

## RECORD OF PROCEEDINGS

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

October 1, 2020

The Public Hearing for Zoning Case 2020-05P2 was called to order at 6:03 p.m.

Mr. Miller presented the case and case history for Zoning Case -05P2 in a slide show presentation. He stated the request by applicant Rhinovations, LLC is for a PUDII approval of an 800 square feet addition for the Shell gas station at 7555 Fields Ertel Road.

Mr. Miller pointed out the area in question on a map and reviewed the adjacent zoning districts. Mr. Miller showed the original site plan submitted, the proposed façade changes on the elevation drawings, and the new site plan submitted by the applicant which addressed concerns raised by the Zoning Commission in the conditions of their approval. Mr. Miller reviewed those conditions and showed what the applicant had done to address them in the revised site plan.

Mr. Weidman inquired about the impervious surface ratio calculations.

Mr. Miller pointed out the entirety of the addition is not on green space, some of it is on existing impervious surface. He said, should the Board choose to approve this request, he recommends approving the revised plans submitted by the applicant after the Zoning Commission hearing.

Mr. LaBarbara noted the landscaping updates are beyond what was required.

Mr. Miller said there is not very much space, but the applicant is making every attempt to comply with the Township's buffer requirements.

Mr. James stated the County and State are looking into changes to Fields Ertel Road and asked if this plan will interfere with those planned changes.

Mr. Miller said that is not a major concern, but the applicant does show some work in the right-of-way because existing landscaping does protrude into the right-of-way. He said if that is a problem for the County, we will defer to them.

Mr. James asked about the reduction in the number of windows on the façade.

Mr. Miller answered that is a building code issue. He stated, should the proposed project be approved tonight, the applicant will then have to submit a Zoning Compliance Plan, followed by an application for the Zoning Certificate, and then apply for building permits from the Hamilton County Building Department.

Mr. Warrick said there will probably be merchandising racks out there so people won't see the brick wall.

Mr. Miller stated the applicant is available for questions via Zoom. He said the hearing was advertised to the public with instructions on how to access the live stream and register to comment but no one had registered.

Mr. James asked if any members of the public commented at the Zoning Commission hearing.

Mr. Miller answered no.

Mr. Weidman made a motion to adjourn, seconded by Mr. James.

Mr. James then asked if the applicant had anything to add.

Mr. Matt Ward, the applicant, of Rhinovations, LLC, 9674 Colerain Avenue, Cincinnati, OH 45251, addressed the Board via Zoom. He noted the remaining window is placed so the cashier is able to see the gas pumps.

Mr. Miller explained the Board's concerns about minimum standards for windows and that he had told them that is a building code issue.

Mr. Ward said Mr. Miller's presentation covered everything he wanted presented.

Mr. Weidman asked if one would be able to see through the gate of the dumpster enclosure.

Mr. Ward said there will be diagonal slats in the gate for screening.

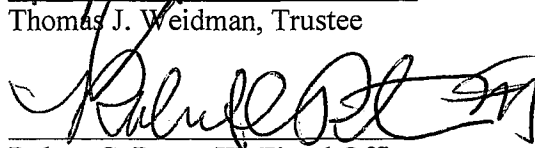
Mr. Miller noted currently, there is no dumpster enclosure on site.

Vote to adjourn: All Aye. The Public Hearing adjourned at 6:18 p.m.

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Jim LaBarbara, Chairman

  
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Thomas G. James, Jr., Vice Chairman

  
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Thomas J. Weidman, Trustee

  
\_\_\_\_\_  
Robert C. Porter III, Fiscal Officer  
10/01/2020

## RECORD OF PROCEEDINGS

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

October 1, 2020

**NOTE:** Due to the COVID-19 pandemic and the issuance of guidelines to limit public gatherings to ten people or less by Governor DeWine and the Director of the Ohio Department of Health, and due to enabling legislation (House Bill 197) which permits Ohio governments to meet remotely during this time, this meeting was held without members of the public physically present. Members of the public were given the opportunity to participate live in the meeting remotely via Zoom audio. Video of the meeting was live streamed to the public on the internet.

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

The invocation was ready by Mr. James.

Pledge to the Flag.

Present for the meeting were Chairman LaBarbara, Vice Chairman James, Trustee Weidman, Fiscal Officer Porter, Law Director Desai, Administrator Warrick, Superintendent / Assistant Administrator Kellums, Zoning Administrator Miller, Fire Chief Penny and Cpl. Kidd from the Hamilton County Sheriff's Office. Lt. Tarr from the Hamilton County Sheriff's Office was absent.

Mr. Miller gave some background on the Proclamation being presented explaining that Dan Lehane of the Maintenance Department staff had brought the story of this resident to his attention. He said after talking with staff and the Trustees about this resident, who served our country in World War II, there was a consensus to celebrate Mr. Heilbrun this evening with a Proclamation on the occasion of his 100<sup>th</sup> birthday.

The proclamation "Designating October 11<sup>th</sup>, 2020 Herbert M. Heilbrun Day in Sycamore Township" was read by Mr. Miller. A motion was made by Mr. Weidman, seconded by Mr. James to pass the Proclamation. Mr. LaBarbara called Roll. All Aye.  
The Proclamation passed this 1st day of October, 2020.

Mr. Weidman spoke of meeting Mr. Heilbrun about ten years before through mutual friends. He said Mr. Heilbrun autographed a copy of the book which tells his story and Mr. Weidman treasures it. He thanked Mr. Heilbrun for his service.

