entrance.

The case currently before the Board had been reviewed by the Hamilton County Regional Planning Commission on May 3, 2018, and was approved with conditions. The Anderson Township Zoning Commission subsequently reviewed it on May 21, 2018, and there was a motion to approve the zone change, however there was a tie vote. The bylaws of the Zoning Commission require a minimum of three votes for a quorum to pass the motion: therefore, there was a recommendation of denial. The major concerns identified by the Zoning Commission were the lack of density, lack of open space, the quality of the plan, the layout of the development, and the style of the apartments. However, staff concurred with Hamilton County Regional Planning Commission and recommended approval of the zone change.

Mr. Gerth invited members of the audience to comment on Case 2-2018 Anderson – Skytop.

C. Francis Barrett, attorney, representing the applicant. He stated that he concurred with Mr. Drury's staff report. Every effort had been made to be in complete compliance with the Township's Comprehensive Plan and to comply with staff's recommendations.

Mark Rosenburger, Bayer Becker, Civil Engineer, representing the applicant stated that there had been many different variations of the plan. He pointed out that the site was distressed, with a creek surrounding it, and a cliff in the rear leaving a limited amount of area to work with.

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Bob Hedlesten, 3905 Beech Street, stated that he was the owner of the 19,000 square foot shopping center to the west of the proposed development. He felt there needed to be something in the area that would create more activity. Therefore, he encouraged the zoning change.

Susan Beckman, 5918 Price Road, pointed out that she owned the property behind the proposed development which was currently landlocked. She wanted to ensure she would have access to her property with the new development. She stated that she had contacted the developer and had heard nothing definitive. She supported of the development but would like to see more greenspace.

Ms. Stone agreed that something needed to be done with the property. She asked if the Board was voting on approval of the zoning change and the density only. **Mr. Drury** replied that was correct. There could be modifications made to the plan after approval. **Ms. Stone** felt that the current plan showed a considerable amount of parking places with not much greenspace. Her concern with apartments was what they would look like in 15 years.

Mr. Pappas pointed out that there was a concern with the property in its distressed state. He felt at some point, if the property was kept in its current configuration, it may attract objectionable attention. He was confident in the zoning process and that the proposed plan was designed adequately to meet the Township's requirements.

Mr. Gerth stated that when this property was first developed it sold for \$30,000,000, and the current owners bought it at \$4,000,000. He asked Mrs. Earhart what the difference in tax revenue, for both the Township and the Forest Hills School District (FHSD), was between those two numbers. **Mrs. Earhart** replied that in 2008 the improvement value of the property was \$18,456,000, which brought to the FHSD \$268,219 per year and to the Township \$206,000, this was the TIF value, not including the land. The current TIF value was \$6,300 which brought to the FHSD approximately \$3,000 and the Township \$2,000 per year. Essentially, there was a 94% decrease in the TIF value of that property since 2008. **Mr. Gerth** stated that he did not want to continue to watch this site stay a wasteland. He believed the concerns were legitimate but felt that the developer would address them. As a Trustee, sitting with a 17-acre piece of land, it was time this Board supports the redevelopment.

As no one else came forward, **Mr. Gerth** closed the public hearing.

Resolution 18-0621-02: Mr. Pappas moved to approve and adopt a zone change from "A" Residence, "E" Retail, and "H" Riverfront to "EE" Planned Retail for property located at 5281 Beechmont Ave. (Skytop) as follows; Ms. Stone seconded the motion:

**RESOLUTION NO. 18-0621-02
CASE 2-2018 ANDERSON
5218 BEECHMONT AVENUE
(Book 500, Page 430, Parcel 004)**

Approving and Adopting a Zone Change from "A" Residence, "E" Retail, and "H" Riverfront to "EE" Planned Retail for property located at 5218 Beechmont Ave. (Skytop)

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WHEREAS, this Board of Township Trustees ("Board"), on June 21, 2018, has discussed Case 2-2018 Anderson, an application filed by Parkstone Capital LLC, on behalf of Wood Stone IV Holdings, property owner, requesting an amendment to the map of the Anderson Township Zoning Resolution for property located at 5281 Beechmont Avenue (Book 500, Page 430, Parcel 004, containing 17.894 acres to effect, a zone change from "A" Residence, "E" Retail, and "H" Riverfront to "EE" Planned Retail, to allow demolition of a 125,000 square foot shopping center and the construction of nine, 3 story apartment buildings near the northern portion of the site. The two existing outlot commercial buildings (a 1-story 3,690 square foot and a 1-story 5,857 square foot building) will remain in place and located on the southern portion of the site closer to Beechmont Avenue. A third and larger 1-story outlot commercial building with 10,640 square feet is proposed near the eastern-most entrance of the development; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Hamilton County Regional Planning Commission recommended approval of the application, with conditions, in Case 2-2018 Anderson at its May 3, 2018, meeting; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Anderson Township Zoning Commission recommended denial of Case 2-2018 Anderson at its May 21, 2018 meeting following a tie vote of Commissioners; and

WHEREAS, on June 21, 2018, this Board reviewed the Application, the documents and testimony pertaining thereto and the recommendations of the Hamilton County Regional Planning Commission and the action of the Anderson Township Zoning Commission; now, therefore;

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

SECTION 1. The Board hereby concurs with the recommendations of the Hamilton County Regional Planning Commission, and finds that the Application, as approved by the Hamilton County Regional Planning Commission, will not be in conflict with the best interest of the Township and the public, and therefore approves the Application, with conditions, for the following reasons:

1. The proposed zone change to EE is consistent with Chapters 4 (People and Housing), and 5 (Land Use and Development) of the Anderson Township Comprehensive Plan text and future land use map, which support the establishment of multi-family housing to meet population and market demands.
2. The proposed use is compatible with the surrounding neighborhood, and stabilizes the neighborhood by promoting orderly development in compliance with the Zoning Resolution.
3. The health and safety of the neighborhood and the Township are maintained.
4. The proposed change of use is consistent with the Market Study recommendations found in Appendix B of the Comprehensive Plan, which identified mixed use and higher density housing for this site.
5. The proposed use of the site provides an opportunity for the Applicant to realize a

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reasonable profit (not necessarily a maximum profit) from the Applicant's use of the subject land.

