

RESOLUTION 20-21, 2020  
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**RESOLUTION REAPPOINTING AND COMPENSATING THE POSITION OF TOWNSHIP LAW DIRECTOR, DISPENSING WITH THE SECOND READING AND DECLARING AN EMERGENCY**

**WHEREAS**, Columbia Township is a limited home rule township as provided under Chapter 504 of the Ohio Revised Code; and

**WHEREAS**, Section 504.15 of the Ohio Revised Code provides that the Columbia Township Board of Trustees shall appoint a full-time or part-time Township Law Director, who shall be an attorney licensed to practice law in Ohio; and

**WHEREAS**, Bryan E. Pacheco, a partner with the law firm of Dinsmore & Shohl LLP who is licensed to practice law in Ohio, has competently served as Columbia Township Law Director since January 2009; and,

**WHEREAS**, the Board of Trustees hereby reappoints Mr. Pacheco and sets forth the terms of the engagement with the Law Director in this resolution.

**BE IT RESOLVED**, by the Trustees of Columbia Township, Hamilton County, Ohio, pursuant to applicable provisions of the Ohio Revised Code, as follows:

**SECTION 1-A:**

The law firm of Dinsmore & Shohl LLP is hereby employed as legal counsel and Bryan E. Pacheco is hereby reappointed as the Township Law Director (collectively "Counsel") to continue to serve in such capacity on a part-time basis as an independent contractor through December 31, 2020 and annually thereafter unless terminated by the Board or Counsel. Counsel shall be compensated for such services at the rate of \$250.00 per hour payable monthly.

**SECTION 1-B:**

That the Board sets forth the terms of engagement with the Law Director with this resolution and as may be amended from time to time, including but not limited to:

- Legal Advisor to the Township;
- Attendance at all Township Trustee business meetings or for such other meetings as requested by the Trustees or Township Administrator;
- Preparing legal opinions for the Township;
- Legal advisor to Township boards, including attendance at their meetings as requested;
- Reviewing all resolutions proposed to the Trustees;
- Appointing deputy law directors when necessary;
- Personnel advise;
- Zoning, Planning and development advice;
- Economic development and TIF advising;
- Public records;
- Representing the Township in litigation if requested by the Trustees or Administrator;
- Prosecution of various home rules provisions put in place by the Township; and
- Other legal services that come up from time to time and not specifically noted.

RESOLUTION 20-21, 2020  
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**SECTION 2:**

The Trustees of Columbia Township upon majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

**SECTION 3:**

This is an emergency resolution necessary for the immediate preservation of the public peace, health, safety, or welfare of the Township; the reason for the emergency being the immediate need to reappoint the Law Director so that he may continue to represent the Township. This resolution shall be retroactive to June 1, 2020, following the filing of this resolution with the Columbia Township Fiscal Officer.

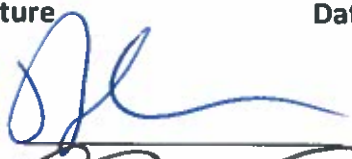
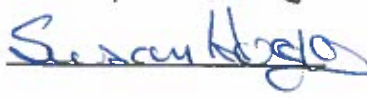
**SECTION 4:**

It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Motion to accept Resolution made by: Mr./Ms. Hughes

Seconded by: Mr./Ms. Kubicki

**VOTE:**

TRUSTEE	Voting	Signature	Date
David Kubicki, President	yes		6/9/20
Chris Kritikos, Vice-President	yes		6/9/20
Susan Hughes, Trustee	yes		6/9/20

ATTEST: Caroline B. Heekin 6/9/20  
Caroline Heekin, Fiscal Officer

Passed this 9th day of June 2020.

RESOLUTION 20- 22, 2020  
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**APPOINTING C. MICHAEL LEMON AS SPECIAL ADVISOR TO THE BOARD OF TRUSTEES; AUTHORIZING THE TERMS OF APPOINTMENT; DISPENSING WITH THE 2<sup>ND</sup> READING AND DECLARING AN EMERGENCY**

This Terms of Appointment for Columbia Township Special Advisor (“Agreement”) is made this \_\_\_ day of June 2020 by and between The Board of Trustees of Columbia Township (“Board of Trustees”) and C. Michael Lemon (“Special Advisor”).