Mr. Kellums said he has known Mr. Heilbrun for over 20 years, and he is a real American hero.

Mr. James stated we have the freedoms we do today because of men like Mr. Heilbrun.

Mr. LaBarbara commented this is a wonderful story.

The Proclamation was presented to Ms. Carol Heilbrun, wife of Mr. Herbert M. Heilbrun, by Mr. Miller.

**New Business: Zoning Case 2020-05P2**

Mr. Miller stated at 6:00 p.m. tonight the Board of Trustees held a public hearing for Zoning Case Number 2020-05P2. He said he had a working draft of a resolution ready should the Board decide to move forward with an approval.

Mr. Weidman made a motion to approve Case 2020-05P2 according the plans, specifications and renderings presented to the Board at the public hearing on October 1, 2020. Mr. James second. LaBarbara called roll. Vote: All Aye.

Mr. Desai asked if the resolution was in the document packet sent to the Trustees prior to the meeting and suggested the resolution be printed out and read for an official vote.

There was discussion about the process for approval and issues with delaying the approval of a resolution to the next meeting.

The resolution "Approving a Site Plan for the Shell Gas Station Development in Sycamore Township and Dispensing with a Second Reading" was read by Mr. Miller. Mr. Weidman made a motion, seconded by Mr. James, to approve the resolution.

Mr. James stated, for the record, the public hearing for Zoning Case 2020-05P2 was held prior to the Trustees Meeting at 6:00 p.m. this evening and was also live streamed to the public.

Mr. LaBarbara called roll. Vote: All Aye.

**Pay Bills and Read Receipts**

The Receipts in the amount of \$10,141,476.19 and Disbursements in the amount of \$3,716,172.75 for October 1, 2020 were read by the Fiscal Officer 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. Weidman. seconded by Mr. James to accept them. Mr. LaBarbara called roll. Vote: All Aye

**Public Comments**

Mr. J. Janus, Jr., of 4462 Daffodil Avenue, addressed the Board. Mr. Janus spoke about comments made by Mr. Eichmann of the Board of Zoning Appeals at the September 21<sup>st</sup> Board of Zoning Appeals Meeting regarding a letter Mr. Eichmann had received from a group of citizens. Mr. Janus said it was inappropriate for Mr. Eichmann to bring this up at the Board of

Zoning Appeals Meeting and requested Mr. Eichmann's resignation. He noted Mr. James had previously asked Mr. Desai to look into how to remove a member of the Board of Zoning Appeals.

Mr. LaBarbara read a letter from Sycamore Township resident Glenn Hughes about Mr. Eichmann's comments at the September 21<sup>st</sup> Board of Zoning Appeals stating his comments were inappropriate. Mr. LaBarbara said it should be noted that Mr. Eichmann is Mr. Weidman's campaign treasurer.

Mr. Weidman said that sounds political.

Mr. LaBarbara said it is absolutely political. He said Mr. Eichmann spent seven minutes and 10 seconds talking about it in a BZA meeting.

Mr. James said the behavior of Mr. Eichmann was political and the fact that he repeated libelous, untrue, and defamatory comments subjects the Township to potential liability. He noted he will be interested to hear Mr. Desai report later on the processes that apply if there is cause to remove a Board of Zoning Appeals member.

#### **Sheriff Patrol Report**

Cpl. Kidd was present for Lt. Tarr and said he had nothing to report.

#### **EMS/Fire Report**

Mr. LaBarbara stated it is the 25<sup>th</sup> anniversary of the Sycamore Township Fire Department.

Chief Penny spoke about how much has changed in 25 years and how much the Department has grown.

Mr. LaBarbara said the Board had received Chief Penny's monthly run report and noted the EMS runs are up by 17 and fire runs are down by 13 from last month.

#### **Roads, Maintenance & Recreation Report**

The resolution "Establishing Stop Signs at the Intersection of Branford Court and Wetherfield Lane in Sycamore Township, Dispensing with the Second Reading and Declaring an Emergency" was read by Mr. Kellums. Mr. Weidman made a motion, seconded by Mr. James, to approve the resolution.

Mr. LaBarbara read a letter from Sturbridge Homeowners Association President Tom Brockman recommending approval of the stop signs but adding if the Board wanted to allow additional time for residents in Sturbridge to comment on this subject, that would be fine. Mr. LaBarbara stated this should be put on hold.

Mr. James said he is in favor of this proposal but agreed more time is needed to allow for resident input would be useful if possible. He asked how long it would take to install the stop signs if the resolution is approved tonight.

Mr. Kellums said it would take 30 days. He questioned if there would be liability if we know there is a safety issue there and the Board chooses to hold off on the approval.

Mr. James noted the stop signs would not be installed before Halloween even if the resolution is approved tonight. He said, if there were a public outcry against it, the Board could reconsider before the stop signs are installed. And, in light of those circumstances, he suggested that the Board should perhaps proceed to vote on the stop signs tonight after all.

Mr. Desai noted there should be publication and notice to the public on this resolution as there is on the no parking resolution. He said if there is concern there might be public outcry, and the Trustees want to give ample time to hear that, it may be wise to wait until the next Workshop to consider the resolution.

There was discussion that the consensus among residents seems to be in support of this.

Mr. James said he heard from someone who wanted only one stop sign, not a three way stop, but he understands from Mr. Kellums it must be a three way stop.

Mr. Kellums again expressed concern about liability since we have been notified by residents there is a safety issue.