SECTION 2. The Board further finds that the Preliminary Plan for the Application (the Plan) shall be subject to the conditions and declarations of Article 5.1, General Development Plan Provisions, Section 5.1 et. seq., inclusive, of the Anderson Township Zoning Resolution, and subject further to the following conditions:

As recommended by the Hamilton County Regional Planning Commission, and by this Board:

1. That a landscaping plan meeting the minimum standards of the Zoning Resolution shall be submitted as part of the Final Development Plan.
2. That a lighting plan that meets the minimum standards of the Zoning Resolution shall be submitted as part of the Final Development Plan.
3. That a pedestrian connection separated from vehicular traffic in raised-curb areas or landscaped areas shall be identified through the site connecting to the existing sidewalk along Beechmont Avenue adjacent and east of the site and that a connection shall be made from each multi-family and commercial building entrance to this sidewalk.
4. That all requirements of the Ohio Department of Transportation shall be met.
5. That all buildings not exceed a maximum building height of 37.5' (***variance recommended by staff***).
6. That bicycle parking spaces shall be provided as required in Section 5.3 (D) (17) (A) of the Anderson Township Zoning Resolution.
7. That all signage shall comply with Section 5.5 of the Anderson Township Zoning Resolution.

SECTION 4. Final Development Plan: No Final Development Plan shall be approved by the Anderson Township Zoning Commission before:

1. All "Requirements for Submission" have been completed;
2. Building and parking setbacks, building heights, floor area, density, construction limits and impervious surfaces are in conformance with those which are specified or depicted on the approved Preliminary Development Plan;
3. A landscape plan for perimeter buffers and other required areas is prepared by a registered landscape architect, complete with all necessary details and specifications for new landscaping features, a depiction of existing landscaping and tree mass that is to remain, and specifications for soil erosion and sedimentation control, and submitted to and approved by the Anderson Township Zoning Commission.
4. The plan complies with applicable recommendations of:
 - (1) The County Engineer regarding site distance analysis, right-of-way and access

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improvements and circulation concept;

- (2) The Department of Public Works regarding surface drainage concept;
- (3) The Metropolitan Sewer District and/or O.E.P.A. regarding sewerage concept;
- (4) The Natural Resource Conservation Service regarding erosion and sedimentation control concept; and
- (5) The authorized Fire Prevention Officer under the jurisdiction of the Board regarding Fire Prevention concepts.

SECTION 5. Construction Permits: No Zoning Certificate or building permit for actual construction shall be issued before a Final Development Plan has been approved by the Anderson Township Zoning Commission.

SECTION 6. Occupancy Permit

1. No Certificate of Occupancy shall be issued before the following documents are submitted to or received from the following officials or agencies:

- (a) A letter from the County Engineer certifying that the approved plans and specifications for right-of-way and access improvements, on-site and off-site, have been completely implemented;
- (b) A summary report from the Applicant's registered engineer or surveyor as required by and addressed to the Director of Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; Director of Public Works shall inform the Anderson Township Zoning Inspector when such report is received and accepted.
- (c) A letter from the Metropolitan Sewer District or O.E.P.A. certifying that the approved Plan and specifications for sanitary sewer and wastewater treatment have been completely implemented;
- (d) A summary report from the registered landscape architect who prepared the landscape plan, attesting to completion of the landscape plan and soil erosion and sedimentation control measures, noting any deviations and the reasons for such deviations;
- (e) A letter from the authorized Fire Prevention Officer under jurisdiction of the Board, certifying that the approved plan and specifications for fire prevention have been completely implemented;
- (f) A letter from the Ohio Department of Transportation stating that all applicable requirements have been fulfilled.

2. No Certificate of Occupancy shall be issued before the development complies with all of the terms, covenants, and conditions of approval, as imprinted on the Final Development Plan and contained in this Resolution.

SECTION 7. Maintenance of Improvements:

1. All landscaping, ground cover and other property improvements shall be maintained by the subject owner of the property or its successors in title in perpetuity or until the approved use ceases to exist.
2. All specifications, conditions, and limitations, which are imprinted on the Final Development Plan or contained in this Resolution shall be enforced throughout the life of the development by the Anderson Township Zoning Inspector.

SECTION 8. A certified copy of this Resolution be directed, by the Fiscal Officer, to the Applicant and its Agent for this Amendment, to the Anderson Township Zoning Commission, to the Township Zoning Inspector, the Department of Public Works, the County Engineer Permit Department, the Metropolitan Sewer District, and the Ohio Department of Transportation, and a certified copy be filed with the Hamilton County Recorder and Hamilton County Regional Planning Commission within five (5) days after the effective date of this Resolution.

SECTION 9. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

SECTION 10. 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.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

PRESENTATIONS AND RECOGNITIONS

Team 7 Sigma Robotics – The Team 7 Sigma Robotics was a community-based robotics team comprised of students from several schools in the Anderson Township and Greater Cincinnati area. The team competed in the FIRST (For Inspiration and Recognition of Science and

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Technology) Tech Challenge (FTC), which was a competition where robotics teams compete for awards in both robot performance and various judged categories, including those based on the efforts teams put forth to spread the message of FIRST and the importance of STEM education.

Anderson Township Library Association Book Sale – Mrs. Earhart read the following email from Denise Scretchen, Senior Manager at the Anderson Branch Library

"Vicky please send a sincere thanks to Anderson Township residents, Trustees and Administrators for their support of the library levy and for being such supporting advocates of reading at their local branch in the Anderson Township Library Association used book sale at Nagel. Although I will be in New Orleans and could not make this announcement please let everyone know the details of this weekend's sale. It is June 22nd through 24th, Friday sale hours at Nagel will be 10 a.m. to 8 p.m., Saturday 10 a.m. to 5 p.m., and Sunday from noon until 3 p.m. cash and check only. I will miss seeing our smiling library patrons this year at Nagel and fun with our library association members discussing book marks left in donations. Some of those book marks and other items founds including pictures of family members and old newspaper articles are on display at library through June 30th. I encourage our residents to come and take a peek to see if they recognize family."

PUBLIC FORUM

No one came forward.

