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**LIBERTY TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETINGS
TUESDAY JULY 3, 2018
6400 PRINCETON ROAD
LIBERTY TOWNSHIP OH 45044**

**EXECUTIVE SESSION
5:00 P.M.**

Meeting was called to order. Upon call of the roll, Mrs. Maticic – present, Mr. Schramm – present, Mr. Farrell – present.

Mr. Schramm **MOVED TO GO INTO AN EXECUTIVE SESSION TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES PURSUANT TO O.R.C. § 121.22 (G)(2) AND TO CONSIDER THE DISMISSAL OF A PUBLIC EMPLOYEE PURSUANT TO O.R.C. § 121.22 (G)(1).** Ms. Maticic seconded. The motion passed unanimously.

Mr. Schramm **MOVED TO COME OUT OF EXECUTIVE SESSION.** Ms. Maticic seconded. The motion passed.

**REGULAR SESSION
6:00 P.M.**

On Tuesday, July 3rdth 2018 at 6:00 P.M., the Liberty Township Board of Trustees met this day for a Regular Meeting. Upon call of the roll, Mrs. Maticic – present, Mr. Schramm – present, Mr. Farrell present.

Boys Scout Alex Bets from Troop 942 led the Pledge of Allegiance.

PUBLIC PRESENTATION

Anne Riddiough, Account Manager – Medicount

PUBLIC HEARING #1

2018 Tax Budget

Ms. Greis presented the staff report.

Comments in Favor:

No Comments

Comments Opposed/Neutral to Proposal:

No Comments

Mr. Schramm **MOVED TO CLOSE THE PUBLIC HEARING ON THE 2018 TAX BUDGET** Ms. Maticic seconded. The motion passed unanimously.

Mr. Schramm **MOVED TO APPROVE A RESOLUTION TO ACCEPT THE 2018 TAX BUDGET (2018-118)** Ms. Maticic seconded. The motion passed unanimously.



FISCAL OFFICER'S BUSINESS

- 1) Liquor Permit Application for Liberty Larosa's LLC. DBA Larosa's, 4363 Hamilton Middletown Road, Liberty Township, Ohio 45011.
- 2) Liquor Permit Application for Grassland Graze LLC., DBA Liberty Farm Market, 5850 Princeton Road, Liberty Township, Ohio 45011.
- 3) Liquor Permit Transfer for Family Fun Zone, Inc. 7172 Cincinnati Dayton Road, Liberty Township, Ohio 45069.

REGULAR MEETING CONSENT AGENDA

All matters under the Consent Agenda are considered by the Board of Trustees to be routine and will be enacted by one motion. Any Trustee may remove an item from the Consent Agenda by request. No second is required for removal of an item. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

CONSENT AGENDA

Fiscal Officer

- Meeting Minutes – Motion to approve the following:
 - Regular Meeting, June 19th, 2018
- Check Register – Motion to approve Check Register & Special Check Register

Finance

- Motion to approve a resolution to authorize supplemental appropriations. **(2018-119)**

Mr. Schramm requested that the Meeting Minutes of the Regular Meeting of June 19th, 2018 be pulled from the consent agenda and voted on separately.

Mr. Schramm MOVED TO APPROVE THE CONSENT AGENDA without the Meeting Minutes of the Regular Meeting of June 19th. Ms. Matacic seconded. The motion passed unanimously.

Ms. Matacic moved to approve the Meeting Minutes from the Regular Meeting, June 19th, 2018. Mr. Farrell seconded. Ms. Matacic – yes; Mr. Farrell – yes; Mr. Schramm – abstain. The motion passed.

PUBLIC COMMENTS

No Comments

Departmental Business

Fiscal Office/Finance Department

Ms. Greis requested a motion to approve a resolution to establish a new Capital Projects Fund for the acquisition, construction or improvement of fixed assets, including motor vehicles.

Ms. Matacic commented that these funds originated out of RID funds. She would like to make sure that these funds are used primarily for infrastructure.



Mr. Farrell and Mr. Schramm concurred with her comments.

Mr. Schramm **MOVED TO APPROVE A RESOLUTION TO ESTABLISH A NEW CAPITAL PROJECTS FUND FOR THE ACQUISITION, CONSTRUCTION OR IMPROVEMENT OF FIXED ASSETS, INCLUDING MOTOR VEHICLES. (2018-120)** Ms. Matic seconded. The motion passed unanimously.

