

RECORD OF PROCEEDINGS

Minutes of the Public Hearing of the Trustees of Sycamore Township Sycamore Township, Hamilton County, Ohio

July 11, 2019

The Public Hearing for Zoning Case 2019-06P2 was called to order at 6:30 p.m. by Mr. Weidman.

Mr. Holbert presented the case in a PowerPoint presentation. He stated the request is a PUDII approval for 8167 Montgomery Road. He stated the application proposes construction of a new retail building with a drive-thru for Graeter's. Mr. Holbert explained in detail the plan for the site, noting the landscaping is insufficient. He stated the applicant had submitted a proposed agreement with the Township to install landscape buffer and construct a sidewalk on the adjacent Township owned park. Mr. Holbert noted the applicant proposes the business name on the directional signage and proposes three temporary banners. He stated Zoning Commission unanimously recommended approval of the project with conditions.

Mr. Weidman asked the applicant to speak.

Mr. Richard Tranter, the applicant, of Dinsmore and Shohl, 255 E. Fifth St., Cincinnati, OH 45202 addressed the Board and introduced the team of people with him. Mr. Tranter discussed the landscape plan and a monetary donation to the Township to extend a sidewalk from the property in question through the park. He stated there is no existing sanitary sewer on the property and noted it will be added with the development. Mr. Tranter pointed out an access agreement with the adjacent neighbor to the west has been submitted. He then discussed the importance of the Graeter's name on the directional signage on Galbraith Road.

Mr. Weidman asked if the applicant would be willing to add park benches or picnic tables and trash receptacles to the park.

Mr. Tranter agreed that makes a lot of sense and is a reasonable condition.

There was discussion about the ingress and egress on the site and the landscaping.

Mr. Josh Shaw, of The Kleingers Group, 6219 Centre Park Drive, West Chester, OH 45069, addressed the Board in regards to the landscape plan noting there are no plantings proposed in the right of way. He also discussed Hamilton County and ODOT approvals.

Mr. Weidman asked if there was anyone present from the public who wished to comment on the case.

Mr. Tom James, of 5784 Whitechapel Drive, Sycamore Township, OH 45236 addressed the Board in support of the project.


Mr. Connor asked Mr. Holbert to review the Zoning Commission's recommended conditions again.

Mr. J. Janus, Jr., 4462 Daffodil Avenue, Sycamore Township, OH 45242, addressed the Board asking about handicap parking, the egress on Montgomery Road and the estimated opening date.

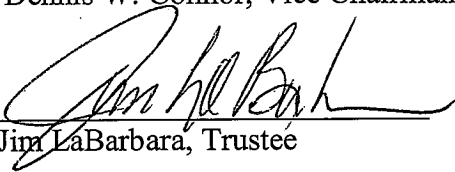
The public hearing was closed at 7:10 p.m.



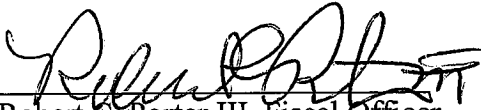
Thomas J. Weidman, Chairman



Dennis W. Connor, Vice Chairman



Jim LaBarbara, Trustee



Robert C. Porter III, Fiscal Officer

07/11/2019

RECORD OF PROCEEDINGS

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July 11, 2019

The regular meeting was called to order at 7:20 pm.

The invocation from Brecon United Methodist Church of God was then read by Mr. Connor.

Pledge to the Flag.

Present for the meeting were Chairman Weidman, Vice Chairman Connor, Trustee LaBarbara, Fiscal Officer Porter, Attorney Deepak Desai in for Law Director Miller, Superintendent / Assistant Administrator Kellums, Planning and Zoning Administrator Holbert, Fire Chief Penny and Lt. Smith from the Hamilton County Sheriff's Office. Law Director Miller, Administrator Bickford and Parks and Recreation Director McKeown were excused.

The approval of the minutes of the Board of Trustees meeting held June 6, 2019 were presented for approval. Mr. Connor made a motion, seconded by Mr. Weidman, to approve them.

Mr. LaBarbara made some comments about a change he had requested that was made to the minutes regarding the inclusion of his comments about the 75th anniversary of D Day. He also brought up a comment made by Mr. Tom James that he said was not included in the minutes and stated the word "complain" should not be used to describe comments from the public made in meetings because it is very negative.

Mr. Porter called roll. Vote: All Aye.

Mr. Tom James, of 5784 Whitechapel Drive, Sycamore Township, OH 45236 addressed the Board. Mr. James stated he agreed with Mr. LaBarbara about the use of the word "complain" to categorize resident comments. He then brought up previous discussions about proposed changes in the TIF law and asked Mr. Weidman if he had anything further to say about that.

Mr. Weidman stated this point of the agenda is for resident comments.

Mr. Desai addressed the Board stating he was relatively new to monitoring the proceedings for Mr. Miller the Law Director, but in every similar setting he has been in, it is a comment that is made which is often timed. He said for example, comments in public meetings for the City of Cincinnati are limited to two minutes. Mr. Desai cautioned those present that this is not a Q&A but rather a time for comments.