**RECITALS**

WHEREAS, the Board of Trustees’ intent with this agreement is to ensure continuity and uninterrupted level of service to Columbia Township (“Township”), as well as to provide advice and service from the Special Advisor to the Board of Trustees and Township Administrator;

WHEREAS, this document or any action by the Board of Trustees does not confer any right or interest that is not permitted by the Ohio Revised Code; and

WHEREAS, this Board of Trustees and subsequent Boards of Trustees shall retain the right to terminate the employment of the Special Advisor, without cause and without a hearing at any time as set forth in Article III hereof; and

**NOW, THEREFORE BE IT RESOLVED** by the Board of Trustees of Columbia Township, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens:

SECTION I. That C. Michael Lemon is hereby appointed Special Advisor.

SECTION II. That the agreement TERMS OF APPOINTMENT FOR COLUMBIA TOWNSHIP SPECIAL ADVISOR for the employment of C. Michael Lemon is hereby authorized.

SECTION III. This Agreement is entered into by and between the Board of Trustees and Special Advisor for the period of June 10, 2020 through May 31, 2021 unless sooner terminated by either party as set forth in Article III.

**BE IT FURTHER RESOLVED**, that the Special Advisor and Board of Trustees expressly acknowledge and fully understand, as indicated by their respective signatures below, the foregoing terms of appointment.

**ARTICLE I**

**DUTIES**

The Advisor shall, under the direction and supervision of the Board of Trustees:

**RESOLUTION 20- 22, 2020**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

1. Advise on the activities of the affairs of the divisions of Township government under the control or jurisdiction of the Board of Trustees and administration of the Township Administrator and with specific focus on essential safety services such as fire and rescue services;
2. Assist the Township Administrator in assuring continuity of operations and administration of the Township for timely matters that pertain to state and county financial compliance including but not limited to the 2018-19 Ohio Auditor's Financial Audit and 2021 Tax Budget for Hamilton County Budget Commission;
3. Attend all meetings of the Board of Trustees at which the Special Advisor's attendance is required;
4. Prepare and submit to the Board of Trustees such reports as are required by the Board of Trustees, and as the Administrator considers advisable;
5. The Board of Trustees may assign to such Special Advisor any position or duties under its control to be performed under the direction and supervision of the Board of Trustees and to be in addition to those set forth in this section;
6. The Special Advisor shall not have the authority to make any contracts or commitments for or on behalf of the Board of Trustees without first obtaining the approval of the Board of Trustees by motion and at a duly-called Township meeting, or by amendment to this Agreement by resolution;

The Board of Trustees agrees to permit the Special Advisor to engage in outside employment or business enterprise so long as no conflict of interest exists with the Township and the Special Advisor fulfills his duties and responsibilities specified herein to the Board of Trustees and the Township.

**ARTICLE II**

**COMPENSATION**

The Board of Trustees hereby fixes the compensation and benefits for the Special Advisor effective the 10th day of June, 2020 as follows:

The salary for the Special Advisor shall be \$110.00 per hour for time worked.

1. The position of Special Advisor is a salaried, part-time, temporary appointment and is an exempt position under the Fair Labor Standards Act.
2. Reimbursement for vehicle mileage shall be made based upon the Federal Standard Mileage Rate as provided under current Internal Revenue Service regulations for the use of the Special Advisor's privately owned vehicle. A travel/expense form, in an approved standardized format, shall be submitted, stating the actual mileage

**RESOLUTION 20-22, 2020**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

and summary of the official business undertaken in connection with the requested reimbursement.

3. The Special Advisor shall participate in the State of Ohio PERS retirement system in accordance with Ohio law with the Township contributing both the employer and employee shares.
4. The Township shall provide all vision, dental and healthcare reimbursement account benefits and insurance coverage as provided for the Township employees. In lieu of family healthcare insurance coverage, the Township shall increase compensation by the actual amount of the cost of Medicare Parts A & B, Medicare Supplemental Insurance (Medigap) and Medicare Prescription Drug Coverage (Part D) for the Administrator and spouse for the duration of employment by the Township.
5. Any reasonable expenses in connection with the official business of the Special Advisor shall be reimbursed to him, subject to the review and approval of the Board of Trustees, upon his submitting a receipt evidencing the expense along with an approved standardized reimbursement form fully disclosing the nature and purpose of the expense.

