

RECORD OF PROCEEDINGS

Minutes of MIAMI TOWNSHIP BOARD OF TRUSTEES WORK SESSION

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

June 12, 2023

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The Miami Township Board of Trustees met in a work session on Monday, June 12, 2023, at 7:00 p.m. at the Miami Township Civic Center. Chairperson Tracy called the meeting to order and led the Pledge of Allegiance.

Mr. Ferry called the roll. Attending were Mark Schulte, Ken Tracy, and Mary Makley Wolff.

Mr. Wright recommended the following actions for personnel:

Administration

Nicholas Schaeper has completed his Multimedia Coordinator co-op with the Township and has his final day of work scheduled for June 29, 2023. As of this date, his employment with Miami Township will end. We would like to thank him for his contributions and wish him good luck in the future.

Remove Emily Asher from probation and increase her to a salary of \$92,700 effective May 23, 2023. Emily will also receive 40 additional hours of vacation as of that date.

Fire Department

Make a final offer of full-time employment to Anthony Robertson for a Firefighter/Paramedic position earning \$31.10 per hour effective June 12, 2023.

Recreation Department

Make a final offer of volunteer employment to Kenzie Cramer contingent on the results of her fingerprint background check.

Make a final offer of volunteer employment to Lauren Tamerius contingent on the results of her fingerprint background check.

Service Department

Seth Pitman step increase from MW 2-1 to MW 2-2 effective May 15, 2023.

Ms. Wolff made a motion to accept the personnel actions as stated, seconded by Mr. Schulte and all voted "AYE."

Chief Mills noted that the three speed signs that we currently have in the Township are constantly deployed and are in great demand. He would like to purchase an additional two signs to add to our inventory to more effectively address speeds around the Township that are in documented problem areas. Traffic Logix has provided a quote for two Evolution Feedback Signs with freight for \$5,766. These signs use the existing software we have for the other three signs.

The Police Department has received the F150 Truck budgeted for 2023. The truck now requires upfitting with emergency equipment through Parr Public Safety. Chief Mills presented a quote of \$5,176.60 for the emergency equipment, installation, and programming.

Mr. Elliff provided information on the current nuisance/property maintenance process and procedures and suggested possible modifications to increase information to the Board of Trustees. At the Board's suggestion, staff investigated agencies that might be able to provide resident assistance when property maintenance problems indicate the owner may have personal characteristics that are resulting in the property maintenance issues.

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The Board suggested establishing relationships with agencies that could provide assistance such as Clermont Senior Services and Clermont Mental Health and Recovery Board. Establish core relationships with those agencies for consultation when enforcement action may affect a constituent.

Mr. Elliff noted he had initiated a relationship started with Mr. Bill DeHass, CEO of Clermont Senior Services, and met with Mr. DeHass on 5.22.2023 to discuss common interests. Mr. DeHass provided helpful contact information within his agency, including Adult Protective Services, which can help in evaluating decision making capacity. He also recommended contacting the Clermont County Mental Health and Recovery Board and Greater Cincinnati Behavioral Health.

He started a relationship with Ms. LeeAnn Watson, Executive Director, and Mr. Denny Moell, Associate Director of the Clermont County Mental Health and Recovery Board. Meeting scheduled for June 9, 2023.

Mr. Elliff is arranging a meeting with Jennifer Dorschug, Associate Vice President of Mental Health Operations of the Greater Cincinnati Behavioral Health organization. Greater Cincinnati Behavioral Health maintains Clermont County based offices in Milford, Batavia, and Amelia.

Mr. Elliff also noted that Property maintenance enforcement follows a similar track to the zoning enforcement procedure referenced above. However, an additional tool is statutory nuisance action detailed in Ohio Revised Code ("ORC") Section 505.87 *Abatement, control or removal of vegetation, garbage, refuse, and other debris and* ORC Section 505.86 *Removal, repair or securance of insecure, unsafe buildings or structures*. There are currently three options for dealing with property maintenance issues that are not in compliance after all in house options are exhausted by staff.

Mr. Elliff made several comments on the first option, the Civil Citation portion of the process. Once that process is started staff and a police official will serve a warrant on the owner/and or occupant notifying them of the violation and requiring their appearance in municipal court to answer the charges. Sometimes service cannot be achieved on the individual which can lead to enforcement delays.

If the owner/occupant does appear at the preliminary hearing and enters a guilty plea the court may impose a fine, but once the fine is paid, the case is over. A detractor of this process is a payout ends the case and the property maintenance defects remain. The goal is that the court process will encourage the owner/occupant to actually resolve the problem. The court may suspend the fine if the property is cleaned up. If the person does not show up, an arrest warrant may be issued, but this can substantially delay the process.

If the owner/occupant pleads not guilty, a trial will be held at a follow up hearing to determine guilt or innocence. If found guilty, a fine may be imposed. The court may suspend the fine and give the person time to resolve the problem. Again, the payout ends the case and the property maintenance defects remain. This process can be time consuming for the Law Director and may involve multiple hearings and continuances; however, it is a positive to have oversight and influence by the independent judicial official.