Mr. James commented that perhaps he was due an apology with regard to the previous discussion about TIF laws. He went on to say the zoning signs that he has been requesting for seven months are now posted on properties. Mr. James urged the Trustees to consider an alternate location at

Bechtold Park for the salt dome and maintenance building proposed behind the Administration Building noting that space would be ideally suited for a park.

Mr. Standish Fortin, of 12137 McCauly Road, Sycamore Township, OH 45241 addressed the Board. Mr. Fortin said he disagrees with Mr. Desai's statement saying other Townships allow questions and answers in public comments and discourse should be permitted.

Mr. Desai said there can be discourse, residents are free to contact a Township Trustee or the administration but the purpose of the public meeting is to get through Township business.

Mr. Fortin commented about the minutes from a previous meeting expressing dissatisfaction that some of his comments about the Township finances and public records requests he had made were not included in those minutes. Mr. Fortin asked what the policy was for use of the Township logo.

Lt. Smith reported security detail for the Festival in Sycamore had been set. He stated his department is responding to 1,000 plus calls per month. Lt. Smith said there are 600+ self-initiated incidents, such as traffic stops, business checks and field interrogations. He reported there have been 500 traffic accidents investigated the first six months of the year. Lt. Smith noted heroin overdoses are down.

Lt. Smith went on to discuss basketball goals in the right of way recommending the Township take a soft approach to that issue. There was some discussion about the issue and about a particular individual who has contacted the Township to report basketball goals in the right of way and has confronted residents about his concerns.

Chief Penny stated the monthly report was sent out today and would be posted on the Fire Department website. He reported he had gotten pricing on the radios discussed at the Workshop and had a purchase order ready for that. Chief Penny also said it was discovered today that the power is out at the old Carousel Motel.

Mr. Weidman asked Mr. Holbert to reach out to the property owner about that.

Mr. Kellums reported on behalf of Mr. McKeown that inspections had been done for the Festival in Sycamore and everything had passed and is ready to go. He stated sponsorship dollars are above \$26,000 and as of now the Festival is under budget.

Mr. Kellums informed the Board the Cape Seal Project is set to start July 29th in the Glenover subdivision and half of the Kenwood Meadows subdivision. He stated the Kennedy Lane Sidewalk Project, a joint venture with the City of Montgomery, is in progress and should be completed ahead of schedule. Mr. Kellums also reported the Bechtold Pavilion Project is underway with the columns and beams installed this week.

Mr. Kellums went on to discuss the Sycamore Road Project noting the road will be closed east bound between Blue Ash Road and Plainfield Road from Monday, July 15th to December 15th.

He said they will be paving a lane into the park to move traffic over and begin work on the west side of the roundabout.

Mr. Kellums stated the Montgomery Road Sidewalk Project Phase IV is on the ODOT website for constructions specs and administration services with a bid opening October 4th. He stated the Interconnect Project Phase II is going well and should be completed in two weeks.

Mr. Kellums said he had distributed a handout from Heitmeyer Farms to the Trustees and requested a motion for approval of street signs with stone columns at the entrance to the subdivision.

Mr. Connor made a motion, seconded by Mr. LaBarbara, to approve the plan for Heitmeyer signage as submitted. Mr. Porter called roll. Vote: All Aye.

Mr. Kellums reported there will be a resolution for approval of the contract to repair the stone wall on Kenwood Road later on in the agenda.

Mr. Desai reported on the Property Maintenance Code violation at 6066 Bayberry Drive stating the court had approved the Township's motion for contempt and granted a limited right of entry for the Township to fill in the holes on the property.

Mr. Desai then reported on on-going litigation with the business owner at 3900 E. Galbraith Road stating he has once again violated the order regarding the vehicles on the lot, a motion for contempt has been filed, and a hearing is scheduled for July 23rd.

Mr. Desai stated all parties have agreed to sign on for mediation regarding the appeal of the Board of Zoning Appeals' Conditional Use denial for the proposed Moeller High School parking lot.

The following purchase orders were presented for approval:

Motorola Solutions	C Band Radios Fire Department	\$34,497.70
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Mr. Connor made a motion, seconded by Mr. LaBarbara, to approve this request. Vote: All Aye.

Mr. Holbert discussed the permitting process and the timeline for inspections in response to a question posed at a previous Trustees meeting. He provided examples of the documents applicants are provided when a zoning certificate is issued and noted the applicant is responsible for calling the Office of Planning and Zoning to arrange for inspections.

Mr. Holbert brought the 2016 permit that was questioned previously to the Board's attention noting, in that case, the applicant failed to call the office when the fence was completed to arrange for the inspection. He went on to explain that each year he does an audit of previous years' open permits to try to close out any that have not had a final inspection. He pointed out if the applicant does not call, the inspector does not know if the project has been completed. In this case, the property was inspected as a result of an audit and the fence was given final approval.

