

RECORD OF PROCEEDINGS

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

October 3, 2019

The Public Hearing for Zoning Case 2019-10MA was called to order at 6:00 p.m.

Mr. Bickford presented the case and case history in a PowerPoint presentation pointing out this is a request for a major adjustment to a PUD amending Case 2009-04MA for Neyer Properties. Mr. Bickford reviewed phase one, a proposed 100,000 square foot building with associated parking, and phase two of the proposal which would be constructed in the future. He reviewed the landscape plan and spoke about the topography of the site. Mr. Bickford reviewed the list of conditions from the original 2009 approval, pointing out the big ones had to do with lighting, the dumpster, interior landscaping and storm water and noting some of the conditions are not applicable anymore. He also reviewed the conditions listed in the Zoning Commission recommendation for the current case.

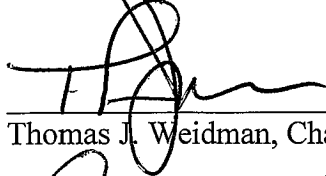
Mr. Jeff Chamot, of Neyer Properties, 2135 Dana Avenue, Suite 200, Cincinnati, OH 45207 addressed the Board about the project.

Mr. Weidman asked about the dumpster location. Mr. Bickford stated it is approximately 270 feet away from residential districts. Mr. Chamot noted it is on the lower level and shielded by the garage.

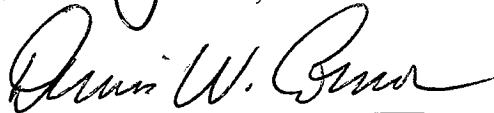
Mr. Connor asked for clarification on setbacks. Mr. Chamot responded.

Mr. LaBarbara asked when they intended to break ground. Mr. Chamot answered they are hoping for a January or February time frame to begin the project.

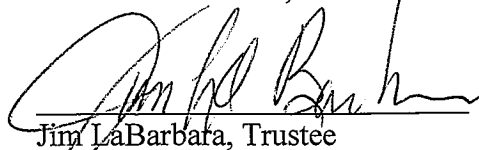
Mr. Weidman closed the public hearing at 6:19 p.m.



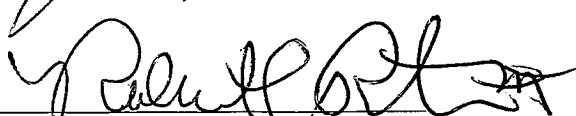
Thomas J. Weidman, Chairman



Dennis W. Connor, Vice Chairman



Jim LaBarbara, Trustee



Robert C. Porter III, Fiscal Officer

10/03/2019

## RECORD OF PROCEEDINGS

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

October 3, 2019

The regular meeting was called to order at 7:00 pm.

The invocation from Good Shepherd Lutheran Church 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, Law Director Miller, Attorney Deepak Desai, Administrator Bickford, Superintendent / Assistant Administrator Kellums, Fire Chief Penny and Lt. Smith from the Hamilton County Sheriff's Office. Parks and Recreation Director McKeown was excused.

Mr. Weidman presented a check for the Cystic Fibrosis Foundation of Greater Cincinnati in the amount of \$16,052.48 from the proceeds of the Sycamore Township Golf Outing.

The minutes of the Board of Trustees meeting held September 5, 2019 were presented for approval. Mr. LaBarbara made a motion, seconded by Mr. Connor, to approve them. Mr. Porter called roll. Vote: All Aye.

Mr. Weidman stated, in an effort to be transparent, he would allow Christopher Hildebrant, of Morelia Group, who has made an offer on some property the Township owns, 15 minutes to make a presentation.

Mr. Christopher Hildebrant, of Morelia Group, 8600 Governor's Hill Dr. #160, Cincinnati, OH 45249 addressed the Board. Mr. Hildebrant introduced his architect and some others in attendance with him. He showed a proposed site plan for some property near the intersection of Montgomery and Kenwood Roads which includes property the Township owns or is under contract to purchase. He went on to explain he has an all cash offer for the property which would be developed to include an access road to Orchard Lane and would be similar to another development they did on Madison Road in Oakley. He went on to provide details of the plan.

Mr. Randy Merrill, the architect, of McGill Smith Punshon, 3700 Park 42 Dr., Cincinnati, OH 45241, addressed the Board also pointing out the challenges of the site.

