

**Regular Meeting of the Board of Trustees
August 4th, 2015**

1. **Opening of Meeting**
2. **Executive Session (5:30 PM)**
3. **Pledge of Allegiance (6:00 PM)**
4. **Approval of Minutes**
5. **Presentations**
 - a. CMHA update on Jonrose Project
 - b. Promotional swearing-in ceremony of Battalion Chief Steve Conn
 - c. Years of Service Award Presentation to career Firefighters Paramedic Michael Rusin and part-time Firefighter EMT Shannon Hayden
 - d. Outstanding Unit Citation presentation for the Firefighters assigned to Station 26
Meritorious Service Award presentation to Police Officer Kenneth Bertz
6. **Administrative Reports**
7. **Trustees' Report**
8. **Citizen Address**
9. **Public Hearing**
10. **New Business**
 - a. **Public Safety**
Donation Acceptance (Public Safety)Action
Request Authorization for a change of pay status for Joel Baumer (Fire)Action
Request Authorization for a change of pay status for Joe Placke (Fire)Action
Request Authorization for a change of pay status for Raymond Fitzjarrell (Fire)Action
Request Authorization to add "reservist" employee classification (Fire)Action
Resolution Establishing Registration and Participation in Second Hand Property
Tracking System (Police)Action
Colerain Police received a new radar unit from State of Ohio (Police)Action
 - b. **Public Services**
Road ResurfacingAction
Road AcceptanceAction
Donation AcceptanceAction
 - c. **Zoning**
Resolution declaring and extending a moratorium on alternative financial services
providers until November 10th, 2015Action
Resolution declaring nuisance and ordering abatementAction

d. Administration

- Utility Burial CDS ContractAction
- Resolution amending current lease agreement with the Colerain
- Chambers of CommerceAction

- 11. Fiscal Officer’s Report**
- 12. Executive Session** - if needed
- 13. Adjournment**

Resolution # 33-15

NEW BUSINESS

Department: Colerain Township Department of Public Safety:

Colerain Township Department of Fire and EMS and Colerain Police Department

Department Heads: Frank Cook, Chief of Department and Chief of Police, Mark Denney

1. Presentations

Colerain Township Department of Public Safety

1. Promotional swearing-in ceremony of Battalion Chief Steve Conn (approved 7 July 2015).
2. Years of service award presentation to career Firefighter Paramedic Michael Rusin (30-years) and part-time Firefighter EMT Shannon Hayden (25 years).
3. *Outstanding Unit Citation* presentation for the firefighters assigned to Station 26 on 29 May 2015 for their swift and decisive efforts in rescuing eight occupants of a burning apartment building in the 2300 block of West Galbraith Road.
4. *Meritorious Service Award* presentation to Colerain Police Officer Kenney Bertz for his assistance and efforts in rescuing

2. Action (Include rationale)

Colerain Township Department of Public Safety

Action: Donation Acceptance

1. The Colerain Police Department received a \$250 donation from the Northwest Exchange Club.

Colerain Township Department of Fire and EMS

Action: Personnel

1. Request authorization for a *change of status* for Joel Baumer from Firefighter Paramedic to the *Firefighter Apparatus Operator* classification effective 5 August 2015, at a rate of pay of \$16.98 per hour.
2. Request authorization for a *change of pay status* for Joe Placke from Firefighter Paramedic to the *Firefighter Paramedic Fire Apparatus Operator* classification at a new pay rate of \$16.98 per hour effective Wednesday, 5 August 2015.
3. Request authorization for a *change of pay status* for Raymond Fitzjarrell from *Firefighter EMT-Basic Fire Apparatus Operator* to the *Firefighter Paramedic Fire*

NEW BUSINESS

Apparatus Operator classification at a new pay rate of \$16.98 per hour effective Wednesday, 5 August 2015.

4. Request authorization to add a "reservist" employee classification, which will permit the hiring of former fire service employees and citizens (i.e., retirees) to augment fire department support personnel with administrative, community risk reduction, and training and education services.

