

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

April 4, 2019

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on April 4, 2019, at 1:30 p.m., in the Large Conference Room at Anderson Center. Present were the following Board members:

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

Also present when the meeting was called to order were Fiscal Officer Ken Dietz and Assistant Administrator for Human Resources Suzanne Parker.

**Mr. Gerth called the meeting to order.**

**Mr. Gerth moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1). Ms. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.**

**Mr. Gerth moved to return from executive session. Ms. Stone seconded the motion.**

There was no further discussion.

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

At 2:00 p.m. the following individuals joined the regular meeting of the Board, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Lt. Dan McElroy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker and Administrative Assistant Molly Mohrfield.

**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; Ms. Stone, yes; Mr. Pappas, yes**

**TRUSTEES/FISCAL OFFICER**

**Ms. Stone** stated that she has received numerous complaints regarding the unmaintained gas station/convenience store at Salem and Birney. There was a large water hole, the fence surrounding the property was not secure and garbage was everywhere. **Mr. Drury** stated that the property was on the agenda for the April Zoning Commission meeting. **Ms. Stone** asked if the Township had any authority regarding the large hole with water. **Mr. Drury** replied that the Township would only have authority if there was a concern of mosquitos. **Ms. Stone** felt it presented a drowning hazard. **Chief Martin** stated that an issue of that nature would be attractive nuisance and fall under the purview of the Law Director. **Mr. Sievers** stated that staff

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would contact the property owner in an attempt to encourage him to clean up the property. **Mrs. Earhart** pointed out that Ms. Comey felt that maintenance of the large water hole would fall, to some degree, to the agency that decertified the gas tanks.

### DISCUSSION ITEMS

#### Request to Set a Hearing for Case 2-2019 Anderson –

**Resolution 19-0404-01: Ms. Stone made a motion to set a public hearing for Thursday, April 18, 2019, at 6:00 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio for hearing Case #2-2019 Anderson. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**Mr. Drury** stated that Mr. Gerth had received an email from Kathy Burger in regard to Anchor Road and the dumping of construction debris, grading of the property, and storing stock piles of material. Staff did an inspection and verified the complaint. The site was purchased by DER Construction in November, and they have since cleared it. It was previously owned by Beaver Tree Company, who used the site to store logs, and logging material. Staff notified Hamilton County Soil and Water because the site was in the flood plain. Soil and Water sent a notice that sediment control was needed because the entire site had been graded and cleared. Hamilton County Public Health issued a notice of violation along with a request that the fill material be removed from the site because the construction debris included plastic gutter tubing and drain tile, which was not appropriate hard fill.

PACE Project – Mrs. Comey stated that JZB Realty Holdings Co., doing business as Forest Hills Care Center, 8700 Moran Road, were seeking to finance various improvements of over \$4,000,000, using PACE bonds. This would involve financing through the issuance of Ohio Air Quality Control Authority (OAQDA) Bonds. Forest Hills Care Center was requesting that the Township accept the entire special assessment process, which would be a 30-year assessment with annual payments of approximately \$370,000, for a total assessment of approximately \$11,000,000. The special assessments would be collected, similar to real estate taxes, sent to the Fiscal Office, who would then be responsible for making the annual payments to the investor which was Greenworks Lending. This would be done through the Energy Special Improvement District (ESID) that was created in Newtown. **Mr. Sievers** explained that Forest Hills Care Center was doing energy improvements in conjunction with their expansion, which was what staff initially believed the Township was involved with, not \$4,000,000 worth of building expansion. **Mrs. Comey** added that typically would include HVAC and special lighting, in this case it was believed to be the building envelope for the expansion. **Ms. Stone** asked what would happen if the Township was not interested. **Mrs. Earhart** replied nothing, clearly, they had the financing in place since the building was almost completed. **Mrs. Comey** suggested if the Township did get involved in this project, administrative fee should be included due to the complexity and dollar amount.

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**May 4 and 5, 2019 Board Planning Meeting** – Mrs. Earhart explained that staff and the Management Team discussed which topics were worthy of Planning Meeting discussion and asked for the Board’s input. Staff does recognize the importance of the Planning Meeting as an opportunity to work long term and come up with the next “big thing”.

**Mr. Gerth 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). Ms. Stone seconded the motion.**

There was no further discussion.

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

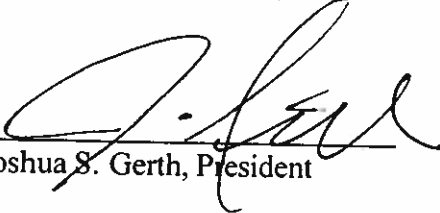
**Mr. Gerth moved to return from Executive Session. Mr. Pappas seconded the motion.**

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of June 20, 2019.

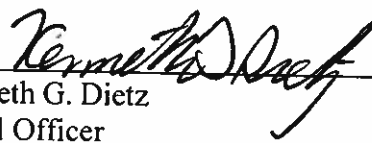
  
Joshua S. Gerth, President

  
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 4<sup>th</sup> day of April 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 20<sup>th</sup> day of June, 2019.

  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
April 18, 2019

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on April 18, 2019, at 5:30 p.m., in the Anderson Center Board Room. Present were the following Board members:

Robin D. Stone  
Andrew S. Pappas

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

**Ms. Stone called the meeting to order and moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1) and to consider the purchase of property for public purposes as permitted by Ohio Revised Code Section 121.22(G)(2). Mr. Pappas seconded the motion. Mr. Dietz called the roll: Mr. Gerth, absent; Ms. Stone, yes; Mr. Pappas, yes.**

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

**Ms. Stone called the meeting to order and welcomed the additional attendees, including a number of citizens and other public officials including: Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Lt. Dan McElroy, Law Director Margaret Comey and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.**

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

There was no further discussion.

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

### PUBLIC HEARINGS

**Ms. Stone** opened the public hearing for Case 2-2019 Anderson, 6882 and 6900 Beechmont Avenue.

Case 2-2019 Anderson, 6882 and 6900 Beechmont Avenue – **Mr. Drury** explained that the request before the Board was for a proposed zone change, as well as a substantial modification to a previously approved case in 1976. The location was 6882 and 6900 Beechmont Avenue, the Mt. Washington Care Center. The facility was zoned "DD" Planned Multi Family and the parcel adjacent to the facility was zoned "C" Residence. The request was to change everything to "DD" as well as a substantial modification to the previously approved case. The re-zoning would support a 22,000 square foot addition to the facility. This would be a one-story addition for a 28 single bed nursing care unit, along with façade improvements to the front and west of the facility and interior renovations. The goal was to convert all double occupancy rooms to single occupancy rooms.

The application had been reviewed by both the Hamilton County Regional Planning Commission and the Anderson Township Zoning Commission; both entities recommended approval with conditions. The recommendations were consistent with the Comprehensive Plan and compatible with surrounding uses. There was discussion regarding a Shagbark Hickory Tree; therefore, the Zoning Commission recommended a condition that the tree be identified on the final development plan to ensure that tree was protected during construction. The other item of concern was screening for the surrounding homes. The applicants had proposed a solid fence with landscaping on the outside of the fence.

**Ms. Stone** invited members of the audience and other officials to comment on the Case 2-2019 – Anderson, 6882 and 6900 Beechmont Avenue.

**Ben Payne, 757 Yard Street, Suite 300, Columbus, OH**, stated that he was the project architect on behalf of the owner. He believed that this addition would provide a much-needed service in the area for the senior population.

**Mark Jacobs, 6884 Beechmont Avenue**, stated that Mt. Washington Care Center had been great neighbors. He was concerned by extending the fence along the property line, as it could potentially cause permanent damage to the Shagbark Hickory Tree.

**Mr. Payne** replied that they would take the utmost care to preserve all the mature trees on the site. The fence was a reaction to Mr. Jacobs wanting privacy along the property line. The goal was not to jeopardize any of the trees but to provide the required landscaping per the zoning requirements. If the fence would compromise any of the trees they would find another way to provide the privacy and screening without a fence.

**Ms. Stone** closed the public hearing.

**Resolution 19-0418-01: Mr. Pappas moved to approve and adopt a zone change from “C” Residence to “DD” Planned Multiple Residence for 6882 Beechmont Avenue, and a substantial modification to Case 3-1976 for property located at 6900 Beechmont Avenue as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0418-01  
CASE 2-2019 ANDERSON**

**6882 and 6900 Beechmont Avenue**

**(Book 500, Page 272, Parcels 1 and 2)**

**Approving and Adopting a Zone Change from “C” Residence to “DD” Planned Multiple Residence for 6882 Beechmont Ave, and a Substantial Modification to Case 3-1976 for property located at 6900 Beechmont Avenue.**

WHEREAS, this Board of Township Trustees (“Board”), on April 18, 2019, has discussed Case 2-2019 Anderson, an application filed by Benjamin Payne, M+A Architects on behalf on Mount Washington Realty Company, property owner, requesting an amendment to the

map of the Anderson Township Zoning Resolution for property located at 6882 Beechmont Avenue (Book 500, Page 272, Parcel 1), containing 1 acre to effect, a zone change from "C" Residence to "DD" Planned Multiple Residence, and a Substantial Modification to Case 3-1976 for property located at 6900 Beechmont Avenue (Book 500, Page 272, Parcel 1), containing 5.37 acres, to allow a 22,000 SF addition that will contain 28 single bed nursing care units, and façade improvements to the existing Mt. Washington Care Center: and

WHEREAS, after allowing for public testimony and deliberating in public session, the Hamilton County Regional Planning Commission recommended approval of the application, in Case 2-2019 Anderson at its March 7, 2019, meeting; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Anderson Township Zoning Commission recommended approval of Case 2-2019 Anderson, with conditions, at its March 25, 2019, meeting; and

WHEREAS, on April 18, 2019, 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 Anderson Township Zoning Commission, and finds that the Application, as recommended for approval with conditions by the Anderson Township Zoning 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 "DD" Planned Multiple Residence District is consistent with Chapters 4 and 6, and Appendix of the 2016 Anderson Township Comprehensive Plan text which support the establishment of senior 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 with its compliance with the Zoning Resolution.
3. The health and safety of the neighborhood and the Township are maintained.
4. The proposed use of the site provides an opportunity for the applicant to realize a reasonable profit from the applicant's use of the subject land.
5. The façade improvements enhance the quality of materials for the existing Mt. Washington Care Center.

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 Anderson Township Zoning Commission, and/or by this Board:**

1. A landscape plan that complies with the requirements of the Zoning Resolution shall be submitted as part of the Final Development Plan.
2. A lighting plan shall be submitted as part of the Final Development Plan in compliance with minimum lighting requirements of Article 5.3, K of the Zoning Resolution.
3. The western most curb cut shall be removed from the plan and the site shall be restricted to one curb cut onto Beechmont Avenue.
4. The site shall be limited to one freestanding monument sign in compliance with the Anderson Township Zoning Resolution.
5. A sidewalk shall be constructed along the entire frontage of Beechmont Avenue unless an agreement is reached with the township in accordance with Article 5.3, D, 2, c of the Zoning Resolution.
6. An existing tree survey shall be conducted to identify trees on the western property line, and submitted with the Final Development Plan.
7. (If Necessary for Trustee conditions)

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 improvements and circulation concept;
  - (2) Hamilton County Planning and Development 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 Hamilton County Stormwater and Infrastructure certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; Hamilton County Stormwater and Infrastructure shall inform the Anderson Township Planning and Zoning 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 Anderson Township Planning and Zoning, Hamilton County Stormwater and Infrastructure, 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, absent; Ms. Stone, yes; Mr. Pappas, yes.**

#### **PRESENTATIONS AND RECOGNITIONS**

Great Tree Awards – **Mr. Drury** introduced the Great Tree Award winners. Mr. & Mrs. Harnett, Mr. & Mrs. King and Mr. Catanzaro. **Trustee Pappas** presented each with a plaque.

Tom Caruso Retirement –

**Resolution 19-0418-02: Ms. Stone moved to adopt a resolution of appreciation with respect to the services of Tom Caruso as follows; Mr. Pappas seconded the motion:**

#### **RESOLUTION NO. 19-0418-02**

#### **RESOLUTION OF APPRECIATION WITH RESPECT TO THE SERVICES OF TOM CARUSO**

WHEREAS, TOM CARUSO joined the Anderson Township's Transportation Advisory Committee as a volunteer on January 21, 1999 became a part-time employee on March 15, 2007, and a full-time employee with the Planning and Zoning Department on March 20, 2008; and

WHEREAS, over the last 19 years, Mr. Caruso used his experience, expertise, and creativity in his position to that led to the construction of over 21 miles of sidewalks and trails in the Anderson Trails program (a regional leader in ped planning/construction) as well as transportation initiatives, was the Township's first Property Maintenance Inspector, and a leader to initiate the Township's WeThrive! Initiative; now, therefore,

BE IT RESOLVED by the Board of Township Trustees of Anderson Township, Hamilton County, Ohio ("Board"), that on the occasion of his retirement after completing nearly fifteen years of service to the Anderson Township Public Works Department, Richard Shelley is hereby honored for his diligent and dedicated service to the residents of Anderson Township; and

BE IT FURTHER RESOLVED that a copy of this resolution be certified to Mr. Shelley by the Fiscal Officer; and

BE IT FURTHER RESOLVED that the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

BE IT FURTHER RESOLVED 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) R.C. §121.22, except as otherwise permitted thereby.

There was no further discussion.

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

#### **PUBLIC FORUM**

**Ms. Stone** invited members of the audience to address the Board. No one came forward.

#### **TRUSTEE COMMENTS**

**Mr. Pappas** reminded everyone that road work was now getting underway. He urged residents to be cognizant of their surroundings and especially road workers.

**Ms. Stone** announced that Great American Cleanup was this Saturday.

#### **FISCAL OFFICER**

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

#### Minutes –

**Resolution 19-0418-03: Mr. Pappas** moved to approve the minutes of January 17, 2019; February 21, 2019; and March 7, 2019; with minor corrections. **Ms. Stone** seconded the motion.

There was no further discussion.

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

#### **LAW DIRECTOR**

**Mrs. Comey** had nothing requiring Board action.

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**PLANNING & ZONING**

Resolution Providing for the Repair and Securance of Unsafe Structure on Land Owned by Jacqueline L. Ashbrook (Deceased), the Estate of Jacquelyn L. Ashbrook (Deceased), and/or Srah Gaynell GAO JIAN Ashbrook, as Beneficiary Under Transfer on Death Deed, Located at 8415 Northport Drive –

**Resolution 19-0418-04: Mr. Pappas moved to adopt a resolution providing for the repair and securance of unsafe structure on land owned by Jacquelyn L. Ashbrook (deceased), the estate of Jacquelyn L. Ashbrook (deceased), and/or Sarah Gaynell GAO JIAN Ashbrook, as beneficiary under transfer on death deed, located at 8415 Northport Drive, in Anderson Township, and providing for notice, pursuant to Section 505.86 of the Revised Code as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0418-04**

**RESOLUTION PROVIDING FOR THE REPAIR AND SECURANCE OF UNSAFE STRUCTURE ON LAND OWNED BY JACQUELYN L. ASHBROOK (DECEASED), THE ESTATE OF JACQUELYN L. ASHBROOK (DECEASED), AND/OR SARAH GAYNELL GAO JIAN ASHBROOK, AS BENEFICIARY UNDER TRANSFER ON DEATH DEED, LOCATED AT 8415 NORTHPORT DRIVE, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE, PURSUANT TO SECTION 505.86 OF THE REVISED CODE.**

WHEREAS, Section 505.86 of the Revised Code (the “Statute”) provides that a board of township trustees may provide for the removal, repair or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or of buildings or other structures that have been declared unfit for human habitation by the board of health of the general health district of which the township is a part; and

WHEREAS, the structure (the “Structure”) located at 8415 Northport Drive, Anderson Township, Ohio 45255 (further identified as Hamilton County Auditor’s Parcel No. 500-0045-0160-00) (the “Property”), requires repair and securance, as provided herein; and

WHEREAS, in a letter dated March 20, 2019, the Assistant Fire Chief for the Township completed a visual inspection of the Property, found that the Structure is unoccupied, certain windows and door(s) are unsecured, and there is damage at the rear of the Structure at the roofline, and reported that such unsecured structures are deemed unsafe and shall be secured; and

WHEREAS, the Township’s Zoning and Planning staff have visually inspected the Property and found that siding and gutters on the rear of the Structure have fallen, are deemed unsafe and insecure, and require repair and/or securance; and

WHEREAS, the owner of record of the Property and Structure is Jacqueline L. Ashbrook; and

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WHEREAS, Jacqueline L. Ashbrook is believed to be deceased, and the owner of the Property, therefore, may be the Estate of Jacqueline L. Ashbrook (Deceased), and/or Sarah Gaynell GAO JIAN Ashbrook, as beneficiary under Transfer on Death Deed (RL), Official Record Book 08710, Page 00635 of the Records of the Hamilton County Recorder (collectively with Jacqueline L. Ashbrook, the "Owner"); and

WHEREAS, the last known mailing address of the Owner is 8415 Northport Drive, Cincinnati, OH 45255; and

WHEREAS, tax bills are mailed by the Hamilton County Auditor to Corelogic, 2500 Westfield Dr, Ste 102, Hoffman Estates, IL 60124;

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

SECTION 1. The Fiscal Officer, on behalf of this Board, shall give notice by certified mail to each party in interest with respect to the Property, which under the Statute includes "an owner of record of the real property on which the building or structure is located, and includes a holder of a legal or equitable lien of record on the real property or the building or other structure," of the Board's intention to provide for the repair and/or securance of the unsafe Structure through use of Township employees, materials or equipment, or by a contract or contracts for labor, materials, or equipment, as shall be determined by the Township Administrator. If the address of the Owner is unknown and cannot reasonably be obtained, the Fiscal Officer shall publish the aforesaid notice as provided in Section 505.86(B) of the Revised Code, once in a newspaper of general circulation in the Township.

SECTION 2. Upon the expiration of thirty (30) days from the date of giving the notice or notices provided for in SECTION 1 hereof, then unless the Structure has been completely repaired and/or secured, or unless the Owner or the holders of liens of record upon the Property shall have entered into an agreement with the Board to perform the repair and/or securance of the Structure under Section 505.86 of the Revised Code, the Township Administrator shall proceed to provide for the repair and/or securance of the Structure in accordance with SECTION 1 hereof, and the "total cost" of such repair and/or securance, as defined in Section 505.86(A) of the Revised Code, which total cost shall be collected by the Fiscal Officer in accordance with Section 505.86(C)(1) of the Revised Code.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be 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) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

Resolution Determining Existence of Nuisance on Land Owned by Jacqueline L. Ashbrook (Deceased), the Estate of Jacquelyn L. Ashbrook (Deceased), and/or Sarah Gaynell GAO JIAN Ashbrook, as Beneficiary Under Transfer of Death Deed, Located at 8415 Northport Drive –

**Resolution 19-0418-05: Mr. Pappas moved to adopt a resolution determining existence of nuisance on land owned by Jacquelyn L. Ashbrook (deceased), the estate of Jacquelyn L. Ashbrook (deceased), and/or Sarah Gaynell GAO JIAN Ashbrook, as beneficiary under transfer on death deed, located at 8415 Northport Drive, in Anderson Township, and providing for Notice and Remediation pursuant to ORC Section 505.87 as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0418-05**

**RESOLUTION DETERMINING EXISTENCE OF  
NUISANCE ON LAND OWNED BY JACQUELYN L.  
ASHBROOK (DECEASED), THE ESTATE OF JACQUELYN  
L. ASHBROOK (DECEASED), AND/OR SARAH GAYNELL  
GAO JIAN ASHBROOK, AS BENEFICIARY UNDER  
TRANSFER ON DEATH DEED, LOCATED AT 8415  
NORTHPORT DRIVE, IN ANDERSON TOWNSHIP, AND  
PROVIDING FOR NOTICE AND REMEDIATION  
PURSUANT TO ORC SECTION 505.87**

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

Now, therefore, be it resolved by the Board of Township Trustees (the "Board") of Anderson Township, Ohio (the "Township"), that:

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

Section 2. If the owner of the land upon which the nuisance is located is determined by the Zoning Inspector to be a resident of the Township or a nonresident whose address is known, the Zoning Inspector shall give notice to such owner, on behalf of this Board, in substantially the form attached hereto as Schedule A, by posting that notice in a sheltered place and/or in a

waterproof envelope on the principal structure (if any) on such land and photographing the posted notice with a camera capable of recording the date of the photograph on it. Such notice shall also be sent, on behalf of this Board, by certified mail to each lienholder of record. If such owner's address is unknown and cannot reasonably be obtained, the Zoning Inspector shall cause such notice to be published once in a newspaper of general circulation in the Township.

Section 3. If, within seven (7) days after the giving of the notice or notices provided for in Section 2 hereof, the owner of such land fails to abate, control, or remove the vegetation, garbage, refuse or debris, and no agreement is entered into with the Board under Ohio Revised Code Section 505.87(B)(2) to provide for the abatement, control, or removal, then the Zoning Inspector, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard, in an amount not to exceed \$500.00, 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, absent; Ms. Stone, yes; Mr. Pappas, yes.**

Resolution Determining Existence of Nuisance on Land Owned by Noel K. Hicks (Deceased), the Estate of Noel K. Hicks (Deceased), and/or Noel A. Hicks, Transfer on Death Beneficiary, Located at 1339-1341 Beacon Road –

**Resolution 19-0418-06: Mr. Pappas moved to adopt a resolution determining existence of nuisance on land owned by Noel K. Hicks (deceased), the estate of Noel K. Hicks (deceased), and/or Noel A. Hicks, transfer on death beneficiary, located at 1339-1341 Beacon Road, in Anderson Township, and providing for notice and remediation pursuant to ORC Section 505.87 as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0418-06**

**RESOLUTION DETERMINING EXISTENCE OF NUISANCE ON LAND OWNED BY NOEL K. HICKS, NOEL K. HICKS (DECEASED), THE ESTATE OF NOEL K. HICKS (DECEASED), AND/OR NOEL A. HICKS, TRANSFER ON DEATH BENEFICIARY, LOCATED AT 1339-1341 BEACON**

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**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");

Now, therefore, be it resolved by the Board of Township Trustees (the "Board") of Anderson Township, Ohio (the "Township"), that:

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

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

Section 3. If, within seven (7) days after the giving of the notice or notices provided for in Section 2 hereof, the owner of such land fails to abate, control, or remove the vegetation, garbage, refuse or debris, and no agreement is entered into with the Board under Ohio Revised Code Section 505.87(B)(2) to provide for the abatement, control, or removal, then the Zoning Inspector, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard, in an amount not to exceed \$500.00, 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, absent; Ms. Stone, yes; Mr. Pappas, yes.

**SHERIFF'S OFFICE**

Lt. McElroy had nothing requiring Board action.

**PUBLIC WORKS DEPARTMENT**

Resolution Authorizing the Purchase of a Motor Vehicle and the Disposition of a Surplus Motor Vehicle as a Trade-In Against Said Purchase –

**Resolution 19-0418-07:** Mr. Pappas moved to adopt a resolution authorizing the purchase of a motor vehicle pursuant to Section 505.101 of the Revised Code and the disposition of a surplus motor vehicle pursuant to Section 505.10(A)(3) of the Revised Code as a trade-in against said purchase as follows; Ms. Stone seconded the motion:

**RESOLUTION NO. 19-0418-07**

**RESOLUTION AUTHORIZING THE PURCHASE OF A MOTOR VEHICLE PURSUANT TO SECTION 505.101 OF THE REVISED CODE AND THE DISPOSITION OF A SURPLUS MOTOR VEHICLE PURSUANT TO SECTION 505.10(A)(3) OF THE REVISED CODE AS A TRADE-IN AGAINST SAID PURCHASE.**

WHEREAS, Section 505.10 of the Revised Code (the "Statute") provides that a board of township trustees may provide for the disposition of certain personal property, including motor vehicles, road machinery, equipment and tools, if the Board finds, by resolution, that such personal property is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, all in accordance with the Statute; and

WHEREAS, division (A)(3) of the Statute provides that if a board of township trustees finds, by resolution, that the township has motor vehicles, road machinery, equipment or tools that are not needed or are unfit for public use, and the board wishes to sell the motor vehicles, road machinery, equipment or tools to the person or firm from which it proposes to purchase other motor vehicles, road machinery, equipment or tools, the board may offer to sell the motor vehicles, road machinery, equipment or tools to that person or firm, and to have the selling price credited to the person or firm against the purchase price of other motor vehicles, road machinery, equipment or tools; and

WHEREAS, the Township owns one Model Year 2003 International 4600 dump truck, more fully described on Exhibit A hereto, which by this reference is incorporated herein and made a part hereof (the "2003 Equipment"), which motor vehicle this Board deems to be unneeded for Township use; and

WHEREAS, Section 505.101 of the Revised Code (the "Acquisition Statute") provides, in relevant part, that a board of township trustees may, by resolution, enter into a contract, without



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

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advertising or bidding, for the purchase or sale of motor vehicles, materials, equipment, or supplies from or to any department, agency, or political subdivision of the State; and

WHEREAS, this Board hereby determines that it is in the public interest to acquire by purchase a new Model Year 2019 Freightliner M2 106 conventional chassis truck with a Henderson dump body, snow plow and salt gate (the "2019 Equipment") available for purchase pursuant to State bid through the State of Ohio, Department of Administrative Services, General Services Division, Office of Procurement Services (the "State Bid") at a maximum purchase price of \$154,197.00 (the "State Bid Price") and Fyda Freightliner, 1 Freightliner Drive, Cincinnati, OH 45241 (the "Vendor") at or below the State Bid Price; and

WHEREAS, this Board desires to dispose of the 2003 Equipment as a trade-in valued at \$10,000 against the purchase of the 2019 Equipment, as permitted under the Statute;

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. That this Board hereby finds that the 2003 Equipment is not needed for public use and is unfit for the purpose for which it was acquired, and determines that it is in the best interest of the Township to dispose of the 2003 Equipment pursuant to the Statute, and particularly division (A)(3) of the Statute, "as is" and at a selling price of not less than \$10,000.00 (the "Minimum Selling Price").