Ms. Greis requested a motion to approve a resolution to authorize a new appropriation.

Mr. Schramm **MOVED TO APPROVE A RESOLUTION TO AUTHORIZE A NEW APPROPRIATION. (2018-121)** Ms. Matic seconded. The motion passed unanimously.

Ms. Greis requested a motion to approve a resolution to authorize a fund transfer.

Mr. Schramm **MOVED TO APPROVE A RESOLUTION TO AUTHORIZE A FUND TRANSFER. (2018-122)** Ms. Matic seconded. The motion passed unanimously.

Services Department

Mr. Plummer requested a motion to approve a resolution to authorize the repairs and maintenance on the sidewalks in the Woods of Logsdon Ridge subdivision; to assess abutting property owners one hundred percent (100%) for repair and maintenance of sidewalks; and to require residents to notify the Liberty Township Service Director of their intent to perform the repair and maintenance.

Mr. Schramm **MOVED TO APPROVE A RESOLUTION TO AUTHORIZE THE REPAIRS AND MAINTENANCE ON THE SIDEWALKS IN THE WOODS OF LOGSDON RIDGE SUBDIVISION; TO ASSESS ABUTTING PROPERTY OWNERS ONE HUNDRED PERCENT (100%) FOR REPAIR AND MAINTENANCE OF SIDEWALKS; AND TO REQUIRE RESIDENTS TO NOTIFY THE LIBERTY TOWNSHIP SERVICE DIRECTOR OF THEIR INTENT TO PERFORM THE REPAIR AND MAINTENANCE. (2018-123)** Ms. Matic seconded. The motion passed unanimously.

Zoning

Mr. Behrmann requested a motion to approve a resolution rescinding previous commercial vehicles and / or trailers, recreational vehicles and / or trailers, semi-trucks from parking within the public right of way and prohibiting portable storage units being placed within the public right-of-way in residential districts, and prohibiting placement of dumpsters within the public right-of-way regulations, establishing new regulations within Liberty Township, and dispensing with the second reading.

Mr. Schramm **MOVED TO APPROVE A RESOLUTION RESCINDING PREVIOUS COMMERCIAL VEHICLES AND / OR TRAILERS, RECREATIONAL VEHICLES AND / OR TRAILERS, SEMI-TRUCKS FROM PARKING WITHIN THE PUBLIC RIGHT OF WAY AND PROHIBITING PORTABLE STORAGE UNITS BEING PLACED WITHIN THE PUBLIC RIGHT-OF-WAY IN RESIDENTIAL DISTRICTS, AND PROHIBITING PLACEMENT OF DUMPSTERS WITHIN THE PUBLIC RIGHT-OF-WAY REGULATIONS, ESTABLISHING NEW REGULATIONS WITHIN LIBERTY TOWNSHIP, AND DISPENSING WITH THE SECOND READING. (2018-124)** Ms. Matic seconded. The motion passed unanimously.

Fire

Chief Klussman requested a motion to approve a resolution to terminate part-time Firefighter Adam Vonderhaar effective July 3, 2018.

Mr. Schramm **MOVED TO APPROVE A RESOLUTION TO TERMINATE PART-TIME FIREFIGHTER ADAM VONDERHAAR EFFECTIVE JULY 3, 2018. (2018-125)** Ms. Matic seconded. The motion passed unanimously.



Department Updates

- Economic Development
- Finance
- Fire / EMS – Firehouse Safety Foundation grant was awarded for \$14,900 to be used for 17 sets of ballistic gear.
- Planning & Zoning
- Services
- Sheriff – BCSO
- Administration
 - Holidays
 - 1) Offices Closed, July 4th, 2018.
 - 4th of July Festivities will be on Wednesday, July 4th
 - 5K Race will begin at 8:00 a.m. at Lakota East High School. Day of Registration will begin at 7:00 a.m.
 - Annual Parade will begin at 10:00 a.m. at the Lakota East High School and end at Liberty Park. Parade line up starts at 9:00 a.m.

TRUSTEE COMMENTS

Ms. Matacic stated that HB 175 regarding small livestock is still in committee. She also stated that HB 500 on June 27th moved out of the house and should be introduced into the Senate after their recess.