Colerain Police Department

Action: Personnel

1. Resolution – Establishing Registration and Participation in Second Hand Property Tracking System
2. The Colerain Police Department received a new radar unit from the State of Ohio. The new unit was awarded for the Departments efforts to reduce traffic related crashes. The value is approximately \$4,000.00

COLERAIN TOWNSHIP
Department of
Fire and Emergency Medical Service

4160 Springdale Road - Cincinnati, Ohio 45251-1505

NOTIFICATION - Change of Status/Change of Pay

Name : Joel Baumer

Rank : Firefighter Paramedic (Medic) Current Status : Active

Date : 07/02/2015

(X) Change of Pay Status - Change to: \$16.98

1. () 1st year Rate for Recruit Class Graduate
2. () Basic Firefighter/EMT
3. () Firefighter/EMT/FAO
4. () Paramedic (Prior to obtaining 1A firefighter)
5. () Paramedic (With 1A certification)
6. () Firefighter/Paramedic
7. (X) Firefighter/Medic/FAO
8. () IIB Classification

This change must be countersigned by either the EMS Chief or Training Director for the applicable change.

() Change of Status

1. (X) Promotion to Rank/Position of: Firefighter/Medic/Fire Apparatus Operator
2. () Probationary (Including Training etc.)
3. () Regular
4. () Suspension - From: _____ To: _____
5. () Leave of Absence, Type: Medical - Regular
Leave of Absence, From: _____ To: _____
6. () Dismissal - Termination
7. () Resignation () with letter () without letter

Remarks : Successful completion of requirements to promote to a Fire Apparatus Operator.

Employee Signature : _____

Training Captain : _____

Division Chief : _____

Assistant Chief : _____

Deputy Chief: _____

Effective Date: 08/05/2015 (For Office Use Only)

Computer entry verified: _____ Date: _____

COLERAIN TOWNSHIP
Department of
Fire and Emergency Medical Service

4160 Springdale Road - Cincinnati, Ohio 45251-1505

NOTIFICATION - Change of Status/Change of Pay

Name : Joe Placke

Rank : Firefighter Paramedic

Current Status : Active

Date : 07/02/2015

(X) Change of Pay Status - Change to: \$16.98

1. () 1st year Rate for Recruit Class Graduate
2. () Basic Firefighter/EMT
3. () Firefighter/EMT/FAO
4. () Paramedic (Prior to obtaining 1A firefighter)
5. () Paramedic (With 1A certification)
6. () Firefighter/Paramedic
7. (X) Firefighter/Medic/FAO
8. () IIB Classification

This change must be countersigned by either the EMS Chief or Training Director for the applicable change.

() Change of Status

1. (X) Promotion to Rank/Position of: Firefighter/Medic/Fire Apparatus Operator
2. () Probationary (Including Training etc.)
3. () Regular
4. () Suspension - From: _____ To: _____
5. () Leave of Absence, Type: Medical - Regular
Leave of Absence, From: _____ To: _____
6. () Dismissal - Termination
7. () Resignation () with letter () without letter

Remarks : Successful completion of requirements to promote to a Fire Apparatus Operator.

Employee Signature : _____

Training Captain : _____

Division Chief : _____

Assistant Chief : _____

Deputy Chief: _____

Effective Date: 08/05/2015 (For Office Use Only)

Computer entry verified: _____ Date: _____

COLERAIN TOWNSHIP
Department of
Fire and Emergency Medical Service

4160 Springdale Road - Cincinnati, Ohio 45251-1505

NOTIFICATION - Change of Status/Change of Pay

Name : Raymond Fitzjarrell

Rank : Firefighter EMT-Basic FAO Current Status : Active

Date : 07/02/2015

(X) Change of Pay Status - Change to: \$16.98

1. () 1st year Rate for Recruit Class Graduate
2. () Basic Firefighter/EMT
3. () Firefighter/EMT/FAO
4. () Paramedic (Prior to obtaining 1A firefighter)
5. () Paramedic (With 1A certification)
6. () Firefighter/Paramedic
7. (X) Firefighter/Medic/FAO
8. () IIB Classification

This change must be countersigned by either the EMS Chief or Training Director for the applicable change.