Mr. Desai said since a traffic control device currently does not exist, and the first we heard about it was two days ago, he is not concerned about liability issues because there is a process we have to follow. He stated there is currently a motion and a second on the floor for approval of the resolution and the Board could always reconsider the matter at the next Workshop even after a resolution has been approved.

Mr. LaBarbara called roll. Vote: All Aye

The resolution "Designating No Parking on a Portion of Woodlawn Avenue in Sycamore Township, Dispensing with the Second Reading and Declaring an Emergency" was read by Mr. Kellums. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution.

Mr. James asked Mr. Kellums to explain the need for the resolution for members of the public who may have missed the Workshop Meeting.

Mr. Kellums explained the need for the no parking zone on Woodlawn Avenue due to the narrowness of the road and people parking cars on both sides of the street making it difficult for emergency vehicles access.

Mr. LaBarbara called roll. Vote: All Aye

Mr. Weidman said he received an email from the person who owns the office building next to the former Drake Motel. The office building owner told Mr. Weidman he received a notice that the City of Cincinnati is changing the name of Reading Road from downtown to the intersection of

Reading and Galbraith Roads to Barak Obama Avenue. Mr. Weidman said this property owner was concerned about his tenants incurring costs associated with this street name change. Mr. Weidman said he is curious about the City having the ability to do this when parts of Reading are not in the City of Cincinnati.

Mr. Kellums said the Township portion is a State Highway.

Mr. Weidman asked Mr. Kellums to look into it.

Mr. LaBarbara said he heard on WLW radio the name will be changed to President Barak Obama Avenue.

### **Planning & Zoning Report**

Mr. Miller reported his department received another PUDII application for Cherokee Self Storage proposing a self-storage building. He said it is an interesting case because there are two parcels: the parcel with frontage on Deerfield is in Sycamore Township and the rear parcel is in the City of Blue Ash. He said the Township will only have jurisdiction on the parcel within our boundaries, but we may have to make allowances for shared parking. He stated this will be heard by Zoning Commission on Tuesday, October 13<sup>th</sup> due to Columbus Day on Monday, October 12<sup>th</sup>.

Mr. James asked whether it made sense to consider having a joint hearing with the City of Blue Ash.

Mr. Miller said it is uncharted territory for him which will be a great exercise. He said there could be a joint meeting with staff, but he is not sure about joint public hearings.

Mr. Kellums asked what the setback is and what setback is required.

Mr. Miller explained the applicant showed a forty feet front yard setback which he thinks meets code. He noted he is still early in his review process but wanted to let the Board know this case is coming up in the near future.

Mr. James asked Mr. Miller about dead trees being replaced on the Northcreek property.

Mr. Miller stated he had contacted the developer through their attorney about the replacement of the dead trees. He said he was not given an exact timeline but was told they would address the problem.

### **Law Director Report:**

Mr. Desai said he was asked to look into the provisions of the Ohio Revised Code about removing a member from the Board of Zoning Appeals. Mr. Desai reported on Section 519.13(B) of the O.R.C. which states removal of a member of the Board of Zoning Appeals may be had pursuant to the provisions of Section 519.04. He said Section 519.04(B) states a member may be removed for "nonperformance of duty, misconduct in office or other cause by the Board." Mr. Desai said the process is that written charges must be filed by the Trustees, a public

hearing is required after which the Trustees would make a decision, and the Board of Zoning Appeals Members may appeal the Trustees' decision to the Hamilton County Court of Common Pleas.

Mr. James asked about the standards that apply as "other cause" saying that is rather nebulous.

Mr. Desai said he has not researched what courts have said constitutes "other cause", but he can do so and report back at the October 13<sup>th</sup> Workshop Meeting.

Mr. James asked about the appeal to Common Pleas and the standard of review the Common Pleas Court would use.

Mr. Desai said the Court of Common Pleas is called to determine whether the dismissal is unconstitutional, illegal, arbitrary, unreasonable, capricious, or unsupported by substantial evidence.

Mr. James said he understands there is a suspension process that can apply for the member.

Mr. Desai answered yes, while the proceedings are taking place.

Mr. James said earlier in the year there was a discussion about a Deed that was supposed to have been transferred to the CIC. He asked if that deed had been transferred and if not, for Mr. Desai to make sure that is done. Mr. Desai will look into this and report back at the next meeting.

Mr. Miller added there has been some interest in the Township owned property Mr. James just discussed. He reported he noticed CAGIS shows 20 acres of the property had been transferred to another owner. He said this is an error and he has contacted the Hamilton County Auditor to correct that error.

Mr. James said the property is still legally the Township's and is not in jeopardy at all. Mr. Miller concurred.

Mr. LaBarbara said he and Mr. Miller met with Steve Johns from the Reading Road Corridor Group to discuss the plans for that area and it sounds exciting.

**Administrator Report:**

Mr. Warrick said there were a few things to clean up after the Workshop involving three large purchase orders which had line items under-appropriated. He said intra-fund adjustments were made so the transfers do not require any action from the Board.

The following purchase orders were presented for approval:

Sycamore Board of Education	TIF School Payment	\$88,450.85
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Mr. Weidman made a motion, seconded by Mr. James to approve this request. Mr. LaBarbara called roll. Vote: All Aye.



Princeton City Schools                      TIF School Payment                      \$231,591.40  
Mr. Weidman made a motion, seconded by Mr. James to approve this request. Mr. LaBarbara called roll. Vote: All Aye.

