

## RECORD OF PROCEEDINGS

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

November 5, 2020

The Public Hearing for Zoning Case 2020-06P2 was called to order at 6:00 p.m.

Mr. Miller presented the case and case history in a slide show presentation. He said the Case number is 2020-06P2 and the applicant is Brian Doll, of Cincinnati United Contractors. The proposal is for the construction of a self-storage building called Cherokee Storage. Mr. Miller reviewed the details of the proposal noting it is unique because the site is partially in the City of Blue Ash.

Mr. Miller said the original plan had some additional uses on the Blue Ash side that have been removed. He said the proposed building is wholly on the Sycamore Township side of the property. He said the building meets the setback requirements and the parking requirements are on the Blue Ash side. Mr. Miller reviewed the proposed landscape plan.

Mr. Miller then showed the building elevations pointing out one building sign is proposed. He said the City of Blue Ash did not approve outdoor storage on their side so that has been removed from the plan. Mr. Miller went over the conditions recommended by the Zoning Commission.

Mr. James asked if the conditions recommended by the Zoning Commission could be applied to the entire property.

Mr. Miller said the conditions imposed must be only for the side of the property located in the Township.

Mr. LaBarbara asked about the revisions submitted since October 29<sup>th</sup>.

Mr. Miller said Zoning Commission set recommended conditions and the applicant modified the plan in response to those. He noted the Board of Trustees is seeing the most up to date plan.

Mr. Brian Doll, the applicant, of Cincinnati United Contractors, 7143 E. Kemper Road, addressed the Board. Mr. Doll added since the first submission to the Zoning Commission, the fence on the north property line has been extended to allow three existing trees and five existing shrubs to remain.

Mr. Weidman asked if either of the neighboring property owners had commented on the plan.

Mr. Miller said he had two calls for information only with no comments submitted.

Mr. James asked about the roof and if it would be visible from Interstate 275.

Mr. Doll said there would be a metal panel roof or a rubber roof which would have a parapet on all sides except for the side with the gutter.

Mr. Weidman asked if there would be rooftop mechanicals.

Mr. Doll answered that has not yet been determined but, if so, they would be screened by the parapet.

Mr. James asked if the storage units will be climate controlled and the location of the equipment.

Mr. Doll answered yes saying the equipment would either be roof mounted condensers or ground mounted condensers.

Mr. Miller pointed out the Zoning Resolution does have mechanical screening requirements. He noted there is one free standing monument sign proposed on the site along Deerfield Road.

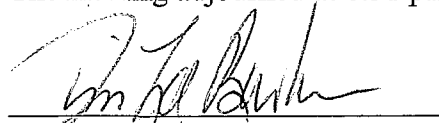
Mr. James asked about site lighting.

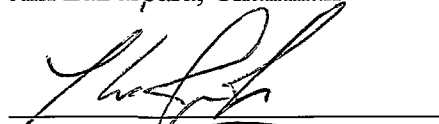
Mr. Miller said the applicant did submit a photometric plan which is mostly zero at the property lines. He said the Zoning Resolution does allow for a half of foot candle on the property line. He noted they hit only .2- or .3 foot candles on the north side.


Mr. James asked if there had been any public comment.

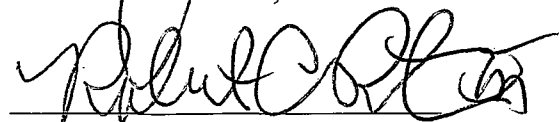
Mr. Miller answered no and there were no requests from the public to comment live during the meeting. He said he did speak to two residents who had questions about the case but neither had any major concerns.

The meeting adjourned at 6:31 p.m.

  
Jim LaBarbara, Chairman

  
Thomas C. James, Jr., Vice Chairman

  
Thomas J. Weidman, Trustee

  
Robert C. Porter III, Fiscal Officer

11/05/2020

## RECORD OF PROCEEDINGS

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

November 5, 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. Kellums.

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, Planning & Zoning Administrator Miller, Fire Chief Penny, Lt. Tarr from the Hamilton County Sheriff's Office, and Parks and Public Spaces Supervisor Jason Petty.

The proclamation "Honoring Lieutenant Michael Flaig" was read by Mr. LaBarbara. A motion was made by Mr. Weidman, seconded by Mr. James to pass the proclamation. Mr. LaBarbara called roll. Vote: All Aye.

The Proclamation passed this 5<sup>th</sup> day of November, 2020.