() Change of Status

1. (X) Promotion to Rank/Position of: Firefighter/Paramedic/Fire Apparatus Operator
2. () Probationary (Including Training etc.)
3. () Regular
4. () Suspension - From: _____ To: _____
5. () Leave of Absence, Type: Medical - Regular
Leave of Absence, From: _____ To: _____
6. () Dismissal - Termination
7. () Resignation () with letter () without letter

Remarks : Successful completion of requirements of the Paramedic Orientation
Program.

Employee Signature : _____

Training Captain : _____

Division Chief : _____

Assistant Chief : _____

Deputy Chief: _____

Effective Date: 08/05/2015 (For Office Use Only)

Computer entry verified: _____ Date: _____

Memo



To: Dan Meloy, Director of Public Safety
From: Frank Cook, Fire Chief
Date: 27 July 2015
Re: Department of Fire & EMS Reservist Program Proposal

It is proposed that the Colerain Township Department of Fire and Emergency Medical Services' (Colerain Fire & EMS) establish a pool of reserve employees to take advantage of the knowledge, skills and abilities of retired or separated fire service individuals who still maintain an interest in the fire service. This program provides former fire service employees and citizens of the community the opportunity to augment fire department support personnel with the delivery of fire department administrative, community risk reduction, and training and education services to the department and community.

The Colerain Fire & EMS Reserve Program will be designed to primarily augment the department in an administrative capacity. The Reservists will also be utilized throughout the community to assist the department in accomplishing its mission. The Reservists' role will be that of support in various functions within the fire department to include: community risk reduction, fire administration, community relations, and training and education services. The men and women who are selected to serve as Reservist will represent primarily retired employees of the fire service interested in serving the department to make it a safer and better community.

The Reservist will function under the direct authority of the Chief of Department. While working as a Reservist, they are under the direct supervision of the Assistant Fire Chief or his or her designees (i.e., Divisional Captain of Community Risk Reduction, Emergency Medical Services or Training and Education). Reservists will be bound by the same policies and procedures, as are all other Colerain Fire & EMS employees.

It's my observations that individuals that are the ideal fire reservist candidate are generally not content to play a passive role in life. Instead, they have a desire to continue to devote their time and talents to the community and the fire service. I propose that the duties and assignments of the reservist be categorized as non-paid and paid. *Non-paid* work assignments, details and projects will include: emergency incident response, the production of public relations information related to incidents and events (i.e., department marketing), administrative projects (e.g., grant-writing and preparation, committee participation, etc.). *Paid* work assignments, details and projects shall include: training and education instruction, in-office administrative work (called in at the request of the division manager), participation in public education and relations events and special assignments (e.g., strategic planning, accreditation, etc.) approved by the Chief of Department or my designee.


For the paid assignments, details and projects; the proposed rate of pay is \$15.00 per hour. All expenditures for work performed will be in the form of currency. Reservist will not be permitted to accumulate time in any form. Reserve employees will not be permitted to engage in any live firefighting or rescue activities at any time.


While on duty as a Reservist, I propose that each individual be covered by Workers Compensation Insurance for work related injuries and under the Township's liability policy, as long as they are acting within the scope and responsibility of this position.

Conclusion

While I've attempted to address many of the issues that will be questioned concerning Colerain Fire and EMS's proposed Reserve Program, I'm convinced other uncertainties exist and will need to be addressed. However, the implementation of the Reserve Program can prove to be a positive feature within the Fire Department. It would augment the current active force, promote a positive image, and provide seasoned fire service professionals an opportunity to serve the department and community.

Any suggestions or recommendations to improve this proposal are also welcomed.

