

OCTOBER 15, 2019

Held \_\_\_\_\_

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The Miami Township Board of Trustees met in regular session on Tuesday, October 15, 2019 at 7:00 PM. Trustee Schultz called the meeting to order and led the Pledge of Allegiance. The invocation was given. Mr. Ferry called the roll. Attending were Karl Schultz, Ken Tracy and Mary Makley Wolff. Mr. Tracy made a motion to approve the minutes of the September 9, 2019 Work Session, September 16, 2019 Special Meeting and September 17, 2019 Business Meeting, seconded by Ms. Wolff with all voting "AYE".

**Correspondence:** No correspondence was received.

**Department Reports:** A representative of each department presented a report of activities during the month of September 2019.

**Old Business:** None.

**New Business:** Mr. Tracy made a motion to pay the bills of the Township with 221 checks numbered 134633 - 134853 and 27 electronic checks numbered 1551 and 1524 - 1577 for the total amount of \$3,816,652.46 plus payroll and payroll taxes for the check dates 9/13/19 in the amount of \$296,891.64 and 9/27/19 in the amount of \$275,312.27, seconded by Ms. Wolff with all voting "AYE".

Mr. Wright advised of the need for a Then and Now Certificate in the amount of \$9,251.14.

Ms. Wolff made a motion to adopt Resolution 2019-34 authorizing the Township Fiscal Officer to issue and certify a Then and Now Certificate for payment of various expenditures, totaling \$9,251.14 and declaring an emergency, seconded by Mr. Tracy with all voting "AYE".

Law Director Joe Braun presented a resolution, requested by the Board, to amend the employment agreement of the Township Administrator as part of their periodic review of compensation and benefits. He summarized that it provides for a duration of three years, increases in compensation during that period, and includes advance notice of 90 day to the Township should the Administrator choose to separate employment. All benefits remain the same as previously approved by the Board.

Mr. Tracy made a motion to adopt Resolution 2019-40, a Resolution Amending the Employment Agreement with Jeffrey A. Wright to Serve as Township Administrator and Declaring an Emergency, seconded by Ms. Wolff with all voting "AYE".

Mr. Wright advised of the final phase of purchasing the personal protective Kevlar vests and helmets for the Fire and EMS personnel should there be a need to provide their services in a dangerous situation. He stated the budgeted amount for this year was \$17,500 and through the State contract pricing Amor Express offered the lowest possible quote of \$16,618.20.

Ms. Wolff made a motion to approve the purchase of personal protective vests, helmets, and plates for the Fire and EMS crews in the amount of \$16,618.20 from Armor Express, seconded by Mr. Tracy with all voting "AYE".

Mr. Wright advised that he and Mr. Musselman opened the four bids received from the contractors to install the sanitary sewer along Wolfpen Pleasant Hill Road which includes boring under U.S. Route 50 to provide public sanitary sewer for property zoned light industrial. The lack of sanitary sewer has been an impediment for development, and it is recommended the bid be awarded in the amount of \$214,562.80 to DER Development.

Mr. Tracy made a motion to award a contract to DER Development, as the lowest and best bid, to perform the Wolfpen Pleasant Hill Sanitary Sewer Extension project, seconded by Ms. Wolff with all voting "AYE".

Mr. Wright reported as the Board was advised at the October Work Session, this year's budget included \$25,000 to review the current land use plan. It has been a number of years since the land use plan had been updated by the community and the Board of Trustees. Mr. Wright advised that Mr. Stewart has been a local land use planning attorney for a number of years. Mr. Wright recommended an agreement be authorized with Mr. Jay Stewart in concert with

Held OCTOBER 15, 2019 20

Kleiningers Engineers in the amount of \$20,000. Mr. Wright stated the multi-month process will including engagement with residents and data mining to prepare a guide for land use and zoning decisions.

Ms. Wolff discussed the contents of the end product as compared to the previous plan book. Mr. Elliff described a compact format for the land use plan was requested and several community plans were reviewed in this regard with the goal being an easy to reference end product.

Mr. Tracy made a motion to accept the agreement, "Miami Township Land Use Plan Update Project, Terms and Conditions" and authorize the Township Administrator to execute the document, seconded by Ms. Wolff with all voting "AYE".

Mr. Wright advised the Community Development staff has issued a number of citations this summer, largely tall grass. He stated that there are times when it becomes necessary in a small percentage of cases when compliance is not reasonable obtained and the Township contracts to bring the property into compliance. A tax lien is then placed for the cost of the abatement on the property owner's tax bill to be recovered. He advised two parcels are being proposed for abatement and recommended adoption of Resolution 2019-35.

Ms. Wolff made a motion to adopt Resolution 2019-35, a Resolution Authorizing the Abatement, Control or Removal of Vegetation, Garbage, Rubbish or Debris, and Declaring an Emergency, seconded by Mr. Tracy with all voting "AYE".

Mr. Wright advised that Chief Kelly solicited multiple bids from area contractors to have the bay doors painted at three of the stations which are all 25 years or older. He noted this work was anticipated in the 2019 Budget. The most responsive bid was received from CertaPro to paint all of the doors at the three stations for \$6,750.