Chief Penny spoke about Lt. Flaig's 25-year career and the proclamation was then presented to Lt. Flaig by the Board of Trustees.

The proclamation "Designating November, 2020 Pancreatic Cancer Awareness Month in Sycamore Township" was read by Mr. LaBarbara. A motion was made by Mr. Weidman, seconded by Mr. James, to pass the proclamation. Mr. LaBarbara called roll. Vote: All Aye. The Proclamation passed this 5<sup>th</sup> day of November, 2020.

#### **New Business: Zoning Case 2020-06P2**

Mr. Miller said he had prepared a few options by way of resolutions for the Board should they choose to make a motion for Case 2020-06P2. He reviewed a possible resolution for approval with seven conditions and read those conditions:

1. A detailed Landscape Plan be submitted that meets all requirements of the Sycamore Township Zoning Resolution, including a detailed planting schedule, and offsite credits on adjoining parcels.

2. Sycamore Township Zoning Commission recommends approval of offsite parking and applicant provide an easement for required parking spaces.
3. Copies of fully executed and recorded easements, including, parking, ingress/egress, and drainage shall be required for Zoning Compliance Plan Approval.
4. Township approval shall be conditioned on the successful approval of plan, as proposed, by the City of Blue Ash.
5. Any substantial alterations to the Blue Ash side of the plan shall be shown on the Zoning Compliance plan.
6. Applicant shall document existing trees, along the northern property line, within the area from the right-of-way line back to the building face. Any area that is within the boundary between the parcels, the applicant shall provide landscaping compliant with Sycamore Township boundary buffers requirements.

He noted he had added the 7<sup>th</sup> condition as a recommendation:

7. Any PUD2 approval should be noted to reference the Revised Site Plan (Scheme "F") as received by Sycamore Township on October 29, 2020.

Mr. James stated there was a public hearing held for this case at 6:00 p.m. that evening and requested Mr. Miller provide a brief summary of the application for any members of the public watching who had not viewed the public hearing.

Mr. Miller gave a brief overview of the proposal for the construction of a self-storage facility on a property partially in Sycamore Township and partially in the city of Blue Ash.

Mr. James requested Mr. Miller display a rendering of the building.

Mr. Miller showed the renderings of the building elevations and gave a description of the proposal.

Mr. James asked if there had been public opposition.

Mr. Miller answered no.

Mr. James asked about Zoning Commission's recommendation.

Mr. Miller answered the Zoning Commission recommended approval with six conditions.

The resolution "Approving a Planned Unit Development for Cherokee Self Storage 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. LaBarbara called roll. Vote: All Aye.

Resolution 2020-78 passed this 5<sup>th</sup> of November, 2020.

## **Approval of Minutes**

Mr. LaBarbara noted there were two versions of the minutes, one a longer version and one a shorter version.

Mr. LaBarbara made a motion, seconded by Mr. James, to approve "Version #2", the shorter version, of the October 1, 2020 meeting minutes.

Mr. Weidman objected to approving the shorter version.

Mr. LaBarbara made a motion, seconded by Mr. James, to approve "Version #1", which included the summaries of the emails from residents, of the October 1, 2020 meeting minutes.

Mr. James commented he is fine with approving that version of the minutes, but he expressed concern about the residents who wrote in being embarrassed by it once they learn the full story, as they were goaded into writing in by the CCOST letter.

Mr. LaBarbara read a statement against the emails being read at the Oct. 1<sup>st</sup> meeting: "He said: I cannot make an informed decision without all the information.

I didn't have all the information as the elected chairman of the Sycamore Twp. Board of Trustees when I let Mr. Porter read the email from a resident prompted by the Concerned Citizens of Sycamore Twp. letter that was sent to residents. I agreed to acknowledge those repetitive emails because Mr. Porter and Weidman said this is the way 'it's always been done. Not reading them and including them in the meeting wouldn't be consistent with our normal policy and procedure.' The emails were part of a coordinated effort to defame our administrator. It was character assassination of two elected trustees and the administrator. Mr. Weidman supported this and reaffirmed his conviction in a mass political email sent to residents after knowing that much of this was false.

First of all, there is no normal policy to read emails in meetings. In going thru meeting minutes, I couldn't find a single complaint in the last 12 years and none saying anything negative about an elected official or Sycamore Twp. employee. Several complimenting us on leaf pickups, snow removal. Those emails were paraphrased in a sentence or two.

There is nothing in the Ohio Revised Code or Ohio Sunshine Laws that states that emails must be read at a public meeting. If allowed---it is a privilege not a right.