Mr. Schramm stated that the Lakota School Board did not vote for the county wide levy tax. Local governments working together works for the community.

EXECUTIVE SESSION

Mr. Schramm **MOVED TO GO INTO AN EXECUTIVE SESSION EXECUTIVE SESSION TO CONSIDER THE COMPENSATION OF PUBLIC EMPLOYEES PURSUANT TO O.R.C. § 121.22 (G)(1)**. Ms. Matacic seconded. The motion passed unanimously.

Mr. Schramm **MOVED TO COME OUT OF EXECUTIVE SESSION**. Ms. Matacic seconded. The motion passed

Mr. Schramm **MOVED TO ADJOURN**. Ms. Matacic seconded. The motion passed.

Mr. Farrell, President

Michelle Greis, Finance Director



RESOLUTION NO. 2018-118

Board of Trustees, Liberty Township
Butler County, Ohio

**RESOLUTION TO ADOPT THE 2019 TAX BUDGET, ATTACHED HERETO
AND MADE A PART OF THIS RESOLUTION BY REFERENCE**

RESOLVED by the Board of Trustees of Liberty Township, Butler County, Ohio, that

WHEREAS, the Ohio Revised Code Sections 5705.28 and 5705.30 requires that on or before July 20, 2018 the Board of Trustees of Liberty Township must adopt the 2019 Tax Budget and file it with the Butler County Auditor;

THEREFORE BE IT RESOLVED that the Board of Trustees of Liberty Township hereby adopts the 2019 tax budget and authorizes the Township Fiscal Officer to file the 2019 Tax Budget with the Butler County Auditor as attached.

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm, yes
Trustee Maticic, yes
Trustee Farrell, yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director

2019
LIBERTY TOWNSHIP, BUTLER COUNTY
JULY TAX BUDGET

Fund		Estimated Fund Balance January 1, 2019	Property Taxes	Other Sources	Total December 31, 2019	2019 Appropriations	Estimated Fund Balance December 31, 2019
General	1000	\$ 13,661,267	\$ 528,969	\$ 3,192,722	\$ 17,382,958	\$ 5,628,913	\$ 11,754,045
Motor Vehicle License Fund	2011	\$ 180,759		\$ 52,819	\$ 233,578	\$ 90,290	\$ 143,288
Gasoline Tax Fund	2021	\$ 8,572		\$ 236,505	\$ 245,077	\$ 233,356	\$ 11,721
Road & Bridge Fund	2031	\$ 8,630	\$ 917,757	\$ -	\$ 926,387	\$ 1,144,466	\$ (218,079)
Cemetery Fund	2041	\$ 74,963		\$ 17,701	\$ 92,664	\$ 12,990	\$ 79,674
Allen Estates Fund	2042	\$ 33,193			\$ 33,193	\$ 4,000	\$ 29,193
Special Levy Funds- Fire	2191	\$ 1,872	\$ 8,191,903	\$ 11,055	\$ 8,204,830	\$ 7,744,590	\$ 460,240
Special Levy Funds- Police	2192	\$ 2,518,449	\$ 2,452,732	\$ 88,004	\$ 5,059,185	\$ 3,013,632	\$ 2,045,553
Ambulance & Emergency Med	2281	\$ 270,581		\$ 373,497	\$ 644,078	\$ 341,504	\$ 302,574
Permissive Motor Vehicle License Tax	2231	\$ 212,199		\$ 291,675	\$ 503,874	\$ 280,311	\$ 223,563
747/Princeton Bond	3101	\$ 148,788		\$ 328,497	\$ 477,285	\$ 313,039	\$ 164,246
Road Garage Bond	3102	\$ -		\$ 109,038	\$ 109,038	\$ 109,038	\$ -
Woodland View Bond	3104	\$ -		\$ -	\$ -	\$ -	\$ -
Fire Station #113 Bond	3106	\$ -		\$ 137,685	\$ 137,685	\$ 137,685	\$ -
Trails of Four Bridges RID	3107	\$ 304,651		\$ 2,124,108	\$ 2,428,759	\$ 2,117,486	\$ 311,273
Townhomes of Four Bridges RID	3108	\$ 67,017		\$ 433,905	\$ 500,922	\$ 442,513	\$ 58,409
Four Bridges RID	3109	\$ 176,418		\$ 1,435,879	\$ 1,612,297	\$ 1,463,795	\$ 148,502
Cedarbrook RID	3110	\$ 213,858		\$ 1,462,381	\$ 1,676,239	\$ 1,509,445	\$ 166,794
Fire Station #111 Bond	3111	\$ -		\$ 274,413	\$ 274,413	\$ 274,413	\$ -
Road Salt Barn Bond	3112	\$ -		\$ 22,250	\$ 22,250	\$ 22,250	\$ -
Kyles/747 Bond	3113	\$ -		\$ 251,269	\$ 251,269	\$ 251,269	\$ -
Services Facility Construction	3114	\$ -		\$ 227,431	\$ 227,431	\$ 227,431	\$ -
Bethany Bike Path	4304	\$ 27,852		\$ -	\$ 27,852	\$ -	\$ 27,852
Summerlin RID	4309	\$ 1,700,832		\$ 650,113	\$ 2,350,945	\$ 427,764	\$ 1,923,181
Allen Estates RID	4310	\$ -		\$ -	\$ -	\$ -	\$ -
Aspen Trails RID	4311	\$ 510,865		\$ 842,074	\$ 1,352,939	\$ 729,115	\$ 623,824
Hawthorne Hills RID	4312	\$ -		\$ -	\$ -	\$ -	\$ -
Creekside Meadows RID	4313	\$ 32,680		\$ 500,611	\$ 533,291	\$ 504,866	\$ 28,425
Falling Water RID	4314	\$ 493,367		\$ 880,578	\$ 1,373,945	\$ 754,389	\$ 619,556
Kyles Station Meadow RID	4315	\$ 1,050,382		\$ 416,650	\$ 1,467,032	\$ 273,996	\$ 1,193,036
Lighting District	4501	\$ 146,530		\$ 524,273	\$ 670,803	\$ 539,835	\$ 130,968
Cemetery Bequest	9751	\$ 13,223		\$ -	\$ 13,223	\$ -	\$ 13,223
TOTALS		\$ 21,856,948	\$ 12,091,361	\$ 14,885,133	\$ 48,833,442	\$ 28,592,381	\$ 20,241,061



