

RECORD OF PROCEEDINGS

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

February 2, 2021

NOTE: Due to the COVID-19 pandemic and the issuance of guidelines to limit public gatherings by Governor DeWine and the Director of the Ohio Department of Health, and due to enabling legislation (House Bill 404) which extended the ability of local governments in Ohio to meet remotely during this time, this hearing was held remotely via Zoom. Members of the public were given the opportunity to register to participate live in the hearing remotely. Video of the meeting was live streamed to the public on the internet.

The Public Hearing to consider the proposed Consent Decree for Board of Zoning Appeals Case SYCB190013 was called to order at 6:06 p.m.

All three Trustees were present for the hearing as well as Planning & Zoning Administrator Skylor Miller, Administrator Ray Warrick and attorneys for the parties involved.

Mr. James stated it is his understanding that there was discussion about continuing this hearing and introduced Scott Sollmann to report.

Mr. Scott Sollmann, attorney representing Sycamore Township, said the proposed Consent Decree has been available since the notice was published for this Public Hearing. He said in order to provide additional time for the developer to finalize a home builder and thus bring clarity and necessary information to area residents, as well as provide more time for negotiation, they request a continuance to the 16th of February.

Mr. James asked if two weeks would be long enough as the Homeowners' Association requested ten days to review revisions. He pointed out there is another zoning public hearing already scheduled on the 16th of February.

There was discussion about what date to hold the continued Public Hearing.

Mr. Tom Tepe, attorney for the developer, Five Star Equity Investors, LLC, said his client would prefer to reschedule the hearing to February 16th but deferred to the Board.

Mr. Stephen Hunt, attorney for the Homeowner's Association, stated March 2nd is fine.

Mr. LaBarbara made a motion, seconded by Mr. Weidman, to table this discussion until March 2nd at 6:00 p.m. Mr. James called roll. Vote: All Aye.

Mr. Weidman made a motion to adjourn, seconded by Mr. LaBarbara. Vote: All Aye.

The Public Hearing adjourned at 6:15 p.m.

RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Trustees of Sycamore Township Sycamore Township, Hamilton County, Ohio

February 2 , 2021

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 404) which extended the ability of local governments in Ohio to meet remotely during this time, this meeting was held remotely via Zoom. 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 7:01 pm. Mr. James stated there was a brief Public Hearing at 6:00 p.m. which was continued to March 2, 2021 at 6:00 p.m.

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

The invocation from Bethel Baptist Temple was ready by Mr. Miller.

Pledge to the Flag.

The Trustees, Mr. Porter, Mr. Warrick, and Mr. Desai gave consent for their signatures to be added electronically to any documents approved tonight.

Approval of the January 19, 2021 Trustees Meeting Minutes

The January 19, 2021 Trustees Meeting Minutes were presented for approval. Mr. LaBarbara made a motion, seconded by Mr. Weidman to accept them. Mr. Porter called roll. Vote: All Aye.

Fiscal Officer Report

Mr. Warrick stated he had five purchase orders for consideration this evening and he would like to amend the agenda to approve those before the Fiscal Officer's reading of the receipts and disbursements because at least one of the purchase orders relates to bills that Mr. Porter is going to ask the Trustees for approval to pay tonight.

Mr. Warrick presented purchase order number 8786 noting the money is available and appropriated.

Bureau of Workers' Compensation	2020 BWC True-Up	\$27,351.00
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Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request. Mr. Porter called roll. Vote: All Aye.

Mr. Warrick presented purchase order number 8787.

Atkins & Stang Electric, Inc.	Kugler Mill Project Moving of Fiber	\$3,985.00
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Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request.

Mr. Kellums clarified this purchase order will be paid out of Kenwood TIF funds for the Kugler Mill Road Project.

Mr. Porter called roll. Vote: All Aye.

Mr. Warrick presented purchase order number 8788 for the Kugler Mill Road project, a project previously approved by the Board, also using TIF funds. He said the money is available and properly appropriated.

Rack & Ballauer	Kugler Mill Improvement Project	\$1,516,917.27
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Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request.

Mr. Kellums pointed out we will get money back from Greater Cincinnati Waterworks and Hamilton County for this project, therefore, the Township's cost will actually be just under \$1 million.

Mr. Porter called roll. Vote: All Aye.

Mr. Warrick stated he has a resolution to amend appropriations to go with that purchase order so he would like to have it approved in tandem.

Resolution – Amending 2021 Appropriations, Dispensing with a Second Reading, and Declaring an Emergency

The resolution “Amending 2021 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. LaBarbara to approve the resolution.

Mr. Weidman asked Mr. Warrick to comment on why at every meeting this year there are resolutions amending appropriations.

Mr. Warrick said this will happen a few more times this year as we get up to speed on all of the projects and how they should be appropriated. He said we want to keep things in order because historically we have not.

Mr. James said it is useful to do this as we go along rather than a catch all correction at yearend.

Mr. Weidman said he would like to get the appropriations set so they do not have to be amended every month.

Mr. Desai requested a new motion for the purchase order approved before this resolution since the money is being appropriated in the resolution.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-006 passed this 2nd day of February, 2021.