In talking with fellow trustees, members of the Ohio Twp. Association, they are appalled these emails were read in a meeting and especially surprised that Trustee Weidman and Fiscal Officer Porter supported this action. They answer those emails outside of a meeting when they can. As Chairman of the Board, no emails with comments considered political in nature or promote a specific candidate or issue will be read. Defamatory material will not be permitted. However, those emails should be answered outside the meeting when possible. We must do the Business of the people. Let's move on."

Mr. LaBarbara called roll. Vote: All Aye.

Mr. Weidman made a motion, seconded by Mr. James, to approve the October 13, 2020 Workshop meeting minutes. Mr. LaBarbara called roll. Vote: All aye.

### **Fiscal Officer Report**

#### **Pay Bills and Read Receipts**

The receipts in the amount of \$981,501.38 and disbursements in the amount of \$2,356,989.15 for November 5, 2020 were read by the Fiscal Officer and are hereby made a part of these minutes.

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

Mr. LaBarbara requested Mr. Porter give the October report.

Mr. Porter stated it was included in the packet.

Mr. James commented he would like to get the report sooner as he had just received it this afternoon. He then asked a question about a discrepancy in the appropriations listed.

Mr. Porter said that could be the COVID money or the appropriation for Mr. Warrick's salary.

Mr. James commented that those things would add up to less than half a million, or maybe a little more, and this is a \$6 million difference. He requested Mr. Porter or Ms. Campbell get back to him with an explanation.

### **Public Comments**

Mr. LaBarbara read regulations for public comments.

Mr. J. Janus, Jr. of 4462 Daffodil Avenue, addressed the Board. Mr. Janus recommended alternate Ms. Tracy Hughes for the role of full member and Chairperson of the Board of Zoning Appeals. He then expressed concerns about public comments being limited to a five-day window for the Hamilton County Community Development Block Grant COVID-19. He suggested other uses for the funds other than relief for restaurants. He noted his was the only public comment received in regard to this and asked how restaurants will be chosen to receive funds. Mr. Janus then commented about a letter he received regarding the electric aggregation program with Dynegy saying it had the Sycamore Township logo on it.

Mr. James stated the letter sent by Dynegy made it look like it was coming from the Township and he has a problem with that.

Mr. Warrick said it is typical that Townships with aggregation programs would let their logo be used but said he spoke to them and, the next time there is a mailing, the Board may review the letter prior to it being mailed.

Mr. James said he has no problem with the logo being used, he has issue with the letter looking like it came from the Township.

Mr. LaBarbara asked about the Sycamore Township logo being trademarked.

Mr. Desai stated there are communities that do that, and we then would not be able to stop them from using our name, but we could stop them from using the Township logo.

Mr. James asked about the grant program about which Mr. Janus spoke.

Mr. Warrick explained there are many COVID-19 programs. He said this particular grant is from the County. He said the Township has to apply for it and the County wants the funds to be used to help restaurants negatively impacted by the pandemic. Mr. Warrick said, in regard to ADA compliance, we have other funds that we can earmark to get that done.

### **Sheriff Patrol Report**

Lt. Tarr thanked everyone in the community who reached out and offered condolences following the death of Deputy McMillan.

### **EMS/Fire Report COVID-19 Update**

Chief Penny reported the monthly report will be emailed to the Board and is currently on the Fire Department website. He said in October, the department had 152 runs with patients exhibiting COVID symptoms. He noted that doesn't necessarily mean they were COVID positive. He said there are currently 57 residents currently quarantined at home in the Township and there have been 10 people released from quarantine in the last 14 days. Chief Penny said the department is still taking precautions such as wearing PPE and sanitizing.

The Board asked Chief Penny questions about those quarantined.

Chief Penny reported one full time fire fighter had tested positive, had few symptoms, and later tested negative and came back to work.

### **CARES Act Expenditures**

Chief Penny reviewed a list of items he would like to purchase using CARES Act Funds including portable radios, medication dispenser, two Lucas Devices and a power cot. He spoke benefits of these items to the department.

Mr. Warrick said this is for information only, noting the money has already been appropriated using the COVID-19 language. He said Chief Penny is thoroughly tracking all COVID related expenditures.

Chief Penny stated he already had one audit for COVID-19 expenditures on October 14<sup>th</sup>, with a second one scheduled for December. He went on to discuss reimbursements saying the Township is eligible to use about \$248,000.00 for reimbursement of expenditures from March 1<sup>st</sup> to July 7<sup>th</sup>.