RESOLUTION NO. 2018-119

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION TO AUTHORIZE SUPPLEMENTAL APPROPRIATIONS

RESOLVED by the Board of Trustees of Liberty Township, Butler County, Ohio, that

WHEREAS, Michelle Greis, Assistant Administrator/Finance Director, requests the Liberty Township Board of Trustees authorize the following supplemental appropriations:

General Fund:

- 1) \$212 to 1000-130-381 (Property Insurance Premiums)
- 2) \$339 to 1000-610-382 (Liability Insurance Premiums)
- 3) \$1,200 to 1000-610-599 (Other Expenses)

Gas Tax Fund:

- 1) \$10,000 to 2021-760-790 (Other Capital Outlay)

Road and Bridge Fund:

- 1) \$3,000 to 2031-330-353 (Natural Gas)
- 2) \$1,598 to 2031-330-381 (Property Insurance Premiums)
- 3) \$521 to 2031-330-382 (Liability Insurance Premiums)
- 4) \$1,400 to 2031-330-599 (Other Expenses)

Cemetery Fund:

- 1) \$500 to 2041-410-599 (Other Expenses)
- 2) \$500 to 2041-410-323 (Repairs and Maintenance)

Fire Fund:

- 1) \$828 to 2191-220-599 (Other Expenses)
- 2) \$10,000 to 2191-220-311 (Accounting and Legal Fees)
- 3) \$609 to 2191-220-381 (Property Insurance Premiums)

THEREFORE, BE IT RESOLVED that the Liberty Township Board of Trustees hereby authorize the supplemental appropriations as listed above.