Noted. Sup: Approved 
1. Sean B. T.
Approved 8/4/15

	COLERAIN TOWNSHIP DEPARTMENT OF FIRE AND EMERGENCY MEDICAL SERVICES STANDARD OPERATING GUIDELINES		
	Effective Date:	Category & Identification Number:	
	February XX, 2015	Reserve Fire Department Employees - 000	
	SOG Title:		
Reserve Fire Department Employees			
Approved By:	Revision Date:	Page:	
Frank W. Cook, Fire Chief	February XX, 2015	1 of 1	

PURPOSE

The purpose of this document is to provide guidelines and direction for the selection, training, and assignment of employees serving in the Colerain Township Department of Fire and Emergency Medical Services (Colerain Fire & EMS) Reserve Program.

Colerain Fire & EMS recognizes the importance of a carefully selected and properly trained reserve force to assist in the completion of the mission under normal and emergency conditions. The Reserve Program is designed to primarily augment the department in an administrative capacity. The Reservists will also be utilized throughout the community to assist the department in accomplishing its mission. The Reservists' role is that of support in various functions within the fire department to include: community risk reduction, fire administration, community relations, and training and education services.

The Chief of Department and the Board of Trustees are the appointing authority of reserve employees and may rescind that appointment or limit the extent of that appointment with or without cause.

Reserve employees may be dismissed from assisting or participating in Department of Fire & EMS functions at any time at the discretion of the Chief of Department.

SELECTION


The Department will maintain a maximum of five reserve employee positions.

Each Reserve candidate shall submit an employment application prior to appointment.

Priority for appointment as a Reserve employee will be granted to *honorably* retired or separated employees of Colerain Fire & EMS, followed by applicants' with prior fire service experience.

ORGANIZATION & CHAIN OF COMMAND

Fire Reservist will function under the direct authority of the Chief of Department. While working as a Reservist, they are under the direct supervision of the Assistant Fire Chief or his or her designees (i.e., Divisional Captain of Community Risk Reduction, Emergency Medical Services or Training and Education). Reservists are bound by the same policies and procedures, as are all other Colerain Fire & EMS employees.

	COLERAIN TOWNSHIP DEPARTMENT OF FIRE AND EMERGENCY MEDICAL SERVICES STANDARD OPERATING GUIDELINES		
	Effective Date:	Category & Identification Number:	
	February XX, 2015	Reserve Fire Department Employees - 000	
	SOG Title:		
Reserve Fire Department Employees			
Approved By:	Revision Date:	Page:	
Frank W. Cook, Fire Chief	February XX, 2015	2 of 1	

COMPENSATION

Fire Reservist will be compensated for fire department work assignments and projects approved by the Fire Chief. When being paid, the rate of pay will be \$15.00 per hour. All expenditures for work performed will be in the form of currency. Reservist will not be permitted to accumulated or accrue time.

Work Related Injuries/Compensation

While on duty as a Reserve officer, each individual will be covered by Workers Compensation Insurance for work related injuries and under the Township's liability policy, as long as they are acting within the scope and responsibility of the position.

DUTIES AND RESPONSIBILITIES

Reservist are considered "employees" of the Colerain Fire & EMS for the purposes of accountability and responsibility. Each employee is accountable for all orders, directives and requirements. Each reserve employee is required to support the mission and values of the Department.

Reserve employees are to know all Township Policies and Procedures and Departmental Administrative and Operational Guidelines and keep their knowledge up to date. Reservist will be subject to all laws, policy, procedures, rules and regulations affecting employees of Colerain Fire & EMS.


Reserve employees will not be permitted to engage in any live firefighting or rescue activities at any time. However, the employee may provide support to the Incident Commander as he or she deems necessary (e.g., accountability, occupant or agency liaison, etc.).

Reserve employees, when on regular duty with Colerain Fire & EMS, will be under the supervision of the Department's chain of command, at all times.