Mr. Desai requested confirmation that the items Chief Penny is seeking reimbursement for were not previously budgeted.

Chief Penny confirmed they were not.

### **Full-Time Hiring Update**

Chief Penny reported he has two candidates he would like to hire and requested the Trustees pass a resolution at the November 17<sup>th</sup> Workshop meeting setting their rates of pay. He said he would like to have them on the schedule soon since we are down two firefighters on the roster noting the official swearing in would be held at the first meeting in December.

Mr. Desai requested Chief Penny send him the salary information and he will write the resolutions.

Mr. James asked about Mr. Janus' request for a better drop off/pick up procedure while the Township complex is closed to the public.

Chief Penny discussed changes he had made for public drop off and pick up, including putting a table in the Station 92 lobby, and said it would probably be a good idea to have a curb cut and handicap parking stall on the Kenwood Road side of Station 92.

Mr. Warrick suggested a curb cut in the Schuler Community room parking lot also

Mr. James suggested surveying all our properties with regard to the need for such changes.

Chief Penny said, in the meantime, people may pick up or drop off documents by appointment if they have trouble accessing the Station 92 Lobby.

Mr. Miller said Administration is also taking documents by appointment.

Mr. James suggested a sign with the phone number in large print for people to see easily.

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

Mr. LaBarbara said he had emailed Mr. Kellums about ordering another portable speed sign.

Mr. Kellums answered yes, another sign is on order and that will give us three portable speed signs.

Mr. James said someone approached him about speeding on Montgomery Road near Moeller High School and asked if one of the Township's portable speed signs could be placed on Montgomery Road.

Mr. Kellums answered since that is a State highway, we should ask ODOT. He noted the Township could also speak to Lt. Tarr about it.



### **Parks Advisory Committee Report**

Mr. Petty reported on Yoga in the Park at Bechtold had about 12-14 participants a week until the weather turned. He said the Parks Advisory Committee hopes to expand this program in 2021.

Mr. Kellums noted yoga could be offered indoors in the Schuler Community Room once the pandemic is no longer a concern.

Mr. Petty then reviewed changes to the Parks Rules and Regulations recommended by the Parks Advisory Committee. There was a discussion about the recommendations, particularly regarding the sections on weapons, consumption of alcohol, and restrooms. It was decided Mr. Desai will do some research, the Trustees will review the recommendations, and Mr. Petty will return to the November 17<sup>th</sup> Workshop meeting to bring them for final consideration.

Mr. Petty reported the Parks Advisory Committee is getting a survey together for the residents to complete about what they would like to see in the parks.

Mr. Petty said the committee voted to have the Luminaria as only an in-car event due to the pandemic.

Mr. Kellums said he spoke to IGA and they are on board and can provide individually wrapped treats and hot chocolate that is served to those present, not self-serve. He said ACE Hardware has agreed to supply the Luminaria kits. He said in his opinion, he would like to hold the event with precautions such as requiring face masks and social distancing.

Mr. LaBarbara asked what streets will be included.

Mr. Kellums said that must be decided soon so that letters may be sent to residents on the Luminaria routes. He must also coordinate with IGA, Ace Hardware, Santa and Mrs. Claus and the carolers.

There was a discussion about how to hold the hayrides given the pandemic and possible modifications due to social distancing were discussed.

Chief Penny said he is in support of the event.

Mr. Desai said if in compliance with requirements where mask or social distance.

Mr. Kellums said they will be giving out masks.

After some discussion, particularly about the hayrides, it was decided to hold the event with modifications for the safety of those attending. The modifications include handing out and requiring masks and social distancing.

Mr. James asked how things were going with the Parks Advisory Committee.

Mr. Petty said, except for technical difficulties with a recent zoom meeting, it is going well. He said he thinks the parks survey results will help guide the committee.

Mr. Kellums recommended the Trustees look at the parks survey before it goes out to the public.

The Board thanked Mr. Petty for his work with the Parks Advisory Committee.

#### **Motion to Advertise 2021 Road Program**

Mr. Kellums reported he is looking for a motion to advertise for the 2021 Roads Program. He noted the Larchview Drive Project is not part of this program. He stated he put this program together to make use of the 25% of unencumbered TIF funds the Township is permitted to use for this purpose. Mr. Kellums listed areas involved including Heitmeyer, Trowbridge, some streets in Dillonvale, McCauley, and Tenderfoot, among others. He pointed out many of these roads are 21-22 years old and this is a good opportunity to rebuild them.