FISCAL OFFICER

Set Public Hearing for 2019 Preliminary Tax Budget –

Resolution 18-0621-03: Ms. Stone moved to set a Public Hearing for Anderson Township's 2019 Preliminary Tax Budget for Thursday, July 19, 2018, beginning at 6:00 PM at Anderson Center. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Financial Reports – Mr. Dietz announced that the end of May financial reports were available for review.

Appropriation Changes –

Resolution 18-0621-04: Mr. Pappas moved to approve the appropriation changes within the same fund as detailed by Mr. Dietz and as follows. Ms. Stone seconded the motion.
Appropriation Changes within Same Fund

General Fund

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

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01.1100.17	+\$ 19,000	A&T fees (didn't increase for the millage change)
01.1100.26	- \$ 19,000	Misc. Expenses

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

LAW DIRECTOR

Resolution Estimating Inactive Deposits of the Township Within the Meaning of Section 135.05 of the Ohio Revised Code – Ms. Comey presented a resolution estimating inactive deposits and fixing a date for designation of public depositories. She explained that it had been five years since the Board had adopted such a resolution and that the local financial institutions needed to be reviewed to see what kind of services could be provided to the Township. Once the resolution had been passed, the guidelines would be sent to local financial institutions, responses would be reviewed, and a recommendation made to the Board at the next meeting.

Resolution 18-0621-05: Ms. Stone moved to adopt a resolution estimating inactive deposits of the Township within the meaning of Section 135.05 of the Ohio Revised Code as follows; Mr. Pappas seconded the motion:

RESOLUTION NO. 18-0621-05

RESOLUTION ESTIMATING INACTIVE DEPOSITS OF THE TOWNSHIP WITHIN THE MEANING OF SECTION 135.05 OF THE OHIO REVISED CODE

WHEREAS, Section 135.12(B) of the Ohio Revised Code (the "Statute") requires that a board of township trustees shall meet every five years in accordance with the Statute for the purpose of designating the public depositories of the public moneys of the township for a designation period of five years; and

WHEREAS, the current period of designation of public depositories of public moneys of the Township will expire on August 31, 2018; and

WHEREAS, Section 135.05 of the Ohio Revised Code requires that a board of township trustees, as governing board of the township, shall, by resolution, estimate the aggregate maximum amount of public moneys subject to its control to be awarded and to be on deposit as "inactive deposits" within the meaning of Section 135.01 of the Ohio Revised Code during that period of designation; and

WHEREAS, the Fiscal Officer has estimated that the aggregate maximum amount of public moneys subject to its control to be awarded and to be on deposit as "inactive deposits" during the period of designation to commence on September 1, 2018, is zero (\$0.00); and

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

SECTION 1. This Board hereby estimates, in accordance with Section 135.05 of the Ohio Revised Code, that the aggregate maximum amount of public moneys subject to its control to be awarded pursuant to the Statute for the designation period commencing September 1, 2018, and expiring August 31, 2023, and to be on deposit as "inactive deposits" is zero (\$0.00).

SECTION 2. This Board intends to designate public depositories of the public moneys of the Township constituting active deposits and interim deposits of the Township for the five year designation period commencing September 1, 2018, and expiring August 31, 2023, at its regular meeting to be held on August 16, 2018.

SECTION 3. The preambles to this resolution are and are deemed to 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.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

PLANNING & ZONING

Mr. Drury had nothing requiring Board action.

SHERIFF'S OFFICE

Lt. Guy had nothing requiring Board action.

PUBLIC WORKS DEPARTMENT

Fire Station 10 Roofing Project –

Resolution 18-0621-06: Mr. Pappas moved that this Board hereby accepts the Proposal of \$44,735.00, from Tecta America Zero Company through the NCPA purchasing agreement for the Anderson Township Fire Station 10 Roofing Project, together with a 10% contingency, for a maximum appropriation of \$49,209.00 in TIF funds; 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

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Tecta American Zero Company in accordance with their Proposal for the Anderson Township Fire Station 10 Roofing Project. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

FIRE & RESCUE

Chief Ober had nothing requiring Board action.

ADMINISTRATION

Authorize Care Works Renewal –

Resolution 18-0621-07: Ms. Stone moved to authorize payment of \$25,722 to CareWorksComp for Anderson Township's participation in the 2019 Ohio Township Association's group rating program. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Forestville Baptist Church Parking Agreement –

Resolution 18-0621-08: Mr. Pappas moved to a resolution approving parking facilities agreement Forestville Baptist Church and authorizing its execution as follows; Ms. Stone seconded the motion:

RESOLUTION NO. 18 – 0621– 08

RESOLUTION APPROVING PARKING FACILITIES AGREEMENT WITH FORESTVILLE BAPTIST CHURCH AND AUTHORIZING ITS EXECUTION

WHEREAS, Forestville Baptist Church, located at 1311 Nagel Road, in Anderson Township ("Forestville"), is the fee owner of certain real property located in the Township and defined as the Forestville Property (the "Forestville Property") in the Parking Facilities Agreement attached to this resolution as Exhibit A, which by this reference is incorporated herein (the "Agreement"); and

WHEREAS, Anderson Township, County of Hamilton, Ohio (the "Township"), is the fee owner of certain real property identified in the Agreement as the Anderson Property (the "Anderson Property") on which the Anderson Senior Center is located; and

WHEREAS, the Forestville Property and the Anderson Property are adjacent to one another; and

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WHEREAS, it is in the best interest of the Township to increase the parking spaces available for use by members of the public attending events at the Anderson Senior Center; and

WHEREAS, Forestville is willing to permit the use by the public of certain parking areas on the Forestville Property when attending events at the Anderson Senior Center on the terms and conditions provided in the Agreement;

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 enter into the Agreement with Forestville to provide for additional parking areas adjacent to the Anderson Senior Center on the terms and subject to the conditions contained in the Agreement.