Uniforms and Equipment

Reserve employees will wear the same uniform as Colerain Fire & EMS employees when representing the department during work assignments and details and worn in accordance with the Uniform Dress Code, Section 4.0 of the General Operating Guidelines. Reservist will be issued the following uniform items:

- 1- Dark blue short-sleeve uniform shirt

	COLERAIN TOWNSHIP DEPARTMENT OF FIRE AND EMERGENCY MEDICAL SERVICES STANDARD OPERATING GUIDELINES		
	Effective Date: February XX, 2015	Category & Identification Number: Reserve Fire Department Employees - 000	
	SOG Title: Reserve Fire Department Employees		
	Approved By: Frank W. Cook, Fire Chief	Revision Date: February XX, 2015	Page: 3 of 1

- 1 - Dark blue issued tee-shirt
- 1 - Navy blue uniform trousers
- 1 - Dark blue issued job shirt
- 1 - Lime green and black 5 in 1 issued all weather coat

Reserve employees will be issued a complete set of personal protective equipment (PPE). All protective equipment shall be worn in accordance with the Turn Out Dress Code, Section 6.0, Procedure 6.3 of the General Operating Guidelines.

Upon separation of employment as a Reserve employee for whatever reason, all property of the Colerain Fire & EMS in the possession of the employee will be surrendered and delivered to the Chief of Department's designee.

Off-Duty Conduct

Reserve employees are required to conduct themselves in the same manner as Colerain Fire & EMS employees when off-duty. Failure to do so may result in rescinding the reserve employee's appointment with the Department of Fire and EMS.

Training

Reserves may attend any departmental in-service training classes, if openings exist. Requests for training classes will be made through the Training and Education Captain.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 4th day of August, 2015, 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.: _____ -15

**RESOLUTION ESTABLISHING REGISTRATION AND PARTICIPATION IN
SECOND-HAND PROPERTY TRACKING PROGRAM**

WHEREAS, the following definitions shall be observed for the purposes of this Resolution and in accordance with the Ohio Administrative Code and the Ohio Revised Code:

- A. "Pawnbroker" means a person engaged in the business of lending money on deposit or pledges of personal property, other than securities, printed evidence of indebtedness, titles, deeds, or bills of sale, at a total charge, rate of interest, or discount or other remuneration in excess of eight per cent per annum, and includes a person engaged in the business of purchasing personal property from another person with an agreement that the personal property will be made available to that other person for repurchase within an agreed-to time period and for an amount greater than the price originally paid to that other person for the purchase of the personal property. (Ohio Revised Code §4727.01).
- B. "Pawn-shop" shall have the same meaning as "Pawnbroker" defined above, and shall be used interchangeably.
- C. "Active participation" means entering, without fail, the identifying characteristics of all second-hand property purchased from or traded with a customer within two (2) business days. Pursuant to Ohio Revised Code §4727.08 this will include all of the following information:
 - (1) The date and time of the pledging or purchasing;
 - (2) The amount of the loan or the purchase price;
 - (3) The rate of interest and the charges to be paid on the loan;
 - (4) The time within which the pledgor is to redeem the pledged property;
 - (5) The name, age, and address of the pledgor or seller;
 - (6) A driver's license number, military identification number, or other personal identification number;
 - (7) A physical description of the pledgor or seller;
 - (8) An accurate description of the pledged or purchased property, including the name of the manufacturer, any serial and model numbers, any identifying features, and any identifying letters or marks;

(9) Any other disclosures required by federal law.

- D. "LeadsOnline" is a free, web-based site that allows interaction between retail and law enforcement through entries made by Pawnbrokers.
- E. "Register" means to open a free account on LeadsOnline.
- F. "Second-hand property" means any property that is used or previously owned by a customer or new property not purchased from that business.

WHEREAS, police departments throughout the United States are faced with the problem of stolen property being sold and/or traded at legitimate pawn-shops; and

WHEREAS, Colerain Township has a desire to increase the ability of the Colerain Police Department to identify stolen property and the identity of the person selling that property, which will benefit the health, safety and welfare of the residents of Colerain Township; and

WHEREAS, Colerain Township requires the cooperation and active participation of the pawn-shops within the Township to identify stolen property and identify person(s) selling or trading that property; and

WHEREAS, Ohio Revised Code §4727.09 requires pawn-shops to cooperate with and furnish certain information to the Chief of Police of Colerain Township, which shall include a description of all property pledged with or purchased by the pawn-shop and the number of the pawn or purchase form the pawn-shop used to document the pledge or purchase; and