The Board asked questions of Mr. Kellums about the work involved.

Mr. Kellums said this will include roads and culvert work and estimated a cost of \$2.9 million for the roads and the culverts about \$500,000.00. He noted he is applying for a grant for some of the culvert work needed in Dillonvale.

Mr. Weidman made a motion, seconded by Mr. James, to advertise for the 2021 Road Program.

Mr. LaBarbara asked what the cost will be.

Mr. Kellums answered about \$3.5 million. It was pointed out there is plenty of money in unencumbered TIF to use for roads; the problem is there is a deadline in which the work must be completed.

Mr. LaBarbara called roll. All Aye.

#### **Resolution – Awarding a Contract for Kugler Mill Road Reconstruction Project**

Mr. Kellums reviewed the bid results for the Kugler Mill Road Reconstruction Project. He noted the lowest bid was submitted by Rack & Ballauer Excavating.

The Board asked questions of Mr. Kellums about what work has been done so far, the contractor, and the estimated cost of the project.

Mr. Kellums answered the easements have been acquired, all the utility poles and electric lines have been moved and the gas lines have been lowered, except for a gas line from Wetherfield Lane to Montgomery that needs to be lowered which Duke Energy is supposed to start work on Monday.

Mr. Kellums said has not worked with the Rack & Ballauer, but he has worked with quite a few of their subcontractors and he is comfortable with them being awarded the project.

Mr. Kellums said the estimated cost of the project was \$4,450,179 and the Rack & Ballauer bid was \$3,905,976.15.

Mr. LaBarbara asked how long the project will take.

Mr. Kellums answered it will take all year it is a major job. He noted the project is being paid for by the County, the Township, grants, and Cincinnati Waterworks. Mr. Kellums pointed out the Township is administering the job.

Mr. James asked about the possibility of overcharges later from the contractor.

Mr. Kellums stated Rack & Ballauer has not missed anything in the bid, and although he can't guarantee that won't happen, both he and engineer comfortable with the bid.

Mr. James said he had reviewed the contract and was pleased to see a documentation and audit clause in the contract. He asked if we had exercised that right in the past.

Mr. Kellums answered no.

Mr. James suggested we do that sometime and asked if that has been in past contracts.

Mr. Kellums said it has been in all the Choice One contracts he would have to check on others.

The resolution "Approving and Authorizing a Contract to Reconstruct a County Road for the Kugler Mill Road Improvement Project and Dispensing with a Second Reading" was read by Mr. Kellums. A motion was made by Mr. Weidman, seconded by Mr. James to approve the resolution. Mr. LaBarbara called roll. Vote: All Aye.  
Resolution 2020-79 passed this 5<sup>th</sup> day of November, 2020.

### **Project Update**

Mr. Kellums reported Sycamore Road is completely paved with just a little restoration to do.

Mr. Kellums reported on the status of work on the Maintenance Storage Building Project which he said has about a month left of work to be done.

Mr. Kellums reported leaf pick up is going well.

Mr. James asked Mr. Kellums how much the Sycamore Road sign cost.

Mr. Kellums answered it cost \$24,000.00 and was included as part of the Sycamore Road Project. He noted he is trying to get such signs included in projects paid for with grant money. He said they are very expensive, but we are trying to get those throughout the Kenwood corridor.

Mr. James said Rusty Sicking, of the Heitmeyer Farms HOA, contacted him because it is very dark making it difficult to see the sign at Bayberry Drive. He asked if there is anything we can do to get better illumination there.

Mr. Kellums noted that property is the Township's, and he will have to look into it.

Mr. Warrick asked if there is a lighting district there.

Mr. Kellums noted Heitmeyer Farms could establish a lighting district if they wish and would have to pay for it through Duke Energy.

Mr. James asked if Mr. Kellums had found out if it is possible to have just one stop sign in Sturbridge as discussed in previous meetings.

Mr. Kellums said he talked to the traffic engineer who answered yes, we can install just one.

Mr. James said that would be his recommendation to do a single one where Wetherfield dead ends into Branford since there is no cross traffic on Branford Court.

Mr. Kellums said there would have to be a sign installed saying "cross traffic does not stop" so those with the stop sign do not pull out in front of a car. He said if the Board wants to change to only one stop sign, he will have to come back with a new resolution to that effect.

Mr. LaBarbara said he has lived there since 1977 and he never recalls an accident there.