SECTION 2. That this Board hereby authorizes the purchase of the 2019 Equipment pursuant to State Bid under the Acquisition Statute at a purchase price not to exceed \$144,197.00 after taking into account the Minimum Selling Price of the 2003 Equipment (the "Maximum Purchase Price").

SECTION 3. That this Board hereby authorizes the Township Administrator, pursuant to the Statute, to provide for the disposition of the 2003 Equipment to the Vendor at not less than the Minimum Selling Price and to credit the actual selling price of the 2003 Equipment paid by the Vendor against the purchase price of the 2019 Equipment to be paid by the Township and to execute the necessary and appropriate purchase agreement(s) and/or documentation, after review by the Law Director, to effectuate the purchase of the 2019 Equipment in accordance with this Resolution. Funds to effect the purchase of the 2019 Equipment at not more than the Maximum Purchase Price are hereby appropriated for the purpose.

SECTION 4. That the Township Administrator and the Fiscal Officer are authorized to sign all documents necessary to effect the disposition of the 2003 Equipment at not less than the Minimum Selling Price.

SECTION 5. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 6. 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) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

## **FIRE & RESCUE**

### Memorandum of Understanding with Hamilton County Public Health –

**Resolution 19-0418-08: Mr. Pappas moved to authorize the Anderson Township Administrator to enter into a Memorandum of Understanding (MOU) with the Hamilton County General Health District (dba Hamilton County Public Health “HCPH”) delineating the terms and conditions of HCPH’s potential, temporary use of Anderson Township’s Emergency Operations Center (EOC). Ms. Stone seconded the motion.**

There was no further discussion.

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

## **ADMINISTRATION**

### Resolution Authorizing the Disposition of 225<sup>th</sup> Anniversary Banners Pursuant to Section 505.10(A)(7) of the Revised Code –

**Resolution 19-0418-09: Mr. Pappas moved to adopt a resolution authorizing the disposition of 225<sup>th</sup> Anniversary Banners pursuant to Section 505.10(A)(7) of the Revised Code as follows; Ms. Stone seconded the motion:**

### **RESOLUTION NO. 19-0418-09**

#### **RESOLUTION AUTHORIZING THE DISPOSITION OF 225<sup>th</sup> ANNIVERSARY BANNERS PURSUANT TO SECTION 505.10(A)(7) OF THE REVISED CODE**

WHEREAS, Section 505.10 of the Revised Code (the “Statute”) provides that a board of township trustees may provide for the disposition of property, including motor vehicles, road machinery, equipment and tools, if the Board finds, by resolution, that such personal property is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, all in accordance with the Statute; and

WHEREAS, division (A)(7) of the Statute provides that if a board of township trustees determines that township personal property is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and that the property has no value, the board may discard or salvage that property; and

WHEREAS, the Township acquired and owns certain banners celebrating the 225th anniversary of the Township that were displayed on outdoor poles in the Township for a period of a year (the "Banners"), which Banners this Board deems to be unneeded for Township use; and

WHEREAS, this Board desires to dispose of approximately 70 Banners, which Banners having been used over the past year, are deemed not to have monetary value; and

WHEREAS, the Anderson Township Historical Society ("ATHS"), a non-profit Ohio corporation and a 501(c)(3) organization for federal tax purposes, has expressed an interest in the Banners;

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. That this Board hereby finds that the Banners are no longer needed for public use, are unfit for the purpose for which they were acquired, and have no monetary value. Therefore, this Board determines that it is in the best interest of the Township to dispose of the Banners pursuant to the Statute, and particularly division (A)(7) of the Statute, "as is" by donation to ATHS.

SECTION 2. That the Township Administrator is authorized to sign all documents necessary to affect such disposition of the Banners.

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 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.

There was no further discussion.

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

Resolution Authorizing the Purchase of Real Property in the Township –

**Resolution 19-0418-10: Mr. Pappas moved to authorize the purchase of real property in the Township pursuant to Section 511.11 of the Ohio Revised Code as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0418-10**

**AUTHORIZING THE PURCHASE OF REAL PROPERTY IN THE TOWNSHIP  
PURSUANT TO SECTION 511.11 OF THE OHIO REVISED CODE**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

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WHEREAS, Section 511.11 of the Ohio Revised Code (the "Statute") provides, in relevant part, that a board of township trustees may acquire by purchase, appropriation, or otherwise, any private or public lands which it might deem necessary for its use; and

WHEREAS, this Board has identified certain real property in the Township that it deems necessary for its use and desires to purchase;

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. The Board hereby determines that it is in the best interest of the Township to purchase certain real property located in the Township and that the Township Administrator and the Assistant Township Administrator for Operations are hereby designated to represent this Board in negotiating Real Property Purchase and Sale Agreements with respect to said real property; provided that the maximum aggregate purchase price for all parcels of such real property to be acquired pursuant to this Resolution together with due diligence costs shall not exceed \$80,000.

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 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, absent; Ms. Stone, yes; Mr. Pappas, yes.**

Resolution Approving and Adopting the Anderson Township Credit Card Account Policy (April 2019); Repealing Resolution No. 19-0117-07; and Designating the Township's Law Director to Serve as the Compliance Officer to Perform the Duties Required of the Compliance Officer Required Under Said Policy -

**Resolution 19-0418-11: Mr. Pappas moved to adopt a resolution approving and adopting the Anderson Township Credit Card Account Policy (April 2019); repealing Resolution No. 19-0117-07; and designating the Township's Law Director to serve as the compliance officer to perform the duties required of the compliance officer required under said policy as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0418-11**

**RESOLUTION APPROVING AND ADOPTING THE ANDERSON TOWNSHIP CREDIT CARD ACCOUNT POLICY (APRIL 2019); REPEALING RESOLUTION NO. 19-0117-07; AND DESIGNATING THE TOWNSHIP'S LAW DIRECTOR TO SERVE AS THE COMPLIANCE OFFICER TO PERFORM THE DUTIES REQUIRED OF THE COMPLIANCE OFFICER REQUIRED UNDER SAID POLICY.**

**WHEREAS**, this Board determines that it is in the best interest of the Township to review and update its credit card policy from time to time; and

**WHEREAS**, the Ohio Legislature recently amended Section 505.64 of the Revised Code authorizing the use of township credit cards; and

**WHEREAS**, staff has reviewed the Township's existing credit card policy and recommends that this Board adopt a new and revised Credit Card Account Policy in the form presented to this Board;

**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 adopts the Anderson Township Credit Card Account Policy (April 2019) in the form attached hereto as Exhibit A.

**SECTION 2.** That any credit card policy previously approved and adopted for the Township is hereby deemed to be superseded by the Anderson Township Credit Card Account Policy (April 2019) approved and adopted in Section 1 hereof, which shall be implemented effective immediately.

**SECTION 3.** That Resolution No. 19-0117-07, passed by this Board on January 17, 2019, is repealed as of this date, and the Anderson Township Credit Card Account Policy (2019) approved thereby is superseded as of this date by the Anderson Township Credit Card Account Policy (April 2019).

**SECTION 4.** This Board shall designate a "Compliance Officer" from time to time, who shall perform such duties as are set forth in the Anderson Township Credit Card Account Policy (April 2019), as the same may be amended from time to time. This Board hereby designates the Township's Law Director to serve as said Compliance Officer until such time as this Board shall designate a different person to serve as Compliance Officer.

**SECTION 5.** This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including (without limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

**SECTION 6.** The preambles hereto are and for all purposes shall be construed to be integral and operative parts of this Resolution.

There was no further discussion.

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

Storm Water District Level of Service and Service Fees for 2020 –

**Resolution 19-0418-12:** Mr. Pappas moved that the Township Administrator be and is hereby authorized to execute on behalf of this Board, the Storm Water District Level of Service Options (LOS) and Service Fees for 2020 with Hamilton County Storm Water District in substantially the form before this Board with such changes thereto as shall not, in her judgement after consultation with the Law Director, be detrimental to the Township, such determination being evidenced by here execution of said agreement. Ms. Stone seconded the motion.

There was no further discussion.

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

Items Arising from Executive Session Discussion –

**Resolution 19-0418-13:** Mr. Pappas moved to reappoint Rob Herking and Colin Ramsey to the Anderson Township Park District, Board of Commissioners, for a three-year term, to commence on May 1, 2019. Ms. Stone seconded the motion.

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of June 20, 2019.

  
\_\_\_\_\_  
R. Dee Stone, Vice 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 18<sup>th</sup> day of April 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 20<sup>th</sup> day of June, 2019.



\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
April 29, 2019

The Board of Township Trustees of Anderson Township ("Board") held a Special Meeting on April 29, 2019, at 9:45 a.m., in the Board Meeting Room at Anderson Center. Present were the following Board members:

Robin D. Stone  
Andrew S. Pappas

Also present when the meeting was called to order was Township Administrator Vicky Earhart, .

**Ms. Stone** called the meeting to order.

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

There was no further discussion.

**Mrs. Earhart called the roll: Mr. Gerth, absent; Ms. Stone, yes; Mr. Pappas, yes.**

**Mrs. Earhart** stated that on March 7, 2019, the Hamilton County Regional Planning Commission (HCRPC) held a public meeting to discuss a zone change application on property located at 8501 Beechmont Avenue, from "E/E-PUD" Retail/Planned Unite Development to "EE" Planned Business District. The applicant was Buffalo Wings and Rings Real Estate, LLC, on behalf of TP White and Sons and Feldy Boys LLC. HCRPC recommended approval with conditions, however did not have enough affirmative votes to pass and a public hearing by the Anderson Township Zoning Commission was held on March 25, 2019, and April 22, 2019. The Zoning Commission recommended approval of the application with conditions.

Therefore, staff is requesting that a public hearing be set for May 16, 2019, at the regular Board meeting for the purpose of hearing Case #1-2019 Anderson.

**Resolution 19-0429-01: Ms. Stone made a motion to set a public hearing for Thursday, May 16, 2019, at 6:00 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio for the purpose of hearing Case #1-2019 Anderson. Mr. Pappas seconded the motion.**

There was no further discussion.

**Mrs. Earhart called the roll: Mr. Gerth, absent; Ms. Stone, yes; Mr. Pappas, yes.**

**Ms. Stone moved to adjourn the meeting. Mr. Pappas seconded the motion.**

There was no further discussion.

**Mrs. Earhart called the roll: Mr. Gerth, absent; Ms. Stone, yes; Mr. Pappas, yes.**

As there was no further business, the meeting adjourned.



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
April 29, 2019

These minutes were approved at the meeting of August 15, 2019.



R. Dee Stone, Vice 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 29<sup>th</sup> day of April 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of August, 2019.



Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
MAY 2 & 3, 2019

The Board of Township Trustees of Anderson Township ("Board") held a special meeting in the form of a planning workshop meeting duly noticed and initially called to order on May 2, 2019, at approximately 8:30 A.M. at Highwood Lodge, Withrow Nature Preserve, 7075 Five Mile Road, Anderson Township, Ohio 45230. The meeting concluded at approximately 4:30 P.M.; the meeting was reconvened at approximately 8:30 A.M., May 3<sup>rd</sup>. Planning discussions resumed until the meeting was adjourned at approximately 1:15 P.M., May 3<sup>rd</sup>. Present throughout the two-day meeting were the following Board members:

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

Also present when the meeting was called to order were 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, Public Works Director Eric Luginbuhl, Fire Chief Rick Martin, District 5 Commander Lt. Dan McElroy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker, and Administrative Assistant Molly Mohrfield.

**Mr. Gerth** called the meeting to order and welcomed the attendees.

**Mr. Gerth** moved to adopt the agenda as presented. **Mrs. Stone** seconded the motion.

There was no further discussion.

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

Financial Review – Overall Rate of Taxation, Expenditure/Revenue Projections, \$5 License Tax, Road Levy – **Mr. Dietz** pointed out that the General Fund was healthy in 2009 when the Township was receiving revenue from the Tangible Personal Property, Public Utility, and Estate Taxes. At that time, the Local Government Fund was generating twice as much money as it was currently. At that time, the General Fund balance was projected to be \$26,000,000 at the end of 2022.

However, due to the revenue reductions at the state level, even with additional revenue received from Belterra during 2015 and 2016 and along with the millage split, the projected General Fund balance at the beginning of 2022 is now \$4,600,000.

**Mr. Dietz** stated that, as of today, at the end of 2022 there is projected to be a \$2,200,000 balance in the Sheriff's fund and \$2,000,000 in the Fire and Rescue thanks to the Public Safety Levy that passed in 2016. He pointed out that the Public Works Department would be in the negative by approximately \$1,500,000 at beginning of 2022 and felt that the ultimate solution would be a Road and Bridge Levy. He estimated 1.15 mills would generate approximately \$1,400,000 a year if placed on the ballot in 2019 or 2020, after that the mills would need increase

to 1.25, which would generate approximately \$1,600,000 per year. The last Road and Bridge Levy was in 1998.

**Mrs. Earhart** stated that the Public Works revenue estimates included an increase of the 10½ cent gas tax and the \$5 motor vehicle license fee. To authorize the additional \$5 motor vehicle license fee the Board would have to conduct two public hearings. The license fee was part of the Transportation Budget Bill which was recently passed by Ohio Legislature. The legislation would go into effect in July and would generate approximately \$227,000 per year, which had been rolled into the estimate that Mr. Dietz prepared. If the Board did not wish to pursue the license fee, that amount would need to be removed from the Public Works revenue. The license fee was one of the tools that the Ohio Legislature gave to townships to provide some additional funding, but the Board would have to take action. Again, there would need to be two public hearings held and then the Board could choose to authorize the additional fee. In the Township there are approximately 45,500 vehicles licensed/registered. She pointed out that part of the levy that was passed in 1998 included an additional \$100,000 for Anderson Trails. Part of impetus to get the levy passed by the voters was to include money for the trails.

**Mr. Gerth** asked how much of the projected Tax Increment Financing (TIF) revenue could be used for Public Works expenditures. **Mrs. Earhart** replied \$270,000 for sidewalk replacements and \$1,200,000 for road surfacing had been moved from Public Works to TIF. **Mr. Dietz** stated that \$1,000,000 or \$2,000,000 could be moved from the General Fund to supplement Public Works if needed. **Mr. Gerth** suggested doing no paving or sidewalks for a year. **Mrs. Earhart** pointed out that there were staff salaries and benefits that needed to be considered. One strategy, she suggested, was to delay the levy until 2020r. This would allow a year to explain to the voters how a majority of the funding for the Public Works Department was facilitated through TIF dollars to stretch a 10-year levy to 21 years. She explained that if the Board wanted to go for a levy this year the process would need to start on May 16<sup>th</sup> to allow the Hamilton County Auditor to certify the mileage. She believed that that the levy could be delayed for another year using General Fund dollars to offset expenses. **Mr. Sievers** stated that with the Road and Bridge Levy staff would appreciate the ability to set aside some funding for Hamilton County roads that run through the Township. The County, even with the additional revenue they will be getting, was woefully behind. Most of the complaints the Township received about paving dealt with County roads. He pointed out that the Ohio Riverfront TIF balance was large enough to help maintain the County roads in that area.

9:35 A.M. **Mr. Pappas** arrived.

**Mr. Dietz** stated that the Ohio Riverfront TIF Area I and II had significant increases in value. **Mrs. Earhart** stated that in the Comprehensive Plan there were some plans for the Riverfront area that those TIF dollars would be used for. **Mr. Dietz** stated that before the Public Safety Levy passed in 2016 the Township was 4<sup>th</sup> in overall effective residential millage. He pointed out that the Public Safety Levy would last another four years, and at the end of that period, the Township could climb into the top five. Sycamore Township has a lower rate due to the Kenwood Towne Center, and commercial property. The Township had the highest taxable value, and the millage did not include the Anderson Township Park District. **Mr. Pappas** felt that

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 7 & 8, 2019

Sycamore Township's Joint Economic Development District's (JEDD) should not be a factored in their valuation. They were making a substantial amount of money off of JEDD's.

Township Sources of Revenue							
Sources / Potential Sources of Revenue	ORC § or Authority	Limitations	Use / Restrictions	Fund	2017 Revenue	2018 Revenue	
<b>Taxes</b>							
Inside Millage	Ohio Constitution	statutorily limited (inside)	General 1.16; Public Safety 0.84	All			
Levies	5705.19	outside millage	Public Safety 15.12;	04/09/10	04 \$	47,145.60	\$ 47,764.55
Additional Motor Vehicle Tax	4504.18	\$5.00 per vehicle license plate	Road & Bridge 1.0				
Lodging Tax	5739.08	maximum 3% (Res. No. 06-0420-06)	Road and Bridge				
Joint Economic Development District	715.72-715.83	negotiated with municipality [site has yet to be identified]	General Fund				
						n/a	n/a
<b>Fixed Funding</b>							
Local Government Fund	General Assembly	portion of state revenues	General Fund	01 \$	363,095.90	\$	417,269.17
Motor Vehicle License Fee (Permissive)	4501.03	5% of state share based on road miles maintained by township	Road and Bridge	23 \$	350,000.00		
Gasoline Tax	5735	townships receive 1.9 cents of 28 cents per gallon motor fuel tax	Road and Bridge	03 \$	259,502.81	\$	258,382.01
20% Money		20% License Revenue added in 1989	Road and Bridge	04 \$	.	\$	58,561.00
Tangible Personal Property Tax	General Assembly	ELIMINATED BY GENERAL ASSEMBLY				n/a	n/a
Estate Tax	5731.02	ELIMINATED BY GENERAL ASSEMBLY				n/a	n/a
Kilowatt Hour & Natural Gas Distribution Tax	General Assembly	ELIMINATED BY GENERAL ASSEMBLY				n/a	n/a
Solid Waste Community Host Fee	3734.57	NOT APPLICABLE					
Construction and Demolition Debris Community Host Fee	3714.07	4.0 cents per cubic yard or 8.0 cents per ton of the disposal fee required by the facility	General Fund	01	\$1,800 - 2,300		\$1,800 - 2,300
Cigarette License Fee	General Assembly	37.5% of wholesaler fee or 62.5% of retailer fee	General Fund	01 \$	712.50	\$	821.80
Liquor Permit Fee	General Assembly	35% of undivided liquor permit fund one-tenth of one per cent of the total amount wagered (shall not exceed \$15K per horse-racing meeting)	General Fund	01 \$	52,579.10	\$	51,069.90
Pari-Mutuel Additional Tax Ambulance or Emergency Medical Services Fee	3769.28	began in 1995-1996	General Fund	01 \$	30,000.00	\$	30,017.70
False Alarm Fee (Fire)	505.84	\$300 for more than 3 false alarms/year [not enough calls to warrant at this time]	Fire & Rescue	10 \$	972,354.99	\$	890,663.43
False Alarm Fee (Police)	505.391	\$50 - \$150, more than 3 false alarms/year	Fire & Rescue			n/a	n/a
	505.511		Police Services	09		n/a	n/a
<b>Other</b>							
COBG	varies		restricted	01		n/a	n/a
Contract with Newtown	9.60 / 505.37	Res. No. 15-1217-14	Fire	10 \$	575,000.00	\$	575,000.00
Fines	varies		General Fund	01 \$	51,390.70	\$	46,381.35
Grants	varies		Restricted	varies \$	3,256.76	\$	41,800.00
Interest	varies		General Fund	01 \$	269,143.52	\$	652,606.97
Recycling	varies		General Fund	01 \$	82,278.48	\$	80,030.37
Rentals and Leases	varies		General Fund	01 \$	349,079.41	\$	351,443.18
Video Service Provider	varies		General Fund	01 \$	587,831.97	\$	623,067.72
Zoning Fees	varies		Planning & Zoning	13 \$	42,660.37	\$	50,574.51

Mrs. Earhart stated that the sources of revenue gave a snapshot of every funding source that was available other than property tax. There were no wild swings in increases or decreases. The \$58,000 revenue listed under the "20% money" varies from year to year. Mr. Luginbuhl pointed out that Public Works used that revenue every other year to repair curbs, sidewalks, and Americans with Disabilities Act (ADA) ramps.

Mrs. Earhart stated that Spectrum and Cincinnati Bell provided cable service to residents were required to pay video service provider fees. Cable companies are pushing for that fee to go

away. She believed within five years that fee would be gone due to the changes with technology which would be a loss of \$622,000 to the General Fund.

**Mr. Sievers** asked what contributed to the huge jump in interest revenue. **Mr. Dietz** replied the Township was receiving more money due to the Public Safety Levy which was subsequently invested. He believes that it would remain in the \$600,000 range due to an increase in the rates from what they were a year ago. **Mrs. Stone** asked if there was anything forthcoming from the State level that would help increase funding. **Mrs. Earhart** replied the Community Event Fee. If passed through the Legislature that would give townships the authority to levy a ticket tax. **Mr. Pappas** asked what were the chances of that getting passed. **Mrs. Earhart** replied that the reason it was thrown out of the Omnibus Bill was the fact that it was called a tax because townships do not have the authority to tax. The Ohio Township Association (OTA) said that they would try to include it in an Omnibus Bill again this year. Another source of income would be if the Township were to get a hotel. There was a 3% bed tax in place, which would bring in an estimated \$150,000 per year depending on the size and occupancy rates. The OTA continued to push for additional revenue for townships and suggested tying the request for more revenue to an initiative. They felt that would have a better chance of getting passed through the legislature. **Mr. Gerth** suggested tying the request to infrastructure/roads. **Mrs. Earhart** did not believe an infrastructure request would qualify due to TIF. The request needed to be tied to something that was not a capital project. It needed to be a service such as zoning. **Mr. Gerth** believed the Township was unique with its robust Zoning Department and the multitude of economic development activity occurring in the area. **Mrs. Earhart** stated that she was looking at it as a Collation of Large Ohio Urban Townships (CLOUT) issue to separate the Township out from the others.

**Mrs. Earhart** stated with regards to the TIF's, the 1994 TIF by far was the most valuable because of its flexibility. The 2010 area TIF was Anderson Towne Place parking garage. The Northern Anderson Area TIF was formed to prevent losing revenue should the land be annexed. There were also two Ohio Riverfront TIFs and the newly created Stonecrest TIF. Staff would be seeking authorization for the creation of a TIF on the Mayerson apartment development. Those TIF dollars could then be used to maintain the parking lot at the operations center. **Mrs. Stone** asked if those TIF dollars could also be used for Senior Center improvements. **Mrs. Earhart** responded that the 1994 TIF, which was used for capital expenditures, would be more appropriate. **Mr. Gerth** asked what the term was of the 1994 TIF. **Mrs. Earhart** replied that the 1994 TIF had been extend to 2039. The Board could cancel it at any point and the balance of funds would be transferred to the General Fund. **Mr. Gerth** asked about the terms of the other TIF's. **Mrs. Earhart** replied that all the other TIF's were 30-year TIF's except for the Northern Anderson TIF which was a 10-year TIF.

CyberSecurity Assessment and Policy – **Mrs. Earhart** stated that she and Mrs. Cowan had been attending several different training sessions. There were things that had been implemented by the Township to protect computers and servers including the installation of a halon system in the sever room and a replicator server housed at a different location. Most of the Township's information was public with the exception of social security numbers, credit card information

and HIPAA protected information. If there was a data breach those potentially impacted would need to be notified within 24 to 48 hours. There have also been situations where either tablets or life packs had been hacked or stolen out of Fire Department vehicles in other jurisdictions. A process would need to be developed to determine the type of data the Township should be collecting and how to protect that information and how to notify people if there was breach. Education of all employees regarding the threats needs to take place. **Mrs. Cowan** explained that there was a computer backup at the Township and that was replicated at Station 6, along with a third backup hosted by Microsoft Azure. It had been discussed that a requirement be established that passwords must be changed every 90 days and must contain at least 8 characters, a letter, a number. **Mrs. Earhart** added that the password employees use for the Township could not be used for anything else. **Mrs. Cowan** pointed out that on the 13 Surface Pros purchased for the Fire Department, the Verizon Cellular Cards had been installed thus eliminating the use of others Wi-Fi making them secure.

**Mrs. Cowan** announced that the Township was moving to the cloud. Currently, emails were in the cloud, but documents were not at this time. It would be up to Mrs. Earhart to determine who would have access to those documents. ROI Technologies was in the process of implementing the new firewall which would handle the routing, the security, the filtering and the synchronization of security policies with all the end points. Once that was in place everything would begin to move towards the cloud. **Mr. Pappas** asked what would be the cost for all the security upgrades. **Mrs. Earhart** replied that at this point the cost was minimal, but those costs would increase substantially over the next year. **Mr. Pappas** pointed out that this was just another layer of responsibility. At some point the public needs to be made aware of the steps being taken to protect their information. **Mrs. Stone** stated that this was a new aspect of public safety. **Ms. Parker** pointed out that the Ohio Township Association Risk Management Authority (OTARMA) added a level of coverage for cyber liability which would cover the liability associated with an employee unknowingly having a password that was hacked and then legal expenses due to the breach in data. **Mrs. Earhart** stated it was going to take some time and money, but the hope was to come back to the Board with a comprehensive plan and policies later in the year.