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

1. That all pawn-shops operating within Colerain Township are required to register and actively participate in the free tracking software, LeadsOnline, to assist law enforcement with the identification of stolen property and the identity of those selling stolen property.
2. That a pawn-shop violates this Resolution whenever it fails to establish and maintain a free online account with LeadsOnline, or, whenever the pawn-shop purchases or trades for second-hand property with a customer and the pawn-shop fails to enter that property and/or the identity of the person selling/trading that property into their LeadsOnline account.
3. That a violation of this Resolution is considered a minor-misdemeanor pursuant to Ohio Revised Code §504.06.
4. 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

5. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and hereby authorizes the adoption of the Resolution upon its first reading.

6. That this Resolution shall be effective at the earliest date allowed by law.

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 _____ day of August, 2015.

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 ____ day of August, 2015.

Heather E. Harlow,
Colerain Township Fiscal Officer

Agenda Packet

Department: Public Services

Department Head: Tim Lange

1. Other

2015 Road Resurfacing

Recommend the board award the contract for the 2015 Road Resurfacing project in the amount of \$401,570.70 to R.A. Miller Construction Co., Inc., who is the lowest bidder meeting specifications. We are using \$375,000.00 from the general fund and reallocating \$26,570.70 available funds from purchase order 146-2014.

Road Acceptance

Respectfully request the board accept Tansing Drive in the Tansing Place Subdivision, Section 2.

Donation Acceptance

Respectfully request approval to accept a \$400.00 donation for the memorial tree program in the parks. This money is to buy 2 memorial trees for someone who can't afford a memorial tree. The person donating wishes to stay anonymous.

Agenda Packet

Department: Building, Planning & Zoning

Department Head: Emi Randall

1. Action

1. **Resolution declaring and extending a moratorium on Alternative Financial Services Providers until November 10, 2015:** Request approval of resolution declaring and extending the moratorium on Alternative Financial Services Providers
2. **Resolution declaring nuisance and ordering abatement:** Request approval of Resolution declaring nuisance and ordering abatement

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at ____ p.m., on the ____ day of August, 2015, 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.: _____-15

**RESOLUTION DECLARING AND EXTENDING A MORATORIUM ON
ALTERNATIVE FINANCIAL SERVICES PROVIDERS UNTIL NOVEMBER 10, 2015 AND
DECLARING AN EMERGENCY**

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 small, 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 to the customer an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic 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-chartered 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 within 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 small 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 small, 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.

WHEREAS, the Board of Trustees previously declared a moratorium on acceptance of applications for zoning certificates for AFSPs on August 12, 2015, which will soon expire.

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. That the Zoning Administrator shall not accept applications for zoning certificates to operate an Alternative Financial Service Provider establishment until November 10, 2015, or such earlier date as may be determined by the Board of Trustees.
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.
3. The 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.
4. 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.
5. That this Resolution shall be effective at the earliest date allowed by law.

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 _____ day of August, 2015.

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 _____ day of August, 2015.

Heather E. Harlow,
Colerain Township Fiscal Officer

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 4th day of August, 2015, 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. _____

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported at the properties listed below:

<u>Address</u>	<u>Book-Page-Parcel No.</u>
3268 Ainsworth Ct	510-0102-0121-00
9500 Amarillo Ct	510-0051-0280-00
9517 Amarillo Ct	510-0051-0278-00, 510-0051-0277-00
9598 Amarillo Ct	510-0051-0290-00
2387 Antares Ct	510-0063-0339-00
2931 Bentbrook Dr	510-0042-0378-00
2445 Bluelark Dr	510-0063-0216-00
2823 Brampton Dr	510-0041-0502-00
2838 Brampton Dr	510-0041-0437-00
2860 Brampton Dr	510-0041-0439-00
2806 Breezy Wy	510-0074-0093-00
8273 Brownsway Ln	510-0063-0187-00
10238 Chippenham Ct	510-0043-0304-00
3671 Donata Dr	510-0092-0069-00
3261 Donnybrook Ln	510-0104-0060-00
2467 Eclipse Ct	510-0062-0035-00
3163 Elkhorn Dr	510-0052-0473-00
11403 Gravenhurst Dr	510-0021-0142-00
2840 Houston Rd	510-0024-0189-00
2350 Impala Dr	510-0032-0360-00
10837 Invicta Cir	510-0032-0242-00
7010 King James Ct	510-0213-0192-00
9728 Loralinda Dr	510-0052-0430-00
2200 Miles Ct	510-0044-0198-00
10933 Newmarket Dr	510-0034-0112-00
10217 October Dr	510-0113-0157-00
2556 Ontario St	510-0051-0201-00
3334 Paprika Ct	510-0123-0145-00
8285 Pippin Rd	510-0061-0254-00
8754 Planet Dr	510-0062-0044-00
2764 Quaker Ct	510-0024-0200-00
2540 Retford Dr	510-0011-0455-00
2937 Royal Glen Dr	510-0071-0205-00
6911 Rutherford Ct	510-0074-0309-00