Mr. James said the neighborhood is behind it.

Mr. Weidman said he thought three stop signs was a good idea. He asked if a lot of people suggested the installation of three stop signs is a bad idea, or if just one person had commented on it.

Mr. James said there have only been about ten or 12 comments one way or the other.

Mr. LaBarbara said he is good with what was already decided. Mr. Weidman agreed.

### **Planning & Zoning Report**

#### **Open Position Board of Zoning Appeals**

Mr. Miller reported Chairman Jim Eichmann had resigned from the Board of Zoning Appeals. Mr. Miller recommended the Board appoint current Alternate Tracy Hughes as a full member to the Board of Zoning Appeals to fill the remainder of Mr. Eichmann's term. He said the Township would then advertise for a new alternate. Mr. Miller recommended the Board of Zoning appeals be permitted to organize itself and appoint new officers. He said he is very happy with both zoning boards and the quality of the members.

Mr. Weidman agreed it is best practice to allow the alternate to move up to full member and the board to organize itself.

Mr. LaBarbara agreed.

Mr. James made a motion to appoint Tracy Hughes to fill the unexpired term of Jim Eichmann. Mr. LaBarbara seconded. Mr. LaBarbara called roll. Vote: All Aye.

Mr. James asked if Zoning Commission members with terms expiring at the end of December want to remain on the Board, noting that he hoped they wanted to continue serving.

Mr. Miller said he will reach out to them.

### **Nuisance Resolutions**

Mr. Miller reported on several nuisance properties on Reading Road and issues in that area recently. He discussed a fire earlier in the week at 7979 Reading the former Carousel. He said there is obvious evidence of vagrants there and dumping. Mr. Miller noted he has not been very successful getting a response out of the owner, Blue Tide, to maintain these properties. He recommended moving forward with declaring these properties a nuisance. Mr. Miller said he would give the owner until next week to give him a remediation schedule.

The resolution "Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 7979 Reading Road, Sycamore Township, OH 45237" was read by Mr. Miller. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, to approve the resolution and dispense with a second reading. Mr. LaBarbara called roll. Vote: All Aye.  
Resolution 2020-80 passed this 5<sup>th</sup> day of November, 2020.

The resolution "Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 8001 Reading Road, Sycamore Township, OH 45237" was read by Mr. Miller. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution and dispense with a second reading. Mr. LaBarbara called roll. Vote: All Aye.  
Resolution 2020-81 passed this 5<sup>th</sup> day of November, 2020.

The resolution "Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 8109 Reading Road, Sycamore Township, OH 45237" was read by Mr. Miller. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution and dispense with a second reading. Mr. LaBarbara called roll. Vote: All Aye.  
Resolution 2020-82 passed this 5<sup>th</sup> day of November, 2020.

Mr. Miller reported the applicant who recently held an open house has officially submitted a Zone Change application for the property located at 8760 Montgomery Road and will be heard by Zoning Commission on Monday, November 9<sup>th</sup>. He noted the plans have not changed since the open house.

Mr. James asked about public input.

Mr. Miller said he has not had any members of the public register for the Zoom Meeting or request information yet.

Mr. James asked about the replacement of dead trees on Kugler Mill Road by the berm at the TriHealth Building.

Mr. Miller said he has contacted Five Star through their attorney about it and has a commitment from them to replace the dead trees. He said he will contact them again.

Mr. James said he knows Mr. Miller has been in contact with Moeller after some neighbors had concerns about lighting.

Mr. Miller said Moeller High School installed new LED security lights in the northern area of their parking lot which are casting shadows on neighboring properties. He stated the concerns are legitimate noting Inspector Kevin Clark drove there at night to view the issue and his office is working with Moeller to address the problem.

Mr. LaBarbara thanked Mr. Miller for his quick response to this issue.

**Law Director Report:**

Mr. Desai said his father had passed away on October 24<sup>th</sup> and thanked the Township for flowers and thoughts at this difficult time.

Mr. Desai reported the Township had received a check for \$85,568.95 to refund taxes previously paid on the former taco bell site. He stated the Township had won the majority of the battle, pointing out part of it will be taxable moving forward and we have until the end of November to determine if the Board wishes Mr. Desai to appeal.

Mr. James asked the amount of the tax moving forward.

Mr. Desai said he will have to go back and calculate that saying he needs to call the Auditor's office to get more information.

Mr. James asked where in the O.R.C. it says a Township can own a commercial billboard.