Mr. Elliff made several comments on the second option, an Action for Injunction from the Common Pleas Court that the Law Director can file for after notifying the Board. This complaint for injunctive relief is asking the court to enter an order requiring the owner/occupant to clean up the property, make repairs, etc as needed to come into compliance. He noted this action is superior to action in the municipal court because the

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~~judge, who provides oversight and influence, is authorized to order that the work be done to attain compliance and is not limited to just imposing a fine.~~

Action in the Common Pleas Court is the superior method of dealing with chronic or non-responsive property maintenance cases because of the independent judicial oversight, the court's ability to consider extenuating factors (such as mental issues), and the court's ability to order compliance (including repairs) and not just issue fines. The Township can also request that the court maintain jurisdiction over the case for a period of time to ensure extended compliance. If the court tasks the Township with the remediation, then cost, oversight and approval by the Board would be necessary.

The third option is the Statutory Nuisance Process, which is an alternative to proceeding through the court. ORC Section 505.87 authorizes a Township to declare a property to be a public nuisance, or under ORC Section 505.86 that a property is open or unsecure, and after notification allows the Township to undertake remediation work. Mr. Elliff adds that this process has been commonly used in the Township and results can be obtained more timely than proceeding through court. This process is well suited for mowing overgrown properties but has been used for more extensive clean ups as well.

To increase Trustee oversight, after a public nuisance is declared, Mr. Ellis recommends the Board add an additional due process hearing at a Work Session, where the owner/occupant of the nuisance property is given the opportunity to be heard on the matter by the Trustees prior to any remediation steps taken. Estimated costs to remediate the nuisance cases will also be presented to the Board to determine if they would like to proceed with the remediation with the knowledge that the expense would be assessed on the homeowner's property taxes. However, if the property is a repeat offender, an immediate nuisance action may be recommended to the Board.

Mr. Elliff recommends that the Board rely more on the Common Pleas court process to deal with property maintenance and zoning problem cases. Nuisance actions may continue to be effective for cases involving mostly mowing and/or minimal junk and debris removal, or occasional securing of an unsafe structure. Nuisance cases will be brought to the Work sessions to confirm the Board would like to proceed.

Mr. Elliff also presented updates on several pending property maintenance cases.

Mr. Elliff noted that the Township Zoning Resolution requires the installation of sidewalks to accompany new construction in most business districts and residential subdivisions.

Much of the Township's commercial property inventory, including property subject to new construction and redevelopment, is located along State Route roadways. Before the Ohio Department of Transportation ("ODOT") will grant a permit for sidewalk construction within the state right of way, ODOT requires a resolution from the Township accepting maintenance responsibility for the sidewalk. This provides ODOT the Township's commitment that should the adjoining property owner somehow be unavailable or otherwise unable to take that responsibility, then the Township would.

Mr. Elliff has asked Law Director Braun to review a draft resolution accepting maintenance responsibility related to new sidewalk installation along State Route 28 associated with the new Cricket Valley Structures sales business (1297 State Route 28). Provided that the resolution is perfected soon, staff will recommend that the Board of Trustees adopt this resolution at its June 20, 2023 Business Meeting.

Assistant Chief Mack presented information on the purchase and installation of one fire hose washer and two hose dryer units. They currently clean all firehose by hand with brushes

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after they have become soiled during a fire or through other uses. Although this process does remove a large portion of the dirt and contaminants, there is still a lot of residue left behind. Such residue adversely affects hose and reduces its service life span. This is due to the abrasiveness of the dirt itself, as well as the destructive nature of the chemicals that may be present in ash and fire debris that is deposited on hose during firefighting operations. In 2022 we started investigating the purchase of a hose washing machine, as well as associated drying cabinets since putting wet hose on a truck can promote the formation of mold and mildew that can also damage hose.

We included \$27,200 in the 2023 capital budget for this project. We have been following up with the equipment manufacturer and have obtained current prices for an industrial strength hose washer and two (2) drying cabinets. We originally considered buying one drying cabinet, but that would have required electrical modifications at one of the fire stations to provide 220-volt electric power. For a little less than the cost of the large 240-volt cabinet, we are able instead to purchase two (2) 110-volt cabinets. This will not only eliminate the need for running a new 240-volt circuit but will also make the drying options more versatile as we will be able to dry more hose at one time.

The quote for the equipment is attached. Since the manufacturer only sells through dealers, we obtained the quote from Vogelpohl Fire Equipment, one of our regular equipment suppliers. The total price, including shipping, comes to \$25,200, which is \$2,000 below what we budgeted for this project.

Assistant Chief Mack presented information on the purchase two (2) used Jeep Cherokee Latitudes to add to our existing fleet of staff vehicles as part of our five-year vehicle replacement plan. He had previously planned the replacement of one ambulance in 2023 and the addition of another new ambulance, but due to significant delays from the manufacturer of the chassis that we would use for both, we have had to modify our vehicle replacement plan a little. At this point, there is a possibility that the remounted ambulance will still occur this year but the new ambulance that was ordered is not expected to be delivered until sometime in 2024. We are asking for your consideration in amending our vehicle replacement plan slightly with this information and the need for staff vehicle replacements that were planned in 2024.