Indian Hill Exempted Village                      TIF School Payment                      \$2,379,530.71

Mr. Weidman made a motion, seconded by Mr. James to approve this request. Mr. LaBarbara called roll. Vote: All Aye.

Mr. Warrick said one of the appropriation cures does require Board approval and noted the difference is on the purchase orders an intra-fund adjustment could be made so the total amount approved was not changed.

Mr. Weidman asked why this wasn't done on Tuesday at the Workshop.

M. Warrick answered the changes were not made in the accounting system yet and reported cleanup is still needed on other items. He stated the foregoing resolution is needed to add an additional amount of money to be appropriated to a fund line. Mr. Warrick said we are asking for an increase in the amount of \$175,000.00 to erase the negative position and allow us to finish the year with this account.

The resolution "Amending 2020 Appropriations for the General Fund Account 01-A-81, Salary Administrator, Dispensing with a Second Reading, and Declaring an Emergency" was read by Mr. Warrick. Mr. LaBarbara made a motion, seconded by Mr. James to approve the resolution.

Mr. Weidman asked if we have been paying Mr. Warrick using a fund that is under appropriated.

Mr. Warrick answered yes.

Mr. Porter asked why there was no uproar about that on Tuesday at the Workshop as there was about the payments to the school boards.

Mr. James said there was no resolution before the Board to correct it at that time.

Mr. Warrick stated there are several other lines which are not appropriated properly, and our accounting system doesn't have the proper legal amounts that were approved by the Board. He said he has been talking about these problems, but he was told to stay out of the Fiscal Office.

Mr. Porter said, I never heard the Board say stay out of the Fiscal Office.

Mr. LaBarbara answered, you said it in three emails. Do you want me to read them? We haven't said it you said it.

Mr. James stated we are trying to figure out and fix errors rather than waiting until December to do a year end retroactive amendment of appropriations.

Mr. Weidman asked Mr. Warrick why this was not taken care of months ago when we first spoke about it.

Mr. Warrick said he was told to stay out of it.

Mr. LaBarbara commented, if that was the case when we mentioned it why didn't Mr. Porter take care of it. He's the Fiscal Officer.

Mr. Porter said it is not my job when the trustees have overspent.

Both Mr. James & Mr. LaBarbara said it's your job. Mr. LaBarbara told Mr. Porter to do his job.

Mr. LaBarbara called roll. Vote: All Aye.

Mr. Warrick said he has the annual resolution to accept the amounts and rates on the necessary tax levies. He said he has two copies needing signatures so that the Township may keep one original and the other may go to the Hamilton County Auditor. He then explained the resolution.

The resolution "Accepting the Amounts and Rates as Determined by the Budget Commission & Authorizing the Necessary Tax Levies and Certifying them to the County Auditor" was read by Mr. Warrick. Mr. Weidman made a motion, seconded by Mr. James, to approve the resolution. Mr. LaBarbara called roll. Vote: All Aye

#### **Fiscal Officer Report & Communications**

Mr. Porter said one of his tasks is to properly maintain the records of the Township. He said Mr. LaBarbara and Mr. James have been entering the records room with Mr. Warrick without another Township employee present, namely Debbie Campbell or Beth Gunderson, which concerned him because it is a locked office. He also said these two trustees together constitute a public meeting and there should have been a record of it and minutes taken.

Mr. Porter recommended the Township establish a policy in which record requests go through staff to ensure the integrity of the records his office is charged with maintaining. He added he has no problem with anyone requesting records, but they should be accounted for to ensure safekeeping.

Mr. LaBarbara said he would like to respond to that.

Mr. Desai suggested the Trustees wait until the Trustees Comments section of the agenda to respond to Mr. Porter.

#### **Communication**

The Fiscal Officer read the following communications to the Township:

1. A Communication from Sterling Run Farms Homeowners Association to Tracy Kellums thanking him for work done on a catch basin in their neighborhood.

2. A communication from Wayne Bastin, the independent auditor who conducted the Township's audit, to Debbie Campbell stating the State Auditor has released the audit with no comment and congratulating her.

Mr. Porter congratulated Ms. Campbell on a job well done on the 2018-2019 audit, noting it was a clean audit.

Mr. Weidman thanked Ms. Campbell.

Mr. Porter began to read the first of several communications received by the township in response to a letter sent to Township residents from a group of citizens calling themselves Concerned Citizens of Sycamore Township. There was a discussion about whether Mr. Porter should be permitted to read each communication aloud or if the communications should be attached to the minutes.

Mr. James noted that he had already read every one of them and suggested simply including all of them in the record of the meeting.

It was decided that a brief summary of each communication would be included in the minutes of this meeting.

The following is a brief summary of each communication received:

3. A communication from Alan J. Annenberg, M.D. stating the hiring of Mr. Warrick at the disposal of Mr. Bickford was political and requesting the termination of Mr. Warrick to restore trust with constituents.
4. A communication from [Sycamorecitizen@protonmail.com](mailto:Sycamorecitizen@protonmail.com) stating that it is hypocritical that two Trustees who campaigned on transparency pulled off the least transparent act in the Township in 30 years by dismissing Mr. Bickford hours after Mr. James was sworn into office. The letter noted this may have been a violation of Ohio Sunshine Laws and requested the termination of Mr. Warrick and an open and transparent search for a new Administrator. The communication stated reasons why the author did not want to provide a name and a request that the communication be read at the October 1, 2020 Trustees Meeting.
5. A communication from Jim and Mary Ann Meiser expressing disappointment that all three Trustees were not involved in the decision to dismiss Mr. Bickford and hire Mr. Warrick. The Meisers stated Mr. Warrick needs to be terminated and a qualified Administrator hired in a transparent and trustworthy process.
6. A communication from Jim and Cindy Smith, of 8205 Farwick Ct., expressing disappointment over the handling of Mr. Bickford's termination and the hiring of his replacement after Mr. LaBarbara and Mr. James campaigned on the importance of transparency. The Smiths stated the choice for new Administrator shows bad judgement.
7. A communication from Sharon Mackzum saying she is outraged by the decision to hire Mr. Warrick and requesting his termination as well as an open, transparent, and trustworthy process to hire the most qualified person.