**ARTICLE III**

**TERMINATION AND SEVERANCE**

1. If the Board of Trustees, in its discretion, determines it is in the best interest of the Township to terminate the Agreement, the Board of Trustees shall give the Special Advisor a minimum of thirty (30) calendar days' notice of its decision to terminate this Agreement. Unless otherwise directed by the Board of Trustees in its notice of termination, the Special Advisor shall, for the thirty (30) calendar day notice period, continue to fulfill the Special Advisor's duties and obligations as set forth herein, until the conclusion of such thirty (30) day period. If the Board of Trustees in its notice of termination to the Special Advisor specifies that it has no further need of the Special Advisor's services, the Board of Trustees shall pay the Special Advisor a severance pay equal to \$2,500.00 (Two Thousand Five Hundred Dollars) per month for the months remaining in the term of the Agreement at time of severance.

**ARTICLE IV**

**MISCELLANEOUS**

1. The foregoing terms of appointment shall be construed and governed by the laws of the State of Ohio.
2. The effective date of this Terms of Appointment for the Township Special Advisor shall be the 10th day of June 2020 .

RESOLUTION 20- 22, 2020  
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

ARTICLE V

**MODIFICATIONS**

The foregoing terms and provisions constitute the entire terms of agreement of the Special Advisor and there are no other terms, conditions, understandings or agreement either in writing or made orally between the Special Advisor and the Board of Trustees in connection with this appointment. Any subsequent modification to the terms of this appointment shall be in writing and attached to this document and shall be effective only upon resolution of the Board of Trustees.


Motion to accept Resolution made by: Mrs. Mr. Kubicki

Seconded by: Mrs. Mr. Hughes

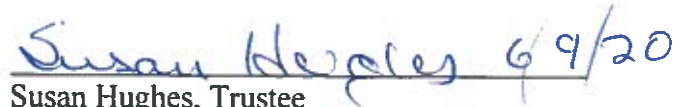
Executed this 9th day of June, 2020.

  
C. Michael Lemon

FOR THE BOARD OF TRUSTEES  
COLUMBIA TOWNSHIP, OHIO

  
David Kubicki, President

  
Chris Kritikos, Vice-President

  
Susan Hughes, Trustee

  
Cath B. Her 6/9/20

**RESOLUTION NO. 20-23 2019**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**TO SUPPLEMENT RESOLUTION 19-23, 2019 COLUMBIA TOWNSHIP  
2020 ANNUAL APPROPRIATION, AND RESOLUTION 20-19, 2020**

**WHEREAS**, the Board of Trustees approved Resolution 19-23, 2019 Columbia Township 2020 Annual Appropriation, and Resolution 20-19, 2020 "Supplemental Appropriation"; and

**WHEREAS**, the Board of Trustees may amend or supplement appropriations as authorized by §5705.40 of the Ohio Revised Code; and

**WHEREAS**, to provide for current expenses and other expenditures of Columbia Township during the year 2020, the following is set aside and appropriated as follows:

To:

1000-110-360 Contracted Services	\$ 80,000
1000-110-141 Counsel Legal Salary	\$ 50,000

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Trustees of Columbia Township, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens authorizes the Fiscal Officer to draw her warrant on the Township Treasury for payment from the foregoing appropriations upon receiving proper certification and vouchers therefore, and approved by the Board of Trustees.

Motion to accept Resolution made by: Mr. Kubicki

Seconded by: Mr. Kritikos

TRUSTEE	Voting	Signature	Date
David Kubicki	<u>yes</u>		<u>6/9/20</u>
Susan Hughes	<u>yes</u>		<u>6/9/20</u>
Chris Kritikos	<u>yes</u>		<u>6/9/20</u>
ATTEST:			<u>6/9/20</u>

Caroline Heekin, Fiscal Office

Passed, this 9th day of June, 2020

RESOLUTION NO. 20-24, 2020  
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**AMENDED - ADOPTING A HANDICAPPED PARKING POLICY**

**WHEREAS**, Revised Code § 505.17 authorizes Columbia Township, Hamilton County, Ohio (the “Township”) to make such regulations and orders as are necessary to control vehicle parking in the unincorporated area of the Township;

**WHEREAS**, there is a need for regulating handicapped parking, including non-personalized handicapped parking on public streets, alleys, parking lots, and rights-of-way in front of residential, commercial, or industrial structures, as well as on-street non-designated handicapped parking on public streets abutting residences;

**WHEREAS**, the Township has developed a policy pertaining to handicapped parking, including non-personalized handicapped parking on public streets, alleys, parking lots, and rights-of-way in front of residential, commercial, or industrial structures, as well as on public streets abutting residences (the “Handicapped Parking Policy”), a copy of which policy is attached hereto as Exhibit A;

**WHEREAS**, the Township desires to adopt the Handicapped Parking Policy and the regulations and orders contained therein;