SECTION 2. This Board approves the form of the Agreement before this Board and authorizes and directs the Township Administrator to execute and deliver the Agreement in substantially the form before this Board, 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 Agreement. 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.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Cincinnati Area Senior Services Contract Renewal –

Resolution 18-0621-09: Ms. Stone moved to adopt a resolution authorizing the execution of an agreement with Cincinnati Area Senior Services as follows; Mr. Pappas seconded the motion:

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RESOLUTION NO. 18-0621-09

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
CINCINNATI AREA SENIOR SERVICES**

WHEREAS, boards of township trustees are authorized, pursuant to Section 505.70(b) of the Revised Code, among other things, to participate in and cooperate with public and nonprofit private agencies and organizations in establishing and operating programs to provide necessary social services to meet the needs of older persons; and

WHEREAS, Cincinnati Area Senior Services, an Ohio nonprofit organization ("CASS"), and this Board desire to enter into an agreement pursuant to which CASS will provide adequate social services, home delivered meals, congregate meals and transportation (the "Services") to seniors in the Township;

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 this Board hereby determines that it is in the best interest of the Township to enter into an agreement with CASS in substantially the form attached hereto as Exhibit A and by this reference made a part hereof (the "Agreement"), pursuant to which CASS will provide the Services to seniors in the Township.

SECTION 2. That the Township Administrator is hereby authorized to execute the Agreement in substantially the form attached hereto as 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 Agreement.

SECTION 3. That the preambles hereto are and shall be deemed to be for all purposes integral 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 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.


Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Items Arising from Executive Session Discussion – Mrs. Earhart announced that there were no decisions coming out of Executive Session.

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As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of September 20, 2018.



Joshua S. Gerth, President


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 21st day of June 2018, and that said minutes have been duly entered upon the Journal of said Township.

This 20th day of September, 2018.


Kenneth G. Dietz
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

July 5, 2018

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on July 5, 2018, at 1:00 p.m., in the Large Conference Room. Present were the following Board members:

Joshua S. Gerth
Andrew S. Pappas
Robin D. Stone

Mr. Pappas called the meeting to order and welcomed attendees including Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, Assistant Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Assistant Chief Rick Martin, Interim Public Works Director Mark Magna, Lt. Matt Guy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker, Office Manager Betty Cowan and *Cincinnati Enquirer* Reporter Shelia Vilvens.

Mr. Gerth moved to adopt the agenda. **Mr. Pappas** seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: **Mr. Gerth**, yes; **Mr. Pappas**, yes; **Ms. Stone**, yes.

TRUSTEES/FISCAL OFFICER

Draft 2019 Preliminary Tax Budget – **Mr. Dietz** stated that the 2019 Preliminary Tax Budget was 3% higher than last year.

DISCUSSION ITEMS

Introduction of Major Bill Rarrick, Hamilton County Sheriff's Office – **Mrs. Earhart** introduced Major Rarrick. **Major Rarrick** stated that he had been with the Township for over 20 years and had a vested interest in what occurs in the Township.

Resolution Authorizing the Purchase of Equipment Pursuant to Section 505.101 of the Ohio Revised Code –

Resolution 18-0705-01: **Mr. Pappas** moved to adopt a resolution authorizing the purchase of equipment pursuant to Section 505.101 of the Ohio Revised Codes as follows; **Ms. Stone** seconded the motion:

RESOLUTION NO. 18-0705-01

AUTHORIZING THE PURCHASE OF EQUIPMENT PURSUANT TO SECTION 505.101 OF THE OHIO REVISED CODE

WHEREAS, Section 505.101 of the Ohio Revised Code provides for the purchase of motor vehicles, materials, equipment or supplies, without advertising or bidding, from any department, agency, or political subdivision of the State;

July 5, 2018

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

Section 1. That the Board hereby determines that it is in the best interest of the Township to acquire by purchase certain equipped motor vehicles for use in the delivery of police protection services in the Township, to-wit, one (1) fully equipped AWD Dodge Charger ("Equipment"), which Equipment is available for purchase pursuant to a bid process undertaken by the Hamilton County Sheriff's Office.

Section 2. That the maximum amount to be paid as the purchase price for the Equipment is \$30,000.00, which funds have been previously appropriated by this Board for the purpose and remain otherwise unencumbered.

Section 3. That the Township Administrator is hereby authorized to execute the necessary and appropriate purchase agreement(s) and/or documentation, after review by the Law Director, to effectuate the purchase of the Equipment in accordance with 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 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.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Resolution Imposing a Temporary Moratorium of Ninety Days upon Micro Wireless Telecommunications Facilities –

Resolution 18-0705-02: Ms. Stone moved to adopt a resolution imposing a temporary moratorium of ninety days upon the processing, approval, and issuance of any permits relating to the construction or installation of, and/or modification to, micro wireless telecommunications facilities within the rights-of-ways and residential areas of Anderson Township, Ohio as follows; Mr. Pappas seconded the motion:

RESOLUTION No. 18-0705-02

**RESOLUTION IMPOSING A TEMPORARY MORATORIUM OF NINETY DAYS
UPON THE PROCESSING, APPROVAL, AND ISSUANCE OF ANY PERMITS
RELATING TO THE CONSTRUCTION OR INSTALLATION OF, AND/OR
MODIFICATION TO, MICRO WIRELESS TELECOMMUNICATIONS FACILITIES
WITHIN THE RIGHTS-OF-WAYS AND RESIDENTIAL AREAS OF ANDERSON
TOWNSHIP, OHIO**

July 5, 2018

WHEREAS, Section 519.211 of the Ohio Revised Code authorizes a township board of trustees to regulate telecommunications towers in residential areas in the unincorporated areas of a township; and

WHEREAS, this Board has an interest in the location, installation, construction, reconstruction, and certain changes, alterations, or enlargement of, telecommunications towers (including Mini Cell Towers as defined herein) in the Township; and

WHEREAS, this Board deems it to be in the public interest to regulate and manage its public rights-of-way in the Township; and

WHEREAS, certain technological advancements and legal developments with respect to micro or mini cell towers have come to the attention of this Board, and the Board deems it necessary to review, study and potentially address those advancements and legal developments in a reasonable manner, particularly with respect to the installation and construction of mini cell towers within the rights-of-ways and residential areas in the Township; and

WHEREAS, the development and implementation of adequate policies and regulations regarding mini cell towers, and the siting of such wireless facilities and utilities in a way that addresses local concerns, standards, and policies, requires the consideration of a telecommunications and utilities facilities plan intended to provide the public with access to utility and wireless services, and to comply with federal and Ohio law; and