2797 Sandhurst Dr	510-0074-0220-00
3153 Sovereign Dr	510-0064-0193-00
5940 Springdale Rd	510-0230-0017-00
9151 Trinidad Dr	510-0053-0435-00
2400 Uranus Ct	590-0360-0275-00
2530 W. Kemper Rd	510-0011-0022-00
5301 W Kemper Rd	510-0160-0032-00
5429 W Kemper Rd	510-0160-0021-00
9661 Weik Rd	510-0330-0066-00
2810 Wilson Av	510-0034-0151-00

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control or removal of any vegetation, garbage, refuse or debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

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

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;
2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87;
3. 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

4. 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.

5. That this Resolution shall be effective at the earliest date allowed by law.

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 4th day of August, 2015.

BOARD OF TRUSTEES:

Dennis P. Deters, Trustee

Jeffrey F. Ritter, Trustee

Melinda Rinehart, Trustee

ATTEST:

Heather E. Harlow,
Colerain Township 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 4th day of August, 2015.

Heather E. Harlow
Colerain Township Fiscal Officer

Administration Agenda Item

Department: Administration

Department Head: Frank Birkenhauer

1. Action

Utility Burial Construction Management Contract extension with CT / CDS Consultants

The request this evening is to approve additional construction management services for the burying of utilities with CT Consultants not to exceed \$15,000.00.

July 28, 2015



Mr. Frank Birkenhauer
Assistant Township Administrator
Colerain Township
4200 Springdale Road
Cincinnati, Ohio 45251-1419

**RE: COLERAIN AVENUE @ SPRINGDALE ROAD
CONSTRUCTION ENGINEERING
Project #148135**

Dear Mr. Birkenhauer:

Prior to the contract being awarded and the construction beginning, we had prepared a proposed fee for construction engineering and inspection. We had discussed the project with a contractor and the consensus was that an aggressive construction schedule would be utilized and, therefore, the construction engineering and inspection proposal was based on a 2-week period for construction. In fact, at the project preconstruction meeting, the contractor estimated the project may be completed in about 3 weeks.

After the award of the contract and the start of construction issues have led to an extended construction period, which we believe will now be 6 weeks. Based on the longer construction period which necessitated additional construction engineering and inspection hours, we are submitting this proposal for the additional hours of construction engineering and inspection. This is based on a time and expense basis.

Total Additional Estimated Fee: \$ 14,000.00

The following is a clarification as to issues that have arisen leading to the additional cost and project schedule extension:

- As the contractor proceeded with the construction additional utility conflicts were discovered and as a result the progress was less than what the contractor anticipated. CT Consultants has a construction observer on site to ensure that the contractor builds the project with the intent of the plans, dealing with field changes as they occur.
- Additional time spent for CT Consultants due to Duke Gas determining that their gas main would need to be relocated. Per original meetings and discussions with Duke Gas, the main did not need to be relocated. Upon receipt of the pre-construction meeting notification, Duke then indicated that the main relocation was necessary. This involved coordination regarding where the relocation was required. This added approximately \$2,000 to the cost.
- Additional time spent for CT Consultants coordinating issues related to the redeveloped gas station within the project limits. Several issues came up that required review and modification including a new storm sewer conflict with proposed underground utility

Mr. Frank Birkenhauer, Assistant Township Administrator
RE: COLERAIN AVENUE @ SPRINGDALE ROAD
CONSTRUCTION ENGINEERING; Project #148135
July 28, 2015

Page Two

conduits, the proposed Duke Electric chamber location now being located within a new gas station drive apron, and gas station lighting potentially conflicting with the proposed conduit. This added approximately \$1,000 to the cost.