**WHEREAS**, the Township desires that the Township Administrator be responsible for reviewing and approving or rejecting all applications submitted under the Handicapped Parking Policy;

**WHEREAS**, the Township is a limited home rule township that has all of the powers of local self-government under R.C. Chapter 504; and

**WHEREAS**, the Board, upon majority vote, hereby dispenses with the requirement that this resolution be read on two separate days, and hereby authorizes the adoption of this resolution upon its first reading.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Columbia Township, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens, hereby adopts the Handicapped Parking Policy attached hereto as Exhibit A and the regulations and orders contained therein in their entirety;

**BE IT FURTHER RESOLVED**, that, under the Handicapped Parking Policy, the Township Administrator shall be responsible for: (1) reviewing and approving or rejecting all applications submitted under the Handicapped Parking Policy; and (2) if necessary, removing on-street, non-personalized Designated Handicapped Parking Spaces in accordance with the Handicapped Parking Policy; and

**BE IT FURTHER RESOLVED**, that all parking regulations and orders in the Handicapped Parking Policy shall be governed by the following terms and conditions:



**RESOLUTION NO. 20-\_\_\_\_, 2020**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

1. Definitions

- A. "Owner" means any individual or entity who owns a motor vehicle.
- B. "Operator" means any individual who operates a motor vehicle.
- C. "Motor vehicle" shall have the same meaning as in Revised Code § 4501.01(B).
- D. "Designated Handicapped Parking Space" means a parking space on private property or on a public street, alley, parking lot, or right-of-way in front of a residential, commercial, or industrial structure that displays the International Symbol of Access (also known as the International Wheelchair Symbol).

- 2. No person shall stop, stand, or park any motor vehicle at a Designated Handicapped Parking Space on private property or on any public streets, alleys, parking lots or other public rights-of-way unless the motor vehicle is being operated by, or for the transport of, a handicapped person and is displaying a parking card, a placard, or special license plates authorized by R.C. § 4503.44.
- 3. Any motor vehicle parked in violation of this Resolution or the Handicapped Parking Policy may be towed and/or ordered into storage by the Township or the Hamilton County Sheriff's Office. The Owner of the motor vehicle may claim the vehicle upon presentation of proof of ownership. Proof of ownership may be evidenced by a certificate of title to the motor vehicle. The Owner of the motor vehicle must pay all expenses (including towing expenses), costs, charges, and fines relating to any violation of this Resolution or the Handicapped Parking Policy.
- 4. The parking regulations and orders in the Handicapped Parking Policy shall not be effective until signs imprinted with the International Symbol of Access are prominently displayed in the areas to be regulated.

5. Enforcement

- A. It shall be the duty of the Hamilton County Sheriff's Office, which provides police services to the Township, to report the following information pertaining to a motor vehicle believed to be improperly stopped, standing, or parked in a Designated Handicapped Parking Space: (1) the location of the stopped, standing, or parked vehicle; (2) the state license number of the stopped, standing, or parked vehicle; (3) the time during which the vehicle was stopped, standing, or parked in violation of the Handicapped Parking Policy; and (4) any other relevant facts pertaining to the alleged parking violation.

**RESOLUTION NO. 20-\_\_\_\_\_, 2020**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

- B. The Hamilton County Sheriff's Office – as the Township's authorized representative – shall affix to a motor vehicle believed to be improperly stopped, standing, or parked in a Designated Handicapped Parking Space a notice to the Owner or Operator of the motor vehicle that it is parked in violation of the regulations of the Township. Such notice shall advise the Owner or Operator of the penalties he or she faces.
  - C. In lieu of the notice required under 5(B), the Hamilton County Sheriff's Office is authorized to use the Ohio Uniform Traffic Ticket to issue a citation to the Owner or Operator of any motor vehicle believed to be violating this Resolution or the Handicapped Parking Policy.
  - D. Each Owner or Operator of a motor vehicle stopped, standing, or parked in violation of this Resolution or the Handicapped Parking Policy is guilty of a minor-misdemeanor and is subject to the current fine amount established by the Hamilton County Municipal Court for Ohio Revised Code 505.17.
  - E. As set forth in the Handicapped Parking Policy, the Township Administrator (or such other Township official or employee as the Township Administrator may designate), shall have the authority to designate and establish Designated Handicapped Parking Spaces and administer criteria for determining the need for additional Designated Handicapped Parking Spaces. The Township Administrator shall also have the authority to recommend the need for additional Designated Handicapped Parking Spaces to the Board of Trustees of Columbia Township (the "Board"). The Board, upon determining a need for additional Designated Handicapped Parking Spaces exists, may pass a resolution establishing such additional Designated Handicapped Parking Spaces.
6. In any hearing or other legal proceeding regarding an alleged violation of this Resolution or the Township's Handicapped Parking Policy, testimony that a motor vehicle bearing a certain license plate was found illegally parked (as prohibited by this Resolution and/or the Handicapped Parking Policy) and further testimony that the record of the Ohio Registrar Bureau of Motor Vehicles shows that the license plate was issued to the defendant shall be *prima facie* evidence that the motor vehicle that was illegally parked was so parked by the defendant. A certified registration copy showing that the license plate on the motor vehicle was issued to the defendant, from the Registrar, shall constitute proof of ownership.