Mr. Desai said the O.R.C. doesn't prohibit ownership of a commercial billboard and he does not have particular issue with that. He said the Township must look at what it pays in taxes versus revenue.

**Administrator Report:**

**Property/Casualty Insurance Renewal**

Mr. Warrick reported he has a resolution for the Board's consideration for the Township's property and casualty insurance. He discussed the good experience he'd had with the existing insurance agent noting the cost is a \$200 increase over what the Township last paid.

Mr. James asked if this had to put out to bid.

Mr. Warrick answered no because this is the third year of a three-year agreement.

The resolution "Approving a Contract for Property and Casualty Insurance and Dispensing with a Second Reading" was read by Mr. Warrick. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution.

Mr. LaBarbara called roll. Vote: All Aye.

Resolution 2020-83 passed this 5<sup>th</sup> day of November, 2020.

Mr. Warrick reported there had been a flurry of activity that day trying to get appropriations in order and discussed the correct process. He said the first thing the Board must do is consider a resolution to approve nine transfers of funds from JEDZ districts to other operating funds which he noted used to be done at the end of the year. He said when he does the 2021 budget, he would like to have this resolution ideally in December to set us up for the next year.

The resolution "Authorizing and Directing Transfers of Funds to Reconcile Budgets and Appropriations and Dispensing with a Second Reading" was read by Mr. Warrick. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara to approve the resolution.

Mr. LaBarbara called roll. Vote: All Aye.

Resolution 2020-84 passed this 5<sup>th</sup> day of November, 2020.

Mr. Warrick said the next resolution has increases and decreases to appropriations to correct them. He said he is fairly certain they are correct although he hasn't had time to check them all. If this is approved tonight, we will get an amended certificate for appropriations in the amount of \$50,127,079.93.

The resolution "Amending 2020 Appropriations, Dispensing with a Second Reading and Declaring an Emergency" was read by Mr. Warrick. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution.

Mr. LaBarbara called roll. Vote: All Aye.

Resolution 2020-85 passed this 5<sup>th</sup> day of November, 2020.

### **Purchase Orders Over \$2,500.00**

Mr. Warrick stated now he may ask for approval of the following purchase orders because have enough money appropriated.

The following purchase orders were presented for approval:

PO# 8631A	Blanket Vendor	Fire Utilities	\$15,000.00
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Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request. Mr. LaBarbara called roll. Vote: All Aye.

PO#8577C	Blanket Vendor	Fire Operations	\$30,000.00
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Mr. Weidman made a motion, seconded by Mr. James, to approve this request. Mr. LaBarbara called roll. Vote: All Aye.

PO#8691 Blanket Vendor Fire Capital \$30,000.00

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

PO#8689 US Bank 2016 Various Purpose Refunding \$540,350.00

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

PO#8690 US Bank 2014 General Obligation Bond TriHealth \$139,225.00

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

Mr. Warrick explained the Township helps fund additional security at the Kenwood Towne Center noting last year the Township spent \$8,700.00 for this.

PO#8697 Hamilton County Sheriff Mall Security 12/26/20 - 01/01/21 \$9,000.00

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

PO#8694 Bastin & Company, LLC 2019-2018 Audit \$5,500.00

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

PO#8695 Bureau of Workers' Compensation 2021 Estimated Premium \$91,101.00

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

PO#8692 Huntington Bank Kemper/Goldcoast/Deerfield Debt \$169,750.00

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

Mr. Warrick explained the township only pays Cincinnati Schools once a year which is why the purchase order is so large.

PO#8696 Cincinnati School District SYC Financial/Redstone School Payment \$261,049.92.00

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



## **2021 Trustees Meeting Dates and Times**

Mr. Warrick said needs to get an idea from Board about 2021 meeting dates.

Mr. LaBarbara recommended dropping Workshop meetings to an as needed basis and holding two Trustees Meetings a month on the first and third Tuesdays of the month at 7:00 p.m.

Mr. Desai suggestion the Board and Department Heads get documents in sooner so that agendas are set in a timely manner and information is sent to Trustees earlier unless it's an emergency.

Mr. LaBarbara discussed rules and procedures.

Mr. Desai stated those would be useful to have in place.

Mr. Weidman asked about meeting dated for the first week of January given the holiday and possibly changing the November meetings due to election day.

Mr. Miller pointed out he will have to adjust zoning meetings which have been traditionally moved to Tuesday when Monday is a holiday.

There was a discussion about December meetings.