Drone Purchase, Usage, Training – **Mr. Sievers** stated that staff needed guidance on a possible DRONE Program. The Township would apply for a license as an organization, train several employees to use the DRONE in a variety of different aspects. The intent would be to assist with all varieties of inspections, public education, awareness and promotion. The applicability of this spans all aspects of the organization. There would be a financial element both for the acquisition, and also the time involved for training. It could be helpful with emergency situations along with Greenspace and Zoning inspections. This was something that may be TIF eligible, but the training would need to come out of a variety funding sources, either General Fund or Department funds. **Mr. Pappas** asked if an FAA license from the State was needed as an organization. **Mr. Sievers** replied that the Township would get a license as a Certificate or Wavier for public use.

**Chief Martin** explained that the Township would file with the Federal Aviation Administration (FAA), as a government, which would help with liability and as a governmental entity the Township would receive a Certificate of Authorization (COA). This would allow the user to go outside of the normal realms of where the DRONE could be operated, such as the ability to fly at night and to fly around crowds. The DRONE must be kept within visual site. There was a sixty-hour class requirement and testing every two years. He felt the benefits were well worth the expense in the long run. **Mr. Pappas** pointed out that with Zoning no one was permitted on a home owners' property without permission, but a DRONE could go around the perimeter of the property. **Chief Martin** stated that technically once off the ground the DRONE would be under the FAA jurisdiction. **Mr. Pappas** questioned what would prevent Zoning from flying over someone's house and look at the back yard. **Chief Martin** replied absolutely nothing. **Mr. Gerth** stated that staff had the Board's support.

Update on Collaborative Efforts –

**Anderson Township Partnership Efforts with Forest Hills Local School District**

- Authored grant and facilitated acquisition of bike racks for Anderson High, Turpin High, Mercer Elementary, Ayer Elementary, Maddux Elementary
- Provided pedestrian countdown traffic signals adjacent to Summit Elementary and Nagel Middle Schools
- Constructed over six miles of sidewalk connecting all nine schools with surrounding neighborhoods, in fact, it is now possible to walk between every school in the District
- Provided pedestrian activated signals at four crosswalks near Turpin High/Mercer Elementary, Ayer Elementary, Maddux Elementary
- Facilitated county-installation of 20 mph speed zone at Anderson High and Ayer Elementary Schools
- Facilitated county-expansion of 20 mph speed zoned at Wilson Elementary Schools
- Provided funding for expansion of State & Nagel intersection with Nagel Middle School construction
- Constructed sidewalks and crosswalk improvements for offsite parking at Anderson and Turpin High Schools
- Resurfaced Bartels Road hill with new non-skid roadway surface
- Provided funding for School Resource Officer, including equipment and vehicle, since 2001, totaling approximately \$1.5 Million dollars.
- Provided Anderson Center meeting facilities for over 60 school functions at no charge
- Coordinated over 25 Walk to School Events at elementary and Nagel Middle School
- Coordinated the "History to Schools" annual event begun in 2013 for 2nd graders in all elementary schools including Arbor Day presentation and tree give-a-ways
- Replaced nearly all damaged sidewalk blocks, and installed new handicapped ramps, within walking zones of schools
- Provided road salt for winter storms, at no charge
- Sold vehicles and/or equipment to the School District at reduced rates to benefit Township taxpayers

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 2 & 3, 2019

- Facilitated PTA projects, such as construction of Nagel Rain Garden and assistance with Wilson Garden
- Provision of space in *Anderson Insights* and Township event postcards (when formerly prepared) for School District activities/news
- Fund Anderson Community Television providing coverage of Forest Hills School Board monthly meetings and “Forest Hills Schools Today”
- Assisted with joint fuel purchases to increase volume savings, as well as trading and sharing of equipment
- Providing GIS mapping for various projects, including elementary school districts, etc.
- Provide Public Education Events including “Big Rig Day” at Ayers Elementary, “Clown Pub Ed”
- Provided “bike rodeo” opportunity at Wilson SPARKS Days
- Provided ambulance for football games, band events for a number of years
- Utilized fire equipment to change light bulbs in parking lots
- Backboard and O<sub>2</sub> bottle lending
- Obtained grant funding for signage upgrades on and around eight schools
- Participated in and assisted Emergency operations / School Safety Committee
- Coordinated a joint meeting between the Township, FHSD, Anderson Park District, and Anderson Area Chamber of Commerce regarding the possibility of joint publications
- Joint exploration of Anderson High School Relocation including offer to purchase Beech Acres Parenting Center site at \$6.9 million to allow sufficient time for review
- Allow use of Anderson Center meeting spaces for School Board and other school-related meetings including providing dedicated conference room for school construction-related meetings (most at no cost)
- Implemented a new 20 MPH school zone on Eight Mile Road near Summit Elementary, working with FHSD, HCEO and ODOT to obtain permissions and agreed to cost of installation and maintenance of such equipment
- Worked with FHSD to sell property and provide parking on Township property accommodate FHSD parking needs at new administration building
- Relocated crosswalks and installed sidewalks for crosswalks from Turpin High School and Anderson High School to off-site parking areas (Knights of Columbus and former American Legion Post 318)
- Fire and Rescue Department and Sheriff’s District 5 personnel team up to play basketball with Turpin High School students raising funds for various charities
- Anderson Senior Center staff participated in 2016 Community Service Fair
- Hosting interested Turpin High School graduating seniors in May 2018 for Shadow Day about local government operations
- Designed and implemented sidewalk/crosswalk changes at the Little Dry Run and Wolfangel intersection to improve the safety of this crosswalk near Wilson Elementary
- Together with the Wilson PTA and HCEO, developed a “pilot” pedestrian flag crosswalk safety program for two locations on Little Dry Run, near Wilson Elementary
- Fire and Rescue is working with John Eckert to provide aerial pictures of all schools for FHSD emergency operations plans (Google does not have photos with additions).
- Firefighters operate an engine during an Anderson High School science class to help the teacher demonstrate hydraulics



- Firefighters attend various fire drills at all FHSD schools
- Fire and Rescue personnel are providing recommendations for where students should go during tornado drills at Wilson and Nagel
- Fire inspectors are continually working with staff and Performance Construction to finalize the Anderson High School project
- Fire and Rescue provides guidance to the organizers of the Forest Hills 5K and places available medic units in the vicinity of the race to supplement the on-site medic crew (paid for by FH5K)
- Fire Inspectors meet with After Prom planners at both high schools and then Fire Department personnel are on-site during the actual After Prom events at each school
- Fire Chief and Assistant Fire Chief serve as judges for a business class at Anderson High School where students come up with new products and plans to build/market them
- Planning and Zoning staff explained their careers to 8<sup>th</sup> grade students at Nagel and shared insight on how geography is used in their work while students provided feedback on how to improve the community
- Allow parking in the Township right-of-way along Bartels Road for Turpin High School students
- Public Works loaned a salt truck to the FHSD when their vehicle was down for maintenance and assisted with salting parking lots

**Mr. Luginbuhl** pointed out that the Forest Hills School District (FHSD) had one of the Township's old trucks that was breaking down quite often. Therefore, Public Works gave them one of the smaller trucks for two thirds of the winter and helped with plowing of the school parking lots.

**Lt. McElroy** pointed out that Officer Bob Goettke was the FHSD Resource Officer and was responsible for all the schools. He spends the majority of his time at Anderson and Turpin High Schools, and Nagel Middle School. He has assisted in classroom events. He responded to accidents on school property and to other issues outside of school to counsel children and parents.

**Mr. Sievers** stated that staff spent a morning and afternoon at Sherwood Elementary in response to concerns that had been raised, on social media and to the Township, regarding how the school dealt with preschool traffic. He believed the problem stemmed from Sherwood not opening their doors until after 9 a.m. Parents start queuing up before 9 a.m. and cars were backing up onto Robinway Drive. Cars could wait in line up to 10 to 15 minutes to drop off children. The situation could simply be resolved by opening the doors earlier. Staff also recommended opening up the back of Grantham, from the south, for buses only.

**Mr. Sievers** stated at Turpin High School, student parking on Bartels Road was on Township property but the FHSD collected the revenue. **Mr. Gerth** asked how much they charged. **Mr. Sievers** replied \$125.00 per spot. **Mrs. Earhart** pointed out that it was not necessarily the amount of money, it was the fact that the FHSD was charging for parking on a public right-of-way. **Mr. Sievers** felt for the money the FHSD charged for parking passes their parking lots were in bad shape and believed that the money collected should be used to upgrade the lots. **Mrs.**

**Earhart** did not believe that the current FHSD administration knew Turpin was charging for parking on a public right-of-way as this was done under a prior administration. **Mr. Sievers** stated that he would like to go back to some alternative arrangements.

**Lt. McElroy** stated that both Officer Goettke and Corporal Boiman organized the ALICE training for all the schools. **Mr. Pappas** felt that the FHSD was woefully understaffed with regard to security. **Lt. McElroy** agreed. **Mr. Pappas** asked if the FHSD was ignoring the issue. **Lt. McElroy** replied that in speaking with Officer Goettke the FHSD had promised that they were going to get another School Resource Officer, yet it never materialized. **Mrs. Earhart** stated that last year the FHSD officials called the Sheriff's office to get pricing for a School Resource officer. She pointed out that the Township paid for Officer Goettke year-round. The FHSD had asked the Sheriff's Office if they were to get additional school resource officers could they only pay for them while the schools were in session. The last update she received through the Sheriff's Office was that FHSD was looking at securing three resource officers and it was potentially going to be part of their levy ask. **Mr. Sievers** stated on the entry way to all schools the School district changed their policy stating that you had to have your personal ID to get in the buildings.

**Mrs. Earhart** stated that the Township was in the 10<sup>th</sup> year of its History to Schools program but due to the FHSD budget cut the School District was no longer able to afford the buses to transport the students to the Township for History to Schools. It equated to approximately \$600.00 per day for six schools. She asked the Board if this was something they wanted to fund. The benefit of History to Schools was the exposure of Anderson Center and the Historical Society to the parents, the families and the teachers, though it was a lot of work on staff. **Mr. Sievers** pointed out that the staff investment was approximately \$15,000 to \$20,000 a year. **Mrs. Earhart** stated that if the FHSD levy passed this issue of funding goes away. **Mr. Gerth** felt that History to Schools was a good program but did not feel the Township should have to fund it. **Mrs. Stone** stated that the School District needed to ask the parents or the Forest Hills Foundation for Education for assistance. **Mr. Gerth** stated that staff should consider the collaboration effort with the FHSD a great success.

Aggregation, Natural Gas and Electricity –

Anderson Township Electric Aggregation Synopsis

April 29, 2019

- 19,431 accounts per Duke Energy
  - o 17,780 residential
  - o 1,651 non-residential
- 10,350 accounts enrolled as of March 31, 2019 per Energy Alliances, Inc. (EAI)
  - o 9,823 residential
  - o 527 non-residential
- Current aggregation term ends with June 2020 meter read
  - o Current rates: \$0.0539/kWh or \$0.0549/kWh 100% renewable
  - o EAI tentative renewal schedule roll out for July 2020 meter read
  - o Renewal Options

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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- Begin negotiations with Dynegy Feb 2020 for new rate
- Utilize EAI to procure rates from other supplies
- Terminate program (not recommended)
- Collaborate with City of Cincinnati (COC) competitive bid process
  - 100% green energy – Texas wind through Dynegy
  - Current three-year declining rate \$0.0557, \$0.0541, \$0.0509
  - \$0.0009 administration fee
  - Procuring with COC
  - Customer service handled internally versus by broker
  - Timing of COC procurement may not coincide with our schedule
  - Potential rate hike
  - Single option

**Mr. Magna** explained that the Township's current electric aggregation program ends with a June 2020 meter read. There were a few options available that included a provision in the master contract that states the Township was permitted to negotiate a new rate, with Dynegy, prior to the expiration of the existing rate. The Township could utilize Energy Alliances to procure rates from other suppliers, or the program could be terminated completely, which he did not recommend. An additional option would be to collaborate with the City of Cincinnati. They had a 100% green energy contract that expires February 2020, through Dynegy. They had a three-year declining rate \$0.0557, \$0.054, and \$0.0509. He had several concerns with the collaboration including customer service being handled internally versus by a broker. The timing of City's procurement may not coincide with the Township's schedule and there could be a potential rate hike. The City had a single option, and Township residents currently had two options, a brown energy which was \$0.0539 and green energy which was \$0.054.

**Mrs. Earhart** asked Mr. Magna to review the fees with the Board. **Mr. Magna** stated that Energy Alliance fee was .0005. The City of Cincinnati charges nine one thousandth which goes directly to the City. The Township could do the same. **Mrs. Earhart** explained that the Township would collect the administrative fee. **Mr. Pappas** asked what the approximate dollar amount would be. **Mr. Magna** replied \$10,800.00, though he did not believe the residents would be agreeable to a rate hike or the ability not to have an option. **Mr. Earhart** pointed out that the City of Cincinnati wants to count the region as green, as being sustainable energy, that was the reason behind this drive. This was not a Center for Local Government (CLG) program. The Township would be entering into an agreement with the City of Cincinnati; therefore, legal guidance would be required. **The Board** stated that they would consider it. **Mr. Pappas** felt that most of the residents would choose the cheaper rate over going green. **Mrs. Stone** believed that most of the residents were unaware that there was a green option. **Mr. Magna** pointed out that 81 accounts went with the green option out of 10,350.

Anderson Township Natural Gas Aggregation Synopsis

April 29, 2019

- 13,146 accounts per Duke Energy
  - o 3,331 with non-Duke Energy supplier
  - o 9,815 with Duke Energy standard service offer

- Available options
  - o Lock-in price with flex down opportunity
  - o Variable rate based on last day NYMEX settlement price
  - o Cannot guarantee savings
- Sampling of current rates
  - o Duke Energy standard offer for April 2019, \$0.3958/CCF x 7% tax = \$0.4235/CCF
  - o Using Energy Choice Ohio to find offers:
- Switch Energy, \$0.3311/CCF 12-month variable 5% less than Duke Energy price to compare. \$100 termination fee
- Cincinnati Bell Energy, \$0.3383/CCF 12 month fixed. No termination fees.
- Village of Newtown (Constellation) offer June 2019 – May 2022 fixed rate of 0.396/CCF
- Comparison of Newtown rate versus Duke Energy (one-month rate)
  - Newtown: \$0.396/CCF x 7% tax = \$0.4237/CCF
  - Duke Energy: \$0.4106/CCF x 4.6% excise tax = \$0.4295/CCF
- Historical data
  - o West Chester Township timeframe April 2015 – December 2017 enjoyed \$44.00 savings per household; 11 of 33 months saw negative savings.
  - o Village of Indian Hill timeframe January – December 2018 saw average loss of \$77.48 per household. Rate was changed to fix rate for December 2018 – May 2019 resulting in a net savings of \$21.04 per household for January and February 2019.
  - o City of Cincinnati timeframe January 2018 – March 2019 saw average loss of \$46.31 per household.
- Options
  - o Form our own natural gas aggregation – same process as electric aggregation
  - o Participate in CLG multi-government natural gas aggregation program, end 2019/beginning 2020 pending other community involvement\*
  - o Continue to allow residents to seek their own rates
- Other Information
  - o City of Cincinnati trying to settle on fixed rate due to market.
  - o Indian Hill (Constellation) took risk on changing BTU including factor in their rate.
  - o Duke Energy settles BTU usage each month.

**Mr. Pappas** asked about gas aggregation. **Mr. Magna** replied that there would 9,815 available accounts to aggregate in the Township with no guarantee of any savings. The current Duke rate including tax was \$0.4235 and in doing research he found that there would be little to no savings with a gas aggregation program. **Mr. Pappas** pointed out that gas seemed to be more of a wild card. **Mr. Magna** replied that gas was a commodity and it went up and down with usage and the market. **Mr. Pappas** stated that **Mr. Magna's** investigation showed that the savings coincided with a certain amount of gas usage which the Township was lacking. **The Board** agreed.

**Mr. Pappas** felt that the residents should be reminded how much the Township was saving them with the curbside recycling program. He asked if the recycling rate had picked up. **Mr. Sievers** stated that the rate had picked up dramatically in the last year, increasing from 15% to 16.9%. **Mr. Pappas** asked if the recycling drop off at the Operations Center was continuing at the same pace. **Mr. Sievers** replied after conducting a survey, approximately two years ago, it indicated that 70% of users were Township residents. The issues staff has heard from other communities was that Rumpke, in many of the townships, has begun switching to bi-weekly recycling pickup to save some money. The bi-weekly pickup could cause people to upsize their recycling receptacle. Or, they would begin utilizing the Township's recycling drop off location, or they will stop recycling. **Mr. Pappas** stated that he was under the impression that the recycling drop off at the Operations Center would eventually be removed.

**Mr. Luginbuhl** did not believe it should be eliminated but dispersed at different locations throughout the Township. **Mrs. Stone** pointed out that the Township was subsidizing other communities. She asked what other communities had in place for recycling. **Mr. Sievers** replied that the City of Cincinnati, Newtown, Batavia and Pierce Township had curb side service with trash. Union Township had no inclusive curb side service, only a drop off location. He believed a large majority of users of the Township's recycling drop off center were coming from Union Township. **Mrs. Earhart** added that the difficulty of removing the recycling center at the Operation Center dealt with condos, apartments, and Home Owners Associations' that do a common collection and were not included in the special rate offered by Rumpke.

RecPlex Update – **Mr. Magna** stated that he was looking at scenarios of how to make more space at the Anderson Parks RecPlex, make the sign in area more conducive, and have more site lines. Once the plan was settled the goal was to have the design completed by July and go out for bid, award and schedule. **Mr. Pappas** asked who he was working with at the Park District. **Mr. Magna** replied Mr. Kushner, Ms. Armstrong and Ms. Fall. **Mrs. Earhart** pointed out that storage was a primary need. One of the things suggested was to bring in someone to facilitate how the Park District could better utilize storage, which would then free up space on the foot print for offices. The restrooms needed to be brought up to ADA standards. They were also receptive to suggestions on how to better utilize the outdoors spaces. **Mr. Pappas** asked if the open-air pavilion could be enclosed for extra space. **Mr. Magna** stated that that had been suggested but were not receptive. **Mrs. Earhart** added that they utilized that space for their summer camps and felt strongly they did not want to lose or change that space. **Mrs. Stone** asked how much the cost of the renovations would be. **Mrs. Earhart** replied that up to \$3,000,000 had been budgeted and believed it was going to be a spectacular facility when completed.

Committee Direction – **Mr. Sievers** stated that prior Board's had wanted to review all the minutes from all the committees. Therefore, he asked what the Board's expectations were regarding minutes. **Mrs. Stone** stated that she would like to see the minutes from the Economic Development Committee. **Mrs. Earhart** pointed out that the minutes from the Board of Zoning Appeals (BZA), Zoning Commission (ZC) and the Economic Development Committee (EDC) were on the website. She also explained that the Township was required to notify the public of

any official Township committee meetings. That requirement was fulfilled by listing the committees, the times and dates each committee met in *Anderson Insights*. **Mr. Sievers** noted that the website had all the same information as well. **Mrs. Earhart** asked if it would be acceptable if all the committee minutes were posted on the website. **Mr. Pappas** replied that it would. **Mrs. Stone** stated that she would like to receive information regarding significant issues. **Mr. Sievers** stated that staff would start emailing out agendas for upcoming Zoning Commission meetings to keep the Board abreast on issues occurring in the Township.

**Mrs. Earhart** pointed out that Mr. Gerth and Mrs. Stone were each on the Mental Health Committee and Heroin Task Force Committee. These were not considered "special meetings" since Mrs. Stone was representing the Forest Hills Foundation for Education and Mr. Gerth was representing the Township. If that were to change someone would either need to drop off the committee or the meetings would need to be advertised as a "special meeting" of the Board and minutes would need to be taken. **Mr. Gerth** did not believe both of them needed to attend each meeting and for now he would step away. **Mrs. Stone** suggested trading off.

**Mrs. Earhart** stated that the Board received an email from a resident who was asking about the Township creating an inclusion and diversity committee similar to the City of Montgomery. She felt that this initiative would fit well with Greater Anderson Promotes Peace (GAPP) Committee. The Cincinnati Museum Center had just opened a new Holocaust exhibit that contained three kiosks representing organizations who had promoted peace and attempted to stamp out anti-Semitism. GAPP was one of the three organizations recognized at the Museum Center. The kiosk refers to the Township and GAPP as being leaders in promoting peace. She talked with GAPP regarding the program at the City of Montgomery and asked for suggestions. GAPP recommended easing into the program with events that had different types of ethnic food. They also talked about the Township's rich Native American heritage and how to bring the people together around that topic and suggested bringing in speakers. GAPP was willing to assist with scheduling speakers, scheduling events but they did not feel a separate committee was necessary. One of the pathways the WeThrive Committee had selected was social health, which fit well into the inclusion and diversity initiative as well. **Mrs. Stone** agreed that a new committee did not need to be formed.

**PACE Project** – **Mrs. Earhart** explained that the Township was approached by JZB Realty Holdings Co., doing business as Forest Hills Care Center regarding a Property Assessed Clean Energy (PACE) project. A PACE project was a means of financing energy efficiency upgrades, disaster resiliency improvements, water conservation measures, or renewable energy installations of residential, commercial, and industrial property owners. PACE financing could be used to finance building envelope energy efficiency improvements. PACE financing could also fund a portion of new construction projects, as long as the building owner agrees to build the new structure to exceed the local energy code. **Mrs. Comey** stated that the property owner needed the Township to approve a petition and levy assessments against the property for State law purposes for a PACE funding project to work. The benefit to the property owner was they had to pay for those improvements over a thirty-year period. The Forest Hills Care Center engaged the Ohio Air Quality Development Authority (OAQDA) as their lender. OAQDA required a tax

abatement for the incremental increase in value to the property owner's property, for tax purposes. They want the best property lien on their special assessments coming to them, which would ultimately affect the TIF. The developers felt that if they had not undertaken doubling the square footage of the Forest Hills Care Center then the Township would not have received the increase in tax valuation that relates to the non-energy efficient components of the project. They estimate there was approximately \$6,000,000 in improvement value that would hit the tax duplicate and generate roughly \$200,000/year. They currently had a tax bill of \$241,000/year and believe there would be an additional \$212,000/year in property tax related to the improvements they were making. This property was in the 1994 TIF so technically there was already an exemption on the portion of that property value which was driving TIF revenues. The case could be made that their abatement comes ahead of TIF. She was working on a plan to preserve some of the TIF PILOT payments.

**Mrs. Stone** asked if this abatement was so key to this project why did the developer move forward without it. **Mr. Gerth** believed someone informed the developer of the abatement program at the last minute. **Mr. Sievers** stated that the developer had completed the first and second story, the lower level was unfinished. He did not plan to finish that due to the funding gap, however, he had intimated that if he had the funding, he would be able to complete that, thereby adding to the valuation. The value that **Mrs. Comey** mentioned was the same valuation per square foot as the existing building, therefore, he did not think it was going to affect materially the total value. However, if he puts more money into the basement it may be a higher value. The developer also pointed out that if he sold to a non-profit the Township would get no valuation on the existing or the new building.

**Mrs. Comey** pointed out that the owner could sell to a nonprofit and if he would the Township TIF revenues could go away. If the Township does give him the PACE funding, in return certain conditions could be required, one of which would be he would have to sign an Ohio Department of Taxation Form putting any future owner of that parcel on notice that the TIF was on the property. In this scenario, whether the future owner was nonprofit or not, they would thereafter have to pay TIF.

**Mrs. Stone** asked why the Township would want to get involved in this. **Mrs. Earhart** replied he cannot finish his structure without the funding and finishing the structure was going to add value. **Mr. Sievers** added this would generate an additional \$212,000 a year in property tax related to the improvements, which would generate approximately \$140,000 a year to the school district and \$80,000 to the Township. **Mr. Gerth** asked if this was really PACE funding. **Mrs. Comey** responded that it was PACE funding because it was based on the repayment stream. The difference was that the lender was OAQDA and not a bank or some private equity fund and therefore OAQDA had State agency powers where they could seek the abatement, another lender could not. **Mr. Gerth** asked if Stonecrest did PACE funding. **Mr. Sievers** replied they did not. An Energy Special Improvement District (ESID) was the jurisdictional instrument to make PACE funding possible, this had not been extended to the Township to date, currently it was just in Newtown. So as a part of this process, staff had been working with **Mrs. Comey** to make PACE funding an option for the rest of the Township. **Mr. Gerth** pointed out that PACE funding

could be used as an Economic Development tool that needs to be promoted. **Mrs. Earhart** stated that if the Board was comfortable proceeding staff would start preparing the documents.

Anderson Township Planning Meeting Tour -

At 2:30 p.m. a driving tour took place using two vehicles. In Vehicle #1, a Van 12, were Mr. Gerth, Mrs. Stone, Mr. Pappas, Mr. Dietz, Mrs. Earhart, Mr. Sievers, Ms. Parker, Mr. Drury and Mrs. Comey. Prior to entering the vehicle, **Mr. Gerth 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). Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

In Vehicle #2, a Minivan, were Mr. Luginbuhl, Chief Martin, Lt. McElroy, Mrs. Hucker and Mrs. Mohrfield.