- Due to the lengthening of the construction, an additional payment request will need to be processed. This added approximately \$500 to the cost.

Thank you for this opportunity to provide engineering services for the Township. If the proposal is acceptable please sign below.

Should you have any questions, please contact me at your convenience.

Sincerely,

CDS ASSOCIATES/CT CONSULTANTS



Don G. Shvegza
Manager, Municipal Engineering

Approval & Authorization to Proceed

_____/_____
Signature Date

Print Name & Title

DS:rgf

cc: Pat Madl, CT Consultants



The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 4th day of August, 2015, 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. _____-15

**RESOLUTION AMENDING CURRENT LEASE AGREEMENT WITH THE
COLERAIN CHAMBER OF COMMERCE**

WHEREAS, on March 25, 2014, Colerain Township ("Township") and the Colerain Chamber of Commerce ("Chamber") entered into a lease agreement (the "Agreement") for the rent of office space located at 4300 Springdale Road, Colerain Township, OH 45251 (the "premises"); and

WHEREAS, under the Agreement, the Chamber agreed to pay Colerain Township \$500.00 per month for use of the premises; and

WHEREAS, both the Township and the Chamber desire to amend the Agreement ("Amendment"), whereby Colerain Township will become a sustaining sponsor for the remainder of 2015 and all of 2016, and in exchange, the Colerain Chamber of Commerce will no longer be required to pay rent to the Township; and

WHEREAS, the sustaining membership shall renew automatically each year and the Chamber shall not be required to pay rent unless and until either Colerain Township or the Colerain Chamber of Commerce give at least thirty (30) days' written notice of termination of the Amendment; and

WHEREAS, the parties desire to adopt the Amendment, as set forth and attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED BY THE COLERAIN TOWNSHIP BOARD OF TRUSTEES, HAMILTON COUNTY, OHIO:

1. That the Colerain Chamber of Commerce shall no longer be required to pay rent for the use of the space identified in the lease agreement in exchange for Colerain Township's sustaining membership in the Chamber for the remainder of 2015 and all of 2016 and renewable each year thereafter.

2. That the Board directs the Township Administrator to execute the Lease Amendment, attached hereto as Exhibit "A".

3. 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

4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and hereby authorizes the adoption of the Resolution upon its first reading.

5. That this Resolution shall be effective at the earliest date allowed by law.

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 _____ day of August, 2015.

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. Barbiere (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 ____ day of August, 2015.

Heather E. Harlow,
Colerain Township Fiscal Officer

LEASE AMENDMENT

This amendment is entered into as of the ____ day of August, 2015, by and between **Colerain Township**, hereinafter referred to as "Lessor," and **Colerain Chamber of Commerce, Inc.**, hereinafter referred to as "Lessee", and states:

1. The Lessor, in consideration of a sustaining membership in the Colerain Chamber of Commerce granted to it by the Lessee, does hereby lease unto Lessee two offices and utilization of the event hall for one monthly meeting, subject to availability, located at 4300 Springdale Road, Colerain Township, OH 45251.
2. That no rent from Lessee shall be due or owing so long as this Agreement is operating.
3. That the Lessor's sustaining membership shall begin immediately and shall continue through 2016, whereby it shall be automatically renewed each year thereafter until and unless either the Lessor or the Lessee gives thirty (30) days' written notice of the termination of this Agreement.

IN WITNESS WHEREOF, the parties have caused their names to be affixed as an original on this _____ day of August, 2015.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

LESSOR:

LESSEE:

By _____
James Rowan, Administrator

By _____
Debra Stonehill, President