



COLERAIN
EST. 1794

**Special Meeting of the Board of Trustees
October 28th, 2014**

- 1. Opening of Meeting - 5:00 pm
- 2. Resolution Acceptance of Amounts and Rates by Budget Commission.....Action
- 3. Resolution To approve Moratorium on Alternative Financial Service Providers.....Action
- 4. Adjournment

COLERAIN

Colerain Township • 4200 Springdale Road • Colerain Township, Ohio 45251
www.coleraintwp.org • Phone (513) 385-7500 • Fax (513) 245-6503

Trustees: Dennis P. Deters, Melinda A. Rinehart, Jeffrey F. Ritter
Fiscal Officer: Heather E. Harlow
Administrator: James M. Rowan

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the 28th day of October, 2014, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Dennis P. Deters, Jeffrey F. Ritter, Melinda Rinehart

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____-14

**RESOLUTION APPROVING MORATORIUM ON
ALTERNATIVE FINANCIAL SERVICES PROVIDERS**

WHEREAS, Alternative Financial Services Providers shall be defined as check cashing businesses, payday advance or loan businesses, pawn businesses, money transfer businesses or car title loan businesses; and

WHEREAS, as it relates to this resolution, the following definitions shall be used for Alternative Financial Services Providers:

1. **Car Title Loan Business** shall mean an establishment that makes or facilitates short term consumer loans that leverage the equity value of a car or other vehicle as collateral. This excludes state or federally-chartered banks, savings and loan associations, or credit unions engaged primarily in the business of making longer term loans and which make loans that leverage the total equity value of a car or vehicle as collateral.
2. **Check Cashing Business** shall mean an establishment that provides or facilitates the provision of an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electric transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time. This definition excludes a state or federally-charted bank, savings and loan association, credit union, pawnshop, grocery store or gas station so long as the gas station does not conduct more than 100 such transactions with in a calendar month.
3. **Money Transfer Business** shall mean an establishment, other than a bank or financial institution,that engages in or facilitates the transmission of funds to or from a location outside the United States and its territories for a fee.
4. **Payday Advance or Loan Business** shall mean an establishment that makes or facilitates consumer loans, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until an applicant's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.

5. **Pawn business** shall mean an establishment that makes or facilitates short-term loans collateralized by tangible personal property, such as jewelry, consumer electronics, tools, musical instruments or firearms.

WHEREAS, Alternative Financial Services Providers (AFSPs) are widely perceived as markers of urban decline and disinvestment, and research shows they can impair neighborhood character, aesthetics, property values and economic development activities¹; and

WHEREAS, studies have found that AFSPs may have a negative impact on economic development and the economic well-being of a community²³; and

WHEREAS, the Colerain Township Comprehensive Plan “recognizes the importance of economic development in helping to pay for necessary services as well as creating jobs”; and

WHEREAS, the Colerain Township Zoning Resolution is a legal tool used to implement the comprehensive plan; and

WHEREAS, Colerain Township has experienced an increase in applications for change-of-use zoning certificates for AFSPs; and

WHEREAS, the AFSPs have clustered along the Colerain Avenue corridor, the township’s main commercial thoroughfare; and

WHEREAS, one of the most basic functions of zoning is to separate uses that may have adverse impacts on each other; and

WHEREAS, The Colerain Township Comprehensive Plan specifically identifies development policies for the Colerain Avenue character area that include “strengthen(ing) development standards for the entire corridor to include appropriate levels of buffering between land uses...”; and

WHEREAS, AFSPs have recently been found to be in violation of the Colerain Township Zoning Resolution; and

WHEREAS, local governments have important reasons for considering special regulation of AFSPs due to the potential for adverse impacts on neighboring property owners and the health, safety, morals and welfare of the township as a whole; and

WHEREAS, in light of the foregoing, a one-year moratorium allowing the township to study the impacts of AFSPs and ways to mitigate any negative impacts is rationally related to valid public purposes as articulated in the Colerain Township Comprehensive Plan and is in furtherance of the health, safety, morals and welfare of the Township.

¹ See, for example, Griffith, Kelly, Linda Hilton and Lynn Drysdale. 2010. “Controlling the Growth of Payday Lending Through Local Ordinances and Resolutions: A Guide for Advocacy Groups and Governmental Officials” Tuscon, AZ: Southwest Center for Economic Integrity.

² Blank, Rebecca M. 2008., *Public Policies to Alter the Use of Alternative Financial Services Among Low-Income Households*, Brookings Institution

³ Stegman, Michael A. 2007. “Payday Lending.” *Journal of Economic Perspectives*, 21(7): 169-190

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

1. The Township hereby declares a one year moratorium during which no zoning certificates will be issued to any AFSP; and
2. That it is hereby 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 any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
4. This resolution is hereby declared to be an emergency measure pursuant to RC 504.11, necessary for the immediate preservation of the public peace, health, safety, or welfare of the residents of Colerain Township.
5. That this Resolution shall be effective immediately.