8. A communication from Mark J. Zummo stating Mr. Bickford had done an excellent job as Administrator and objecting to the circumstances under which Mr. Bickford was terminated and Mr. Warrick was hired. He requests the termination of Mr. Warrick and a proper and transparent search for a new Administrator.
9. A communication from Drs. Teresa and Marwan Nusair expressing concerns about Mr. Warrick being in charge of Township finances, his hiring under a veil of secrecy, and requesting his termination.
10. A communication from David Bea, of 7133 Garden Road, stating he is concerned for the well-being of the Township and requesting the Trustees terminate Mr. Warrick and hire a new qualified Administrator.
11. A communication from Justin Grieshop, of 4233 Kugler Mill Road, demanding that Mr. Warrick be dismissed from his post and a qualified Administrator be put in his place through a transparent process.
12. A communication from Greg J. Stanley asking if it is true that Mr. Warrick filed for bankruptcy and is now in charge of the Finance Committee.
13. A communication from Rebecca Sears, of 4014 Limerick Avenue, requesting the termination of Mr. Warrick and the hiring of a new qualified Administrator and voicing opposition to backroom deals orchestrated by Mr. LaBarbara. Ms. Sears praised past Boards of Trustees and Administrators for making Sycamore Township the most financially sound Township in Hamilton County. She also commented on politics surrounding bad decisions and said residents will not stand for dishonest and deceitful business in our Township.
14. A communication from Jonathan Gibson (The Gibsons) stating Mr. LaBarbara and Mr. James are not the transparent leaders they promised to be, expressing disgust at their actions, saying they do not have faith in Mr. Warrick's abilities to continue on a fiscally responsible path, and thanking Mr. Weidman for his loyalty and leadership.
15. A communication from Carl Postler, 8905 Sandymar Drive, in support of the termination of Mr. Warrick and the hiring of a qualified Administrator in a transparent process.
16. A communication from Diane Francis stating Mr. Warrick must be removed.
17. A communication from Chuck Folzenlogen requesting the termination of Mr. Warrick and hiring of a qualified Administrator in a transparent process and expressing concerns about Mr. Bickford being dismissed on Mr. James' first day in office.
18. A communication from David and Barbara Coyle, of 11373 Kemperknoll Lane, expressing concerns about Mr. Bickford being dismissed on Mr. James' first day in office and concerns about Mr. Warrick's qualifications. The Coyles also called for Mr. Warrick's termination and a fair and open recruitment process for the Township's next Administrator.
19. A communication from [couponingguy@gmail.com](mailto:couponingguy@gmail.com) calling for the termination of Mr. Warrick and saying the two Trustees who ran on transparency have placed an unnecessary strain on the Township with their hidden agenda.
20. A communication from Bill Schriener, of 7667 Ginnala Court, stating he read about the termination of Mr. Bickford and hiring of Mr. Warrick and stating the Trustees should start over and put the trust back in Trustee.
21. A communication from [cbenadum@fuse.net](mailto:cbenadum@fuse.net) stating they are appalled by the actions of Mr. LaBarbara and Mr. James and requesting Mr. Warrick be terminated and someone qualified, trustworthy, and transparent be hired.

22. A communication from JoAnne Folzenlogen in support of the termination of Mr. Warrick and hiring of a qualified Administrator in a transparent process.
23. A communication from Gerri Jacobs, 3760 Belfast Avenue, in support of the termination of Mr. Warrick and hiring of a qualified Administrator in a transparent process and expressing concern with the direction in which the Township is going.
24. A communication from Kathy Thornton and Bob Keith, of 8375 Kugler Meadows Court, requesting a response from Mr. James and Mr. LaBarbara regarding the letter from CCOST, asking about the status of the property where a house was torn down on Kugler Mill Road, and asking the status of a vacant property of Kugler Mill Road which is the subject of a zoning hearing postponed since last fall.
25. A communication from Lou and Jane Thole stating they are happy with the way Sycamore Township was run the last 40 years and expressing concerns about the dismissal of Mr. Bickford and the hiring of Mr. Warrick. The Tholes request Mr. Warrick's termination and the hiring of an appropriate replacement or reinstatement of Mr. Bickford.
26. A communication from F.A. Marcilla, of 11357 Kemperknoll Lane, voicing concern and outrage about Mr. Bickford's firing and the lack of due diligence, qualifications and transparency in the hiring of Mr. Warrick and requesting the Trustees reverse course on the events that led to Mr. Warrick's hire.
27. A communication from Tom Butt stating he has major concerns in regard to the current administration and questioning the logic and integrity of recent decisions made to terminate and replace the Township Administrator. Mr. Butt requested a legitimate, transparent, and corrective process begin immediately saying these actions have brought unnecessary attention, distrust, and anger to our community.
28. A communication from Doug Rempe stating he is greatly disturbed by the back-room politics and lack of transparency surrounding the hiring of Mr. Warrick. Mr. Rempe expressed concerns that the Administrator job was not posted, about the pay out of Mr. Bickford's contract and Mr. Warrick not being the best candidate for a job relying on fiscal responsibility.
29. A communication from Roger Muething expressing his anger that someone with Mr. Warrick's history was made head of the Sycamore Township Finance Committee.
30. A communication from Evelyn Harris expressing shock that Mr. LaBarbara and Mr. James arranged the termination of Mr. Bickford. Ms. Harris states she was told by Mr. James they would be cancelling the Festival due to the expense to the Township and pointed out the expense of Mr. Bickford's termination.
31. A communication from David Kiihnl, of 8183 Lyndhurst Ct., stating the actions of Mr. LaBarbara and Mr. James in a back-room deal is not the transparency promised in their candidacy and requested the Board reinstate Mr. Bickford.
32. A communication from Cliff Bishop stating Mr. James and Mr. LaBarbara did exactly what they campaigned against in their decision to dismiss Mr. Bickford and requesting the Trustees take the necessary steps to find a qualified Administrator.
33. A communication from Bruce Buckley, of 8800 Raiders Run Road, stating he is appalled to hear of Mr. Bickford's termination as he had many positive interactions with him and requesting the dismissal of Mr. Warrick and an open search for a capable replacement.