Locations Along the Driving Tour Included the following:

1. Boatsmith Marine (Tour Stop) – Anderson Township acquired the former Boatsmith Marine property in 2014, after selling its formerly owned riverfront property next to Kellogg Park, between Cargill and Hilltop. The desire was, and remains, to provide public access to the Ohio River. Initially, this site was studied for a boat launch and parking facility. However, the reduction in state grant funds for the development of such sites, coupled with the cuts to the Township's General Fund dollars to maintain such a facility, among other factors, caused a change in direction. The Township remains interested in a private-public type venture for the site.
2. Kellogg Road – Kellogg Road was resurfaced in the spring of 2018, using the Township's Riverfront TIF funds generated by Belterra Park Gaming. A pavement preserving sealer was also added to the Ohio River Trail at that time and following last spring's floods, the bike fence at Four Mile Road was repaired using FEMA funds. The City is proceeding with constructing a segment of the Trail between Sutton and Salem Roads, linking our trail to Lunken Airport, in 2020.
3. Sutton Road – Anderson Township has been working with Riverbend, the Sheriff's Office, and the Hamilton County Engineers Office to install "No Parking" signs on the lower part of Sutton Road to deter event goers from parking or tailgating in that area. Special Deputies, paid for by Riverbend, also have, and will continue to, post no parking zones during large concerts, north of Two Mile Road. Sutton Road, along with several others that connect the balance of the Township to Kellogg Avenue/US 52, are being evaluated by the County Engineers Office for possible resurfacing similar to an arrangement that was used for Kellogg in 2018, perhaps with Township funding assistance.
4. Fire Station 10 – Design work is underway for the replacement of the driveway apron and the resurfacing of bay floors, using 2019 Riverfront TIF funds.



5. Salem Road – As we traverse Salem up to Beacon, we'll be following one of the few areas of the Township that has daytime METRO service via Route 24. Josh, Vicky and Steve met with a representative of the Greater Cincinnati Chamber to discuss METRO's plans last Tuesday and will update the group. A PUD to redevelop the former Clark gas station and Keegan's Seafood building at the corner of Salem and Birney into a fueling station and drive-thru convenience store was requested in early March. On April 22<sup>nd</sup>, the Zoning Commission continued the case for a second time.
6. Beechmont @ West Gateway – As part of the TIF funds derived from the Anthology development, plans are being developed for a decorative entry wall in this area to match that at Target. Longer term, sidewalks are planned for this area and in 2021, when the road is repaved, ODOT plans to install on-street parking on one side of Beechmont (which will alternate sides between Mt. Washington and Salem Road), with a bike lane through most of the corridor. The proposed Mt. Washington Care Center expansion, which was recently approved by the Township, will occur on the west side of their current building.
7. Paddison – Plans are being developed for a sidewalk on the west side of Paddison Road, from Beechmont to Bluecrest, using OKI/ODOT Transportation Alternative funds secured in 2018. A public open house and hearing will be held later this year, followed by right of way acquisition in 2020 and construction as soon as 2021.
8. Greenfield Plant Farm – As we pass by Greenfield, we continue to work with them in 2019 under the new rent structure put into place last fall. They are only paying for the months when they are on site. They are also trying some new marketing and outreach efforts to breathe life and energy into the site, including an upcoming program on site with the Cincinnati Zoo. The Stone House exterior improvements were completed last fall and the House will be open for the May 19<sup>th</sup> History and Garden Tour event.
9. Royalgreen – On the south side of Royalgreen, near Pond Run, is a new post that will allow for easy installation and rotation of the Township's portable speed signs. We have over the years, and continue to receive, complaints about speeding on Royalgreen and other roadways (especially thru roads). A list of sites where these will be periodically installed (to maximize effectiveness rather than "blending in" when left in one place) is being developed. This list is based on prior use of the speed trailer, and where data from that device was shown to: A) cause more than half of motorists to reduce their speed when seeing the sign, and B) where the 85<sup>th</sup> percentile speed exceeds the posted speed limit.
10. Clough West of Newtown Road – As part of the discussion with Harmony Senior Living, a more detailed engineering study is underway on the Township owned 10-acre parcel to the west. Much of this area is envisioned to be a bypass channel/natural wetland area for the creek, when it floods. The balance of the site, including the wooded area that had not been recently farmed, is proposed to be dedicated as Greenspace. Harmony would construct the system, which would be maintained by the Township. TIF funds derived from the development are envisioned to help with creek stabilization in the area, a path along

Clough connecting Newtown Road to Copperleaf and Turpin Hills, among other possible future projects.

11. Clough Pike (South side west of Turpin Hills) – This area was recently proposed for a residential planned unit development. While that was denied by the Zoning Commission, we envision a new application to be filed in the future for a modified development.
12. SR 32 & Clough – As part of the Eastern Corridor improvements, several concepts were shared last fall and vetted with the public. In the SR 32/Clough area, these included reconfigurations for this intersection as well the SR 125/Beechmont intersection. This also entailed trail connections and links for the Little Miami Trail, including a possible connection to the Five Mile Trail (such as a link through Turpin Hills). There were three subcommittees in this 2018 study, the second focused on the Village of Newtown while the third worked on the eastern Hamilton County part, including the Ancor Area.

**Mr. Gerth moved to retire from Executive Session. Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

13. Walls Greenspace (Tour Stop) – The Walls Greenspace parcel was acquired in 1994. It consists of 109+ acres and includes a perpetual bikeway and walking trail easement. During this stop on the tour, Greenspace Inspector Suzanne Clingman will explain the archaeological importance of this site and discuss a proposal to open the area for public education opportunities in conjunction with the Ohio State University.
14. Fire Station 22 (Tour Stop) - This former Ohio E-Check building was converted into a fire station by the Little Miami Joint Fire District around 2013. Anderson Township subsequently entered into an agreement to provide fire and EMS services to the Village of Newtown and began operating out of this now Village-owned facility on January 1, 2016.

**Mr. Gerth 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). Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

15. Roundbottom Road – Though prior to the tenure of this Board, Anderson Township conducted past engineering for improvements along Roundbottom Road. These plans, though not financially viable at the time, may be revisited with development interest and/or utility expansion into the area. It may be helpful to work these concepts back into Eastern Corridor discussions.

16. YMCA Road Area – The Township has acquired a number of properties in this portion of the Township to remove structures from the floodplain, many of which are blighted.
  17. Former Fire Station 100 – On the north side of Broadwell Road is the former Station 100, currently leased to CCET Railroad.
  18. Broadwell and Mt. Carmel Roads – The Hamilton County Engineers Office plans to resurface Broadwell and Mt. Carmel Roads (the portion that was not paved with the sewer project or recent hillside improvements. MSD has long term plans to install a sanitary sewer line along Broadwell from the planned expansion on Roundbottom, up Broadwell to near Pavestone. As we travel up Mt. Carmel Road, we'll see the area that was improved.
  19. 3319 Mt. Carmel Road – The former Dapper residence was acquired by the Township in February and plans are motion to raze the structure and clear debris from the site by June 1, 2019.
- Mr. Gerth moved to retire from Executive Session. Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**
20. Forest Hills Care Center – The new addition the Care Center is planned for a grand opening in the coming months. This will entail 37,000 new square feet, adding to the existing 67,000 square foot facility. This will allow for an additional 31 skilled nursing beds and 24 assisted living beds. This site has also been the recent focus of an Energy Special Improvement District (ESID) request that is being studied by Anderson Township.
  21. Eight Mile and State Road 32 – This intersection has long been a concern of ODOT, the Township and other entities due to the high volume and speeds, coupled with the irregular alignment. As part of the Eastern Corridor Plan, ODOT has studied several options or configurations, and has submitted a grant to install a possible traffic light at the intersection (westbound SR 32 traffic going straight would not stop). This is similar to former alignment for westbound Wooster Pike/US 50 at Newtown Road.
  22. Bridle Road – The Hamilton County Engineers Office, working with Anderson Township, received State Capital Improvement Funds in 2018 to resurface Bridle Road, which is planned for later this year or early 2020. In conjunction with this, and as part of our agreement with Hamilton County, the Township is contributing up to \$75,000 for this project, which is planned to also entail a sidewalk on the south side of Bridle between Whitehouse Drive and Johnson Hills Park.
  23. Little Dry Run – The road was recently ground for resurfacing by the Hamilton County Engineers Office, from Lawyer Road to the Village of Newtown line. We will also drive by Wilson Elementary School, where the Township piloted a crosswalk flag program, with financial support of the Wilson PTA, in 2018. With this, we also made crosswalk

improvements at the Wolfangel intersection to improve site distance and safety for all users.

24. Clough Pike & Wolfangel Road – A residential planned unit development for up to 19 new homes on six acres just northwest of this intersection, has been studied by the Township's Zoning Commission, including at its meeting last Monday evening.
25. Clough Pike – In response to the concerns of residents regarding Clough Pike, and the need for a comprehensive traffic study of the corridor, staff has reached out to the Hamilton County Engineers Office and had multiple conversations on this direction. Without having a great sense regarding the specific locations on Clough that are of concern, we have suggested an initial survey for property owners and motorists to complete. A draft of this online survey has been developed and is being reviewed by the County Engineers Office. The understanding is the Township would administer this survey, likely mailing a letter with a website address to Clough property owners, sharing on social media, etc. and tabulating the results. From there, we can get a better sense of possible next steps.
26. Township's Nagel Road Property – Following up on discussions at our April workshop meeting, we have not had a groundswell of interest in our 3-acre Nagel Road property for residential development. At this time the thought was to perhaps hold on any action and revisit it down the road for possible non-residential, low intensity, use. This will also give us some time to see what transpires with the former Kron home, adjacent to this site, where Sea of Smiles is pursuing purchase from the Mayerson Company for a parking lot expansion.
27. Stonegate Development - Swinging around to the other side of this former 9-acre site, through the Township's Operations Center, we'll get a chance to see the Stonegate Development coming out of the ground. We are traversing what will be the new secondary access for this development, along an easement on Township property. This resulted in modifications to the Township's recycling drop off area, Sheriff's parking and Public Works lay down area.
28. Downtown Anderson – Heading back out to Beechmont, we'll approach Downtown Anderson. Long term, the Township hopes to expand the appearance of this area further east, towards Nagel Road, per the original Beechmont Vision Plan.
29. Asbury Road – In 2012, the Township cut the ribbon for the Asbury Road sidewalk, a project that was a number of years in the making. This was financed by an OKI/ODOT grant to build the southern "spine" to the Anderson Trails network.
30. Ayers Road – In a "trade" several years ago with the County Engineers Office, the Township assumed maintenance responsibility for Ayers Road east of Asbury (the trade was for Dunn, which has since been transferred back to the Township due primarily to speed limit concerns). In response to the continued and possible future development along this roadway, the Township is engaged in engineering to expend more than \$1

Million to widen and improve the roadway, using 1994 TIF funds (these subdivisions are in the 1994 TIF program). It is anticipated plans will be completed later this year, though we are suggesting we hold on improvements a bit until more homes are constructed (due to the impact of large trucks on the new pavement).

**Mr. Gerth** adjourned the meeting until May 3<sup>rd</sup>.

**Mr. Gerth** called the meeting at 9:16 a.m., May 3<sup>rd</sup> and welcomed the attendees, who included 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, Fire Chief Rick Martin, District 5 Commander Lt. Dan McElroy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker, and Administrative Assistant Molly Mohrfield.

Emergency Operations/Crisis Communication – **Chief Martin** stated that there was a new dispatch system in Hamilton County called Locution Automated Dispatching System. Locution Systems Prime Alert would provide syllable-based voice dispatch for Fire/EMS service. Prime Alert provides a consistent tone of voice, at a consistent volume in an organized order. Locution Prime Alert (“Locution”) is a software/hardware solution that automates the process of alerting fire departments and EMS agencies. When the dispatcher places a unit(s) in their computer aided dispatch (CAD) system into a dispatch status, Locution would send tones and voice announcement over all the same resources that are currently used. In addition, Locution would also send messages over a computer network for stations that have IP-based station alerting once that functionality was activated. Locution would reduce the amount of time between when a call was received and when it was dispatched by automating the process and enabling calls to be dispatched over individual resources as soon as possible. It would also reduce dispatcher workload and radio congestion. The cost to install the Locution software would be approximately \$140,000 for all four stations.

**Chief Martin** announced that all four stations would be transferring over to FirstNet from Verizon. FirstNet was an AT&T Company. The FirstNet mission was to deploy, operate, maintain, and improve the first high-speed, nationwide wireless broadband network dedicated to public safety. It was a highly secure, interoperable, and innovative public safety communications platform, allowing first responders to get more information quickly and helping them to make faster and better decisions.

**Chief Martin** pointed out that the Township had the Amateur Radio Emergency Service (ARES) in place but was lacking amateur radio operators (HAM). He had met with a couple people that were currently building a short-wave antenna that we would be kept in the Emergency Operations. This would give the Township the ability to communicate with other entities if the other systems were to go down.

**Chief Martin** stated that he had met with Nick Crossley, Director of the Hamilton County Emergency Management and Homeland Security Agency (EMHSA), to discuss items needed in an emergency. The four things that EMHSA states were needed were water, ice, food, and tarps. These were the four things they give out at their points of distribution. Relative to the other training, Chief Martin was working with the entertainment district, which included Coney Island,

Riverbend and Belterra, on National Incident Command System (NIMS) 100 Training which was the basic introduction to the National Emergency Management System because any disaster would impact all three entities. **Mrs. Earhart** stated with regard to supplies there would be a concerted effort to urge residents to have enough food and water on hand for two weeks, using *Anderson Insights* and other educational opportunities to spread this message. Staff was working with the Forest Hills Local School District to take some of the NIMS 100 training as well.

**Mr. Pappas** asked if there was a plan in place, during a prolonged disaster of some magnitude, to involve the use of the school's cafeterias to institute meal distribution. **Chief Martin** replied that the EMA would like to look at the RecPlex site as the designated East shelter, currently there was no shelter on the East side of town. EMA did not like to use schools as shelters. Their theory was if it was not a huge disaster in the area that people and the community were better off continuing day to day operations. **Mrs. Earhart** pointed out that the downside to the RecPlex was that there were no generators. **Mr. Pappas** asked if there was a kitchen. **Mrs. Earhart** replied that there was no kitchen facility either. It could serve as a place, if desperate, to shelter people and have food brought in. **Mrs. Stone** asked how much a generator would cost for the RecPlex. **Mrs. Earhart** replied she did not believe it would be a great expense, pointing out to fully generate Anderson Center was \$50,000.

**Chief Martin** explained that the Community Paramedicine Program utilized Emergency Personnel in an expanded role by providing non-emergency home visits and providing medical care to the underserved. This has been found to improve patients' quality of life, reduce Non-Emergent 911 calls, and reduce inpatient hospital readmissions. Every year, under the Affordable Care Act, the Federal Government penalized hospitals up to 3% of their annual Medicare payment if they had a high re-admission rate. To reduce these amounts Anderson Mercy would like to start a Community Paramedicine Program. The biggest issue was that patients were spread over multiple jurisdictions. He and Battalion Chief Kasperczyk were discussing focusing the Community Paramedicine Program on fall patients. Learning the foundation, aspects and what the program might be and how to get started was totally separate and distinct from what the hospital needs were. The goal was to build a program that addresses falls and introduce it to the New England Club due to the daily falls that occur at that facility.

**Mrs. Stone** asked about the overdose cases occurring in the Township, which had been a topic of discussion for three years. **Lt. McElroy** replied that Hamilton County had a heroin task force and they also coordinate with follow-ups. **Mrs. Stone** asked if that was occurring in the Township. **Lt. McElroy** responded that was occurring county wide. The Greater Cincinnati Fusion Center, in conjunction with the Hamilton County Sheriff Office, kept track of that information.

#### Update on Collaborative Efforts

Hamilton County Engineer – **Mr. Sievers** explained that the Township provided funding for Kellogg Avenue resurfacing, which was undertaken last spring. The balance of the funding was used last summer to pave the rest of Five Mile to Interstate 275. Staff had conversations with the Engineer's Office about providing some additional Riverfront TIF monies for paving portions of the southern routes, namely Eight Mile Road and Asbury Road. Staff was also working with the

Engineer's Office to develop a survey for Clough Pike in response to the concerns regarding development activity. Staff was not seeing the problems or backups on Clough Pike as communicated by residents. The survey would help to get a sense on where residents were seeing problems so that discussions could occur with the County Engineer. Mr. Sievers believed that the Township's relationship with the Engineers Office was better than it had been in the past. **Mrs. Stone** asked why a bike lane was not being added when roads were getting repaved. **Mr. Sievers** responded that most roadways would need to be engineered and greatly widened to add bike lanes. **Mrs. Comey** asked if the Township received compensation from Hamilton County when TIF dollars were expended to undertake a function that was the County's responsibility. **Mrs. Earhart** responded no, as the Township was taking money away from the County by having a TIF. **Mr. Sievers** asked what were the percentage of complaints received on roadways that did not belong to the Township. **Mr. Luginbuhl** responded 80 to 90%. **Mr. Sievers** believed that the the best and easiest way for the residents to remember was if the speed limit was 25 mph or less the road belonged to the Township.

Hamilton County Planning and Development – **Mr. Drury** explained that the Hamilton County Planning and Development staff's the Hamilton County Regional Planning Commission and Hamilton County Planning Partnership. The Regional Planning Commission makes recommendations to the Trustees on zone changes and text amendments and they have the authority on subdivision review. House Bill 500 states that a Home Rule Township did not have to go before Regional Planning for zone changes and text amendments, but they were still the authority for subdivisions. Therefore, the Township had the option of having zone change applications and text amendments go the Zoning Commission first. The Zoning Commission would make a recommendation to the Trustees, who would have the ultimate authority on those cases.

Hamilton County Planning Partnership – **Mr. Drury** explained that the Hamilton County Planning Partnership was set up in the early 2000's because Hamilton County did not have a county wide Comprehensive Plan. There was a fee for each community to participate in the Planning Partnership. The fee was based on population. The fee provided training services to help with Comprehensive Planning, to examine things from a regional planning perspective and to bring communities together to collaborate more on countywide issues. This year the Township chose not to pay the fee thus far due to the Partnership's role shifting towards helping more of the lower income neighborhoods by providing planning services for them. Staff felt that the Township fees were not necessarily going for a County wide collaborative effort. Staff met with Planning + Development staff and they were encouraging the Township to still participate because they felt the Township was at the planning forefront for the County. The Township was a large member. He believed that there would be an opportunity to rejoin the Planning Partnership if a consensus of how their focus could change to do what it was originally intended to do. Township staff felt they needed to take a lead role in organizing County wide issues and how lead agencies can be more proactive than reactive to an actual application.

Hamilton County Regional Planning Commission – **Mr. Drury** pointed out that the Regional Planning Commission provided advisory planning service to its members that pay annual fees.

They did review the Township's zone changes, which provided a third-party review/opinion which he believed was beneficial. They were the authority on subdivision reviews. **Mrs. Earhart** believed the Planning Commission was concerned about the Township walking away, not only from a financial aspect but also as leaders in planning. She strongly felt the Township needed to take stand by demanding certain services be provided. **Mr. Gerth** stated that with regard to the Regional Planning Commission he believed that staff could make decisions on development in the Township without the County's input. He did not see any benefit in being part of the Planning Partnership organization. **Mrs. Stone** believed that keeping a relationship with the County was beneficial though she did not realize that the Township paid higher fees than any other community to participate in these organizations. **Mr. Drury** pointed out that staff had a great relationship with the Hamilton County Building Department and relies on them greatly, which makes this a delicate situation. **Mr. Gerth** stated that he would be willing to pay the Planning Partnership fee if they would take a serious look at ANCOR. **Mrs. Stone** agreed, asking if the Township was making ANCOR a priority. **Mrs. Earhart** replied that staff had for years. Martin Marietta owns most of the land and until they decide what they are going to do, and they move forward, there was not much the Township could do. **Mr. Sievers** pointed out that the only access would be through the Village of Newtown, and they have been strongly opposed to a new roadway in that area. **Mr. Gerth** pointed out that if the Hamilton County Commissioners or others see the economic development potential they could put pressure on the Village of Newtown. **Mrs. Earhart** stated that the County faced budgetary issues. She would like to maintain a good relationship with Newtown and the County and add the County to the collaboration list.

Proposed Hotel – **Mrs. Earhart** explained that in trying to attract a hotel to the Township the Board commissioned a study and the chosen locations were along the riverfront or Anderson Center Station, as the secondary choice. **Mr. Sievers** stated that the study showed that there was a market for a hotel but there has not been much interest to date. If this was something the Board wanted to pursue, staff was seeking guidance on next steps they would like to take. One of the difficulties, over the last two years, with the Kellogg site, was high water issues and limited access. There had been discussion regarding the Boatsmith property, but the study actually focused on the property across from Belterra. This had more limitations with regard to flooding, but was far more attractive than Boatsmith, which was more isolated.

**Mr. Gerth** stated that Boyd Gaming had confirmed that this was something they had been discussing. **Mr. Sievers** asked the Board what the next steps were. **Mr. Gerth** pointed out that the study, at some point, was going to become outdated. Therefore, he suggested coming up with a list of hotel developers and send them the study asking them to consider the Township. He would also like to have another conversation with Boyd Gaming, explaining how a hotel could expand convention business with the ability to host events with 500 people. There was no other place to hold a group of 500 people on the east side currently. He believed that the most effective way to spend resources, for the benefit of the Township, was the riverfront not ANCOR. **Mrs. Stone** agreed.



**Mr. Gerth** pointed out that California was having a bit of a resurgence with a brewery, new housing and entertainment. **Mr. Sievers** stated that if the Board felt Kellogg/Belterra was the primary site, Boyd Gaming needed to be on board and supportive. **Mr. Pappas** asked if there was hesitancy on Boyd Gaming's part due to flooding. **Mr. Sievers** stated that he believed that was a component. If Boyd Gaming was supportive, he suggested getting an updated hotel study. **Mr. Pappas** asked what the cost would be. **Mr. Sievers** replied that it should not be costly. **Mrs. Earhart** asked if the secondary site should be removed from the update. **Mr. Gerth** suggested having a conversation with Boyd Gaming first before that discussion was made. **Mr. Sievers** pointed out that this same discussion had occurred with Kent Cost at Victory Investments, owner of the Anderson Towne Center. He asked what the Township could do for them, such as a Community Reinvestment Area (CRA). Therefore, he felt two different study updates were needed, one for each site because they are two very different markets. The Towne Center site would encompass the triangle behind Kroger off of Towne Center Way, though parking would be an issue. **Mr. Gerth** stated if Victory was serious about doing a hotel then the Township would absolutely be willing look at what our involvement would be. **Mr. Sievers** asked if **Mr. Gerth** would be willing to reach out to Boyd to gauge their interest. **Mr. Gerth** replied he would. **Mr. Sievers** stated that he would request an updated hotel study.

Identify Next Big Initiative That Will Further Distinguish Anderson Township – **Mr. Gerth** stated that the next big initiative for him was a hotel. If Boyd Gaming was on board and assuming Coney and Riverbend were agreeable, he would like to see some type of branded development in that area with a large welcoming sign to the Township at the interchange. He would like to have a local architectural firm do a master planning exercise that would show schematics of what a hotel and convention center, with a new thoroughfare and different branding, would look like. **Mrs. Comey** stated that the Board had discussed a trail/boardwalk along the river, part of that discussion included what incentives could be offered to Boyd. TIF dollars could be used if Boyd would agree to grant the Township a permanent easement. **Mrs. Earhart** asked if there would be any advantage borrowing from the Ohio Riverfront TIF to get these improvements done in the next couple of years instead of waiting until monies accumulate in the Riverfront TIF. **Mr. Sievers** suggested waiting due to the fact that most of these improvements were on private property. The other issue was that the interchange was not on Township property. Therefore, staff would need to reach out to the City of Cincinnati to make it a priority. **Mr. Gerth** pointed out that a parking structure would be needed if a hotel and convention center were to be built, which, in theory, was what the Cincinnati Port Authority should be able to help with. **Mrs. Earhart** stated that there were other areas where two jurisdictions joined together to upgrade a gateway. **Mr. Sievers** replied that would unfortunately require working with the City, and there are numerous entities there that would be involved. **Mr. Gerth** felt this would be a good time to have a conversation with people who were economically development minded at the City such as Council Member Amy Murray. He suggested putting out an RFQ for a master plan of what that interchange going east and west would resemble, and asked **Mrs. Comey** if the Ohio Riverfront TIF could be used outside of the Township. **Mrs. Comey** replied yes, if the item benefited the parcel that generated the revenue which in this case it would. **Mrs. Earhart** suggested using TIF dollars to install it and having the City maintain it.

**Mrs. Stone** asked who was funding and coordinating the California improvements. **Mr. Sievers** stated that the Community Council President for California was from KZF Design who was working with Hills Properties on the Anderson Center Station project. **Mr. Gerth** stated he would set up a meeting with Boyd, and asked Mr. Sievers to speak with Kent Cost of Victory. He would also like to set up a meeting with the California Community Council President as well.