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm, yes
Trustee Maticic, yes
Trustee Farrell, yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2018-120

Board of Trustees, Liberty Township
Butler County, Ohio

**RESOLUTION TO ESTABLISH A NEW CAPITAL PROJECTS FUND FOR THE
ACQUISITION, CONSTRUCTION OR IMPROVEMENT OF FIXED ASSETS,
INCLUDING MOTOR VEHICLES**

RESOLVED by the Board of Township Trustees of Liberty Township, Butler County, Ohio that

WHEREAS, Ohio Revised Code Section 5705.13(C) provides that a taxing authority may create a capital projects fund to accumulate resources for the acquisition, construction or improvement of fixed assets, including motor vehicles;

WHEREAS, the Liberty Township Board of Trustees has found it necessary to establish one (1) new capital projects fund for the acquisition, construction or improvement of fixed assets, including motor vehicles;

WHEREAS, the Liberty Township Board of Trustees establishes the capital projects fund with a transfer of \$4,144,510 from the General Fund;

WHEREAS, the funds accumulated in the capital projects fund shall be available for the purpose of funding road infrastructure, as well as for the purchase of township vehicles, capital equipment and paving;

THEREFORE BE IT RESOLVED that the Liberty Township Board of Trustees hereby establishes the following one (1) new capital projects fund for the acquisition, construction or improvement of fixed assets, including motor vehicles.

Capital Projects Fund:
4502 Capital Projects

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm, yes
Trustee Maticic, yes
Trustee Farrell, yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2018-121

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION TO AUTHORIZE NEW APPROPRIATION

RESOLVED by the Board of Trustees of Liberty Township, Butler County, Ohio, that

WHEREAS, Michelle Greis, Finance Director, requests the Liberty Township Board of Trustees authorize the following new appropriation:

General Fund:

- 1) \$4,144,510.00 to 1000-910-910 (Transfers - Out)

THEREFORE BE IT RESOLVED that the Liberty Township Board of Trustees hereby authorizes the new appropriation as listed above.

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm, yes
Trustee Maticic, yes
Trustee Farrell, yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2018-122

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION TO AUTHORIZE A FUND TRANSFER

RESOLVED by the Board of Trustees of Liberty Township, Butler County, Ohio, that

WHEREAS, Michelle Greis, Finance Director, requests the Liberty Township Board of Trustees authorize the following fund transfer:

General Fund:

- 1) \$4,144,510 to 4502-931 (Transfer In – Capital Projects Fund) from 1000-910-910 (Transfers Out – General Fund)

THEREFORE BE IT RESOLVED that the Liberty Township Board of Trustees hereby authorizes the fund transfer as listed above.

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm, yes
Trustee Maticic, yes
Trustee Farrell, yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2018-123

Board of Trustees, Liberty Township
Butler County, Ohio

**RESOLUTION TO AUTHORIZE THE REPAIRS AND MAINTENANCE ON THE
SIDEWALKS IN THE WOODS OF LOGSDON RIDGE SUBDIVISION; TO
ASSESS ABUTTING PROPERTY OWNERS ONE HUNDRED PERCENT FOR
REPAIR AND MAINTENANCE OF SIDEWALKS; AND TO REQUIRE
RESIDENTS TO NOTIFY THE LIBERTY TOWNSHIP SERVICE DIRECTOR OF
THEIR INTENT TO PERFORM THE REPAIR AND MAINTENANCE**

RESOLVED by the Board of Trustees of Liberty Township, Butler County, Ohio, that

WHEREAS, the Liberty Township Board of Trustees has the authority to assess the expense of construction, repair, and maintenance of sidewalks to the property owner abutting the construction, repair, or maintenance pursuant to O.R.C. § 5543.10;

WHEREAS, the Liberty Township Board of Trustees will assess abutting property owners one hundred percent (100%) for repairs and maintenance of sidewalks in the Woods of Logsdon Ridge subdivision in accordance with O.R.C. § 5543.10 and Liberty Township Resolution 2006-164;

WHEREAS, Rick Plummer, Liberty Township Services Director, requests the Liberty Township Board of Trustees authorize repair and maintenance on the sidewalks in the Woods of Logsdon Ridge subdivision the week of August 6, 2018;

WHEREAS, the Services Department has marked the sidewalks which need repair in the Woods of Logsdon Ridge subdivision;

WHEREAS, the Liberty Township Board of Trustees desires that if a resident decides to perform the repair and maintenance of sidewalks, he or she will follow standards set by the Butler County Engineer and must arrange an inspection with the Liberty Township Services Director; and