RESOLUTION NO. 20-24, 2020  
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

Motion to accept Resolution made by: Mr. Kritikos

Seconded by: Mr. Kubicki

**VOTE:**

TRUSTEE	VOTING	SIGNATURE	DATE
David Kubicki, President	<u>yes</u>	<u>[Signature]</u>	<u>6/9/20</u>
Chris Kritikos, Vice-President	<u>yes</u>	<u>[Signature]</u>	<u>6/9/20</u>
Susan Hughes, Trustee	<u>yes</u>	<u>Susan Hughes</u>	<u>6/9/20</u>

**ATTEST:** [Signature] 6/9/20  
Caroline Heekin, Fiscal Officer

**APPROVED** as to form: [Signature] 6/9/20  
Township Legal Counsel

Passed this 9th day of June, 2020

**RESOLUTION NO. 20- 25 , 2020**

**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A CONTRACT FOR SALE OF EASEMENTS WITHIN THE TOWNSHIP COMPOST YARD TO METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI**

**WHEREAS**, the Board of Trustees of Columbia Township, Hamilton County, Ohio, approved at its March 12, 2019 meeting to enter into a Contract for Right of Entry with Metropolitan Sewer District of Greater Cincinnati ("MSD") to allow MSD to construct a sanitary sewer main replacement ("Project") to comply with a U.S. Environmental Protection Agency Consent Decree mandated to stop environmental violations; and,

**WHEREAS**, the Project is located in the Township's Compost Yard on Kennedy Ave. and Hill and Dale Dr., and the Contract for Right of Entry authorized MSD to construct the Project in advance of securing easements in order to meet court-ordered deadlines. The Township agreed to later execute temporary construction easements and permanent easements in exchange for compensation; and,

**WHEREAS**, the sale of easements will not interfere with the Township's continued access to, and use of, the 2.59-acre property as a Compost Yard, and MSD's appraiser concluded that MSD's easements will not adversely affect future development of the one-acre level Hill and Dale frontage. The Ridge and Highland area is experiencing desired redevelopment, but the balance of the Compost Yard cannot be easily developed due to steep topography to the rear; and,

**WHEREAS**, MSD completed the sewer project by December 31, 2019 and now requests to acquire seven (7) temporary construction easements and four (4) permanent sewer easements. MSD is offering \$2,920.00 for easements on Parcels 520-241-43, 60, 61 and 62 based on a total estimated market value of \$75,000 for the property from MSD's third-party appraiser; and,

**WHEREAS**, under Ohio Revised Code § 505.10(A)(5) and (6), the Board of Trustees of Columbia Township may authorize the transfer and conveyance of real property interests to any political subdivision or entity "upon whatever terms are agreed to between the board" and that entity.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Columbia Township, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens hereby authorizes the Township Administrator to enter into a contract with MSD to sell seven (7) temporary construction easements and four (4) permanent sewer easements on Parcels 520-241-43, 60, 61 and 62 for \$2,920.00.

Motion to accept Resolution made by: Mr./Mrs. Hughes

Seconded by Mr./Mrs. Kubicki

**VOTE:**

**TRUSTEE**

**Voting**

**Signature**

**Date**

David Kubicki, President

  
\_\_\_\_\_

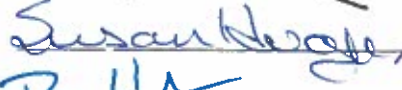
YES 6/9/20

Chris Kritikos, Vice-President

  
\_\_\_\_\_

YES 6/9/20

Susan Hughes, Trustee

  
\_\_\_\_\_

YES 6/9/20

ATTEST:

  
\_\_\_\_\_

Caroline Heekin, Fiscal Officer

6/9/20

Passed, this 9th day of June 2020.