Mr./Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Deters _____, Mr. Ritter _____, Ms. Rinehart _____

ADOPTED this 28th day of October, 2014.

BOARD OF TRUSTEES:

Dennis P. Deters, Trustee

Jeffrey F. Ritter, Trustee

Melinda Rinehart, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 28th day of October, 2014.

Heather E. Harlow,
Colerain Township Fiscal Officer

Resolution #14 -

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Board of Township Trustees

Rev. Code, Secs. 5705.34

The Board of Trustees of Colerain Township, Hamilton County, Ohio, met in special session on the 28th day of October, 2014, at the office of Colerain Township Administration Complex with the following members present:

- Trustee Deters
- Trustee Rinehart
- Trustee Ritter

Trustee _____ moved the adoption of the following Resolution:

WHERE AS, This Board of Trustees of Colerain Township in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 20 15; and

WHERE AS, The Budget Commission of Hamilton County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board and what part thereof is without, and what part within the ten-mill limitation; therefore be it

RESOLVED, By the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF THE AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY THE BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES

	Amount Approved by Budget Commission Inside 10M Limitation	Amount to be Derived from Levies Outside 10M Limitation	Tangible P.P. & P.U.P.P. State Reimbursements	Gross Levy Proceeds	County Auditor's Estimate of the Tax Rate to be Levied		
					Outside	Inside	TOTAL
GENERAL FUND	527,598	0	1,398	528,998	0.00	0.49	0.49
BOND	0	0	0	0	0.00	0.00	0.00
ROAD & BRIDGE	956,291	0	2,539	960,830	0.00	0.89	0.89
FIRE	0	10,184,882	32,235	10,217,117	12.23	0.00	12.23
POLICE	0	6,320,183	9,984	6,330,147	8.60	0.00	8.60
X5	0	0	0	0	0.00	0.00	0.00
X4	0	0	0	0	0.00	0.00	0.00
X3	0	0	0	0	0.00	0.00	0.00
X2	0	0	0	0	0.00	0.00	0.00
X1	0	0	0	0	0.00	0.00	0.00
NEW	0	0	0	0	0.00	0.00	0.00
TOTAL	1,483,889	16,514,045	46,156	18,046,090	18.83	1.38	20.21

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

CURRENT EXPENSE LEVIES	PERIOD OF TIME	Mills	Fiscal Year
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
TOTAL		0.00	0
ROAD & BRIDGE			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Proposed		0.00	0
TOTAL		0.00	0
FIRE			
Authorized on:	November 8, 1998	Continuing	6.98
	November 2, 2010	Continuing	5.27
		0	0.00
		0	0.00
		0	0.00
		0	0.00
		0	0.00
		0	0.00
		0	0.00
TOTAL		12.23	10,184,882
POLICE			
Authorized on:	November 5, 1991	Continuing	2.50
	November 5, 2002	Continuing	1.00
	November 8, 2007	Continuing	1.15
		0	0.00
		0	0.00
		0	0.00
		0	0.00
		0	0.00
		0	0.00
May 8, 2014		Continuing	1.95
TOTAL		6.60	6,320,183
X5			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Enter Date of Election		0.00	0
TOTAL		0.00	0

-Acceptance of Rates

and be it further

RESOLVED, That the Fiscal Officer of this Board be, and is hereby directed to certify a copy of this Resolution to the County Auditor of Hamilton County.

Trustee _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Trustee	<u>Dolers</u>	_____	_____
Trustee	<u>Rinehart</u>	_____	_____
Trustee	<u>Ritter</u>	_____	_____

Adopted the 28th day of October, 2014

Attest:

 Fiscal Officer of the Board of Township Trustees of
 _____ Township
 Hamilton County, Ohio

-Acceptance of Rates

CERTIFICATE TO COPY

ORIGINAL ON FILE

THE STATE OF OHIO, HAMILTON COUNTY,

I, Heather E Harlow, Fiscal Officer of the Board of Township Trustees
of

Colerain Township within and for said County, and in whose custody the files and

records of said Board are required by the laws of the State of Ohio to be kept, do hereby certify

that the foregoing is taken and copied from the original Resolution #

now on file, with said Board, that the foregoing has been compared by me with said original
document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20 _____

Fiscal Officer of the Board of Township Trustees of

_____ Township
Hamilton County, Ohio

- 1. A copy of this resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals.

Receipt Adopted _____ 20 _____

Fiscal Officer

Filed _____ 20 _____

Dusty Rhodes, Hamilton County Auditor

By: Deputy