34. A communication from Rich Ambrose, of Brittany Drive, expressing concerns about wasting money by dismissing Mr. Bickford and requesting the termination of Mr. Warrick and hiring of a qualified Administrator in a transparent, trustworthy process.
35. A communication from Mary Ambrose, of 8644 Brittany Drive, expressing concerns about the questionable actions of elected officials who paid out the termination of Mr. Bickford's contract to hire someone not qualified to run the Township. She asked for the removal of Mr. Warrick and new hiring processes.
36. A communication from Elizabeth Large respectfully demanding the termination of Mr. Warrick and expressing concerns about lies, deceit and lack of transparency.
37. A communication from Ralph Harris expressing disappointment about the dismissal of Mr. Bickford for political reasons and violation of the trust of the residents. He stated he feels those who made that decision should be asked to resign and Mr. Warrick's contract should be rescinded.
38. A communication from Ron Woolum stating Mr. James and Mr. LaBarbara took part in closed door politics by hiring a friend.
39. A communication from Deborah Sturm requesting the termination of Mr. Warrick and the hiring of someone more qualified for the job.
40. A communication from Thomas M. Deutsch, of 8858 Montgomery Road, asking if the Township has had to pay \$270,000 to terminate Mr. Bickford's contract and how the Township responds to these charges of irresponsibility.
41. A communication from Doug Shaw asking questions about how the Township is paying for the termination of Mr. Bickford's contract and requesting the termination of Mr. Warrick and a normal hiring process for his replacement.
42. A communication from Dennis Lovitt demanding the termination of Mr. Warrick and hiring of a new Administrator through an open, transparent, and trustworthy process.
43. A communication from Shelley and David Gordon, of Silvercrest Drive, expressing concerns about a political deal to terminate Mr. Bickford and hire Mr. Warrick, inviting a response from the Trustees, and urging the termination of Mr. Warrick and the hiring of a qualified Administrator if the allegations are correct.
44. A communication from Jack Jimmerson requesting the removal of Mr. Warrick and the hiring of a qualified replacement.
45. A communication from Jim Gronefield stating he received a letter about a backroom meeting between Mr. LaBarbara and Mr. James and asking about the actions with regard to Township Administrator Warrick.
46. A communication from Kevin expressing anger over learning about the firing of Mr. Bickford and hiring of Mr. Warrick and requesting Mr. Warrick's immediate termination.
47. A communication from Paul Held, of 8840 Lyncris Drive, expressing concerns about the hiring of Mr. Warrick and the brokering of a deal between Mr. LaBarbara and Mr. James to fire Mr. Bickford before Mr. James took office. Mr. Held asks the Trustees to examine the cost of this egregious error and reconsider Mr. Warrick's hire.
48. A communication from Bonnie Damico, of Lake Avenue, expressing disappointment and concern about information in a letter she received about the termination of Mr. Bickford and the hiring of Mr. Warrick.
49. A communication from Dean Rice stating the process to hire Mr. Warrick seems suspect and expressing concerns that Mr. James' platform of transparency did not seem to last and that the Township has been burdened with a large buyout for no apparent reason.

Mr. Rice asked the Trustees to reconsider this new hire and use due process to find the best candidate for the Township.

Mr. Porter concluded he had brought up the items he wished to discuss including the access to the records room, the inconsistency in dealing with appropriations between the Workshop on Tuesday and this meeting, and the volume of communications received by the Township in response to the letter from the group Concerned Citizens of Sycamore Township.

#### **Trustees Comments**

Mr. James addressed Mr. Porter's earlier comments saying yes, he has walked into the records room as an elected official with the door open and employees walking around. He stated he has not taken anything from the room and has been very careful to put records back where they belong. He stated Mr. Porter is insinuating something improper and that is not the case.

Mr. Porter said there is the possibility of records being compromised when people go in the records room without the supervision of Township employees. It was agreed a plan to ensure the integrity of the records is needed.

Mr. James suggested putting a camera in the records room, discussed the records room being in disorder when Mr. Warrick became Administrator, and suggested an index of records stored.

Mr. Porter said yes, we have indexes.

Mr. James asked where he could find those as Trustee.