WHEREAS, for the purposes of this resolution, "Mini Cell Towers" shall include, but not be limited to, all of the following categories:

"Wireless facilities" which means an antenna, accessory equipment, or other wireless device or equipment used to provide wireless service; and

"Wireless support structures" which means a pole, such as a monopole, either guyed or self-supporting, light pole, traffic signal, sign pole, or utility pole capable of supporting wireless facilities. As used in section 4939.031 of the Ohio Revised Code, "wireless support structure" excludes a utility pole or other facility owned or operated by a municipal electric utility; and

"Small cell facility" which means a wireless facility where each antenna is located inside an enclosure of not more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an enclosure of not more than six cubic feet in volume and all other wireless equipment associated with the facility is cumulatively not more than twenty-eight cubic feet in volume and if the wireless facility were placed on a wireless support structure, the increased height would be not more than ten feet or the overall resulting height would be not more than fifty feet. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services; and

July 5, 2018

“Micro wireless facility” which means and includes a distributed antenna system and a small cell facility, and the related wireless facilities; and

“Distributed antenna system” which means a network or facility to which all of the following apply: (1) It distributes radio frequency signals to provide wireless service; (2) It meets the height and size characteristics of a small cell facility; (3) It consists of remote antenna nodes deployed throughout a desired coverage area; has a high-capacity signal transport medium connected to a central hub site; and equipment located at the hub site to process or control the radio frequency signals through the antennas; and (4) It conforms to the size limitations specified in definition of a “small cell facility” noted above; and

WHEREAS, in order to complete a review, develop a utilities facilities plan or resolution and a permitting process, and/or to review and make recommendations with respect to zoning and/or limitations on Mini Cell Towers, Township staff will require additional time to complete its review and develop recommendations for this Board to insure that any proposed regulations and processes are rationally-based, conform to objectives of the Township, enhance the public peace, health, safety, and welfare of its citizens, and comply with law; and

WHEREAS, to provide adequate time for completion of such review, this Board determines that it is necessary to impose a moratorium of ninety (90) days on the processing, approval and issuance of permits for Mini Cell Towers in the rights-of-ways and residential areas of Anderson Township;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES (the “Board”) OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, STATE OF OHIO (the “Township”) as follows:

SECTION 1. In order to provide adequate time for the review of technological advancements and legal developments with respect to the siting and modification of telecommunications towers, including Mini Cell Towers, in the Township, to determine what, if any, regulations regarding the location, installation and construction of Mini Cell Towers within the rights-of-ways and residential areas of the Township are necessary and in the furtherance of the public peace, health, safety and welfare, this Board hereby imposes a moratorium for a period of ninety (90) days, commencing on July 6, 2018, on the processing, approval, and issuance of any permits for the construction or installation of, or modification of, Mini Cell Towers within the rights-of-ways and residential areas of the Township. The Township Administrator is instructed to lead Township staff in completing the aforesaid review in an expeditious manner and to make recommendations to this Board in the matter.

SECTION 2. During the aforesaid period of the moratorium, no permits for the installation of any Mini Cell Towers within the public rights of way of the Township or in residential areas of the Township shall be processed and/or issued by the Township.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

July 5, 2018

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 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) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

SECTION 5. This Resolution shall be effective on the earliest date allowed by law.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Mr. Gerth moved to retire to Executive Session to consider the appointment, employment, or compensation of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1) and to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2). Ms. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

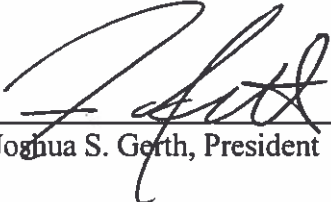
Mr. Gerth moved to return from executive session. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of September 20, 2018.


Joshua S. Gerth, President


Kenneth G. Dietz, Fiscal Officer

July 5, 2018

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 5th day of July 2018, and that said minutes have been duly entered upon the Journal of said Township.

This 20th day of September, 2018.



Kenneth G. Dietz
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

July 19, 2018

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on July 19, 2018, at 5:30 p.m., in the Anderson Center Board Room. Present were the following Board members:

Joshua S. Gerth
Andrew S. Pappas
Robin D. Stone

Also present at the start of the meeting were Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, and Assistant Administrator for Human Resources Suzanne Parker.

Mr. Gerth called the meeting to order and moved to retire to Executive Session 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). Mr. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Mr. Gerth moved to return from Executive Session. Ms. Stone seconded the motion. Mr. Dietz called the roll Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Mr. Gerth welcomed the additional attendees, including a number of citizens and other public officials including: Planning & Zoning Director Paul Drury, Fire Chief Mark Ober, Interim Public Works Director Mark Magna, Lt. Matt Guy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance

In Celebration of Anderson's 225th Anniversary – **Mr. Gerth** stated that the celebration of Anderson's 225th Anniversary would continue during Greater Anderson Days which would be held on July 27th, 28th and 29th at Beech Acres. He encouraged everyone to stop by the Township booth to receive a commemorative Frisbee, take photos using the Frisbee and send the digital images to the Township. Photos would be on display during the September events at Anderson Center. He asked everyone to join him in the Pledge of Allegiance.

Mr. Gerth moved to adopt the agenda. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

PUBLIC HEARINGS

Mr. Gerth opened the public hearing for the 2019 Preliminary Tax Budget

2019 Preliminary Tax Budget – **Mr. Dietz** explained that each year the Township was required to submit a tax budget for the next fiscal year. Several meetings had been conducted with department heads and administration in which projects were addressed. There were a few minor changes. The 2019 was \$30,000 less than the 2018 budget. The 2019 budget totaled \$45,707,105. History has proven that the Township typically spent 5% less than what it budgets.