Mr. Warrick presented purchase order number 8788 once again.

Rack & Ballauer	Kugler Mill Improvement Project	\$1,516,917.27
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Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request. Mr. Porter called roll. Vote: All Aye.

Mr. Warrick presented purchase order number 8789 for Bechtold Park which will use CARES Act money.

Atkins & Stang Electric, Inc.	Bechtold Park Fiber Splice	\$18,570.00
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Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request.

Mr. James asked for clarification about this purchase order.

Mr. Kellums said this is new construction and explained that as part of the Sycamore Road Project, fiber was run down to Bechtold Park for electronic locks, cameras, and Wi-Fi for residents to use in the park. He said the fiber splicing requires very specialized equipment and this was the best price.

Mr. James commented this will enable public Wi-Fi in Bechtold Park.

Mr. Kellums said this will enable it and once this is done, we will be doing the rest in-house.

Mr. Porter called roll. Vote: All Aye.

Mr. Warrick presented purchase order number 8790, a blanket purchase order for CARES Act funds which was already appropriated.

Blanket Vendor	CARES Act – COVID Expenses	\$50,000.00
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Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request.

Mr. Kellums explained this is for the CARES Act money we received last year. He said blanket purchase orders expire at the end of the year so another must be approved.

Mr. Porter called roll. Vote: All Aye.

Pay Bills and Read Receipts

The Receipts in the amount of \$500,507.10 and Disbursements in the amount of \$392,481.51 for February 2, 2021 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: /s/ Robert C. Porter III

Robert C. Porter III, Fiscal Officer

A motion was made by Mr. Weidman, seconded by Mr. LaBarbara to accept them.

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

Public Comments

No one from the public registered to speak.

Sheriff Patrol Report

Sgt. Crider stated Lt. Tarr had not given him anything to report and noted the monthly statistics are pending.

Mr. Weidman stated he was working with Lt. Tarr on early morning Rumpke pickups.

Sgt. Crider stated he has one of the night shift officers working on that and he is waiting for an email back about enforcement action on that issue.

EMS/Fire Report**Covid-19 and Vaccine Update**

Chief Penny reported since the last Trustees Meeting, there have been 77 new cases quarantined at home in the Township. He said COVID-19 cases are dropping. Chief Penny informed the Board he had received an email from Hamilton County Public Health with a website portal for fire and police to use for vaccinations. He also said he had forwarded another email containing a [link](#) for the public to schedule vaccinations to Beth Gunderson for the website.

Chief Penny stated the monthly report will be sent in a few days and pointed out a change on the report.

Chief Penny reported the majority of Township employees have had their second vaccine.

Mr. LaBarbara stated he was on the weekly call with Hamilton County Public Health in which Health Commissioner Greg Kesterman stated the COVID-19 numbers for Hamilton County are trending down, but Hamilton County is still designated as red on the map for very high exposure and spread.

Mr. James asked Chief Penny if the construction in the driveway by the firehouse would interfere with the department's operations.

Chief Penny answered no, stating all the trucks will be going out on the other side of the building.

Mr. LaBarbara asked Mr. Kellums how long that drive will be unavailable for the fire trucks noting it has a traffic light.

Mr. Kellums answered it will be 14 days after concrete is poured because of the weight of the fire trucks.

Roads, Maintenance and Recreation Report

Mr. Kellums reported maintenance crews have been very busy with the snow and went through 305 tons of salt since last Wednesday. He said 500 tons of salt were delivered today so the Township is back to capacity. Mr. Kellums noted his crew is using the new chemical system in back which is working well.

Mr. Weidman thanked the maintenance crew for doing a great job on the roads.

Mr. Kellums reported OPWC project ratings have come in and the Township's project was the #1 rated project in the County. He said Mr. Reutelshofer put that grant application together and did a fabulous job. He noted we have had great success with grants over the last five years.

Mr. James thanked Mr. Reutelshofer for getting that together.

25% TIF Road Program

Mr. Kellums said the Board was sent the list of roads, 10.25 miles of roadway, involved in the 2021 Road Project which will be funded using 25% of unencumbered TIF funds. He noted this will push us ahead in our road program. He said the 25% of unencumbered TIF funds available comes to about \$5 million and the estimated cost for the road program is just under \$3.4 million.

Mr. Kellums stated, in addition to the Donegal headwall, there are three other headwalls in Dillonvale to be repaired this year. He said the headwall repairs will also use the unencumbered TIF money and cost about \$400,000.00. He stated the estimated total for the headwalls and roads is \$3.8 million.

Mr. Weidman pointed out this demonstrates the great value of tax increment financing in our community and some of the great things it has allowed us to do with infrastructure. He asked if we will be able to get all this done.

Mr. Kellums answered he thinks we will because we will be going to bid early and requested a motion to advertise for bids for this project in the Cincinnati Enquirer on February 5th and 12th for a bid opening on February 19, 2021.

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to advertise for bids for the 2021 Road Program as presented by Mr. Kellums. Mr. Porter called roll. Vote: All Aye.