As you will recall, we have added the Deputy Chief of Administration and the Division Chief of Community Risk Reduction, both positions require the use of a staff vehicle as they will both have emergency response requirements and capabilities. We had planned to replace two of the aging 2009 Chevrolet Tahoe's in our fleet with new vehicles in 2024, as they are requiring greater levels of maintenance these days, and both are experiencing rust issues in the rear quarter panels.

Since we are requesting approval to move this purchase up by one year, we solicited quotes on used Jeep Cherokee Latitudes from the dealer we previously purchased these same vehicles through in 2021, Mt. Orab Jeep. They have two vehicles on their used lot that meet our needs and are very similar to the two existing vehicles. The purchase details are included on the attached pages, but we are requesting an amount not to exceed \$57,000.00 to purchase both vehicles, including all title, licensing, and delivery fees. We will be asking for permission separately to have the vehicles outfitted and wrapped with our standard department branding.

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Assistant Chief Mack presented information on the purchase of four McGrath video laryngoscopes to place into service on our frontline fire apparatus. We currently carry these devices on all ambulances to provide advanced care and protection of a patient's airway when needed. Our crews have had great success with these devices and the ability to have a video screen to assist with the proper placement of an endotracheal tube into a patient's lungs has been extremely beneficial, especially during the pandemic when distance between the patient and paramedic was crucial for everyone's safety.

The Department has been researching this purchase as part of a three-year project to add these to our fire apparatus. Recently, we discovered that our current distributor, Boundtree Medical, has them in stock and is running a sale on them; 40% off if purchased before the end of June. We would like to take advantage of this significant savings, so we are requesting permission to purchase four (4) at a cost of \$7,803.60 including shipping and handling. Mr. Wright has approved this purchase to be completed through the existing ARPA funds due to the nature of this being durable medical equipment that will be used in direct patient care.

We appreciate the proactive approach the Board takes with these types of requests when cost savings can be realized for equipment that will improve the delivery of patient care and provide added layers of protection for our paramedics.

Chief Mills presented information on an opportunity to purchase a used K-9 vehicle. We have an opportunity to purchase a used K-9 vehicle. Our auxiliary K-9 unit does not currently have a Township police vehicle. The vehicle was inspected by Miami Township Mechanic Ken Ratliff and he found the vehicle to be of sound condition.

As previously discussed with the Board, there is a strong likelihood that we will receive the Federal SRO grant and our K-9 officer will be assigned as one of the SROs. We were planning to request budget funds to be allocated in 2024 for a new K-9 vehicle (\$45,000 plus upfitting), before discovering this opportunity. The purchase of the 2016 Chevrolet Tahoe for \$17,000 from the Madeira Police Department comes with police emergency equipment already installed.

We have received a private pledge through The Matt Havekamp Foundation to cover \$10,500 of the purchase of the vehicle, leaving our obligation only \$6,500. This vehicle can be purchased with the enforcement and education supplies fund (2150) since it is directly related to drug enforcement operations. Fund 2150 comes from drug fines, etc and not levy funds.

Prior to 2019 the apportionment formula for the Clermont County Local Government Fund was passed every five years by the County Commissioners and the City of Milford. Milford received a "veto" vote prior to 2019 since the ORC permitted it as it is the city with the largest population in the County. In 2019, 2020, 2021 and 2022 the Board of County Commissioners of Clermont County, the Miami Township Board of Trustees and the majority of other townships and municipalities within the County, passed resolutions approving the same alternative method of apportionment of the LGF. This resulted in Miami Township receiving more than it did prior to 2019 but having to renegotiate annually led to uncertainty and a long, drawn-out process.

A proposal that has been discussed and appears to be favorable to a majority of the communities would be to base the formula largely on population and include a smaller component that is equally split. The goal is to have this adopted by the County and a majority of the communities so that it can be in place for the next five years. The proposed 13.6% share for Miami Township would be slightly less than the current year, but significantly more than was received historically.

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There is an advantage to all communities to have this formula be in place for a five-year period for budget certainty instead of doing this process annually and it potentially changing.

In order for the proposed alternative formula to be adopted for 2024, the majority of townships and municipalities are required to have an alternative formula resolution to the County by the 1st Monday in August. The County will have to pass the same formula as the majority, or the distribution would revert to the statutory formula by the same deadline.

Mr. Schulte made a motion to approve Resolution 2023-20 authorizing adoption of an alternative method of apportionment of the undivided local government fund for calendar years 2024-2028, seconded by Ms. Wolff and all voted "AYE."

There were no public comments.

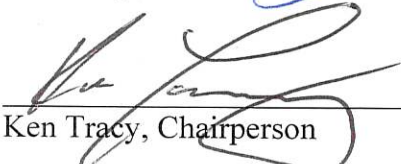
Ms. Wolff made a motion to go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(8) to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, which is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project, seconded by Mr. Schulte and all voted "AYE."

Ms. Wolff made a motion to come out of Executive Session, seconded by Mr. Schulte and all voted "AYE."

There being no other business the meeting adjourned at 8:53 p.m.

ATTEST:


Eric Ferry, Fiscal Officer


Ken Tracy, Chairperson