Mr. LaBarbara stated there was confusion because the inspector was looking at a part of the fence that was put up nine and a half years ago.

Mr. Holbert stated there is no record of an earlier permit for a fence for that property. Regardless, he said the challenge is that no matter how many ways the applicant is informed that a Zoning final inspection is required, they often do not call when the project is completed.

He then reported on the quick response of the property owner to property maintenance complaints on Frolic, Kenwood and Happiness Way, stating he and Mr. Clark met with him on site to review those issues.

Mr. Connor made a motion, seconded by Mr. LaBarbara, to direct Law Director Miller to prepare a resolution approving Zoning Case 2019-06P2 with relief from the four non-conforming items listed in the staff report and the following conditions:

1. The applicant must provide a copy of the easement agreement between the owner of the property in question and the owner of 6475 E. Galbraith Road regarding the entrance off E. Galbraith Road.
2. The exit from the drive-thru lane on the Montgomery Road side of the property must be exit only or in compliance with ODOT recommendations.
3. The landscape plan must contain additional seating and trash receptacles and be approved by staff.

Mr. LaBarbara suggested Graeter's be responsible for emptying the trash receptacles in the park. Mr. Tranter argued that could be a liability issue. There was some discussion regarding this issue. Mr. Kellums agreed it would not be a problem for Township Maintenance to take care of emptying the trash cans.

Mr. Porter called roll. All voted: Aye.

The resolution "Providing For and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 11983 4th Avenue, Sycamore Township, OH 45249" was read. A motion was made by Mr. Connor, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2019-75 passed this 11th day of July, 2019.

The resolution "Providing For and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 4316 Sycamore Road, Sycamore Township, OH 45236" was read. A motion was made by Mr. LaBarbara, seconded by Mr. Connor, dispensing with the second reading. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2019-76 passed this 11th day of July, 2019.

The resolution "Approving a Contract for the Repair of a Retaining Wall on Kenwood Road" was read. A motion was made by Mr. Connor, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Porter called the roll. Vote: All Aye.
Resolution No. 2019-77 passed this 11th day of July, 2019.

Mr. LaBarbara stated he had a good time talking about the Festival in Sycamore on the Stooge Report.


Mr. Connor reminded everyone about the Community Forum planned regarding the opioid crisis scheduled for August 27th.

Mr. Connor also reported he was contacted by some Dillonvale residents concerned about vacant storefronts and property maintenance at Dillonvale Shopping Center. He said Mr. Holbert has reached out to the property manager about the conditions of the shopping center. Mr. Connor said there was a rumor going around that the public library there might be closing. He said he reached out to a public library board member who assured Mr. Connor that had never been discussed. He said he has a phone call scheduled with the Executive Director of the library and noted there is a listening session scheduled on July 31st at Amity School to discuss what more the library can offer.

Mr. Weidman said the Festival is a great family event and he hopes to see a lot of people there.

The Receipts and Disbursements of July 11, 2019 were available in the Fiscal Officer's Office and are hereby made a part of these minutes.

I hereby certify that the money for payment of these bills is in the fund provided and duly and properly appropriated.


Signed, _____
Robert C. Porter III, Fiscal Officer

A motion was made by Mr. Connor, seconded by Mr. LaBarbara, to accept them. Mr. Porter called roll. Vote: All Aye.

A motion to enter into **Executive Session to discuss Property Acquisition** was made by Trustee Connor and seconded by Trustee LaBarbara.
Vote: Connor: Aye; LaBarbara: Aye; Weidman: Aye.

End regular session: 7:08 p.m.

Begin Executive Session: 7:18 p.m.

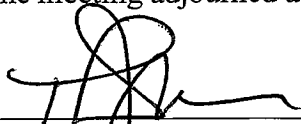
End Executive Session: 8:30 p.m.

Back in regular session: 8:33 p.m.

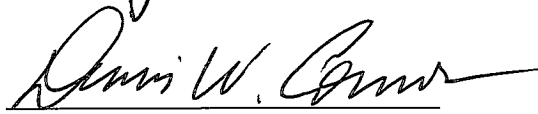
The resolution "Authorizing the Purchase and Closing of the Real Property Located at 7783-7789 Montgomery Road in Sycamore Township" was read. A motion was made by Mr. Connor, seconded by Mr. LaBarbara, dispensing with the second reading and declaring an emergency. Mr. Porter called the roll. Vote: All Aye.
Resolution No. 2019-78 passed this 11th day of July, 2019.

A motion to adjourn was made by Trustee Connor and seconded by Trustee LaBarbara. Vote: All Aye.

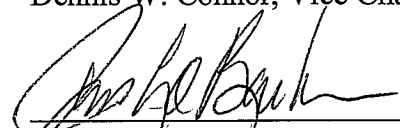
The meeting adjourned at 8:35 p.m.



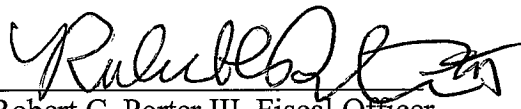
Thomas J. Weidman, Chairman



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