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Mr. Gerth invited members of the audience and other officials to comment on the 2018 Preliminary Tax Budget

Kathy Nappi, 644 Water Point, asked if the Hamilton County sales tax was on the November ballot and, voted down, how would the Township address a potential \$2,000,000 increase in Township cost, resulting from potential County cuts. She asked if Township services would be cut, and if property owners would be faced with another tax levy to make up the gap. She pointed out that the County was facing a \$28,000,000 budget gap in 2019, primarily due to State funding cuts. The Township faced a similar situation in 2016, also due to State cuts. At that time, the Trustees asked voters to support a Public Safety Levy and Mr. Pappas noted that if residents wanted to keep the current level of service, the levy would need to be approved. She believed that if the County was not able to plug the budget gap with the additional revenue from a sales tax increase, they would consider cutting services. She also believed that there were two areas of cuts that would impact the Township. First were the Sheriff patrols. Hamilton County currently subsidizes the cost of Sheriff patrols in the Township by \$2,100,000, given the size of the County budget gap, anywhere from half to all of the subsidies could be potentially cut. Second was the 911 fee, the County would likely increase the fee from \$15 to \$21, per call, increasing cost to the Township by over \$100,000. She stated that two of the Trustees were actively fighting the County sales tax but had not been clear with residents about the potential cuts to Township services. She questions how the Township would pay for the current level of service if it costs \$2,000,000 more to deliver in 2019.

Mr. Dietz stated that increases to the Sheriff's budget and the communication center had been considered, and funding had been allocated in both budgets to cover those costs.

Mrs. Earhart stated that the Township funds the sheriff personnel, 21 sheriff vehicles, District 5 offices, and some equipment. She pointed out that Hamilton County came nowhere near subsidizing the cost of Sheriff Patrols, in the Township, by \$2,100,000. Staff was in the process of negotiating its contract with the Sheriff's office, which showed no drastic increase. While the County may experience some financial difficulties, and some cuts in the future, the Township fully expects the Sheriff's contract, that was in place, to be honored. In speaking with the County Administrator he indicated that if the sales tax increase went to referendum, and it was voted down, there would be a gap that would have to filled at some point. The Township could not assume that its costs were going to increase outside of the contract.

Mr. Gerth pointed out that a Public Safety Levy was passed in 2016, only after stretching a five year levy to eight years by being fiscally responsible. He was one of the people that had been campaigning for the sales tax increase to be placed on the ballot because he firmly believed that people should have a right to have all the information and vote on it accordingly.

Mr. Pappas stated that he has not publicly advocated citizens to be for or against the sales tax increase. He believed it was a fundamental right that everyone had the right to vote.

As no one else came forward, **Mr. Gerth**, closed the public hearing.

July 19, 2018

Resolution 18-0315-01: Ms. Stone moved to adopt the 2018 permanent summary budget as presented by Mr. Dietz and as follows; Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

PRESENTATIONS AND RECOGNITIONS

Recognition of Roger Wagner as Sheriff Citizen Patrol Coordinator – **Lt. Guy** presented Roger Wagner a certificate of recognition for his dedicated service to Hamilton County Sheriff's Citizen Patrol, Anderson Township, and the people in the community.

2018 Beautification Awards – **Mr. Drury** introduced the 2018 Beautification Award winners. **Trustee Stone** presented each with a plaque.

Resolution Appointing Eric Luginbuhl as Public Works Director –

Resolution 18-0719-02: Mr. Pappas moved to adopt a resolution appointing Eric J. Luginbuhl as Public Works Directors as follows; Mr. Gerth seconded the motion:

RESOLUTION NO. 18-0719-02

RESOLUTION APPOINTING ERIC J. LUGINBUHL AS PUBLIC WORKS DIRECTOR

WHEREAS, pursuant to Section 5571.02 of the Revised Code, this Board of Township Trustees ("Board") is empowered to appoint a township highway superintendent ("Public Works Director"); and

WHEREAS, Eric Luginbuhl, is not only qualified by experience and performance for appointment as the Director of Public Works, but the Board has determined that he represents the best fit for the position; and,

WHEREAS, Eric Luginbuhl has advised the Township Administrator that he desires to be appointed as the Director of Public Works on the terms specified in this resolution; now, therefore,

BE IT RESOLVED by the Board of Township Trustees of Anderson Township, Hamilton County, Ohio, as follows:

SECTION 1. Eric Luginbuhl is hereby appointed Director of the Anderson Township Public Works Department, upon the terms specified in Exhibit A hereto, which Exhibit A is by this reference incorporated in this resolution.

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 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) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES
July 19, 2018*

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Resolution Appointing Jamie Bender as Road Maintenance Leadman –

Resolution 18-0719-03: Ms. Stone moved to appoint Jamie Bender as Road Maintenance Leadman, effective July 22, 2018. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Oath of Office, Fire Chief Rick Martin – Chief Ober introduced Rick Martin. Mr. Dietz administered the oath of office.

Resolution Appointing Chris Kasperczyk as Battalion Chief –

Resolution 18-0719-04: Mr. Pappas moved to appoint Chris Kasperczyk as Battalion Chief for the Fire & Rescue Department effective July 22, 2018. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Resolution Appointing Marty Gruenwald as Lieutenant –

Resolution 18-0719-05: Mr. Pappas moved to appoint Marty Gruenwald as Lieutenant for the Fire & Rescue Department, effective July 22, 2018. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Oaths of Office: Assistant Chief Bob Herrlinger, Battalion Chief Kasperczyk, Lieutenant Gruenwald – Mr. Dietz administered the oath of office.

PUBLIC FORUM

Clark VanSayoc, 8483 Coran Drive, stated that as the Township celebrated its 225th Anniversary he would like to highlight the fact that the latest census indicated that the Township was voted the 2nd largest community in Hamilton County, in which the citizens that were born and educated in the Township, stayed in the Township. The elements of the society including leadership, fire, sheriff, teachers, and planners had a big part in making the Township his home.

Pinky Kocoshis, 7813 Hooper Road, stated that she had been eagerly awaiting the red bag Textile Recycling Program. Ohio and the country had only 40 years of landfill space left, so it

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behooves everyone to keep textiles, clothing and housewares from heading to landfills. Therefore, she asked for an update on the Textile Recycling Program. **Mrs. Earhart** replied that the launch date was August 13th. There was an update on the Township's *Facebook* page, along with an article in the upcoming *Anderson Insights*.

FISCAL OFFICER

Financial Reports – **Mr. Dietz** announced that the end of June financial reports were available for review.