Mr. Weidman said he had a Zoom call with Ohio State Representative Bill Seitz and the Governor. He stated the allowance for remote meetings expires December 1<sup>st</sup> but he was assured in that call the deadline would be extended.

Mr. James commented evening meetings are more accessible to the public and then asked Mr. Desai if the Board should schedule workshops and cancel later if deemed unnecessary.

Mr. Desai answered he is fine with calling Workshops as needed.

Mr. Weidman said a Dillonvale resident contacted him saying Rumpke said they will not pick up anything except what's in a trash can per the Township's instructions. He said he thinks this is an isolated situation but that the Township should contact Rumpke to ask what's happening.

Mr. Warrick stated he will contact Rumpke about this issue.

## **TRUSTEE COMMENTS:**

Mr. Weidman thanked Mr. Eichmann for his service on the Sycamore Township Board of Zoning Appeals, eight years as its Chairman. He said Mr. Eichmann decided it wouldn't be fair to remain on the Board when he may have conflicts due to recent changes in his life. He noted Mr. Eichmann has been involved in many charitable organizations. Mr. Weidman thanked him for his dedicated service to the community and wished him well in his retirement.

Mr. Weidman said wanted to clear something up. He said Mr. LaBarbara suggested he had texted Mr. Warrick proving he knew him previously. Mr. Weidman said he didn't know Mr. Warrick and had sent him a Facebook message in response to something he was told Mr. Warrick had

said about him. Mr. Weidman said he just wanted to clear that up noting did not know Ray Warrick before this and submitted a copy of the Facebook message for the record.

Mr. James said despite his recent criticism of Mr. Eichmann about an incident that occurred, he recognizes and appreciates his service to the community.

Mr. LaBarbara stated he worked with Mr. Eichmann for 6.5 years on the Board of Zoning Appeals noting he did a good job. He requested Mr. Desai work on rules and procedures for meetings to present at the next Workshop.

### **ANNOUNCEMENT CHANGES**

Mr. LaBarbara directed people to the calendar for information and noted the next Workshop meeting will take place Tuesday, November 17<sup>th</sup> at 9:00 a.m.

Mr. Porter commented it usually lists "Communications" under the Fiscal Officer report on the agenda.

Mr. LaBarbara stated Mr. Porter should pass communications to him and he will read them.

Mr. James asked about rescheduling the postponed Records Commission Meeting.

Mr. Warrick answered it will be rescheduled.

Mr. LaBarbara said he will not read defamatory communications noting that had never been done. Mr. LaBarbara said the people who wrote the communications had already been contacted. He noted having something read in the meeting is a privilege, not a right.

Mr. Porter commented from now on if he receives communications, they must be run by Mr. LaBarbara.

Mr. LaBarbara answered yes.

There was discussion about the agenda being changed.

Mr. Weidman said Mr. Porter would like to know who made the decision to have "Communications" removed from the Fiscal Officer report.

Mr. LaBarbara said he made the decision to take it off and from now on he will read the communications.

### **Executive Session**

Mr. Weidman made a motion to adjourn into executive session with Law Director Deepak Desai as permitted by Ohio Revised Code Section 121.22 "Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment". Mr. James seconded.

Mr. LaBarbara called roll. Vote: James: Aye; LaBarbara: Aye; Weidman: Aye

Mr. LaBarbara invited Fiscal Officer Porter, Chief Penny, Mr. Miller, Mr. Kellums, Mr. Warrick, and Ms. Gunderson into the Executive Session with the Trustees.

End Regular Session: 9:33 p.m.

Begin Executive Session: 9:38 p.m.

End Executive Session: 10:15 p.m.

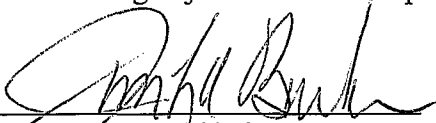
Back in Regular Session: 10:16 p.m.


Mr. LaBarbara called roll all three Trustees were present.


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

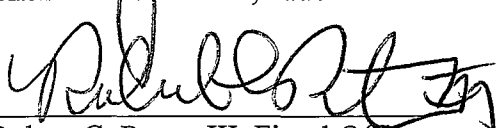
Vote: All Aye.

The meeting adjourned at 10:17 p.m.

  
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Jim LaBarbara, Chairman

  
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Thomas C. James, Jr., Vice Chairman

  
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Thomas J. Weidman, Trustee

  
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Robert C. Porter III, Fiscal Officer  
11/05/2020