Mr. Tracy made a motion to approve the purchase of painting services from CertaPro to paint a total of 18 bay doors at Fire Stations 26, 27, and 28 for an amount not to exceed \$6,750, seconded by Ms. Wolff with all voting "AYE".

Mr. Wright advised in concert with the action for the sanitary sewer project to serve the public on Wolfpen Road, a necessary item to proceed with a public bond for that work product. He reported there has been an exiting TIF in place for 15 years on the property at the corner of Wolfpen Pleasant Hill Road and U.S. Route 50. He stated as previously mentioned one of the impediments to the industrial zoned property has been the lack of public sanitary sewer. He advised at this time we can award the contract and adopt a bond resolution as the mechanism that authorizes the Township to take on the debt as necessary to pay for the construction, design and engineering costs of the sanitary sewer project.

Ms. Wolff made a motion to adopt Resolution 2019-36, a Resolution Providing for the Issuance and Sale of Not to Exceed \$280,000 of Tax Increment Revenue Bonds (Beauty Ridge Project) of Miami Township, County of Clermont, State of Ohio, Under Section 5709.73 Et. Seq. of the Ohio Revised Code for the Purpose of Paying the Cost of Certain Public Improvements; Authorizing a Pledge of and Lien on Certain Service Payments to Secure Such Bonds; and Authorizing a Service Agreement Securing Such Bonds and Declaring an Emergency, seconded by Mr. Tracy with all voting "AYE".

Mr. Wright advised that over the past decade, the Township has adopted a conversion plan that is a benefit that is cost-neutral to the Township and benefits retiring employees by agreeing that any vacation and sick leave sell out they are entitled to by contract or policy be counted as pensionable. He stated the Township is required by state statute to adopt this annually and the resolution is sent to the Ohio Public Employees Retirement System.

Mr. Tracy made a motion to adopt Resolution 2019-37, a Resolution Authorizing Adoption of an Annual Conversion Plan in Accordance with Ohio Revised Code Section 145.01 and Ohio Administrative Code 145-1-26 and to Dispense with the Second Reading, seconded by Ms. Wolff with all voting "AYE".

OCTOBER 15, 2019

Held \_\_\_\_\_

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Mr. Wright advised the Board has been presented the plans previously that John Adams has to construct a new restaurant at the intersection of State Route 126 and Wards Corner Road in Miami. The Township requires commercial property being developed to have sidewalks built as part of the development, and the Ohio Department of Transportation (ODOT) requires local jurisdictions to pass a resolution when a local jurisdiction requires a third-party to construct sidewalks in ODOT's right of way that releases ODOT from any damages or claims and removes them from the responsibility of the long-term maintenance of the sidewalk. The Township requires the long-term maintenance of the sidewalk be the responsibility of the adjacent private property owner. The resolution provides the Township's cooperation and agreement with ODOT that the 300 feet of sidewalk to be built will not be the permanent responsibility of ODOT.

Ms. Wolff made a motion to approve Resolution 2019-38 Agreeing to Cooperate with the Ohio Department of Transportation to meet the Public Interest Demand for the Construction of a Sidewalk with the Right of Way on Part of State Route 126 and Declaring an Emergency, seconded by Mr. Tracy with all voting "AYE".

Mr. Wright advised each year the Township adopts a resolution to authorize the Township Service Department to plow dedicated, but unaccepted streets. He stated there are typically two to four examples and these are subdivisions that are platted with the first course of asphalt, and are public rights of way for public use, however, the subdivision has not concluded its development therefore the streets have not yet been accepted by Miami Township. This resolution can be in effect for six months.

Law Director Braun requested the resolution be passed as amended and proposed to add language to the emergency clause to specifically state to the Township will clear roads upon the arrival of inclement weather.

Mr. Tracy made a motion to adopt Resolution 2019-39, a Resolution Declaring an Emergency to Exist and Authorizing the Removal of Snow and Ice from Undedicated Roads Pursuant to Section 505.82 of the Ohio Revised Code, and Declaring an Emergency, as amended, seconded by Ms. Wolff with all voting "AYE".

Mr. Wright advised that if the Board would like to confirm for the public the trick or treat hours which are customarily on October 31<sup>st</sup> from 6-8 p.m. in the Township.

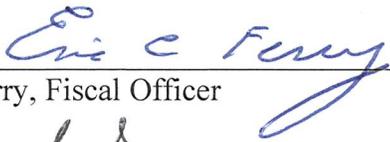
Mr. Tracy made a motion to establish trick or treat hours in the Township to occur on October 31<sup>st</sup> from 6-8 p.m., seconded by Ms. Wolff with all voting "AYE".

**Public Comment:** Mr. John Becker, State Representative, provided an update on legislation relating to group housing variances, sharing that a bill has been drafted and is being reviewed various organizations to ultimately route to a committee for consideration.

**Executive Session:** None.

With no further business to come before the Board the meeting was adjourned at 7:43 p.m.

ATTEST:

  
Eric C. Ferry, Fiscal Officer

  
Karl Schultz, Chairperson