Mr. Porter said he will discuss that with Ms. Campbell and stated it would be helpful to be cooperative instead of combative. Mr. James agreed.

Mr. LaBarbara said, what are you doing accusing me of going in there. I asked Beth to show me Greg Bickford's file & she said make sure you put it back. I looked to see if he had a resume because for 2 years I asked him to put one in. You're accusing, you're insinuating I don't think there's anything nefarious about that.

Mr. Porter said, the 2 of you were in that room together. That's problematic.

Mr. LaBarbara answered, No it's not.

There was discussion about people being in the records room.

Mr. Desai spoke about the Public Records Act and the need for a records custodian and assistant records custodian. He spoke about information that should be segregated from files and pointed out there should be a policy with regards to the records room. He said, typically, a policy would state the Township have only two people with access to the room and there should be a log of who goes in and out of the room. Mr. Desai said a quorum of the legislative body does not constitute a public meeting unless public business is discussed, and two Trustees simply being together in a room or even in a car is not improper. He added, with regard to the Fiscal Officer

being in charge of the records, the Township must determine which documents fall within the purview of the Fiscal Office and which fall under Administration. Mr. Desai concluded the Township should work on these items to eliminate concerns about the records room.

Mr. James stated Ms. Campbell is designated as the Records Custodian and noted this could be discussed in the Records Commission Meeting to be held after the next Workshop. He thanked Mr. Desai for his advice.

Mr. James said he has a prepared response that he has been communicating back to residents who have written in with concerns about the letter they received from Concerned Citizens of Sycamore Township. He said he has also created a website [www.SycamoreTownshipFacts.com](http://www.SycamoreTownshipFacts.com) to address those concerns. He discussed to whom the letter was mailed and the expense of the mailing, which he estimated to have been around \$4,000.00. Mr. James then noted items he says the letter misled the public about including the Township's finances and who controls them, the reason Mr. Bickford was no longer the Administrator, and transparency in the Township as well as statements he said were libelous and false about Mr. Warrick.

Mr. James then requested Mr. Miller display a slide show presentation titled "The Truth about that Disturbing CCOST Letter" saying he would like to set the record straight while trying not to get into politics. Using the slides, Mr. James addressed residents' concerns about finances and taxes saying that taxes will not increase and may in fact decrease. He then discussed Mr. Bickford's agreed resignation and payout noting he was not fired for political reasons and pointing out the actual cost of the payout is \$154,000.00 plus health insurance. He spoke of Mr. Warrick's hiring listing his qualifications and pointing out he was not fired for cause from Hamilton Township. Mr. James stated the citizen led Finance Committee is an advisory committee and Mr. Warrick is not its Chairman. He concluded by noting examples of the things that have been done to make the Township more transparent since he became Trustee.

Mr. Weidman noted the Board of Trustees had voted to broadcast meetings prior to Mr. James holding office so he should not take credit for that. He also said he did not know Mr. Warrick previously and had only a brief conversation with him in 2005.

Mr. Weidman stated he is grateful to the Concerned Citizens of Sycamore Township in mobilizing the residents about what he described as the egregious situation Trustees LaBarbara and James have laid upon Township taxpayers. He spoke about the orchestrated termination of Mr. Bickford and subsequent expense of his contract buyout. Mr. Weidman stated he had lunch with Mr. James prior to him being sworn in as Trustee in which Mr. James told him of the plan to terminate Mr. Bickford and had indicated he was interested in Mr. Warrick for the position of Administrator. Mr. Weidman said he assumed the Township would advertise for the job, accept applications, and interview candidates.

Mr. Weidman stated he voted no to hire Mr. Warrick because he did not want to decide without all the information. He stated Mr. James had said he did not give Mr. Warrick's resume to Mr. Weidman because he had not asked for it, which Mr. Weidman said was withholding information and untrustworthy. He pointed out he had invited Mr. James into Executive Session for the



interview process to hire the new Planning & Zoning Administrator before he was sworn in as Trustee which he said was an unprecedented move of transparency and inclusion.

Mr. Weidman went on to discuss learning that Trustees LaBarbara and James knew of Mr. Warrick's bankruptcy and withheld that information from him. He also spoke about Mr. Bickford's employment contract being necessary to retain his services, the lack of transparency of his fellow Trustees, and the hiring of Mr. Warrick whom he would not have given a second interview. He concluded by thanking the Concerned Citizens of Sycamore Township and saying he hopes his fellow Trustees hear their voice.

Mr. LaBarbara said he has always said there is no place for politics in this room; it should be for conducting public business. He said the root of transparency is truth and he is forced to address things said by Mr. Weidman that are not true, as I quote Mr. Weidman. Mr. LaBarbara said the first time he met Mr. Warrick, Mr. Warrick received a text message from Mr. Weidman, which Mr. Weidman then indicated did happen, therefore Mr. Weidman knew him before Mr. LaBarbara knew him.

Mr. LaBarbara asked Mr. Weidman if he had anything to do with the letter from the Concerned Citizens of Sycamore Township.

Mr. Weidman answered no, but he did receive one in the mail.

Mr. LaBarbara said there's something interesting in here that you said about the hiring of Mr. Bickford and that big contract in Next Door Neighbor back in January. You said talking about his contract & the golden standard of all leaders. "A couple of years ago he felt threatened by newly elected trustee Jim LaBarbara" & that's the reason you were giving him this contract. "It's just politics". I don't remember saying that. I've always said, we're going in a different direction that's why we hired Mr. Warrick. In that same letter you posted on Next Door Neighbor which you have since taken down. "When Mr. James got elected he said to a couple of employees, Greg is a nice guy But It's Just Politics."