**Mrs. Earhart** stated with regard to Hills Properties and the redevelopment of Anderson Center Station Mrs. Comey had redrafted the development agreement and sent it back to Hills and she is waiting for their comments/approval. **Mr. Gerth** asked if everything was moving as fast as it possibly could. **Mr. Sievers** replied it was. **Mr. Gerth** stated that he realized that there was a lot of moving parts to this and he understood why it was taking longer than the average development, but he was concerned with the amount of time this was taking. **Mrs. Earhart** stated at this point it was just the agreement that needed to be secured.

Revisit Mission Statement –

### Mission Statement / Tag Line

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Anderson Township's Mission Statement . . .

*"To provide services which protect and enhance the quality of life in our community."*

. . . was drafted during the 2002 Board Retreat. Since that time, the Mission Statement has appeared in *Anderson Insights*, *Senior Lifestyle*, and on the back of Township business cards.

### **Suggestions:**

- Add identifier – "The mission of Anderson Township is to provide services which protect and enhance the quality of life in our community."
- Add customer service element – "The mission of Southwest Airlines is dedication to the highest quality of Customer Service delivered with a sense of warmth, friendliness, individual pride, and Company Spirit."
  - In the service of the public
  - Highest professional/ethical standards
- Add volunteer element – "The American Red Cross prevents and alleviates human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors."
- Add employee element – "Squarespace empowers people with creative ideas to succeed."
- Add economic, environmental element – Caterpillar "To enable economic growth through infrastructure and energy development, and to provide solutions that support communities and protect the planet."

### Township Examples

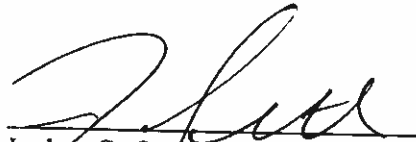
- Mission Statements:
  - Miami Township (Montgomery Co.) – “Miami Township’s Mission is to provide excellent services to our residents and businesses, with an emphasis on integrity, efficiency and fiscal responsibility, which will position the township for future growth and continued success.”
  - Most specific to police and/or fire departments
- Tag Lines:
  - West Chester “Where Families Grow and Businesses Prosper”
  - Fairfield Township “Greater History Bright Future”
  - Liberty Township “Embraced by nature. Inspired by progress”
  - St. Clair Township “Pride in Progress”
  - Polk Township “Where the living is easy.”
  - “Scenic Sugarcreek Township”
  - Beaver creek Township “Where residents feel the comforts of home.”
  - Canfield Township “A place for families & friends” and “History is alive in Canfield”
  - Brunswick Hills Township “Enrichment Through Diversity”
  - “Boardman A Nice Place to Call Home”
  - “There’s more in Sycamore”
  - “Perry Township, Ohio has plenty to offer.”
  - “Trumbull Township Cares”
  - Delhi Township “The Floral Paradise of Ohio”

**Mrs. Earhart** stated that it had been close to a year since **Mrs. Stone** was approached by Razor Marketing regarding branding/marketing for the Township. One of the things brought up was the mission statement “*To deliver services which protect and enhance the quality of life in our community*”. This mission statement was created during a Board Meeting in 2002. It appears in *Anderson Insights*, on the *Senior Lifestyle Newsletter* and on the back of employee’s business cards, beyond that, it was not used much. She asked the Board if they wanted to revisit the mission statement or create a tagline. One of things Razor Marketing stated was that the mission statement could be referring to any community and suggested making it more specific to Anderson. **Mrs. Stone** felt that the current mission statement seemed to be the mission statement of the staff. She asked what was the Township’s tag line. **Mrs. Earhart** replied that the Township did not have one. The closest thing to a tag line was “Ohio’s First Greenspace Community”. **Mr. Pappas** suggested “Where the Living Is Easy”. **Mr. Gerth** suggested “Anderson Township Something for Everyone”. **Mr. Pappas** believed that a tag line was something that needed to be thought about. He liked the current mission statement stating it reflected the function of government. **Mrs. Earhart** believed that the tagline had limited marketing use and it would have to be updated more often. She questioned if “Township” should be dropped from Anderson like West Chester did. **Mr. Pappas** stated that the Board would consider it. **Mrs. Earhart** added it was something to think about long term and it would help in updating the Township’s image.

Wrap-Up – Mr. Sievers stated that on occasion, during an interim meeting, he would like to take time to go on a “field trip” around the Township.

As there was no further business, the meeting adjourned at approximately 1:15 p.m.

These minutes were approved at the meeting of August 15, 2019.

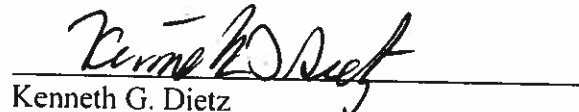
  
Joshua S. Gerth, President

  
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 special meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 2<sup>nd</sup> and 3<sup>rd</sup> of May, 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of August, 2019.

  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 16, 2019

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on May 16, 2019, at 6:00 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

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

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

**Mr. Gerth called the meeting to order and welcomed the additional attendees, including a number of citizens and other public officials including: Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Lt. Dan McElroy, and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.**

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

There was no further discussion.

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

### PUBLIC HEARINGS

**Mr. Gerth opened the public hearing for Case 1-2019 Anderson Buffalo Wings and Rings, 8501 Beechmont Avenue.**

Case 1-2019 Anderson Buffalo Wings and Rings, 8501 Beechmont Avenue – Mr. Drury explained that this was a request for a zone change on property located at 8501 Beechmont Avenue. The applicant was Buffalo Wings and Rings Real Estate LLC on behalf of TP White and Sons and Feldy Boys LLC, who were the property owners. There were multiple zoning districts on the property, "E" Retail, "E PUD" Planned Unit Development, "C" Residence and "C PUD" Planned Unit Development. The applicant was requesting a zone change to "EE" Planned Business District for the purposes of constructing two buildings. The first building was a one-story, approximately 2,600 to 4,300 square foot retail building near the front of the property toward Beechmont Avenue. The second building was a two-story building, approximately 20,000 square feet that would be used as the corporate office building for Buffalo

Wings and Rings. In addition, an attached garage was also proposed for the owner's personal use.

This plan was recommended for approval by the Anderson Township Zoning Commission with 15 conditions. The Hamilton County Regional Planning Commission heard the case at their March meeting, however, due to the lack of four affirmative votes the application was denied. The applicant was requesting a variance for 106 parking spaces, whereas only 84 spaces were permitted for both uses. The Zoning Commission recommended removal of 12 spaces to come into compliance. The applicant was requesting reconsideration of that condition. The Economic Development Committee had reviewed this application and recommended approval as long as an appropriate buffer and separation was provided in the back. Underground detention would be placed under the parking, which allowed for additional buffering to the residents on Sunmont. The applicant has agreed to a six-foot mound, which was a condition by the Zoning Commission. The applicant was proposing a six-foot-tall mound with a mixture of evergreen and shade trees. There would be a level of buffering along the mound as well as perimeter landscaping of the parking lot. **Mr. Gerth** asked if there was detention on the property. **Mr. Drury** stated that there was not. **Mr. Pappas** asked where the detention basin would be draining. **Mr. Drury** stated that the natural flow of water goes through the Raibourne subdivision and continues south.

**Tom Davis, Director of Construction, Buffalo Wings and Rings**, stated that the condition regarding the building not exceeding a maximum of 27' feet high with all HVAC and mechanical units screened on the roof may be difficult to meet, therefore he was requesting some leniency on that condition.

He pointed out that the elimination of the 12 parking spaces to the south would only allow for 62 parking spaces in the rear. There were currently 32 employees, along with the desire to lease the upper floor and conduct on-site training classes. The 62 spaces were insufficient; therefore, he requested those 12 spaces back. There was a back buffer of 75' between the property line and the rear parking lot where those 12 spaces could be added, and they would be heavily buffered. **Mr. Pappas** asked if he was proposing a 6' berm in the back with landscaping on top of it. **Mr. Davis** replied that was correct, it would be a 6' berm with 8' trees so everything would be buffered. The perimeter landscaping, next to the parking lot, would be double buffered. **Mr. Pappas** asked if the 6' berm would prevent water from running behind it. **Mr. Davis** replied that there would be underground detention that would be released at a controlled rate. **Mr. Pappas** asked if less water would be released from the underground detention than what was currently running off. **Mr. Davis** replied yes, it would be less than what it was now.

**Mr. Gerth** asked if anyone would like to comment on Case 1-2019 Anderson Buffalo Wings and Rings.

**Terry McQuery, 8518 Sunmont Drive**, stated that she lived directly behind the proposed development. She was concerned that the look and feel of the natural tree line would disappear and the current flooding issues would worsen. She also believed that noise from Beechmont would be an issue once the tree line barrier was removed. She requested that the Board not approve the developer's request regarding the height and the additional parking spaces. She felt

this development would impede upon their lifestyle in the neighborhood. She asked the Board to consider how this development would impact everyone.

**Linda Gauggel, 8500 Sunmont**, realized that the proposed developer was only responsible for fixing the water and bringing it to code on their property. She pointed out that her home sat to the right of the proposed development and was concerned that with the addition of a 6' berm the water would run off the sides onto her property. She would like to see the 12 parking spaces gone as well. She was happy that it was a corporate office but was concerned with the amount of people coming and going on a daily basis. She asked what checks and balances were in place to ensure that the developer followed the Zoning regulations once the case was approved.

**Ken Chow, 8510 Sunmont**, pointed out that the 50' trees behind their property, that are proposed to be removed, provided a cushion from the noise. He asked why the water retention system was going to be built underneath the parking lot.

**Tapendra Sinha, 8538 Sunmont Drive**, stated that one of his major concerns was that their backyard was the lowest point in the Sunmont Drive area; therefore, they get a tremendous amount of water, more since the Graeter's construction and the cutting of the trees for soil testing for Buffalo Wings and Rings. He consulted with the Hamilton County Field Services who came out and reviewed their backyard and said that the natural slope had changed due to the cutting of trees. They suggested the installation of French drains at his expense. The puddles that were being created would stay permanently, the detention basin would not fix this issue and eventually those puddles would become a breeding ground for mosquitos. His immediate concerns were health hazards, polluted runoffs, and waterlogging in his backyard.

**Tao Huang, 8504 Sunmont**, urged that all the existing trees remain as a natural buffer.

**Nader Masadeh, President of Buffalo Wings and Rings**, pointed out that initially the building was proposed to be built in the rear of the lot, it was moved forward to accommodate the neighbors' concerns. The water issue was a natural issue that was not within his control. All they could do was meet Hamilton County and the Township's regulations for water control and flow. He chose to put an underground detention basin in addition to the proposed above ground detention basin. The detention basin was approximately a \$170,000 investment that he believed would help control the waterflow problem. He felt their development was the best option for this site due to the fact that it was an office building. It was only open 8 a.m. to 5 p.m. five days a week, no weekends. Therefore, there would be no noise or lights to affect the residents. In regard to the parking lot, 63 spaces for the amount of square footage was not sufficient for his needs, if those 12 spaces were to go away, it would be a problem. As far as the height of the building he agreed to limited it to two stories, although the Zoning was approved for three stories. He asked for some leniency until the design was completed to know the exact height of the building because of the condition requiring all HVAC and mechanical units be screened on the roof.

**Mr. Gerth** closed the public hearing.

**Mr. Pappas** stated that he did have concerns about the water runoff, but from what the applicant was stating regarding the detention basins there actually should be less of a runoff issue than was currently there. During peak rain events the water would be held and then released at a controlled rate. **Mr. Drury** pointed out that the site currently was not controlled at all.

**Ms. Stone** asked how long the water was held in the detention basin. **Mr. Drury** stated that the basin was engineered to hold it and release it at a slow rate. **Mr. Pappas** asked with regard to the attached garage was there anything in the Zoning regulations to keep the applicant from putting a structure on top of that building. **Mr. Drury** stated that the applicant had proposed the possibility of a second story deck. It was permitted in this type of Zoning District. The applicant was proposing to stay underneath 30' in height.

**Ms. Stone** asked the applicant what would happen if those additional 12 parking spaces were not granted. **Mr. Masadeh** stated that the space would not work for them. He felt that they had been extremely accommodating, pointing out that they had met, 25 out of the 26 required conditions. They were only asking for the parking condition to be reconsidered.

**Mr. Gerth** asked if there were a required number of trees the applicant had to plant. **Mr. Drury** stated that there was not. Staff and the Zoning Commission was recommending a solid buffer of trees. **Mr. Gerth** asked how that was defined. **Mr. Drury** stated that there was no definition. The recommendation was for a diverse group of evergreen and deciduous trees to help create more of that natural wooded area. **Mr. Gerth** pointed out that comments raised consistently dealt with the water and the greenspace. In regard to the water the applicant was going to do more to the site than was there before. The Board was aware that there were water issues based on what the neighbors had said, this was a better solution for any water problems than what exists there today. **Mr. Gerth** believed the applicant could achieve a building height under 30', stating that 30' seem like a reasonable request for a two-story building with screening. In regard to parking, he pointed out that a normal office building had 4 parking spaces per thousand square feet, which would be 80 spots for a 20,000-foot square foot building. He understood the parking was inadequate, but the 12 spots were the biggest source of contention with the residents who lived behind this development. He was inclined to grant the 12 spots contingent upon a definition of the type of screening that would be placed in the rear lot. It had to be evergreen, it had to be a solid screen of trees and it had to be robust, hardy screening. **Mr. Drury** stated that a final development plan would be submitted to the Zoning Commission and that would be the resident's reassurance that all the conditions were being met.

**Resolution 19-0516-01: Mr. Gerth moved to approve and adopt a zone change from "E" Retail, "E PUD" Planned Unit Development, "C" Residence, "C PUD" Planned Unit Development to "EE" Planned Business District for 8501 Beechmont Avenue as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 19-0516-01  
CASE 1-2019 ANDERSON  
8501 Beechmont Avenue  
(Book 500, Page 040, Parcels 10 and 164)**



**Approving and Adopting a Zone Change from “E” Retail, “E PUD” Planned Unit Development, “C” Residence, “C PUD” Planned Unit Development to “EE” Planned Business District for 8501 Beechmont Avenue.**

WHEREAS, this Board of Township Trustees (“Board”), on May 16, 2019, has discussed Case 1-2019 Anderson, an application filed by Buffalo Wings and Rings Real Estate, LLC, on behalf of TP White and Sons and Feldy Boys LLC, property owners, requesting an amendment to the map of the Anderson Township Zoning Resolution for property located at 8501 Beechmont Avenue (Book 500, Page 040, Parcels 10 and 164), containing 2.455 acres to effect, a zone change from “E” Retail, “E PUD” Planned Unit Development, “C” Residence, “C PUD” Planned Unit Development to “EE” Planned Business District, to allow a two-story, approximately 20,400 SF corporate office building with a one-story, approximately 2,600-4,300 SF retail building near the front of the property near Beechmont Avenue. The office building towards the rear of the property would be used as the Buffalo Wings and Rings Corporate headquarters. Thirty-three (33) parking spaces are provided for the retail building and seventy-three (73) parking spaces are provided for the office building. A 22’x83’ (1,826 SF) attached garage is also proposed for the owner’s personal use; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Hamilton County Regional Planning Commission recommended denial of the application due to the lack of four affirmative votes, in Case 1-2019 Anderson at its March 7, 2019, meeting; and

WHEREAS, after allowing for public testimony and deliberating in public session at its March 25, 2019 and April 22, 2019 meetings, the Anderson Township Zoning Commission recommended approval of Case 2-2019 Anderson, with conditions; and

WHEREAS, on May 16, 2019, 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 Anderson Township Zoning Commission, and finds that the Application, as recommended for approval with conditions by the Anderson Township Zoning 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 the 2016 Future Land Use Map designation of “General Retail”, and goals from “Economic Health” and “Land Use and Development” chapters from the Comprehensive Plan text (noted above).
2. The proposed use is compatible with surrounding uses on Beechmont and can be

- compatible with residential uses if an appropriate buffer is established.
3. The health and safety of the neighborhood and the Township are maintained.
4. The proposed use of the site provides an opportunity for the applicant to realize a 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 Anderson Township Zoning Commission, and/or by this Board:**

8. That the plan shall be revised to comply with the requirements of the Hamilton County Thoroughfare Plan.
9. That a landscape plan in accordance with the Zoning Resolution be submitted as part of the Final Development Plan.
10. That both buildings shall be modern in design and constructed of quality building materials in accordance with the submitted building plans.
11. That a lighting plan compliant with Article 5.3, K, 3 be submitted as part of the Final Development Plan.
12. That a vehicular easement shall be made for cross access to properties to the east and west.
13. That in lieu of a six-foot-high privacy fence, a solid screen consisting of diverse evergreen and deciduous trees shall be installed on top of the berm to ensure adequate buffering from the proposed office building and existing residences to the south.
14. That all signage shall comply with the Anderson Township Zoning Resolution.
15. That a stop sign be provided at the eastern property line.
16. That a sidewalk be integrated into the site plan connecting the corporate office in the rear of the site to the sidewalk along Beechmont Avenue.
17. That stacking lanes for any proposed drive thru that meet the minimum standards of the Zoning Resolution be submitted as part of the Final Development Plan.
18. That all landscape materials be 8' evergreens, 2 ½" caliper shade trees, and 3-gallon shrubs.
19. That all HVAC and mechanical units be screened and submitted as part of the Final Development Plan.
20. That the proposed mound toward the rear of the property be a minimum of 6' high.
21. That the building shall not exceed two stories with hidden mechanicals.
22. That the perimeter landscaping of the southern twelve parking spaces consist of a solid vegetative screen.

The Board approves the following variance from Article 3.15, D, 2, for a side yard setback of 10', where 35' is required, for the following reasons:

1. The variance is not substantial. The side yard in question abuts property owned by Graeters, to the rear of their new restaurant. The property that is zoned residence is vacant, however the front portion of the property is zoned commercial.

2. The essential character of the neighborhood will not be substantially altered and adjoining properties would not suffer a substantial detriment as a result of the variance. The area adjacent is vacant and unlikely to be developed as single-family with the commercial use of the property with the redevelopment of Graeters on the northern portion of the adjacent property.
3. The variance would not adversely affect the delivery of governmental services (i.e. water, sewer, garbage).
4. The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. The proposed building location is an attempt to provide greater separation from the homes on Sunmont and the office building. A reduced side yard setback will allow for more of a buffer to the south.

The Board approves the following variance from Article 5.3, D, 1, d, for a 6' wide streetscape buffer, where 10' is required for the following reasons:

1. The variance is not substantial; the Township parking requirements permit a sidewalk in the 10' streetscape buffer area, however in this situation, the sidewalk is in the right-of-way. Therefore, the proposed 6' landscape area would achieve the intent of a landscaped area along the roadway and is wide enough for plants / trees to survive. The applicant is trying to stay somewhat consistent with the adjacent Graeters development that was not required to dedicate additional right-of-way.
2. The character of the neighborhood will not be altered. The applicant will still meet the landscaping requirements of street trees and perimeter parking lot landscaping.
3. The variance will not adversely affect the delivery of governmental services.
4. The spirit and intent behind the zoning requirement will be observed and substantial justice done by granting the variance. A reduced streetscape buffer will still add landscaping along Beechmont and accommodates a sidewalk in the right-of-way.

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 improvements and circulation concept;
- (2) Hamilton County Planning and Development 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 Hamilton County Stormwater and Infrastructure certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; Hamilton County Stormwater and Infrastructure shall inform the Anderson Township Planning and Zoning 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 Anderson Township Planning and Zoning, Hamilton County Stormwater and Infrastructure, 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; Ms. Stone, yes; Mr. Pappas, yes.**

**PRESENTATIONS AND RECOGNITIONS**

Resolution Proclaiming May as Mental Health Awareness Month –

**Resolution 19-0516-02: Mr. Pappas moved to adopt a resolution designating May 2019 as Mental Health Awareness Month in Anderson Township as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0516-02**

**PROCLAMATION RESOLUTION DESIGNATING  
MAY 2019 AS MENTAL HEALTH AWARENESS MONTH  
IN ANDERSON TOWNSHIP**

WHEREAS, one in 5 adults in the United States lives with a mental health condition; and

WHEREAS, one in 25 (10 million) adults lives with a serious mental illness; and

WHEREAS, approximately 43.8 million people face the day-to-day reality of managing the symptoms of a mental illness; and

WHEREAS, early intervention programs are important as half of all lifetime mental health conditions begin by age 14 and 75% by age 24; and

WHEREAS, ninety percent of those who die by suicide have an underlying mental illness; and

WHEREAS, the best treatments for serious mental illnesses today are highly effective leading to a significant reduction of symptoms and improved quality of life for between 70 and 90% of individuals; and

WHEREAS, people experiencing mental health conditions often face rejection, bullying and even discrimination; and

WHEREAS, the isolation, blame and secrecy that is often encouraged by such stigma can create challenges to reaching out, getting needed support and living well; and

WHEREAS, mental health care is health care;

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

SECTION 1. That this Board does hereby proclaim May 2019 as

**MENTAL HEALTH AWARENESS MONTH IN ANDERSON TOWNSHIP**

and urges all residents to raise mental health awareness and continue to help their friends, family, and neighbors live longer, healthier lives.

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.

There was no further discussion.

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

Resolution Proclaiming May as Bike Month –

**Resolution 19-0516-03: Ms. Stone moved to adopt resolution designating May 2019 as Bike Month in Anderson Township as follows; Mr. Gerth seconded the motion:**

**RESOLUTION NO. 19-0516-03**

**PROCLAMATION RESOLUTION DESIGNATING  
MAY 2019 AS BIKE MONTH IN ANDERSON TOWNSHIP**

WHEREAS, the bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of Anderson Township's scenic beauty; and

WHEREAS, throughout the month of May, the residents of Anderson Township and its visitors will experience the joys of bicycling through group riding events, educational programs, and bicycle-themed arts and cultural activities; and

WHEREAS, Anderson Township's multi-use trails and Anderson Trails Network attract bicyclists each year, providing economic, health, transportation, tourism, and recreation benefits; and

WHEREAS, creating a bicycling-friendly community has been shown to improve citizens' health, well-being, and quality of life, growing the economy of Anderson Township, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads; and

WHEREAS, Tri-State Trails, Queen City Bike, and other advocacy and community groups will be promoting bicycling during the month of May 2019; and

WHEREAS, these groups are also promoting bicycle tourism year round to attract more visitors to enjoy our local restaurants, hotels, retail establishments, and cultural and scenic attractions; and

WHEREAS, these groups are also promoting greater public awareness of bicycle operation and safety education in an effort to reduce collisions, injuries, and fatalities and improve health and safety for everyone on the road;

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

SECTION 1. That this Board does hereby proclaim May 2019 as

**BIKE MONTH IN ANDERSON TOWNSHIP**

and urges all residents to join in this special observance.

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.

There was no further discussion.

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

**PUBLIC FORUM**

No one came forward.

**TRUSTEE COMMENTS**

**FISCAL OFFICER**

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

**LAW DIRECTOR**

**Mrs. Comey** had nothing requiring Board action.



## PLANNING & ZONING

Mr. Drury had nothing requiring Board action.

## SHERIFF'S OFFICE

Lt. McElroy had nothing requiring Board action.

## PUBLIC WORKS

Announce National Public Works Week May 19-25, 2019 – Mr. Luginbuhl announced that May 19<sup>th</sup> through May 25<sup>th</sup> was National Public Works week.

Authorize Agreement with Hamilton County Adult Probation –

**Resolution 19-0516-04:** Mr. Pappas moved to authorize the Township Administrator to execute a contract with the Hamilton County Board of County Commissioners on behalf of the Hamilton County Adult Probation Department, in substantially the form before the Board, to provide for Cemetery and Maintenance Services from July 1, 2019, through June 30, 2022, at a cost not to exceed \$25,000 per year. Ms. Stone seconded the motion.

There was no further discussion.

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

2019 Pavement Preservation Program –

**Resolution 19-0516-05:** Ms. Stone moved to authorize the Township Administrator to enter into a contract with Strawser Construction Inc. utilizing state bid pricing in the amount of \$227,134.90 plus a 10% contingency of \$22,713.49 resulting in a total amount not to exceed \$249,848.39. Mr. Pappas seconded the motion.

There was no further discussion.

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

## FIRE AND RESCUE DEPARTMENT

Chief Martin had nothing requiring Board action.

## ADMINISTRATION

Markley Road Sidewalks Bid Acceptance –

**Resolution 19-0516-06:** Mr. Pappas moved that this Board hereby accepts the Bid of \$359,352.50, from Prus Construction Company deemed to be the most responsive and

responsible bidder for the Markley Road Sidewalk project in accordance with the Bid plans and specifications, together with a 10% contingency, for a maximum appropriation of \$395,287.75 in 1994 TIF and Road Levy 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 Prus Construction Company in accordance with their Bid for the Markley Road Sidewalk project.

There was no further discussion.