Minutes –

Resolution 18-0719-06: Mr. Pappas moved to approve the minutes of March 8, 2018; March 15, 2018; April 5, 2018; April 19, 2018; April 26 & 27, 2018; May 3, 2018; May 17, 2018; May 21, 2018; May 23, 2018; June 6, 2018; and June 7, 2018, with minor corrections. **Ms. Stone** seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: **Mr. Gerth**, yes; **Mr. Pappas**, yes; **Ms. Stone**, yes.

LAW DIRECTOR

Mrs. Comey had nothing requiring Board action.

PLANNING & ZONING

Resolution Determining Existence of Nuisance on Land Owned by Selene Finance LP Located at 3510 Mt. Carmel Road –

Resolution 18-0719-07: Ms. Stone moved to adopt a resolution determining existence of nuisance on land owned by Selene Finance LP, located at 3510 Mt. Carmel Road, in Anderson Township, and providing for notice and remediation pursuant to ORC Section 505.87 as follows; **Mr. Pappas** seconded the motion:

RESOLUTION NO. 18-0719-07

RESOLUTION DETERMINING EXISTENCE OF NUISANCE ON LAND OWNED BY SELENE FINANCE LP, LOCATED AT 3510 MT. CARMEL ROAD, 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");

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

July 19, 2018

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 and Zoning Department to be a resident of the Township or a nonresident whose address is known, the Anderson Township Planning and 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 each lienholder of record. If such owner's address is unknown and cannot reasonably be obtained, the Anderson Township Planning and Zoning Department 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 Anderson Township Planning and Zoning Department, 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 such sum is hereby appropriated to be paid from the Township General Fund from monies not otherwise appropriated.

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.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

SHERIFF'S OFFICE

Liquor License Stock Transfer Request for Roundbottom Enterprises LLC dba Ethel's Tavern,
4095 Round Bottom Rd & Patio –

July 19, 2018

Resolution 18-0719-08: Ms. Stone moved not to object to a liquor license stock transfer request for Roundbottom Enterprises LLC dba Ethel's Tavern located at 4095 Round Bottom Rd & Patio. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Liquor License Stock Transfer Request for PNK Ohio LLC dba Belterra Park & Terraces & Aprons, 6310 Kellogg Avenue –

Resolution 18-0719-09: Ms. Stone moved not to object to a liquor license stock transfer request for PNK Ohio LLC dba Belterra Park & Terraces & Aprons located at 6301 Kellogg Avenue. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

PUBLIC WORKS

Electric Generation for Street Lighting and Non-Street Lighting Accounts of Lykins Energy Services –

Resolution 18-0719-10: Mr. Pappas moved that this Board hereby accept Lykins Energy Services electric generation rate of \$0.0454/kWh for street lighting and for non-street lighting accounts for a term of one (1) year without increase through May 2020; further, this Board hereby authorizes and directs the Township Administrator to enter into an Electric Sale Agreement Renewal with Lykins Energy Services substantially in the form presented to this Board with such changes thereto as she shall determine, after consultation with the Law Director, are not financially disadvantageous to the Township, such determination being evidenced by her execution of said Agreement. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

2018 Hamilton County 20% Distribution Funds Program –

Resolution 18-0719-11: Ms. Stone moved to authorize the application of the Hamilton County 20% Distribution Funds to be used towards the 2018 Curb & Sidewalk projects in the amount of \$58,547 and the remaining money by applied to the 2019 Paving Program.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

FIRE & RESCUE DEPARTMENT

July 19, 2018

Request to Authorize Anderson Township Emergency Operations Plan –

Resolution 18-0719-12: Mr. Pappas moved to adopt a resolution approving an emergency management plan for Anderson Township and designating coordinators for purposes of coordinating emergency management in Anderson Township as follows; Ms. Stone seconded the motion:

RESOLUTION NO. 18 – 0719 – 12

**RESOLUTION APPROVING AN EMERGENCY MANAGEMENT PLAN FOR
ANDERSON TOWNSHIP AND DESIGNATING COORDINATORS FOR PURPOSES
OF COORDINATING EMERGENCY MANAGEMENT IN ANDERSON TOWNSHIP**

WHEREAS, this Board of Township Trustees (the “Board”) is authorized by Section 505.82 of the Ohio Revised Code and by Sections 5502.21 et seq. (the “Act”) to declare the existence of an emergency, and upon such declaration to contract for the immediate acquisition, replacement or repair of equipment needed for mitigating the emergency situation, and to take emergency management actions under the Act; and

WHEREAS, this Board is authorized by Section 5502.271 of the Act to develop an all hazards emergency operations plan (the “Emergency Plan”) in accordance with the Act and other provisions of the Ohio Revised Code; and

WHEREAS the Emergency Plan provides for emergency preparedness and civil defense activities and measures, designed or undertaken to minimize the effects upon the civilian population caused or that could be caused by any hazard (including, but not limited to, natural hazards and hazards involving hazardous materials or radiological elements) and that are necessary to address mitigation, emergency preparedness, response and recovery; and

WHEREAS, during emergencies the state powers conferred on political subdivisions, including townships, may be exercised in light of the exigencies of the emergency without regard to or compliance with time-consuming procedures and formalities prescribed by law pertaining thereto;

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 this Board hereby determines that it is in the best interest of the Township to approve, and this Board hereby approves, the Emergency Plan presented to this Board.

SECTION 2. That the Township Administrator and the Township’s Fire Chief are each designated to act, alone or together, as the Coordinators of the Emergency Plan for the Township.

SECTION 3. That the preambles to this resolution are and for all purposes shall 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 open meetings of this

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

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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.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

TOWNSHIP ADMINISTRATOR

CLGBP Medical Insurance Renewal –

Resolution 18-0719-13: Ms. Stone moved to authorize the Assistant Township Administrator for HR to renew the Township's employee medical insurance plan through the Center for Local Government Benefits Pool as presented. Mr. Pappas seconded the motion.


There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Items Arising from Executive Session Discussion – Mrs. Earhart announced that there were no decisions coming out of Executive Session.

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of September 20, 2018.



Joshua S. Gerth, President



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 19th day of July 2018, and that said minutes have been duly entered upon the Journal of said Township.

This 20th day of September, 2018.