Mr. Hildebrant and Mr. Merrill proceeded to provide details of the plan including parking and changes to curb cuts.

Mr. Hildebrant then stated he had submitted a purchase contract to the Township and asked how long it would take for the Law Director to review it and get back with them.

Law Director Miller stated he had completed a preliminary review of the contract and said the first issue is the Township does not yet own a substantial part of the property and state law requires the Township make a determination of what is not needed for a public purpose. He said

the Township has not done any studies at all in that regard because they have not yet acquired all the property. He noted there are other issues with the contract including the fact that it states the zoning would be approved by contract which the Trustees are not allowed to do.

Mr. LaBarbara asked Mr. Hildebrant what his offer is.

Mr. Hildebrant answered it is an all cash offer for \$10,820,000.

There was discussion about the properties involved and the zoning with Mr. Bickford pointing out a zone change would be required.

Mr. Miller stated the offer is equal to the money the Township has put into purchasing it but he would recommend it be appraised because as a whole it will probably be worth more than the sum of its parts.

Mr. Hildebrant asked for a redlined version of the contract back from Mr. Miller. Mr. Miller stated this is all a little premature as the statute states the Township must first study how much of the property is needed for public purpose and the Township has not yet closed on the PEP Boys property.

Mr. Weidman stated has received a few emails and reviewed the site and wanted to go over a couple points on this. He noted the property was purchased not for development but for access management, therefore without an access management plan we cannot move forward with a development plan. Mr. Weidman referenced ORC 505.10 and its requirements for disposition of property. He stated therefore Ohio law prohibits the sale of the property at this stage and noted it is premature as the Township is still doing due diligence on the PEP Boys site and does not yet own it.

Mr. Weidman went on to point out that Mr. Hildebrant's offer of \$1,443,000 per acre falls considerably short noting some Montgomery Road properties in less desirable locations have sold for over \$2 million per acre.

Finally, Mr. Weidman discussed the need for a transparent process moving forward which should include an RFP/RFQ process that would allow the Township to dictate the final Access Management Plan to developers who wish to come in with a proposal for the site. He pointed out the need to have resident input regarding the development. He concluded this is a significant project for the Township and must be done correctly.

Mr. Tom James, of 5784 Whitechapel Drive, Sycamore Township, OH 45236 addressed the Board. Mr. James stated the resolution approving the purchase of the PEP Boys does not state anything about access management. He said the project looks attractive and should be considered as \$10 million in Township assets have been tied up in the property for ten years. Mr. James stated he likes the idea of a CRA for Dillonvale Shopping Center. Mr. James praised the township and Mr. McKeown for coming in under budget on the Festival in Sycamore.

Mr. Rodney Blair, Township resident, addressed the Board in regards to an issue with a neighbor and the process to remain anonymous for property maintenance concerns. Mr. Bickford stated he would look into the issue and report back to the board.

Lt. Smith reported on an active shooter training drill to take place October 27<sup>th</sup> at Kenwood Towne Center. He stated he looks forward to a fun and safe Halloween with patrols out as usual. Lt. Smith said patrols are concentrating on speeding complaints on Wicklow Avenue and residential areas off of Snider Road. He stated this will be the topic of his next quarterly newsletter article.

Chief Penny reported the Fire Department will also be involved in the active shooter drill at Kenwood Towne Center. He stated the monthly report has been distributed and is available on the Fire Department website. Chief Penny reported the Fire Department received a two rating on the ISO inspection, which is a great accomplishment.

Mr. Connor congratulated Chief Penny on the progress being made painting the fire hydrants.

Mr. Kellums stated the Montgomery Road Sidewalk Project Phase IV bid opening will take place October 4<sup>th</sup> at 10:00 a.m. He noted the bid opening for the Maintenance Storage Facility will take place Wednesday, October 9<sup>th</sup> at 2:00 p.m.

Mr. Kellums reported curbside leaf collection begins Monday, October 21<sup>st</sup>.

Mr. Kellums reported on October 7<sup>th</sup> we will be hosting a winter training for Townships and Villages with 75 attendees at the Schuler Community Room.

Mr. Bickford reported the Township will never solicit door-to-door for aggregation programs.