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

Items Arising from Executive Session –

Resolution 19-0516-07: Ms. Stone moved to adopt a resolution authorizing property transfer agreement with James G. Glass and Jean F. Glass and accepting donation of real property and interests therein to the Township by James G. Glass and Jean F. Glass pursuant to the authority of Section 505.10 of the Revised Code as follows; Mr. Pappas seconded the resolution:

RESOLUTION NO. 19-0516-07

**RESOLUTION AUTHORIZING PROPERTY TRANSFER AGREEMENT WITH  
JAMES G. GLASS AND JEAN F. GLASS AND ACCEPTING DONATION OF REAL  
PROPERTY AND INTERESTS THEREIN TO THE TOWNSHIP BY JAMES G. GLASS  
AND JEAN F. GLASS PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF  
THE REVISED CODE**

WHEREAS, Section 505.10(A) of the Revised Code (the “Statute”) provides that a board of township trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use; and

WHEREAS, James G. Glass and Jean F. Glass (“Owners”), are the fee owners of certain real property located in the Township and depicted on Exhibit A hereto, which by this reference is incorporated herein (the “Property”); and

WHEREAS, Owners desire to donate the Property to the Township on the terms and subject to the conditions of a Property Transfer Agreement substantially in the form of the Property Transfer Agreement (the “Property Transfer Agreement”) before this Board for its consideration; and

WHEREAS, this Board desires to accept the donation of the Property substantially on the terms and subject to the conditions proposed in the Property Transfer Agreement and to hold the Property for use in the Township’s Greenspace Program;

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. This Board hereby determines that it is in the best interest of the Township to accept the donation of the Property from James G. Glass and Glass pursuant this Board's authority contained in the Statute and pursuant to the terms and subject to the conditions of the Property Transfer Agreement.

SECTION 2. This Board approves the form of the Property Transfer Agreement before this Board and authorizes and directs the Township Administrator to execute and deliver the Property Transfer 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 Property Transfer Agreement and covenants to perform its obligations pursuant thereto.

SECTION 3. This Board hereby accepts the donation of the Property from James G. Glass and Jean F. Glass pursuant this Board's authority contained in the Statute and on the terms and subject to the conditions of the Property Transfer Agreement and hereby expresses its appreciation to James G. Glass and Jean F. Glass for making said donation.

SECTION 4. Upon conveyance of the Property to this Board, on behalf of the Township, the Property shall be held and utilized by the Township as greenspace under the Township's Greenspace Program.

SECTION 5. 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; Ms. Stone, yes; Mr. Pappas, yes.**

**Resolution 19-0516-08: Mr. Pappas moved to adopt a resolution authorizing property transfer agreement with Chris Vezina and accepting donation of real property and interests therein to the Township by Chris Vezina pursuant to the authority of Section 505.10 of the Revised Code as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0516-08**

**RESOLUTION AUTHORIZING PROPERTY TRANSFER AGREEMENT WITH CHRIS VEZINA AND ACCEPTING DONATION OF REAL PROPERTY AND INTERESTS**

**THEREIN TO THE TOWNSHIP BY CHRIS VEZINA PURSUANT TO THE  
AUTHORITY OF SECTION 505.10 OF THE REVISED CODE**

WHEREAS, Section 505.10(A) of the Revised Code (the "Statute") provides that a board of township trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use; and

WHEREAS, Chris Vezina ("Owner"), is the fee owner of certain real property located in the Township and depicted on Exhibit A hereto, which by this reference is incorporated herein (the "Property"); and

WHEREAS, Owner desires to donate the Property to the Township on the terms and subject to the conditions of a Property Transfer Agreement substantially in the form of the Property Transfer Agreement (the "Property Transfer Agreement") before this Board for its consideration; and

WHEREAS, this Board desires to accept the donation of the Property substantially on the terms and subject to the conditions proposed in the Property Transfer Agreement and to hold the Property for use in the Township as open space;

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. This Board hereby determines that it is in the best interest of the Township to accept the donation of the Property from Chris Vezina pursuant this Board's authority contained in the Statute and pursuant to the terms and subject to the conditions of the Property Transfer Agreement.

SECTION 2. This Board approves the form of the Property Transfer Agreement before this Board and authorizes and directs the Township Administrator to execute and deliver the Property Transfer 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 Property Transfer Agreement and covenants to perform its obligations pursuant thereto.

SECTION 3. This Board hereby accepts the donation of the Property from Chris Vezina pursuant this Board's authority contained in the Statute and on the terms and subject to the conditions of the Property Transfer Agreement and hereby expresses its appreciation to Chris Vezina for making said donation.

SECTION 4. Upon conveyance of the Property to this Board, on behalf of the Township, the Property shall be held and utilized by the Township as open space.

SECTION 5. 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; Ms. Stone, yes; Mr. Pappas, yes.**

**Resolution 19-0516-09: Ms. Stone moved to adopt a resolution authorizing the purchase two parcels of real property in the Township pursuant to Section 511.11 of the Ohio Revised Code as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 19-0516-09**

**AUTHORIZING THE PURCHASE TWO PARCELS OF REAL PROPERTY IN THE TOWNSHIP PURSUANT TO SECTION 511.11 OF THE OHIO REVISED CODE**

WHEREAS, Section 511.11 of the Ohio Revised Code (the "Statute") provides, in relevant part, that a board of township trustees may acquire by purchase, appropriation, or otherwise, any private or public lands which it might deem necessary for its use; and

WHEREAS, this Board has identified certain real property in the Township that it deems necessary for its use and desires to purchase;

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. The Board hereby determines that it is in the best interest of the Township to purchase certain real property located in the Township comprised of two parcels and that the Township Administrator and the Assistant Township Administrator for Operations are hereby designated to represent this Board in negotiating Real Property Purchase and Sale Agreements with respect to said real property; provided that the maximum aggregate purchase price for said parcels of such real property to be acquired pursuant to this Resolution together with due diligence and related costs shall not exceed \$35,000.

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 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; Ms. Stone, yes; Mr. Pappas, yes.**

Recommended Appointments to Intermodal Coordinating Committee of the Ohio-Kentucky-Indiana Regional Council of Governments –

**Resolution 19-0516-10: Mr. Pappas moved to appoint Steve Sievers as Anderson Township's representative on the Intermodal Coordinating Committee of the Ohio-Kentucky-Indiana Regional Council of Governments and Paul Drury as alternate, both to be installed by the OKI President. Ms. Stone seconded the motion.**

There was no further discussion.

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

Cincinnati Area Senior Services –

**Resolution 19-0516-11: Ms. Stone moved to adopt a resolution authorizing the execution of an agreement with Cincinnati Senior Services as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 19-0516-11**

**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.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 16, 2019

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.

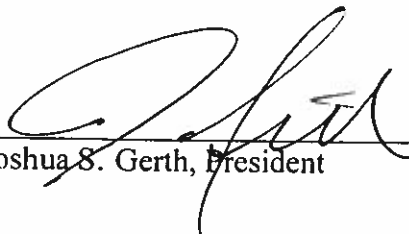
There was no further discussion.

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

**Mrs. Earhart** wanted to urge everyone to slow down when you see road crews working because there were many road workers killed every year. Please be cognizant and share the road.

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of August 15, 2019.


  
\_\_\_\_\_  
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 16<sup>th</sup> day of May 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 30, 2019

The Board of Township Trustees of Anderson Township ("Board") held a Special Meeting on May 30, 2019 at 2:00 p.m., in the Large Conference Room at Anderson Center. Present were the following Board members:

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

**Mr. Gerth** called the meeting to order and welcomed attendees including Fiscal Officer Ken Dietz, Township Assistant Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Lt. Dan McElroy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker and Office Manager Betty Cowan.

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

There was no further discussion.

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

**DISCUSSION ITEMS**

Liquor License Transfer Request for Richman Restaurants LLC dba Varsity Sports Bar and Grill & Patio, 8112 Beechmont Avenue –

**Resolution 19-0530-01: Ms. Stone moved not to object to a liquor license transfer request for Richman Restaurants LLC dba Varsity Sports Bar and Grill & Patio located at 8112 Beechmont Avenue. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Resolution Imposing a Moratorium of one Year on Retail Dispensing of Medical Marijuana Within the Unincorporated territory of Anderson Township –

**Resolution 19-0530-02: Mr. Pappas moved to adopt a resolution imposing a moratorium of one year on retail dispensing of Medical Marijuana within the unincorporated territory of Anderson Township as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0530-02**

**IMPOSING A MORATORIUM OF ONE YEAR ON RETAIL DISPENSING OF  
MEDICAL MARIJUANA WITHIN THE UNINCORPORATED TERRITORY OF  
ANDERSON TOWNSHIP**



**WHEREAS**, Ohio House Bill 523 (“HB 523”), passed by both houses of the Ohio State Legislature, was signed into law by Governor John Kasich and became effective September 8, 2016; and

**WHEREAS**, Chapter 3796 of the Ohio Revised Code, effective September 8, 2016, establishes a medical marijuana control program to be administered by the Ohio Department of Commerce (the “Department”) and the State Board of Pharmacy (the “Pharmacy Board”), which shall provide for the licensure of medical marijuana cultivators and processors, the licensure of laboratories that test medical marijuana, and the licensure of retail dispensaries and the registration of patients and their caregivers; and

**WHEREAS**, for the purposes of this Resolution, the definitions of “cultivators,” “processors,” and “retail dispensaries” are given the same definitions as those found in HB 523, as the same may be amended, and Chapter 3796 of the Ohio Revised Code (together with the Rules defined below, the “Act”); and

**WHEREAS**, the Act provided for rulemaking by the Department regarding licensure of cultivators (the “Cultivator Rules”), for other rules and regulations and provided that the medical marijuana control program as defined in the Act (the “Program”) shall be fully operational by September 8, 2018; and

**WHEREAS**, Cultivator Rules were adopted by the Department May 6, 2017 and Processor Rules, Testing Laboratory Rules, Dispensing Rules, and Patient/Caregiver Rules were adopted by the Department September 8, 2017 (collectively, the “Rules”); and

**WHEREAS**, the Act requires that any retailer dispensing medical marijuana in Ohio must have obtained and paid for a license from the Pharmacy Board; and

**WHEREAS**, Section 3796.29 of the Ohio Revised Code authorizes a board of township trustees to adopt a resolution to prohibit or limit the number of cultivators, processors, and retail dispensaries licensed under the Act and operating within the unincorporated territory of the township; and

**WHEREAS**, this Board seeks additional time to study whether to limit or entirely prohibit retail dispensing of medical marijuana within its jurisdiction; or, alternatively, to develop and implement regulations regarding the location and operation within Anderson Township of medical marijuana-related businesses that constitute retail dispensaries within the meaning of the Act; and

**WHEREAS**, Township staff requires additional time to review and make recommendations on zoning, prohibition and/or limitations of medical marijuana-related businesses that constitute retail dispensaries within the meaning of the Act to ensure that necessary regulations conform to goals of the Anderson Township Board of Township Trustees and ensure the public peace, health, safety, and welfare of Anderson Township citizens; and

**WHEREAS**, a moratorium of one (1) year on the authorization or establishment in Anderson Township of any medical marijuana-related business that constitutes a retail dispensary within the meaning of the Act will allow the Board of Township Trustees and Township staff time

to accomplish the Township's goals and thereby ensure the public peace, health, safety, and welfare of its citizens;

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

**SECTION 1.** That pursuant to Section 3796.29 of the Act, this Board hereby establishes a moratorium of one (1) year from the effective date of this Resolution with respect to the authorization or establishment within the unincorporated territory of the Township of any medical marijuana-related business that constitutes a retail dispensary within the meaning of the Act.

**SECTION 2.** For the duration of this moratorium, Township staff is prohibited from issuing or processing any permit or approval for any medical marijuana-related business that constitutes a retail dispensary within the meaning of the Act to operate in the unincorporated territory of the Township.

**SECTION 3.** The Board directs Township staff and the Law Director to continue to investigate and review the implementation of House Bill 532, as it may be amended, Chapter 3796 of the Ohio Revised Code, and the Rules; and, thereafter, to bring to the Board recommendations with respect to regulations regarding retail dispensing of medical marijuana within the Township.

**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; Ms. Stone, yes; Mr. Pappas, yes.**

Nuisance Abatement, Marlene Jones, 7127 Beechmont Avenue –

**Resolution 19-0530-03: Mr. Pappas moved to adopt a resolution determining existence of nuisance on land owned by Marlene Jones, located at 7127 Beechmont Avenue, in Anderson Township, and providing for notice and remediation pursuant to ORC Section 505.87 as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0530-03**

**RESOLUTION DETERMINING EXISTENCE OF SUBSEQUENT NUISANCE ON LAND OWNED BY MARLENE JONES, LOCATED AT 7127 BEECHMONT AVENUE, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION (ORC SECTION 505.87(C))**

WHEREAS, this Board has hereto determined in the Resolution(s) identified on Schedule A hereto (which by this reference is incorporated herein) that failure of Marlene Jones, the owner

or owners of record (the "Owner") of land located at 7127 Beechmont Avenue, in Anderson Township, Hamilton County, Ohio, and further identified on Schedule A (the "Property"), to maintain the Property and abate, control, or remove vegetation, garbage, refuse, or other debris on the Property as described on Schedule A constitutes a nuisance within the meaning of Section 505.87 of the Revised Code; and

WHEREAS, the Owner has continued to fail to abate, control, or remove said vegetation, garbage, refuse, or other debris from the Property; and

WHEREAS, this date is within 12 consecutive months of passage by this Board of the most recent Resolution listed on Schedule A, all of which Resolutions have determined the existence of a nuisance on the Property;

Now, therefore, the Board of Township Trustees of Anderson Township, Hamilton County, Ohio (the "Township"), hereby resolves that:

Section 1. Maintenance of the vegetation, garbage, refuse, or other debris by the Owner on the Property, as specified in Schedule A, is hereby determined to constitute a *subsequent* nuisance within the meaning of Section 505.87(C) of the Revised Code.

Section 2. This Board orders that notice of the subsequent nuisance (the "Notice") be given to the Owner and to any holders of liens of record upon the land (the "Lienholders") in accordance with Section 505.87 (C) of the Revised Code, by sending written notice in the form of Schedule A by first class mail to the Owner and to any Lienholder. Failure of delivery of the Notice shall not invalidate any action to abate, control, or remove the nuisance. In addition, this Board orders that the Anderson Township Planning and Zoning Department shall cause a copy of the Notice to be posted on the principal structure on the Property and shall photograph that posted Notice with a camera capable of recording the date of the photograph on it. .

Section 3. If the Owner's address is unknown and cannot reasonably be obtained, it shall be sufficient to post the Notice on the Township's website for four consecutive days.

Section 4. If, within four days of providing the Notice to the Owner and Lienholders as aforesaid, the Owner and/or the Lienholders fail to abate, control, or remove the vegetation, garbage, refuse or debris, and fail to enter into an agreement with this Board to provide for the abatement, control, or removal thereof, 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 appropriated to be paid from the Anderson Township General Fund from monies not otherwise appropriated.

Section 5. 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.

There was no further discussion.

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

Nuisance Abatement, Barbara A. Winstead, 8115 Forest Road –

**Resolution 19-0530-04: Ms. Stone moved to adopt a resolution determining existence of nuisance on land owned by Barbara A. Winstead, located at 8115 Forest 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. 19-0530-04**

**RESOLUTION DETERMINING EXISTENCE OF SUBSEQUENT NUISANCE ON LAND OWNED BY BARBARA A. WINSTEAD, LOCATED AT 8115 FOREST ROAD, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION (ORC SECTION 505.87(C))**

WHEREAS, this Board has hereto determined in the Resolution(s) identified on Schedule A hereto (which by this reference is incorporated herein) that failure of Barbara A. Winstead, the owner or owners of record (the "Owner") of land located at 8115 Forest Road, in Anderson Township, Hamilton County, Ohio, and further identified on Schedule A (the "Property"), to maintain the Property and abate, control, or remove vegetation, garbage, refuse, or other debris on the Property as described on Schedule A constitutes a nuisance within the meaning of Section 505.87 of the Revised Code; and

WHEREAS, the Owner has continued to fail to abate, control, or remove said vegetation, garbage, refuse, or other debris from the Property; and

WHEREAS, this date is within 12 consecutive months of passage by this Board of the most recent Resolution listed on Schedule A, all of which Resolutions have determined the existence of a nuisance on the Property;

Now, therefore, the Board of Township Trustees of Anderson Township, Hamilton County, Ohio (the "Township"), hereby resolves that:

Section 1. Maintenance of the vegetation, garbage, refuse, or other debris by the Owner on the Property, as specified in Schedule A, is hereby determined to constitute a *subsequent* nuisance within the meaning of Section 505.87(C) of the Revised Code.

Section 2. This Board orders that notice of the subsequent nuisance (the "Notice") be given to the Owner and to any holders of liens of record upon the land (the "Lienholders") in accordance with Section 505.87 (C) of the Revised Code, by sending written notice in the form of Schedule A by first class mail to the Owner and to any Lienholder. Failure of delivery of the Notice shall not invalidate any action to abate, control, or remove the nuisance. In addition, this Board

orders that the Anderson Township Planning and Zoning Department shall cause a copy of the Notice to be posted on the principal structure on the Property and shall photograph that posted Notice with a camera capable of recording the date of the photograph on it. .

Section 3. If the Owner's address is unknown and cannot reasonably be obtained, it shall be sufficient to post the Notice on the Township's website for four consecutive days.

Section 4. If, within four days of providing the Notice to the Owner and Lienholders as aforesaid, the Owner and/or the Lienholders fail to abate, control, or remove the vegetation, garbage, refuse or debris, and fail to enter into an agreement with this Board to provide for the abatement, control, or removal thereof, 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, in an amount not to exceed \_\_\_\_, are hereby authorized and appropriated to be paid from the Anderson Township General Fund from monies not otherwise appropriated.

Section 5. 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.

There was no further discussion.

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

A Resolution Approving a Petition for Special Assessments for Special Energy Improvements –

**Resolution 19-0530-05: Mr. Pappas moved to adopt a resolution approving a petition for special assessments for Special Energy Improvement Projects and a plan for public improvements; declaring the necessity of acquiring, constructing, improving, installing, and equipping certain public improvements described in the plan for public improvements in cooperation with the Eastern Communities Energy Special Improvement District as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0530-05**

**A RESOLUTION APPROVING A PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS AND A PLAN FOR PUBLIC IMPROVEMENTS; DECLARING THE NECESSITY OF ACQUIRING, CONSTRUCTING, IMPROVING, INSTALLING, AND EQUIPPING CERTAIN PUBLIC IMPROVEMENTS DESCRIBED IN THE PLAN FOR PUBLIC IMPROVEMENTS IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT.**

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WHEREAS, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts ("ESIDs") upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessments; and

WHEREAS, JZB Realty Holding Co., LLC (and together with all future owners of the Project Site, as defined below, the "Owner"), as the current owner of certain real property located within Anderson Township, County of Hamilton, Ohio (the "Township"), has identified certain real property located at 8700 Moran Road, Cincinnati, Ohio, 45244, within the Township (the "Project Site"), as an appropriate property for a special energy improvement project pursuant to Ohio Revised Code Chapter 1710; and

WHEREAS, the Eastern Communities Energy Special Improvement District (the "District") has certified to this Board that it was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 06-2019 of the Village Council of the Village of Newtown, Ohio approved on February 26, 2019 (the "Creation Ordinance"); and

WHEREAS, the District has certified to this Board of Township Trustees of the Township (the "Board") that, by the Creation Ordinance and under Ohio Revised Code Section 1710.02, the articles of incorporation for the District (the "Articles of Incorporation") were approved and filed with the Ohio Secretary of State and that its Board of Directors (the "Board of Directors") has been duly appointed; and

WHEREAS, the District has certified to this Board that, by the Creation Resolution and under Ohio Revised Code Section 1710.02, the District's Eastern Communities Energy Special Improvement District Project Plan (as duly amended and supplemented from time to time, the "Plan") was approved as a plan for public improvements and public services for the District; and

WHEREAS, as permitted under Ohio Revised Code Section 1710.02, the Plan and the Articles of Incorporation allow for the addition of real property within any "participating political subdivision" of the District or within any municipal corporation or township which is adjacent to any participating political subdivision of the District to the territory of the District by the approval of the municipal corporation or township in which that real property is located; and

WHEREAS, the Owner has determined to submit to the Board a *Petition for Special Assessments for Special Energy Improvement Projects* (the "Petition"), together with an *Eastern Communities Energy Special Improvement District Plan Supplement to Plan for 8700 Moran Road, Anderson Township, Ohio Project* (the "Supplemental Plan"), all in accordance with Ohio Revised Code Section 1710.02, each of which are now on file with the Board and the Township Administrator of the Township; and

WHEREAS, the Petition and the Supplemental Plan request that the Township add the Project Site to the territory of the District and levy special assessments on the Project Site to pay the costs of a special energy improvement project consisting of acquiring, constructing, improving,

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installing, and equipping alternative energy and energy efficiency improvements, including, without limitation, building envelope, HVAC system, LED lighting, solar array, and related improvements to be provided on the Project Site, all as described more particularly in the Petition and the Supplemental Plan (the "Project") and as duly certified to constitute PACE eligible components; and

WHEREAS, the Petition is for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 2o of Article VIII of the Ohio Constitution, including, without limitation, the Project, and further, the Petition identifies the amount and duration of the special assessments to be imposed with respect to the Project; and

WHEREAS, this Board, as mandated by Ohio Revised Code Section 1710.02, must approve or disapprove the Petition within 60 days of the submission of the Petition; and

WHEREAS, Ohio Revised Code Section 1710.02(F) provides that a political subdivision which has approved a petition for special assessments for public improvements in an energy special improvement district and a plan pursuant to Ohio Revised Code Sections 1710.02(F) shall levy the requested special assessments pursuant to Ohio Revised Code Chapter 727; and

WHEREAS, in the Petition, the Owner requests that the Project be paid for by special assessments assessed upon the Project Site (the "Special Assessments") in the aggregate amount of \$10,954,533.60, which is an amount sufficient to pay the costs of the Project, which are estimated to be \$4,430,617.00 together with other related costs of financing the Project, which include, without limitation, the payment of principal of and interest on obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees, District administrative fees and expenses, and Township expenses and requests that the Project be undertaken cooperatively by the Township, the District, and such other parties as the Township may deem necessary or appropriate;

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

SECTION 1. Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition.

SECTION 2. This Board approves the Petition and the Supplemental Plan now on file with the Township Administrator thereby adding the Project Site to the territory of the District pursuant to the Creation Resolution, Plan, and the Articles of Incorporation.

SECTION 3. This Board, in accordance with Ohio Revised Code Section 1710.04 and the Articles of Incorporation, appoints Vicky L. Earhart and Joshua S. Gerth to serve on the Board of Directors, as the representative of this Board on the Board of Directors pursuant to the requirements of the Ohio Revised Code Section 1710.04 and the Articles of Incorporation.

SECTION 4. This Board approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or any township which is contiguous to the municipal corporations or townships in which a portion of the territory the

District is located; (ii) the addition of the municipal corporation or township in which such real property is located as a "participating political subdivision," as defined in Ohio Revised Code Section 1710.01(E), of the District; and (iii) any amendment to the Articles of Incorporation necessary to recognize and effect such addition.

SECTION 5. This Board declares necessary, and a vital and essential public purpose of the Township, to improve the Project Site, which is located at 8700 Moran Road, Cincinnati, Ohio, 45244, within the Township, by providing for the acquisition, construction, improvement, installation, and equipping of the Project by the Owner, as set forth in the Petition, and providing for the payment of the costs of the Project, including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Project and the interest on such damages; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; expenses of legal services; costs of labor and material; and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, District administrative fees and expenses, and Township expenses; together with all other necessary expenditures, all as more fully described in the Petition and profiles, specifications, and estimates of cost of the Project, all of which are on file with the Township Administrator and the Fiscal Officer of the Township (the "Fiscal Officer") and open to the inspection of all persons interested.

SECTION 6. This Board determines that the Project's elements are so situated in relation to each other that in order to complete the acquisition, construction, improvement, installation, and equipping of the Project's elements in the most practical and economical manner, they should be acquired, constructed, improved, installed, and equipped at the same time, with the same kind of materials, and in the same manner; and that the Project's elements shall be treated as a single improvement, pursuant to Ohio Revised Code Section 727.09, and the Project's elements shall be treated as a joint improvement to be undertaken cooperatively by the Township and the District pursuant to Ohio Revised Code Section 9.482 and Ohio Revised Code Chapter 1710. Pursuant to Ohio Revised Code Section 1710.02(G)(4), this Board determines that the special energy improvement project to be acquired, constructed, improved, installed, and equipped at the Project Site is not required to be owned exclusively by the Township. This Board accordingly hereby authorizes the Board of Directors to act as its agent to sell, transfer, lease, or convey the special energy improvement project to be acquired, constructed, improved, installed, and equipped at the Project Site. The Board of Directors must obtain from any sale, transfer, lease, or conveyance of the special energy improvement project at the Project Site consideration greater than or equal to \$1.00.

SECTION 7. The plans and specifications and total cost of the Project now on file with the Township Administrator are approved, subject to changes as permitted by Ohio Revised Code Chapter 727. The Project shall be made in accordance with the plans, specifications, profiles, and estimates for the Project.



SECTION 8. This Board declares that the Project is an essential and vital public, governmental purpose of the Township as a Special Energy Improvement Project, as defined in Ohio Revised Code Section 1710.01(I); and that in order to fulfill that essential and vital public purpose of the Township, it is necessary and proper to provide, in cooperation with the District, for the acquisition, construction, improvement, installation, and equipping of the Project in the manner contemplated by the Petition. This Board determines and declares that the Project is conducive to the public peace, health, safety, and welfare of the Township and the inhabitants of the Township.

SECTION 9. Pursuant to, and subject to, the provisions of the Petition signed by the owners of 100% of the Project Site, the entire cost of the Project shall be paid by the Special Assessments levied against the Project Site, which is the benefited property. The provisions of the Petition are ratified, adopted, approved and incorporated into this Resolution as if set forth in full in this Resolution. The portion of the costs of the Project allocable to the Township will be 0%. The Township does not intend to issue securities in anticipation of the levy or collection of the Special Assessments.