WHEREAS, the Liberty Township Board of Trustees requests that if a resident plans to perform the repairs and maintenance of marked sidewalks abutting his or her property, he or she will notify Service Director Rick Plummer on or before Monday, July 30, 2018;

THEREFORE, BE IT RESOLVED that the Liberty Township Board of Trustees hereby authorize the repairs and maintenance on the sidewalks in the Woods of Logsdon Ridge subdivision the week of August 6, 2018;

BE IT FURTHER RESOLVED that the Liberty Township Board of Trustees resolves to assess abutting property owners one hundred percent (100%) for repair and maintenance of sidewalks in the Woods of Logsdon Ridge subdivision that the Township performs pursuant to the procedures set out in O.R.C. § 5543.10 and Liberty Township Resolution 2006-164;

BE IT FURTHER RESOLVED that the Liberty Township Board of Trustees requires residents to notify the Liberty Township Service Director of their intent to perform the repair and maintenance on or before Monday, July 30, 2018 and to schedule an inspection by the Services Director to ensure that the standards set by the Butler County Engineer are met.

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm, yes
Trustee Maticic, yes
Trustee Farrell, yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2018-124

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION RESCINDING PREVIOUS COMMERCIAL VEHICLES AND / OR TRAILERS, RECREATIONAL VEHICLES AND / OR TRAILERS, SEMI-TRUCKS FROM PARKING WITHIN THE PUBLIC RIGHT OF WAY AND PROHIBITING PORTABLE STORAGE UNITS BEING PLACED WITHIN THE PUBLIC RIGHT-OF-WAY IN RESIDENTIAL DISTRICTS, AND PROHIBITING PLACEMENT OF DUMPSTERS WITHIN THE PUBLIC RIGHT-OF-WAY REGULATIONS, ESTABLISHING NEW REGULATIONS WITHIN LIBERTY TOWNSHIP, AND DISPENSING WITH THE SECOND READING

RESOLVED by the Board of Township Trustees of Liberty Township, Butler County, Ohio that

WHEREAS, Ohio Revised Code § 504.04 grants limited home rule townships the authority to exercise all powers of local self-governance, except those in conflict with either the general laws of Ohio or any of the requirements or prohibitions contained in Chapter 504;

WHEREAS, Liberty Township has the authority to regulate parking and right-of-way matters pursuant to Ohio Revised Code §§ 504.04, 505.17, 4511.07 and 4521.02; and

WHEREAS, The Board of Trustees of Liberty Township find it in the best interest of public safety to prohibit commercial vehicles and / or trailers, recreational vehicles and / or trailers, and semi-trucks and / or semi-trailers from being parked within the public right-of-way, public streets, or alley ways, and prohibiting portable storage units being placed within the public right-of-way in residential districts because they harm the aesthetics of the community and reduce property values, they create an unsafe traffic environment, in particular impeding the safe passage of emergency and service vehicles and interfering with sight distance visibility; and

WHEREAS, The Board of Trustees of Liberty Township find it in the best interest of public safety to prohibit the keeping of dumpsters within the public right-of-way, public streets, or alley ways in residential districts because they create an unsafe traffic environment, in particular the safe passage of emergency and service vehicles, interference with sight distance visibility and visibility dangers at night; and

WHEREAS, such vehicles, trailers and containers cause undue wear and damage to pavements constructed for normal residential use when parked or placed repeatedly in the same area; and

WHEREAS, the Board of Trustees of Liberty Township deems it necessary and does intend, acting pursuant to its limited home rule powers, to control the parking of commercial vehicles and / or trailers, semi-trucks and / or semi-trailers, recreational vehicles and / or trailers, portable storage units, and dumpsters on public streets, alley ways or public rights-of-way located in residential districts within the township; and

WHEREAS, Liberty Township desires to recognize the parking and right-of-way violations contained herein as a civil matter pursuant to Ohio Revised Code § 4521.02 and not criminal violations; and

WHEREAS, the Liberty Township Board of Trustees recognizes that it did previously enact similar parking regulations under Resolution No. 2011-037; and,

WHEREAS, it is the intent of this Resolution to rescind Resolution No. 2011-037 in favor of new parking and vehicle and / or portable storage unit placement regulations contained exclusively within this Resolution; and,

WHEREAS, it is the intent of this Resolution to regulate the location of parking of commercial vehicles and/ or trailers, recreational vehicles and / or trailers, semi-trucks and / or semi-trailers, and portable storage units within the township as described herein.

THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Liberty Township, Butler County, Ohio:

SECTION 1: Definitions. As used in this Resolution:

- (A) "Alley way" means a street intended to provide access to the rear or side of lots or buildings and not intended for the purpose of through vehicular traffic;
- (B) "Commercial Vehicle" means a type of vehicle that may be used for transporting goods or passengers and may or may not be titled or registered to a company. Commercial vehicle may include fleet vehicles, company vehicles or other vehicles used for business.
- (C) "Commercial Trailer" means a non-motorized vehicle that is mounted on or pulled by another vehicle used for transporting goods, materials or equipment.
- (D) "Portable Storage Units" means an enclosed storage container constructed of plywood over steel frames or similar materials that does not exceed eight (8) feet in width, nine (9) feet in height and twenty (20) feet in length.
- (E) "Prohibited Vehicle" means any commercial vehicle and / or trailer or any recreational vehicle and / or trailer that exceeds eighty-four (84) inches in width, measured from the outside of

the tire most protruding to the outside of the opposite most protruding tire, or “semi-trailer” or “semi-truck” as defined below.

- (F) “Public Street” means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel;
- (G) “Recreational Vehicle” means a motorized or non-motorized wheeled vehicle used for camping, boating, or other recreational activities.
- (H) “Recreational Trailer” means a non-motorized vehicle that is mounted on or pulled by another vehicle used for camping, boating, or other recreational activities.
- (I) “Residential District” means any property or portion thereof located within the unincorporated area of Liberty Township that has been established as a R-1, R-2, R-3, R-4, R-RE, R-SE, R-PUD, or A-1 (if developed as part of a properly approved and recorded subdivision) district according to the terms set forth in the Liberty Township Zoning Resolution;
- (J) “Right-of-way” means land, property, or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes and includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state of Ohio or any of its political subdivisions;
- (K) “Semi-trailer” means any non-motive powered commercial vehicle that is designed and intended to be towed by another vehicle in a manner that part of the weight of the vehicle being towed rests on and is carried by the towing vehicle.
- (L) “Semi-truck” means any motor vehicle designed and used primarily for towing other vehicles and not so constructed so as to carry a load other than a part of the weight of the vehicle and load so towed.

SECTION 2:

- (A) Parking of Prohibited Vehicles on Public Streets, Alley Ways or Public Rights-of-Way Located in Residential Districts within the township is prohibited.
- (B) No person shall stop, stand, or park a Prohibited Vehicle, or any combination thereof on any public street, alley way or public right-of-way located in a residential district in any unincorporated portions of the township or within 300 feet

of any residence located in a residential district, except as follows:

- (1) As permitted by federal, State or local law;
- (2) While expeditiously loading or unloading any commercial vehicle and / or trailer with passengers, freight, materials or merchandise and only between the hours of 7:00 a.m. and 10:00 p.m.;
- (3) While effecting emergency repairs when a vehicle is so disabled as to render it unsafe to proceed further;
- (4) Vehicles parked directly in front of a lot with a current and open building permit, for the purposes of active construction activities on that lot;
- (5) Any government vehicle, emergency vehicle and / or apparatus, trash or recycling collection, or any vehicle authorized by the Township Trustees to be within a residential district that would normally violate the above listed sections;
- (6) Any public, church, or school bus “laying over” between scheduled passenger pickup points on regular routes, however, such lay-over shall be limited to a maximum of one hour; or
- (7) Any Recreational Vehicle, that is parked in the public right-of-way for purposes of loading and unloading for a period of time not to exceed seventy-two (72) hours within any seven (7) day period.
- (8) Portable Storage Units placed in the public right-of-way for purposes of loading or unloading for a period of time not to exceed seventy-two (72) hours within any thirty (30) day period, subject to the following conditions:
 - (a) A permit shall be obtained prior to locating a Portable Storage Unit in the public right-of-way, which shall meet the approval of Liberty Township.
 - (b) Portable Storage Units shall not exceed eight (8) feet in width, nine (9) feet in height and twenty (20) feet in length.