Mr. Bickford reported on public record requests noting staff has seen duplicates in requests. He said the fulfilled requests are now available for view on the website so those wishing to request a document may be able to find it there. Mr. Bickford went on to report that he and Mr. Kellums have been discussing ways they can keep residents informed and educated by putting more information on the website. Mr. Bickford gave examples such as his recent TIF presentation, information on how tax dollars are spent, rights and responsibilities for property owners when it comes to storm water drainage, and snow plowing reminders.

Mr. Bickford requested guidance from the Board about the Galbraith Road property that was damaged in a fire as the property owner has not acted to make repairs or rebuild the building. Mr. Bickford said the Township has gotten complaints about the structure and asked if the Trustees want to pursue razing the house.

Chief Penny said he looked at the property and said it is unsafe.

Mr. Connor made a motion, seconded by Mr. LaBarbara, to direct staff to begin the process to condemn the building. Mr. Porter called roll. Vote: All Aye.

Mr. Miller suggested residents put up no soliciting signs to deter door-to-door solicitors.

The following purchase orders were presented for approval:

Lykins Energy Solutions	Fuel – Maintenance	\$12,000.00
-------------------------	--------------------	-------------

Mr. Connor made a motion, seconded by Mr. LaBarbara, to approve this request. Vote: All Aye.

A communication from the Howe family thanking Firefighter Mike Kramer for installing car seats properly in their minivan was read by Mr. Porter.

A communication from Leslie and John Krehbiel thanking the Fire Department for their quick response, efforts and dedication in fighting a fire at their son's home on Sturbridge Drive was read by Mr. Porter.

Mr. Connor made a motion, seconded by Mr. LaBarbara, to direct Law Director Miller to prepare a resolution approving zoning Case 2019-10MA subject to the conditions listed in the Zoning Commission recommendation. Mr. Porter called roll. Vote: All Aye

The resolution "Designating No Parking on a Portion of Goldcoast Drive in Sycamore Township" 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. 2019-107 passed this 3<sup>rd</sup> day of October, 2019.

The resolution "Approving a Proposal for the repair of a Retaining Wall on Trowbridge Drive" 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. 2019-108 passed this 3<sup>rd</sup> day of October, 2019.

Mr. Connor stated, in light of the presentation this evening by Mr. Hildebrant, it is a good opportunity to educate residents that when the Township controls a property, it is the law and the responsible thing to do for the Township to figure out access management prior to development. He suggested a newsletter article or website post to explain the process and why it is important to follow.

Mr. LaBarbara thanked Township resident Standish Fortin for taking video recordings of Township meetings and posting them on the World Wide Web at his own expense.

Mr. LaBarbara expressed concerns about Township employees working polling locations on Election Day. He said a number of residents think it is improper and that employees are being peer pressured into it. He noted this is not done in other Townships that employees take a day off to work polls.

Mr. Miller stated it is a very slippery slope to tell people what they can do on their free time.

Mr. LaBarbara requested a little more research on it.

Mr. Miller stated he will assign Mr. Desai to research it.

The Receipts and Disbursements of October 3, 2019 were available in the Fiscal Officer's Office and are hereby made a part of these minutes.

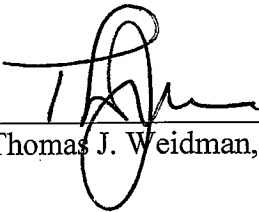
I hereby certify that the money for payment of these bills is in the fund provided and duly and properly appropriated.

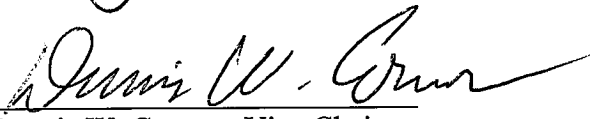
  
Signed: \_\_\_\_\_  
Robert C. Porter III, Fiscal Officer


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

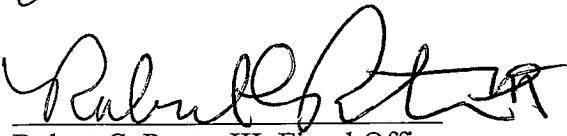
A motion to adjourn was made by Trustee Connor and seconded by Trustee Weidman.  
Vote: All Aye.

The meeting adjourned at 7:52 p.m.

  
\_\_\_\_\_  
Thomas J. Weidman, Chairman

  
\_\_\_\_\_  
Dennis W. Connor, Vice Chairman

  
\_\_\_\_\_  
Jim LaBarbara, Trustee

  
\_\_\_\_\_  
Robert C. Porter III, Fiscal Officer  
10/03/2019