SECTION 10. The method of levying the Special Assessments shall be in proportion to the benefits received, allocated among the parcels constituting the Project Site as set forth in the Petition.

SECTION 11. The lots or parcels of land to be assessed for the Project shall be the Project Site, described in Exhibit "A" to the Petition, all of which lots and lands are determined to be specially benefited by the Project.

SECTION 12. The Special Assessments shall be levied in 30 annual installments and paid in 60 semi-annual installments pursuant to the list of estimated Special Assessments set forth in the Petition, and the Owner has waived its option to pay the Special Assessment in cash within 30 days after the passage of the assessing Resolution. The period over which the services and improvements provided pursuant to the Plan are useful is determined to exceed 30 years.

The aggregate amount of Special Assessments estimated to be necessary to pay the costs of the Project and related eligible expenses is \$10,954,533.60. Each payment of an installment of Special Assessments represents payment of a portion of the principal of and interest on obligations issued to pay the costs of the Project and of administrative expenses. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the Township. In addition to the Special Assessments, the County Auditor of Hamilton County, Ohio (the "County Auditor") may impose a special assessment collection fee with respect to any annual amount certified to the County Auditor for collection, which amount, if any, will be added to the Special Assessments by the County Auditor.

SECTION 13. The Fiscal Officer or the Fiscal Officer's designee is authorized and directed to prepare and file in the office of the Board the estimated Special Assessments for the cost of the Project and related eligible expenses in accordance with the method of assessment set forth in the

Petition and this Resolution, showing the amount of the assessment against each lot or parcel of land to be assessed.

SECTION 14. That pursuant to the Petition, the Owner has waived notice of the passage of this Resolution and the filing of the estimated Special Assessments, as provided in Ohio Revised Code Section 727.13, and this Board hereby accepts and relies upon that waiver.

SECTION 15. The Fiscal Officer or the Fiscal Officer's designee is authorized, pursuant to Ohio Revised Code Section 727.12, to cause the Special Assessments to be levied and collected at the earliest possible time including, if applicable, prior to the completion of the acquisition, construction, improvement, installation, and equipping of the Project.

SECTION 16. The Special Assessments will be used by the Township to provide the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the Township to the District or to another party which the Township deems appropriate, and the Special Assessments are appropriated for such purposes.

SECTION 17. This Board accepts and approves the Owner's waiver of all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Ohio Revised Code Chapter 727 and Ohio Revised Code Chapter 1710 and consents to the immediate imposition of the Special Assessments upon the Project Site. This waiver encompasses, but is not limited to, waivers by the Owner of the following rights:

- (i) The right to notice of the adoption of the Resolution of Necessity under Ohio Revised Code Sections 727.13 and 727.14;
- (ii) The right to limit the amount of the Special Assessments under Ohio Revised Code Sections 727.03 and 727.06;
- (iii) The right to file an objection to the Special Assessments under Ohio Revised Code Section 727.15;
- (iv) The right to the establishment of, and any proceedings by and any notice from an Assessment Equalization Board under Ohio Revised Code Sections 727.16 and 727.17;
- (v) The right to file any claim for damages under Ohio Revised Code Sections 727.18 through 727.22 and Ohio Revised Code Section 727.43;
- (vi) The right to notice that bids or quotations for the Project may exceed estimates by 15%;
- (vii) The right to seek a deferral of payments of Special Assessments under Ohio Revised Code Section 727.251;
- (viii) The right to notice of the passage of the assessing Resolution under Ohio Revised Code Section 727.26; and
- (ix) Any and all procedural defects, errors, or omissions in the Special Assessment process.

SECTION 18. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its

committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

A Resolution Determining to Proceed with the Acquisition, Construction, Improvement, Installation, and Equipping of Certain Public Improvements –

**Resolution 19-0530-06: Mr. Pappas moved to adopt a resolution determining to proceed with the acquisition, construction, improvement, installation, and equipping of certain public improvements in Anderson Township, Hamilton County, Ohio, in cooperation with the Eastern Communities Energy Special Improvement District as follows; Ms. Stone seconded the motion:**

**RESOLUTION NO. 19-0530-06**

**A RESOLUTION DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, INSTALLATION, AND EQUIPPING OF CERTAIN PUBLIC IMPROVEMENTS IN ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO, IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT.**

WHEREAS, this Board of Township Trustees (the "Board") of Anderson Township, County of Hamilton, Ohio (the "Township"), duly passed Resolution No. 19-0530-\_\_ on May 30, 2019 (the "Resolution of Necessity"), (i) declaring the necessity of acquiring, constructing, improving, installing, and equipping alternative energy and energy efficiency improvements, including, without limitation, a building envelope, HVAC system, LED lighting, solar array, and related improvements (the "Project", as more fully described in the Petition referenced in this Resolution), located on real property owned by JZB Realty Holding Co., LLC (the "Owner") at 8700 Moran Road, Cincinnati, Ohio, 45244, within the Township (as more fully described in Exhibit A to the Petition, as defined below, the "Project Site"); (ii) providing for the acquisition, construction, improvement, installation, and equipping of the Project by the Owner, as set forth in the Owner's *Petition for Special Assessments for Special Energy Improvement Projects* (the "Petition") and the *Eastern Communities Energy Special Improvement District Plan Supplement to Plan for 8700 Moran Road, Anderson Township, Ohio Project* (the "Plan") including by levying and collecting special assessments upon and from the Project Site (the "Special Assessments") in an aggregate amount of \$10,954,533.60, which is an amount determined by the submission of the Petition and Plan to be sufficient to pay the costs of the Project, which are estimated to be \$4,430,617, together with other related costs of financing the Project, including, without limitation, the payment of principal of and interest on nonprofit corporate obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees, Eastern Communities Energy Special Improvement District ("District")

administrative fees and expenses, and Township expenses; and (iii) determining that the Project will be treated as a special energy improvement project to be undertaken cooperatively by the Township and the District; and

WHEREAS, the claims for damages alleged to result from, and objections to, the Project have been waived by 100% of the affected property owners and no claims for damages or objections have been filed;

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

SECTION 1. Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition and the Resolution of Necessity.

SECTION 2. This Board declares that its intention is to proceed with the acquisition, construction, improvement, installation, and equipping of the Project described in the Petition and the Resolution of Necessity. The Project shall be acquired, constructed, improved, installed, and equipped in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles, and estimates of cost previously approved and now on file with this Board of Trustees.

SECTION 3. The Special Assessments to pay costs of the Project, which are estimated to be \$10,954,533.60 including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, District administrative fees and expenses, and Township expenses, shall be assessed against the Project Site in the manner and in the number of annual installments for semi-annual collection provided in the Petition and the Resolution of Necessity. Each annual or semi-annual Special Assessment payment represents the payment of a portion of the principal of and interest on obligations issued to pay the costs of the Project and the scheduled amounts payable as the District administrative fee and the trustee fee. The Special Assessments shall be assessed against the Project Site commencing in tax year 2019 for collection in 2020 and shall continue through tax year 2048 for collection in 2049. In addition to the Special Assessments, the County Auditor of Hamilton County, Ohio (the "County Auditor"), may impose a special assessment collection fee with respect to any annual amount certified to the County Auditor for collection, which amount, if any, will be added to the Special Assessments by the County Auditor.

SECTION 4. The estimated Special Assessments for costs of the Project, which have been prepared and filed in the office of the Fiscal Officer of the Township (the "Fiscal Officer") in accordance with the Resolution of Necessity, are adopted, and the usefulness of the services and improvements provided pursuant to the plan are determined to exceed 30 years.

SECTION 5. In compliance with Ohio Revised Code Section 319.61, the Fiscal Officer is authorized and directed to deliver a certified copy of this Resolution to the County Auditor within 15 days after the date of its passage.

SECTION 6. All contracts for the construction of the Project will be let in the manner provided by law, subject to the provisions of the Ohio Revised Code, the Petition, and the Plan, and the costs of the Project shall be financed as provided in the Resolution of Necessity.

SECTION 7. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board and its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

A Resolution Levying Special Assessments for the Purpose of Acquiring Construction, Improving, Installing, and Equipping Certain Public Improvements –

**Resolution 19-0530-07: Mr. Pappas moved to adopt a resolution levying special assessments for the purpose of acquiring, constructing, improving, installing, and equipping certain public improvements in Anderson Township, County of Hamilton, Ohio, in cooperation with the Eastern Communities Energy Special Improvement District; authorizing and approving an Energy Project Cooperative Agreement providing for the financing of those public improvements; and authorizing and approving a Special Assessment Agreement regarding those special assessments as follows; Mr. Gerth seconded the motion:**

**RESOLUTION NO. 19-0530-07**

**A RESOLUTION LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING, INSTALLING, AND EQUIPPING CERTAIN PUBLIC IMPROVEMENTS IN ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT; AUTHORIZING AND APPROVING AN ENERGY PROJECT COOPERATIVE AGREEMENT PROVIDING FOR THE FINANCING OF THOSE PUBLIC IMPROVEMENTS; AND AUTHORIZING AND APPROVING A SPECIAL ASSESSMENT AGREEMENT REGARDING THOSE SPECIAL ASSESSMENTS.**

WHEREAS, this Board of Township Trustees (the "Board") of Anderson Township, County of Hamilton, Ohio (the "Township"), duly passed Resolution No. 19-0530-\_\_ on May 30, 2019 (the "Resolution of Necessity"), and declared the necessity of acquiring, constructing, improving, installing, and equipping alternative energy and energy efficiency improvements,

including, without limitation, building envelope, HVAC system, LED lighting, solar array, and related improvements (the "Project"), as described in the Resolution of Necessity and as set forth in the Petition requesting those improvements; and

WHEREAS, this Board duly passed Resolution No. 19-0530-\_\_ on May 30, 2019 and determined to proceed with the Project and adopted the estimated Special Assessments (as defined in the Resolution of Necessity) filed with the Fiscal Officer of the Township (the "Fiscal Officer") under the Resolution of Necessity; and

WHEREAS, the Township intends to enter into an Energy Project Cooperative Agreement (the "Energy Project Cooperative Agreement") with the Eastern Communities Energy Special Improvement District (the "District"), JZB Realty Holding Co., LLC (the "Owner"), and Greenworks Lending LLC (the "Investor") to provide for, among other things, (i) making the Project Advance (as defined in the Energy Project Cooperative Agreement) to pay costs of the Project, (ii) the disbursement of the Project Advance for the acquisition, construction, improvement, installation, and equipping of the Project, and (iii) the transfer of the Special Assessments by the Township to the Investor to pay principal and interest and other costs relating to the Project Advance; and

WHEREAS, to provide for the security for the Project Advance and for administration of payments on the Project Advance and related matters, the Township intends to enter into an agreement with the County Treasurer of Hamilton County, Ohio (the "County Treasurer"), the District, the Owner, and the Investor (the "Special Assessment Agreement");

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

SECTION 1. Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Resolution of Necessity.

SECTION 2. The list of Special Assessments to be levied and assessed on the Project Site in an amount sufficient to pay the costs of the Project, which is \$10,954,533.60, and includes other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the District or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, District administrative fees and expenses, and Township expenses, which costs were set forth in the Petition and previously reported to this Board and are now on file in the office of the Fiscal Officer of the Township, is adopted and confirmed, and that the Special Assessments are levied and assessed on the Project Site. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the Township.

The Special Assessments are assessed against the Property commencing in tax year 2019 for collection in 2020 and shall continue through tax year 2048 for collection in 2049. The annual amount of the Special Assessments shall be collected in each calendar year equal to the Annual Total Special Assessment Amount to Levy as shown in Exhibit A, attached to and incorporated into this Resolution.

The Fiscal Officer initially shall collect the unpaid Special Assessments in place of the County Treasurer of Hamilton County, Ohio, as provided by Ohio Revised Code Section 727.331. Upon any failure by the Owner to pay any installment of the Special Assessments to the Fiscal Officer as and when due, all unpaid and remaining future Special Assessments shall be certified by the Fiscal Officer to the County Auditor of Hamilton County, Ohio (the "County Auditor"), pursuant to the Petition and Ohio Revised Code Chapter 727.33, to be placed on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

The Special Assessments shall be allocated among the parcels constituting the Project Site as set forth in the Petition and the List of Special Assessments attached to and incorporated into this Resolution as Exhibit A.

SECTION 3. This Board finds and determines that the Special Assessments are in proportion to the special benefits received by the Property as set forth in the Petition and are not in excess of any applicable statutory limitation.

SECTION 4. The Owner, for itself and for all its successors in interest as owners of the Project Site, has waived its right to pay the Special Assessments in cash, and all Special Assessments and installments of the Special Assessments shall be collected or certified by the Fiscal Officer as 30 annual assessments to be collected in 60 semi-annual installments commencing in tax year 2019 for collection in 2020 and shall continue through tax year 2048 for collection in 2049 pursuant to Section 2 of this Resolution.

SECTION 5. The Special Assessments will be used by the Township to provide the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the Township to the District or to another party the Township deems appropriate, and the Special Assessments are appropriated for such purposes.

SECTION 6. The Fiscal Officer shall keep the List of Special Assessments on file in the office of the Fiscal Officer.

SECTION 7. In compliance with Ohio Revised Code Section 319.61, the Fiscal Officer is authorized and directed to deliver a certified copy of this Resolution to the County Auditor within 20 days after its passage.

SECTION 8. This Board of Trustees hereby approves the Energy Project Cooperative Agreement, a copy of which is on file in the office of the Township Administrator. The Township Administrator is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Energy Cooperative Agreement, in substantially the form as is now on file with the office of

the Township Administrator. The Energy Project Cooperative Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Administrator on behalf of the Township, after consultation with the Law Director, all of which shall be conclusively evidenced by the signing of the Energy Project Cooperative Agreement or amendments to the Energy Project Cooperative Agreement.

SECTION 9. This Board hereby approves the Special Assessment Agreement, a copy of which is on file in the office of the Township Administrator. The Township Administrator is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Special Assessment Agreement, in substantially the form as is now on file with the office of the Township Administrator. The Special Assessment Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Administrator on behalf of the Township, after consultation with the Law Director, all of which shall be conclusively evidenced by the signing of the Special Assessment Agreement or amendments to the Special Assessment Agreement.

SECTION 10. The Township Administrator is authorized to enter into such other agreements that are not inconsistent with the Resolution of Necessity and this Resolution and that are approved by the Township Administrator on behalf of the Township, after consultation with the Law Director, all of which shall be conclusively evidenced by the signing of such agreements or any amendments to them.

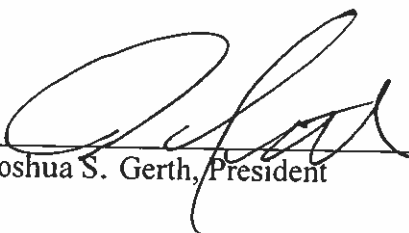
SECTION 11. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.


There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of August 15, 2019.

  
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 special meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 30<sup>th</sup> day of May 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on June 20, 2019, at 6:00 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the appointment of public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), 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). Ms. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.**

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

**Mr. Gerth called the meeting to order and welcomed the additional attendees, including a number of citizens and other public officials including: Planner 1 Sarah Donovan, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Lt. Dan McElroy, and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.**

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

There was no further discussion.

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

## **PRESENTATIONS AND RECOGNITIONS**

Proclamation Resolution for Beech Acres 170<sup>th</sup> Anniversary –

**Resolution 19-0620-01: Mr. Gerth moved to adopt a proclamation resolution with regard to the 150<sup>th</sup> Anniversary of Beech Acres Parenting Center as follows; Ms. Stone seconded the motion:**

### **RESOLUTION NO. 19-0620-01**

#### **PROCLAMATION RESOLUTION WITH REGARD TO THE 170<sup>th</sup> ANNIVERSARY OF BEECH ACRES PARENTING CENTER**

WHEREAS, in the spring of 1849, a nationwide cholera epidemic hit Cincinnati taking the lives of 4,114 residents, most of whom were German. The deadly disease left many children

without parents. The First German Protestant Aid Association proposed creating a home for the orphaned children and established the German General Protestant Orphan Asylum in Mount Auburn; and,

WHEREAS, in 1949, the then General Protestant Orphan Home (GPOH) moved to 62 acres straddling Mount Washington and Anderson Township, eventually becoming known as Beech Acres-GPOH, after the beech trees lining the property; and,

WHEREAS, in 1950, the 101st Orphans Feast was held at the new Anderson Township campus attracting over 20,000 visitors. Each year, a prominent citizen was elected Officer of the Day, the chief fundraiser for the event and it continued for another 36 years; and,

WHEREAS, in 1975 Beech Acres-GPOH was officially licensed to create safe and loving foster care homes; and,

WHEREAS, in 1989, the orphanage was closed as the organization's focus had shifted from restorative care for children to preventive human services for children and families; and,

WHEREAS, in 1999, on its 150<sup>th</sup> anniversary, Beech Acres created *For the Love of Kids* annual parenting conference attracting thousands of parents striving to bring out the best in their kids over its 12-year run; and,

WHEREAS, in 2006, Beech Acres officially changed its name to Beech Acres Parenting Center, representing its transformation as a resource for all parents; and,

WHEREAS, in 2010, Beech Acres Parenting Center created Natural Strength Parenting™, its unique parenting model focusing on intentionality, character strengths and mindfulness; and,

WHEREAS, in 2016, Beech Acres Parenting Center created Parent Connex™ parenting specialists for pediatric practices and The Character Effect™ primary prevention curriculum for schools were created to reach parents and children where they are; and,

WHEREAS, Beech Acres Parenting Center inspires and equips today's parents, families, and communities to raise capable, caring, and contributing children; and,

WHEREAS, on two occasions, 1997 and 2019, Beech Acres has sold property to Anderson Township entities; and,

WHEREAS, since 1950, in whatever version of its name or transformation, Beech Acres has been a great beneficiary and grateful partner of the kindness and support of Anderson Township's citizens, the Anderson Park District, Township Trustees, Forest Hills School District, Eastern Hills Exchange Club and many other organizations;

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 recognizes Beech Acres Parenting Center for

June 20, 2019

170 years of dedicated service to over 18,000 children and families annually in Southwest Ohio.

SECTION 2. That this Board does hereby proclaim June 25, 2019, as Beech Acres Parenting Center Day in Anderson Township; and

SECTION 3. That a copy of this resolution shall be certified by the Township Fiscal Officer to the Beech Acres Parenting Center; and

SECTION 4. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

SECTION 5. 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) R.C. §121.22, except as otherwise permitted thereby.

There was no further discussion.

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

#### **PUBLIC FORUM**

**Ashley Eugair, Anderson Branch Library, 7450 State Road, Mr. Gerth** introduced Ashley Eugair, Children's Librarian at the Anderson Township Public Library. **Ms. Eugair** thanked the Board for the opportunity to address them and the community. The Anderson Library was part of the greater organization of the Public Library of Cincinnati and Hamilton County. The library had a tremendous and positive impact on the communities that they serve. Programming was something that the library felt was very important. As an institution, they are committed to lifelong learning, therefore a variety of programs were made available to the community free of charge. The Anderson Library was fortunate to be supported greatly by the Anderson Township Library Association, they were a partner, and a volunteer group, that raised funds through used book sales. They shared those funds with the Anderson and Mt. Washington Branch Libraries. She announced several upcoming events including the Anderson Township Library Association used book sale starting June 22<sup>nd</sup> and a community listening session on August 3<sup>rd</sup> where the public was invited to come and give input on what they would like to see in the next generation library program.

**Glenda Smith, Attorney at Law, 119 E. Court Street**, stated that she was a co-host on 88.3 FM, a community radio station. She was aware that the library, as well as Beech Acres were the types of organizations that make an impact on families. Therefore, she invited anyone who would like to make a public announcement or be interviewed on the radio about family-oriented programs to contact her, because for lack of knowledge, people perish.

#### **TRUSTEE COMMENTS**

**Mr. Pappas** warned residents not to drive through high water.

**FISCAL OFFICER**

Set Public Hearing for 2020 Preliminary Tax Budget –

**Resolution 19-0620-02: Mr. Pappas moved to set a Public Hearing for Anderson Township's 2020 Preliminary Tax Budget for Thursday, July 18, 2019, beginning at 6:00 PM at Anderson Center. Ms. Stone seconded the motion.**

There was no further discussion.

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

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

Minutes –

**Resolution 19-0620-03: Mr. Pappas moved to approve the minutes of March 21, 2019; April 4, 2019; and April 18, 2019; with minor corrections. Ms. Stone seconded the motion.**

There was no further discussion.

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

**LAW DIRECTOR**

**Mrs. Comey** had nothing requiring Board action.

**PLANNING & ZONING**

WeTHRIVE! Anderson Pathways –

**Resolution 19-0620-04: Ms. Stone moved to adopt a resolution for the WeTHRIVE! Pathways as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 19-0620-04**

**ADOPTION OF WETHRIVE! PATHWAYS**

WHEREAS, one of the fundamental principles of public health is that all people have the right to achieve optimal health; and

WHEREAS, individuals interact with the environment constantly and these interactions affect quality of life; and

WHEREAS, features of the built environment impact health-influencing behaviors, physical activity patterns, social networks and access to resources; and

WHEREAS, the Board of Township Trustees of Anderson Township, Hamilton County, Ohio ("Board"), recognizes the importance of partnering with public health to examine strategies aimed at reducing chronic disease; preventing intentional and unintentional injuries; protecting the natural environment from environmental hazards; creating social and physical environments that promotes healthy living and equal opportunity for all; and

WHEREAS, Anderson Township has established a WeTHRIVE! Anderson Committee, consisting of a Trustee, staff member, and twenty five residents; and

WHEREAS, Anderson Township is adopting the Social Health, Environmental Health, and Injury Prevention pathways; will conduct an assessment, develop an action plan and prioritize strategies aimed at improving the health, safety and vitality for all community members;

WHEREAS, Anderson Township will implement community programs, conduct education or awareness campaigns, and/or adopt policies when appropriate to address health and safety issues identified through the assessment, data review and prioritization process;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby adopt the Social Health, Environmental Health, and Injury Prevention pathways through the WeTHRIVE! Anderson Committee.

SECTION 1. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 2. It is found and determined 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.

There was no further discussion.

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

Ohio EPA Grant Award – Ms. Donovan announced that the Township had received a grant from the Ohio Environmental Protection Agency for \$2,000 for litter collection supplies. This grant would be used to purchase more litter grabbers, garbage bags, gloves, and other clean up supplies for various clean up events including the Great American Clean Up and staff's quarterly clean-up of I-275.

## **SHERIFF'S OFFICE**

Liquor License Transfer Request for Pintoh Asian LLC dba Pintoh Asian, located at 7711 Beechmont Avenue –

**Resolution 19-0620-05: Mr. Pappas moved not to object to a liquor license transfer request for Pintoh Asian LLC dba Pintoh Asian located at 7711 Beechmont Avenue. Ms. Stone seconded the motion.**

There was no further discussion.

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

#### **PUBLIC WORKS DEPARTMENT**

Authorization to Enter into Agreement with Treetops of Anderson Homeowners' Association –

**Resolution 19-0620-06: Ms. Stone moved to authorize the Township Administrator to accept the Treetops Homeowners Association request to replace standard street signs with decorative street signs. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Mutual Aid Provided to Dayton Area in the Aftermath of May 27-28 Tornado Outbreak – Mr. Luginbuhl stated that on June 3<sup>rd</sup> & 4<sup>th</sup> and June 10<sup>th</sup> & 11<sup>th</sup>, the Public Works Department sent two employees to the City of Beavercreek, Ohio, to assist with tornado debris removal. There were 9 different municipalities from Hamilton and Clermont Counties along with ODOT that worked off-setting shifts for two full weeks to help with storm debris removal. This involved the use of the Township's dump truck and chain saws. The City of Beavercreek was very appreciative of the assistance from all of the neighboring communities.

#### **FIRE & RESCUE**

Resolution Authorizing the Acquisition of Emergency Medical Service Equipment and the Execution of an Agreement with Penn Care, Inc. –

**Resolution 19-0620-07: Ms. Stone moved to adopt a resolution authorizing the acquisition of Emergency Medical Service Equipment and the execution of an agreement with Penn Care, Inc. as follows; Mr. Pappas seconded the motion:**

#### **RESOLUTION No. 19-0620-07**

**RESOLUTION AUTHORIZING THE ACQUISITION OF EMERGENCY MEDICAL SERVICE EQUIPMENT AND THE EXECUTION OF AN AGREEMENT WITH PENN CARE, INC. RELATING THERETO PURSUANT TO SECTION 505.101 OF THE OHIO REVISED CODE**

WHEREAS, Section 505.37 of the Revised Code confers certain powers on a board of township trustees with respect to the provision of fire protection services in the township that the board deems advisable; and

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 20, 2019

WHEREAS, Section 505.101 of the Ohio Revised Code (the "Statute") 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; and

WHEREAS, PENN CARE, INC., an Ohio corporation, having a principal place of business at 1317 North Road, Niles, OH 44446 ("Penn Care"), is qualified by expertise, training and reputation to provide the Township with that certain Ford F450 4x4 Braun Chief XL Ambulance, as further described on specifications and drawings approved by the Anderson Township Fire Chief (the "Equipment"), under the Statute;

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

SECTION 1. That the Board hereby determines that it is in the best interest of the Township to acquire the Equipment, which Equipment is available for purchase pursuant to state bid through the contract of the State of Ohio, Department of Administrative Services, General Services Division, Office of Procurement Services under the Statute.