- (c) A maximum of two (2) Portable Storage Units may be permitted in the right-of-way per property; however, if the Portable Storage Units are smaller than specified in Paragraph (b) above, more than two may be permitted if the cumulative size does not exceed the maximum size.
- (d) Reflective tape shall be located on the ends/edges of the portable storage unit.
- (e) A minimum of three (3) cones shall be placed in the direction of vehicular travel to warn motorists.
- (f) The Portable Storage Unit shall be placed on plywood or similar material to avoid damage to the public road.
- (g) Any and all damage to a public road from the placement of the Portable Storage Unit shall be paid for by the applicant for the permit.
- (h) The Portable Storage Unit shall be placed no further than ten (10) feet from the back of curb (or from the edge of pavement where no curb exists).
- (i) The Portable Storage Unit shall not be located within thirty (30) feet of a stop sign.
- (j) The Portable Storage Unit shall not be located within fifteen (15) feet of a fire hydrant and shall not obstruct neighbor's driveways or mailboxes.
- (k) In cases where more than one (1) Portable Storage Units are approved to be located within the public right-of-way to serve a single property, the Portable Storage Units shall be located on the same side of the road (if possible) or coordinated with the appropriate agencies to ensure they do not obstruct the use of the roadway by large vehicles.

- (l) If a Portable Storage Unit is located in close proximity to another Portable Storage Unit, it shall be located on the same side of the road (if possible) or coordinated with the appropriate agencies to ensure they do not obstruct the use of the roadway by large vehicles.
- (m) The portable storage unit shall not be placed in a manner that impedes the flow of storm water.

SECTION 3: The placement of all dumpsters shall be prohibited within the public right-of-way within Liberty Township.

SECTION 4:

- (A) Whoever violates any of these Sections contained within this Resolution shall be subject to the following civil penalty pursuant to Ohio Revised Code § 4521.02(A), which shall accrue daily: \$100 per every day of the offense (each vehicle constitutes a separate offense).
- (B) Pursuant to Ohio Revised Code § 4521.02(C), anyone who is ticketed under the preceding Subsection “(A)” shall pay the civil penalty or otherwise answer to the infraction within thirty (30) days of the issuance of the ticket.
- (C) Pursuant to Ohio Revised Code § 4521.02(B), the Butler County, Ohio Sheriff’s Office, or other designee of the Board of Township Trustees, is authorized to impound or immobilize any vehicle determined to be in violation of this Resolution, but in no case shall a bond or cash deposit in excess of the limits stated in Ohio Revised Code § 4521.02(B) be required to obtain release of such vehicle.
- (D) For purposes of application of Ohio Revised Code § 4521.02 to this Resolution, storage units and dumpsters placed within the public right-of-way shall be considered vehicles.

BE IT FURTHER RESOLVED that Sections 1 through 4 of this resolution shall be subject to the limitations, restrictions, and exceptions of Ohio’s traffic laws, as codified at Ohio Revised Code Sections 4511.01 to 4511.76 and 4513.02 to 4513.37; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon such soonest date as permitted by law.

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm, yes
Trustee Maticic, yes
Trustee Farrell, yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pam Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director



RESOLUTION NO. 2018-125

Board of Trustees, Liberty Township
Butler County, Ohio

RESOLUTION TO TERMINATE PART-TIME FIREFIGHTER ADAM VONDERHAAR EFFECTIVE JULY 3, 2018

RESOLVED by the Board of Township Trustees of Liberty Township, Butler County, Ohio that

WHEREAS, the Liberty Township Fire Department has minimum work hours for Part-Time Firefighters established;

WHEREAS, Ethan Klussman, Fire Chief, requests the Liberty Township Board of Trustees terminate Adam VonDerHaar who did not successfully complete probation; and

WHEREAS, Part-Time Firefighter Adam VonDerHaar did not successfully complete the probationary period;

THEREFORE BE IT RESOLVED that the Liberty Township Board of Trustees hereby terminates Part-Time Firefighter Adam VonDerHaar effective July 3, 2018.

Trustee Schramm moved to approve the resolution. Trustee Maticic seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Schramm,	yes
Trustee Maticic,	yes
Trustee Farrell,	yes

Adopted: Tuesday, July 3, 2018

Tom Farrell, President

Steve Schramm, Vice President

Christine Maticic, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 3rd day of July, 2018.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director