Kenneth G. Dietz, Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

August 2, 2018

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on August 2, 2018, at 2:00 p.m., in the Large Conference Room. Present were the following Board members:

Joshua S. Gerth
Andrew S. Pappas
Robin D. Stone

Mr. Pappas called the meeting to order and welcomed attendees including Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, Assistant Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Assistant Chief Rick Martin, Interim Public Works Director Mark Magna, Lt. Matt Guy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker and Administrative Assistant Molly Mohrfield and *Cincinnati Enquirer Reporter Shelia Vilvens*.

Mr. Gerth moved to adopt the agenda. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

TRUSTEES/FISCAL OFFICER

Application for Banking Services Under the Ohio Depository Law – **Mr. Dietz** stated that applications for banking services had been sent to six lending institutions. Out of the six, four had responded: Huntington, Chase, Fifth Third, and Park National. The two that had not responded were US Bank and PNC. The Township currently had money invested with PNC, therefore; they would be included in the process as well. The responses were being reviewed and the major considerations were communication, interest rates, fees and level of service.

Mrs. Hucker announced that the audit was 85% complete. **Mr. Dietz** added indications were that it would be a clean audit.

Mr. Gerth asked where the returned funds, indicated in a recent letter from the Hamilton County Auditor, were from. **Mr. Dietz** replied the funds were from the Real Estate Assessment Fund. A fee, which was calculated as a percentage of the County's total tax collection. State law provides for the revenue to be used for the Auditor's real estate and reappraisal work. There was a \$14,000,000 unspent balance in the fund which was being returned to local governments, school districts, and other taxing authorities. The Township's refunded portion would be \$339,730.57.

DISCUSSION ITEMS

Annual Information Filing of the Township – **Mrs. Comey** stated that each year the Township was required to make an annual information filing with the MSRB to comply with a continuing disclosure agreement that was signed on behalf of the Township for the series 2014 bonds. Those were the only bonds that were outstanding. The annual information filing updates the

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investment community on the data that was used in the original offering document when those bonds were issued. Staff reviews the document and additional data would be included from the fiscal office. The only requirement was that it be filed by September 30th.

Request for Board Action Authorizing Stonecrest TIF Notices to be sent to the Forest Hills and Great Oaks Joint Vocational School Districts – **Mrs. Comey** requested authorization to send TIF notices to the Forest Hills School District and Great Oaks Joint Vocational School Districts regarding the creation of a TIF that would include the Stonecrest development parcels. In order to create the TIF notices had to be sent to the impacted school districts along with the proposed TIF resolution. The notices would trigger a 45-business day waiting period. She pointed out that it was important that the TIF be created in time for the upcoming tax duplicate.

Resolution 18-0802-01: Mr. Pappas moved to authorize the Township Administrator to cause notices to be sent to the Forest Hills School District and to Great Oaks Institute of Technology and Career Center/Joint Vocational School District pursuant to Section 5709.73 of the Ohio Revised Code pertaining to the proposed Stonecrest tax increment financing area, to be known as the Stonecrest TIF area. **Ms. Stone** seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Agreement for the Provision of Fire Protection and Emergency Medical Services to the Village of Newtown, Ohio – **Mrs. Earhart** stated she, Chief Ober, and Assistant Chief Martin met with Mayor Kobasuk and Council Members Tiettmeyer and Zornes regarding the Fire Protection and Emergency Medical Services Agreement to the Village of Newtown. They were extremely pleased with the services that Fire and Rescue was providing and wished to continue for the next three year proposed section of the agreement. The insurance certificates where the Township named Newtown as an also insured had been obtained and she was waiting for the formality of the Council action to extend the agreement.

Dunn Road - **Mr. Sievers** explained that several years ago the Township took ownership of a portion of Ayers from Hamilton County in exchange for Dunn Road. Prior to that exchange, the Township had made improvements to Dunn Road including sidewalks, along with changing the intersection to address safety concerns and to slow down traffic. The County did a speed study and has requested that the speed limit be changed from 25 mph to 35 mph, which has raised concerns. Staff's recommendation would be to take back ownership to maintain the 25 mph speed limit. **The Board** was concerned with the increased speed limited as well and agreed with staff's recommendation.

Community Wellness Committee Initiation – **Mr. Drury** stated that staff has struggled in recent years to find volunteers for the Betterment and Beautification Committee. "WeThrive!" an initiative from Hamilton County Public Health, in which the Township participated, linked planning with health initiatives. The "WeThrive!" initiatives include substance abuse, social health, injury prevention, environmental health, and emergency preparedness. Some of these same initiatives were housed under the Transportation Advisory Committee (TAC), as well.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

August 2, 2018

Therefore, staff was recommending pulling some of the initiatives from TAC, and consolidating the Betterment and Beautification, into a new committee named the "Community Wellness Committee". **The Board** had no issues with the recommendation.

Diesel Mitigation Grant – **Mr. Magna** stated that the Township had an opportunity to receive funding for the replacement of diesel vehicles, which emerged from the Volkswagen diesel mitigation settlement. This program was being administrated through the Ohio Environmental Protection Agency (EPA). Next year the Public Works Department had planned to replace a dump truck. Therefore, he was requesting that application be made to apply for this grant. The requirements of the grant were that the money be allocated for the vehicle, the vehicle be order and the grant received. If the grant was issued the Ohio EPA would then reimburse 65% of the cost of the vehicle back to the Township.

Resolution 18-0802-02: Ms. Stone moved to authorize the submittal of an application to the Ohio EPA for grant funding to replace a 2003 International diesel truck for a 2019 model in compliance with the Clean Air Act. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

Mr. Gerth moved to retire to Executive Session to consider to consider the appointment, employment, or compensation of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes, or 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).

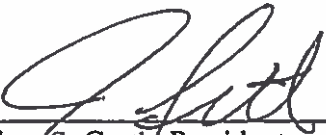
Mr. Gerth moved to return from executive session. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Mr. Pappas, yes; Ms. Stone, yes.

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of September 2, 2018.


Joshua S. Gerth, President


Kenneth G. Dietz, Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

August 2, 2018

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 2nd day of August 2018, and that said minutes have been duly entered upon the Journal of said Township.

This 2nd day of September, 2018.



Kenneth G. Dietz
Fiscal Officer