SECTION 2. That the maximum amount to be paid as the purchase price for the Equipment is \$237,889.00, which funds have been previously appropriated by this Board for the purpose and remain otherwise unencumbered.

SECTION 3. That the form of the Emergency Vehicle Purchase Agreement with Penn Care before this Board (the "Agreement") is hereby approved and that to effectuate the purchase of the Equipment in accordance with this Resolution the Township Administrator is hereby authorized to execute the Agreement with such changes thereto as the Township Administrator, after consultation with the Law Director, determines are not materially adverse to the Township, such determination being evidenced by her execution of the Agreement.

SECTION 4. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 5. 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.

There was no further discussion.

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

**ADMINISTRATION**



June 20, 2019

Recommendation to Accept Bid for 2019 Sidewalk Replacement Program –


**Resolution 19-0620-08: Mr. Pappas moved that this Board hereby accept the Bid of \$372,713.50, from Prus Construction deemed to be the most responsive and responsible bidder for the 2019 Sidewalk Replacement Program project in accordance with the Bid plans and specifications, together with a 10% contingency; and accept the Proposal of \$30,000.00 from IAP Government Services Group, for a maximum appropriation of \$249,984.50 in TIF funds in addition to CDBG funding of \$190,000.00; 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 Prus Construction in accordance with their Bid for the 2019 Sidewalk Replacement Program project; and to enter into contract with IAP Government Services Group in accordance with their proposal for related construction services. Ms. Stone seconded the motion.**

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of August 15, 2019.


  
\_\_\_\_\_  
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 20<sup>th</sup> day of June 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
July 11, 2019

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on July 11, 2019, at 2:00 p.m., in the Large Conference Room. Present were the following Board members:

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

**Mr. Gerth** called the meeting to order and welcomed attendees including Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Facilities Manager Mark Magna, Lt. Dan McElroy, Law Director Margaret Comey and Administrative Assistant Molly Mohrfield.

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

There was no further discussion.

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

#### TRUSTEES/FISCAL OFFICER

Draft 2020 Preliminary Tax Budget – **Mr. Dietz** informed the Board that he had met with department heads regarding the 2020 Preliminary Tax Budget, which was due in the Hamilton County Auditor's office by July 20<sup>th</sup>. The 2020 tax budget was \$400,000 more than the 2019 permanent budget.

#### DISCUSSION ITEMS

Electricity Aggregation – **Mrs. Earhart** pointed out that the three different options for aggregation were discussed at the planning meeting and staff was in need of guidance from the Board. **Mr. Magna** refreshed the Board on the three options. The first option was to renegotiate a new rate with Dynegy. The second option was to have Energy Alliance go out to bid and get new prices. The third option was to collaborate with the City of Cincinnati with their competitive bid process for green energy. **Mr. Gerth** stated that he would like to go with Energy Alliance to provide residents with more options. The Board agreed.

Emergency Preparedness along the Riverfront – **Chief Martin** stated that he had met with folks from Riverbend, Coney Island and Belterra Park to cover basic steps for emergency preparedness. A meeting was held that included representatives from the Hamilton County Sheriffs Office, individuals from the Racing Commission, Belterra and Riverbend. Representatives from Coney did not attend. The strategy was to set up an emergency plan for an active shooter, and "Stop the Bleed" classes at all three facilities. A meeting would be set up towards the end of the summer before the two seasonal entities closed and next spring the training would continue.

**Harm Reduction** – **Mrs. Earhart** stated that the Board asked her to follow-up after the County's Harm Reduction Program had been operating for a while. She reported that Chief Martin had been attending the Harm Reduction meetings and that the program had been successful. In an effort to help educate business owners about the effects of the opioid crisis, she had asked the Anderson Area Chamber of Commerce to include a link on their website to the Opioid Tool Kit which had been developed by the Ohio Chamber of Commerce. However, the Cincinnati Regional Chamber has not participated in disseminating the information. Redi Cincinnati had recognized companies that hire people out of prison and former drug addicts and Governor DeWine started the RecoveryOhio program which focused on mental health in addition to treatment. RecoveryOhio also mentioned the benefits of Harm Reduction Programs. **Chief Martin** stated that according to Hamilton County there had been no uptick or increases in criminal activity around the needle exchange mobile unit sites.

**Joint Meeting** – **Mrs. Earhart** updated the Board on the joint meeting between members of Forest Hills Local School District (FHLSD) and the Anderson Park District (APD) that she and Ms. Stone attended. The FHLSD has requested an explanation on the TIF program. Mr. Dietz has provided her with numbers, and she was working on the text that she would have Mrs. Comey and Mr. Dietz review. She believed the reason the FHLSD was requesting this information was due to some criticism they were receiving from the public regarding the \$1,000,000 contribution for the Beech Acres RecPlex purchase even though the contribution was from the payments generated by a new TIF, which will equate to approximately \$33,000 a year, for 30 years.

**Mrs. Earhart** stated that Mr. Smith, FHLSD Board Member, had requested that the Economic Development Committee (EDC) or some other committee or task force look at long term facility needs. She did not believe that the EDC should take on that task. She felt if there was a desire among the three Boards to look at long term facility needs there needed to be staff involvement from the start to explain what the funding mechanisms were available and what could and could not be used. She believed that Mr. Smith was looking for a facility that could house an innovation or recreation center. **Mr. Gerth** pointed out that the EDC was tracking the key sites in the Township for development. **Mrs. Earhart** stated that she had brought that up to Mr. Smith, but she was under the impression that he was looking for commercial development and some type of public involvement. That was where she believed staff involvement was needed, but ultimately that was the Board's decision. **Mrs. Comey** requested that in the TIF piece to the FHLSD please explain the hold harmless language. **Mrs. Earhart** stated that she had.

**Mr. Earhart** stated that Denise Mayer with Step Up Anderson had sent an email through the Township's website asking when the deadline was for adding information to *Anderson Insights* regarding articles or notices about the Mental Health Wellness Series. Ms. Mayer indicated that the last one she attended there were only nine people present, but the Step Up Anderson event was better attended because it was promoted. She also requested that the Step Up Anderson events be listed the fall edition of *Anderson Insights* and requested use of the theater at no charge. **Mrs. Earhart** pointed out that Step Up Anderson had used the Large Conference Room for free, which they were permitted to do 12 times a year, because they were a nonprofit. They

used the theater in October and Community Meeting Room A & B in January at no charge. Therefore, Mrs. Earhart was going to inform her that if she would like to book the theater, she would need to pay the fee as other non-profit groups were also billed. **Mr. Pappas** asked what the fee was. **Mrs. Earhart** stated approximately \$200/\$300 and asked the Board how they would like her to handle this issue. **Mr. Gerth** stated that he did not see how the Township could justify giving her the theater for free when other non-profits were charged. **Mr. Pappas** stated that he would take care of the fee.

Employee Medical Insurance Renewal – **Ms. Parker** stated that the Township's medical insurance had increased 6% which was driven by claims. There were no changes to the plan design.

**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. Stone** seconded the motion.

There was no further discussion.

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

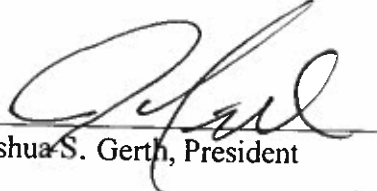
**Mr. Gerth** moved to return from Executive Session. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of August 15, 2019.


  
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 11<sup>th</sup> day of July 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on July 18, 2019, at 6:00 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the compensation of a public employee as permitted by Ohio Revised Code Section 121.22(G)(1). Ms. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.**

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

**Mr. Gerth called the meeting to order and welcomed the additional attendees, including a number of citizens and other public officials including: Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Corporal Dave Boiman, Fiscal Office Manger Debbie Hucker and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.**

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

There was no further discussion.

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

### **PUBLIC HEARINGS**

**Mr. Gerth opened the public hearing for the 2020 Preliminary Tax Budget.**

**2020 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. The 2020 tax budget was \$400,000 more than the 2019 permanent budget. Past history showed that the expenses were less than the budget. In 2018, the final budget was \$45,000,000 and the Township spent \$38,000,000. The 2019 final summary budget that was submitted to the Hamilton County Auditor Office was \$47,068,001, which was \$400,000 more than the permanent budget of \$46,647,750. He was looking 18 months in advance in an attempt to figure out what would actually be spent in the next year, pointing out that these numbers would change over the course of the next 9 months. By March 31, 2020, the permanent budget would need to be adopted which would be much different than the 2020 tax budget because he would have more information to work with. Much of the**

budget was transfer money and bond payment, and next year would be the last year to make a bond payment of over \$3,000,000. Also, about \$13,000,000 was transferred out of tax increment financing (TIF) to the Cincinnati Public Schools and Forest Hills School

**Mr. Gerth** invited members of the audience and other officials to comment on the 2020 Preliminary Tax Budget.

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

**Resolution 19-0718-01:** Ms. Stone moved to approve the 2020 Preliminary Summary Tax Budget as presented by the Fiscal Officer. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

## PUBLIC FORUM

**Bruce Berno, 7156 Heather Hill Blvd**, stated that earlier in the month the Ohio Department of Natural Resources Division of Forestry had a 40<sup>th</sup> anniversary event. Ohio leads the nation in the number of Tree City USA designations with 237. Anderson Township was the 2<sup>nd</sup> Township in Ohio to be designated as Tree City USA. He presented the Board with drinking glasses from the event. He thanked the Board for their support and cooperation. **Mr. Pappas** stated that the Board appreciated all the work that the committee had accomplished.

## TRUSTEE COMMENTS

Board of County Commissioners Meeting – **Mr. Gerth** announced that earlier in the year the Board of County Commissioners began holding one meeting each month, in the evening, in different communities outside of their normal meeting place in downtown Cincinnati. The Commissioners were scheduled to meet in the Township, at Anderson Center, on August 15<sup>th</sup> at 4:30 p.m.

## FISCAL OFFICER

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

## PLANNING & ZONING

Resolution Determining Existence of Subsequent Nuisance on Land Owned by Barbara A. Winstead, Located at 8115 Forest Road –

**Resolution 19-0718-02:** **Mr. Pappas** moved to adopt a resolution determining existence of subsequent nuisance on land owned by Barbara A. Winstead, located at 8115 Forest Road,

in Anderson Township, and providing for notice and remediation (ORC Section 505.87(C)) as follows; Ms. Stone seconded the motion:

**RESOLUTION NO. 19-0718-02**

**RESOLUTION DETERMINING EXISTENCE OF SUBSEQUENT NUISANCE ON LAND OWNED BY BARBARA A. WINSTEAD, LOCATED AT 8115 FOREST ROAD, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION (ORC SECTION 505.87(C))**

WHEREAS, this Board has hereto determined in the Resolution(s) identified on Schedule A hereto (which by this reference is incorporated herein) that failure of Barbara A. Winstead, the owner or owners of record (the "Owner") of land located at 8115 Forest Road, in Anderson Township, Hamilton County, Ohio, and further identified on Schedule A (the "Property"), to maintain the Property and abate, control, or remove vegetation, garbage, refuse, or other debris on the Property as described on Schedule A constitutes a nuisance within the meaning of Section 505.87 of the Revised Code; and

WHEREAS, the Owner has continued to fail to abate, control, or remove said vegetation, garbage, refuse, or other debris from the Property; and

WHEREAS, this date is within 12 consecutive months of passage by this Board of the most recent Resolution listed on Schedule A, all of which Resolutions have determined the existence of a nuisance on the Property;

Now, therefore, the Board of Township Trustees of Anderson Township, Hamilton County, Ohio (the "Township"), hereby resolves that:

Section 1. Maintenance of the vegetation, garbage, refuse, or other debris by the Owner on the Property, as specified in Schedule A, is hereby determined to constitute a *subsequent* nuisance within the meaning of Section 505.87(C) of the Revised Code.

Section 2. This Board orders that notice of the subsequent nuisance (the "Notice") be given to the Owner and to any holders of liens of record upon the land (the "Lienholders") in accordance with Section 505.87 (C) of the Revised Code, by sending written notice in the form of Schedule A by first class mail to the Owner and to any Lienholder. Failure of delivery of the Notice shall not invalidate any action to abate, control, or remove the nuisance. In addition, this Board orders that the Anderson Township Planning and Zoning Department shall cause a copy of the Notice to be posted on the principal structure on the Property and shall photograph that posted Notice with a camera capable of recording the date of the photograph on it.

Section 3. If the Owner's address is unknown and cannot reasonably be obtained, it shall be sufficient to post the Notice on the Township's website for four consecutive days.



Section 4. If, within four days of providing the Notice to the Owner and Lienholders as aforesaid, the Owner and/or the Lienholders fail to abate, control, or remove the vegetation, garbage, refuse or debris, and fail to enter into an agreement with this Board to provide for the abatement, control, or removal thereof, 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 appropriated to be paid from the Anderson Township General Fund from monies not otherwise appropriated.

Section 5. 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.

There was no further discussion.

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

Resolution Determining Existence of Subsequent Nuisance on Land Owned by Marlene Jones, located at 7127 Beechmont Avenue –

**Resolution 19-0718-03: Ms. Stone moved to adopt a resolution determining existence of subsequent nuisance on land owned by Marlene Jones, located at 7127 Beechmont Avenue, in Anderson Township, and providing for notice and remediation (ORC Section 505.87(C)) as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 19-0718-03**

**RESOLUTION DETERMINING EXISTENCE OF SUBSEQUENT NUISANCE ON LAND OWNED BY MARLENE JONES, LOCATED AT 7127 BEECHMONT AVENUE, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION (ORC SECTION 505.87(C))**

WHEREAS, this Board has hereto determined in the Resolution(s) identified on Schedule A hereto (which by this reference is incorporated herein) that failure of Marlene Jones, the owner or owners of record (the "Owner") of land located at 7127 Beechmont Avenue, in Anderson Township, Hamilton County, Ohio, and further identified on Schedule A (the "Property"), to maintain the Property and abate, control, or remove vegetation, garbage, refuse, or other debris on the Property as described on Schedule A constitutes a nuisance within the meaning of Section 505.87 of the Revised Code; and

WHEREAS, the Owner has continued to fail to abate, control, or remove said vegetation, garbage, refuse, or other debris from the Property; and

WHEREAS, this date is within 12 consecutive months of passage by this Board of the most recent Resolution listed on Schedule A, all of which Resolutions have determined the existence of a nuisance on the Property;

Now, therefore, the Board of Township Trustees of Anderson Township, Hamilton County, Ohio (the "Township"), hereby resolves that:

Section 1. Maintenance of the vegetation, garbage, refuse, or other debris by the Owner on the Property, as specified in Schedule A, is hereby determined to constitute a *subsequent* nuisance within the meaning of Section 505.87(C) of the Revised Code.

Section 2. This Board orders that notice of the subsequent nuisance (the "Notice") be given to the Owner and to any holders of liens of record upon the land (the "Lienholders") in accordance with Section 505.87 (C) of the Revised Code, by sending written notice in the form of Schedule A by first class mail to the Owner and to any Lienholder. Failure of delivery of the Notice shall not invalidate any action to abate, control, or remove the nuisance. In addition, this Board orders that the Anderson Township Planning and Zoning Department shall cause a copy of the Notice to be posted on the principal structure on the Property and shall photograph that posted Notice with a camera capable of recording the date of the photograph on it.

Section 3. If the Owner's address is unknown and cannot reasonably be obtained, it shall be sufficient to post the Notice on the Township's website for four consecutive days.

Section 4. If, within four days of providing the Notice to the Owner and Lienholders as aforesaid, the Owner and/or the Lienholders fail to abate, control, or remove the vegetation, garbage, refuse or debris, and fail to enter into an agreement with this Board to provide for the abatement, control, or removal thereof, 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 appropriated to be paid from the Anderson Township General Fund from monies not otherwise appropriated.

Section 5. 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.

There was no further discussion.

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

### **SHERIFF'S OFFICE**

Liquor License Stock Transfer Request for UAOH1 LLC, Inc. dba Uptown Art, 7713 Beechmont Avenue –

**Resolution 19-0718-04: Ms. Stone moved not to object to a liquor license stock transfer request for UAOH1 LLC, dba Uptown Art located at 7713 Beechmont Avenue. Mr. Pappas seconded the motion.**

There was no further discussion.

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

### **PUBLIC WORKS**

Resolution Authorizing the Purchase of a Truck –

**Resolution 19-0718-05: Mr. Pappas moved to adopt a resolution authorizing the disposition of surplus equipment and trade-in against the purchase price of additional equipment to be purchased pursuant to Sections 505.10(A)(3) and Section 505.01 of the Revised Code as follows; Ms. Stone seconded the motion:**

### **RESOLUTION NO. 19-0718-05**

#### **RESOLUTION AUTHORIZING THE DISPOSITION OF SURPLUS EQUIPMENT AND TRADE-IN AGAINST THE PURCHASE PRICE OF ADDITIONAL EQUIPMENT TO BE PURCHASED PURSUANT TO SECTIONS 505.10(A)(3) AND SECTION 505.101 OF THE REVISED CODE**

WHEREAS, Section 505.101 of the Ohio Revised Code (the "Acquisition Statute") provides for the purchase or sale of motor vehicles, materials, equipment or supplies, without advertising or bidding, from or to any department, agency, or political subdivision of the State; and

WHEREAS, Section 505.10 of the Ohio Revised Code (the "Disposition Statute") provides that a board of township trustees may provide for the disposition of certain personal property, including motor vehicles, road machinery, equipment and tools, if the Board finds, by resolution, that such personal property is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, all in accordance with the Disposition Statute; and

WHEREAS, division (A)(3) of the Disposition Statute provides that if a board of township trustees finds, by resolution, that the township has motor vehicles, road machinery, equipment or

tools that are not needed or are unfit for public use, and the board wishes to sell the motor vehicles, road machinery, equipment or tools to the person or firm from which it proposes to purchase other motor vehicles, road machinery, equipment or tools, the board may offer to sell the motor vehicles, road machinery, equipment or tools to that person or firm, and to have the selling price credited to the person or firm against the purchase price of other motor vehicles, road machinery, equipment or tools; and

WHEREAS, the Township owns one Model Year 2004 Ford 250 motor vehicle with approximately 121,000 miles indicated on its odometer, more fully described on Exhibit A hereto, which by this reference is incorporated herein and made a part hereof (the "2004 Equipment"), which motor vehicle this Board deems to be unneeded for Township use; and

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 this Board hereby determines that it is in the best interest of the Township to sell the 2004 Equipment, which this Board hereby finds is no longer needed for public use, to the Vendor identified below and to have the selling price credited to the Vendor against the purchase price of the 2019 Vehicle identified below, in accordance with the Disposition Statute. The 2004 Equipment shall be sold to the Vendor "as is" and with no warranties.

Section 2. That this Board hereby determines that it is in the best interest of the Township to acquire by purchase a new Model Year 2019 model 3500 Dodge Ram Cab and chassis (the "2019 Vehicle") from Jeff Wyler Eastgate Auto Mall (the "Vendor"), which 2019 Vehicle is available for purchase in accordance with the Acquisition Statute pursuant to State bid through the State of Ohio, Department of Administrative Services, General Services Division, Office of Procurement Services ("State Bid"), from the Vendor, at a maximum purchase price of \$32,802.00 less the aforesaid credit of \$3,500.00 for the 2004 Equipment.

Section 3. That it is in the best interest of the Township to have KE Rose Co. LTD install a steel flat bed with crane and tool boxes onto the 2019 Vehicle so that the 2019 Vehicle may be used by the Township's Public Works staff as a "sign truck," provided that said installation shall be performed at a cost not to exceed \$14,000.00. The 2019 Vehicle, as improved by the foregoing installation, shall comprise the "2019 Equipment."

Section 4. That the maximum amount to be paid as the purchase price for the 2019 Equipment is \$46,802.00, which funds have been previously appropriated by this Board for the purpose and remain otherwise unencumbered.

Section 5. That the Township Administrator is authorized hereby to execute the necessary and appropriate purchase agreement(s) and/or documentation, after review by the Law Director, to effectuate the purchase of the 2019 Equipment in accordance with this Resolution, and that the Fiscal Officer is authorized hereby to execute such documents relating to the 2004 Equipment as may be necessary to effectuate the purposes of this Resolution.

Section 6. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

Section 7. 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; Ms. Stone, yes; Mr. Pappas, yes.**

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

**Chief Martin** had nothing requiring Board action.

#### **TOWNSHIP ADMINISTRATOR**

##### Employee Medical Insurance –

**Resolution 19-0718-06: 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; Ms. Stone, yes; Mr. Pappas, yes.**

Greater Anderson Days Announcement – Ms. Parker announced that the 21<sup>st</sup> Annual Greater Anderson Days will be July 26<sup>th</sup> – 28<sup>th</sup> at Beech Acres Park.

##### Authorization to Bid Phase I Anderson Parks RecPlex Renovation –

**Resolution 19-0718-07: Mr. Pappas** moved to authorize bid advertisement for Phase I of the Anderson Parks RecPlex renovation project. **Ms. Stone** seconded the motion.

There was no further discussion.

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

##### Resolution Approving Guidelines with Respect to Energy Special Improvement District Requests –

**Resolution 19-0718-08: Ms. Stone moved to adopt a resolution approving guidelines with respect to Energy Special Improvement District requests as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 19-0718-08**

**A RESOLUTION APPROVING GUIDELINES WITH  
RESPECT TO ENERGY SPECIAL IMPROVEMENT  
DISTRICT REQUESTS**

WHEREAS, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts ("ESIDs") upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessments; and

WHEREAS, the Eastern Communities Energy Special Improvement District (the "District") has certified to this Board that it was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 06-2019 of the Village Council of the Village of Newtown, Ohio approved on February 26, 2019 (the "Creation Ordinance"); and

WHEREAS, the District has certified to this Board that, by the Creation Ordinance and under Ohio Revised Code Section 1710.02, the articles of incorporation for the District (the "Articles of Incorporation") were approved and filed with the Ohio Secretary of State and that its Board of Directors (the "Board of Directors") has been duly appointed; and

WHEREAS, the District has certified to this Board that, by the Creation Resolution and under Ohio Revised Code Section 1710.02, the District's Eastern Communities Energy Special Improvement District Project Plan (as duly amended and supplemented from time to time, the "Plan") was approved as a plan for public improvements and public services for the District; and

WHEREAS, as permitted under Ohio Revised Code Section 1710.02, the Plan and the Articles of Incorporation allow for the addition of real property within any "participating political subdivision" of the District or within any municipal corporation or township which is adjacent to any participating political subdivision of the District to the territory of the District by the approval of the municipal corporation or township in which that real property is located; and

WHEREAS, for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 2o of Article VIII of the Ohio Constitution, this Board will consider petitions submitted by property owners with property located in the Township on which the petitioner proposes to undertake energy efficiency improvements to be financed, in whole or in part, with Property Assessed Clean Energy ("PACE") financing; and

WHEREAS, Ohio Revised Code Section 1710.02(F) provides that a political subdivision which has approved a petition for special assessments for public improvements in an energy special improvement district and a plan pursuant to Ohio Revised Code Sections 1710.02(F) shall levy the requested special assessments pursuant to Ohio Revised Code Chapter 727; and

WHEREAS, this Board, through its Comprehensive Plan, has designated energy efficiency as a quality of life initiative within the Township; and

WHEREAS, this Board will consider requests of property owners who voluntarily petition for special assessments in connection with energy efficient improvements to be financed, in whole or in part, through PACE financing;

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

SECTION 1. In order to efficiently consider petitions of property owners for special assessments in connection with energy efficient improvements to be financed, in whole or in part, through PACE financing, this Board hereby approves the Guidelines relating to Energy Special Improvement District Requests as presented to this Board.

SECTION 2. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

Request to Appoint Richard Porter to the Transportation Advisory Committee –

**Resolution 19-0718-09: Mr. Pappas moved to appoint Richard Porter as a member of the Anderson Township Transportation Advisory Committee for 2019. Ms. Stone seconded the motion.**

There was no further discussion.

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

Items Arising from Executive Session Discussion –

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
July 18, 2019

**Resolution 19-0718-10: Ms. Stone moved to authorize the adjustments for the Fire and Rescue Department Assistant Chief and Battalion Chiefs as presented, effective July 21, 2019. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**Resolution 19-0718-11: Mr. Pappas moved to authorize the Township Administrator to sign the Management Control Agreement between the Hamilton County Sheriff's Office and Anderson Township and to set hourly wage for the Assistant to the District Commander at \$25.70/hr effective July 23, 2019. Ms. Stone seconded the motion.**

There was no further discussion.

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

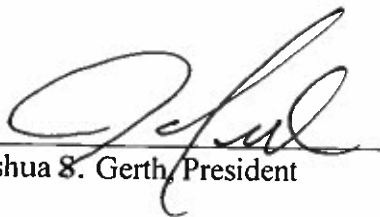
**Resolution 19-0718-12: Ms. Stone moved to authorize a 2.7% increase to the annual salary of the Fiscal Office Manager and a 3.3% increase for the Assistant Fiscal Office Manager. Both adjustments will become effective on July 21, 2019. Mr. Pappas seconded the motion.**


There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of August 15, 2019.

  
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 18<sup>th</sup> day of July 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Kenneth G. Dietz, Fiscal Officer