Mr. James said just to be clear that's a made-up quote.

Mr. LaBarbara added, I didn't say that either.

Mr. Weidman said Mr. Bickford saved the township a \$100,000 a year because he did the IT work. Mr. LaBarbara said, Mr. Warrick when you came in we had to change the whole IT system it was ready to explode. Mr. Warrick said we had to update it.

Mr. LaBarbara said Mr. Bickford left the Township's IT in dire need of upgraded equipment.

Mr. Weidman said he had nothing to do with the letter sent by Concerned Citizens of Sycamore Twp. and you know it.

Mr. LaBarbara said, I've gotten more phone calls from people who say it has Tom Weidman's stamp all over it.

Mr. LaBarbara said Rob Molloy was a Roads Supervisor who was moved up to Administrator so there's a history of this going back.

He said what bothered him in reading Mr. James letter was Mr. Bickford's confession to playing politics for two years and keeping information from him when the Law Director told him not to do that.

Mr. LaBarbara then accused Mr. Weidman of preventing him from getting information. Mr. LaBarbara said IN THIS ROOM you prevented me from getting information for 2 years. When your favorite quote is "I cannot make an informed decision without all the information".

Mr. LaBarbara said he is extremely excited about Mr. Warrick; noting his contract is common not a golden parachute like Mr. Weidman gave Mr. Bickford. He said Mr. Weidman controlled Mr. Bickford and that is why he gave him that contract. He said the Board has changed and it is a disgrace to try to get rid of Mr. Warrick. Mr. LaBarbara said Mr. Bickford being the best Township employee was Mr. Weidman's, certainly not my opinion. Mr. LaBarbara told Mr. Weidman, he took your orders despite being told by the law director don't do that. He felt threatened by me. You gave him that contract in November. I was barred from being in the building so I don't know how I threatened him. You wrote that. It has your fingerprints on it.

Mr. Weidman pointed out both Rob Molloy and Greg Bickford were Assistant Administrators who were promoted from within to Administrator. He said the remainder of open Administrator positions were all advertised and interviewed. Mr. Weidman stated Mr. Bickford's contract was no golden parachute saying he was the lowest paid administrator in Hamilton County and had we not entered into a separation agreement and he left of his own volition, the Township would not have incurred this cost.

Mr. LaBarbara said we are not talking about salary we're talking about the contract. Salary is one thing contract is another. That's the problem.

Mr. Weidman said you saw the comparisons of contracts in Hamilton County. They are all similar.

Mr. LaBarbara responded no they are not, people don't have a buyout like that for one year. Don't lie to those people out there. Tell them the truth. Tom you hired him because I was coming in and you locked up 2 people with long term contracts. Mr. LaBarbara stated it is not true that Mr. Warrick was terminated from Hamilton Twp. for cause. It is absolutely a lie. Mr. LaBarbara read, elected trustees moving in a different direction. Everything in his exit; excellent reviews, performance, attitude, would you hire him again, yes. To say that in the CCOST letter is embarrassing.

Mr. Weidman said you should be embarrassed for lack of transparency.

Mr. LaBarbara responded, you prevented me from getting information for 2 years.

Mr. Weidman said, that is blatantly false.

Mr. LaBarbara answered, wait we're talking about the man who set the gold standard Greg Bickford. So either he is the gold standard or he is a liar. Which is he?

Mr. Weidman said he is the gold standard.

Mr. LaBarbara answer, so what he said to Mr. James is all a lie?

Mr. Weidman said he wasn't there but he doesn't believe Mr. Bickford said that.

Mr. James said he will note this is the fourth public meeting in which he has repeated what Mr. Bickford told him and the first denial he has heard despite many opportunities.

Mr. Weidman stated he has no reason to deny anything because he was not there when Mr. James met with Mr. Bickford, so he does not know what was said.

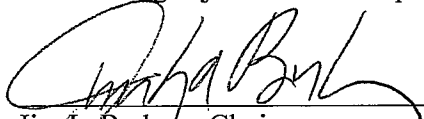
#### **Announcement Changes**

Mr. LaBarbara stated the next Workshop Meeting will take place, Tuesday, October 13<sup>th</sup> at 9:00 a.m. and there will be a bid opening for the Kugler Mill Road Improvements Project on October 23<sup>rd</sup> at 10:00 a.m.

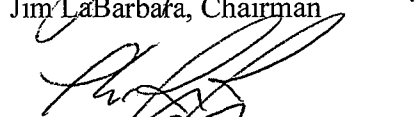
A motion was made by Mr. Weidman seconded by Mr. James to adjourn the meeting.

Vote: All Aye.

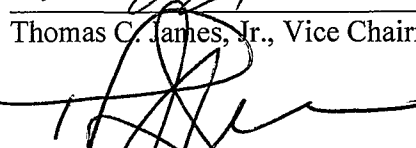
The meeting adjourned at 9:17 p.m.



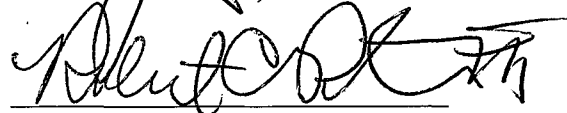
Jim LaBarbara, Chairman



Thomas C. James, Jr., Vice Chairman



Thomas J. Weidman, Trustee



Robert C. Porter III, Fiscal Officer

10/01/2020