Mr. Kellums reported the Duke Energy Central Corridor Pipeline Project is preparing to start and Duke Energy has sent us a letter that we have put on our website to keep our residents informed.

Mr. Kellums said he needs some signatures for the certification of the Township's highway system, 50.667 miles of roads.

Mr. James and Mr. LaBarbara said they would stop in to sign it and Mr. Weidman gave consent for his signature to be added electronically.

Mr. James asked Mr. Kellums if there is a map of where our fiber is deployed.

Mr. Kellums answered we do not, but we are working on that.

Mr. James inquired about a fiber outage at Bob Meyer Park.

Mr. Kellums discussed a fiber break near Bob Meyer Park and said mapping out the fiber is in the works.

Mr. James went on to bring up the possibility of using the 25% of unencumbered TIF funds to pay for landscaping and beautification of Bechtold Park citing Ohio Revised Code 5571.10. He pointed out other parks in the Township have curbs instead of the unattractive posts at Bechtold.

Mr. Kellums pointed out Bechtold Park's driveways and parking lots will be paved as part of the 2021 Road Program. He then discussed the expense of adding curbs, and the Board discussed the dumpsters there and the possibility of either keeping bathrooms open all year or constructing enclosures for the port-a-lets.

Mr. Desai will look into the possibility of using the 25% of unencumbered TIF funds for port-a-let enclosures.

Planning & Zoning Report

Mr. Miller reported he had two resolutions for the Board's consideration. He said the first one is for St. Clair Avenue. He stated this is phase one of a phased approach to get access to the property to obtain more information about the junk vehicles there.

There was discussion about this property being an issue in the past and if it is occupied.

Sgt. Crider stated his units have responded there for trouble runs.

Resolution – 8308 St. Clair Avenue Nuisance Property

The resolution "Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 8308 St. Clair Avenue, Sycamore Township, OH 45236" 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. Porter called roll. Vote: All Aye.

Resolution 2021-007 passed this 2nd day of February, 2021.

Mr. Miller reported on a property on Plainfield Road with accumulation of trash and debris.

There was a discussion about notification of the violations and whether or not the house is occupied.

Resolution – 8566 Plainfield Road Nuisance Property

The resolution “Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 8566 Plainfield Road, Sycamore Township, OH 45236” 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. Porter called roll. Vote: All Aye.

Resolution 2021-008 passed this 2nd day of February, 2021.

Mr. Miller said Zoning Commission is cancelled this month due to lack of business. He said the PUD1 review for the Hillpointe Development was tabled until the Trustees review Zone Change portion of that case (Case 2020-07Z) on February 16, 2021 at 6:00 p.m. Mr. Miller said there will be one case before the Board of Zoning Appeals on February 17, 2021 at 6:30 p.m. noting the hearing will be held remotely.

Mr. James asked if the applicant for Case 202-07Z had submitted revised plans and requested Mr. Miller confirm they intend to proceed on February 16th.

Mr. Miller said they have not yet submitted revisions to the Township, and it is his understanding they plan to move forward with the hearing on February 16, 2021.

Law Director Report:

Mr. Desai reported he received official notification from the State that the Northlake Drive TIF extension was approved for an additional 15 years after the original period expires.

Mr. James asked when this application was made.

Mr. Desai answered the application was made in November, 2019.

Mr. Weidman asked if this was at the old value.

Mr. Desai answered it's a mixture noting there were additional public infrastructure improvements approved in Resolution 2017-102.

Mr. James asked what we are continuing to pay off through the TIF.

Mr. Desai answered he is not familiar with financing and debt services.

Mr. Weidman said he does not think there is any obligation on it but said maybe Mr. Warrick could comment.

Mr. Warrick answered it is free and clear.

Mr. James then inquired about the purpose of extending the TIF.

Mr. Weidman answered we have the ability to take the TIF funds generated from that project and do things like put sidewalks in on Kemper Road or resurface Kemper Road, which the County has no money to do. It allows us to make needed improvements and is valuable to our Township. He said we just finished approving \$3.8 million in TIF funds to improve our local roads which is a good example of why TIF so important.

Administrator Report:

Mr. Warrick reported he has a resolution for consideration for disposition of obsolete and surplus property. He pointed out a lot of this is driven by upgrades we have made with COVID money to make things more sterile and to make remote operating more robust. He said there are some furniture items which may be donated, and some items may be sold for a very nominal amount.

Resolution – Declaring Township Property as Surplus and Obsolete and Authorizing its Disposition

The resolution “Declaring Township Property as Surplus and Obsolete and Authorizing its Disposition, Dispensing with a Second Reading and Declaring an Emergency” was read by Mr. Warrick. A motion was made by Mr. LaBarbara, seconded by Mr. Weidman to approve the resolution.

There was a discussion about whether some of the monitors should be kept for backup and about records retention of records stored on the computers.

Mr. Desai said some records have to be preserved in their original state and suggested discussing this tomorrow. He added the resolution is based on O.R.C. 505.10 so further discussion will not hold up the resolution if the board is inclined to approve it.

Mr. Miller stated we could physically pull all the hard drives if we need to retain them.

Mr. Porter called roll. Vote: Mr. LaBarbara: Aye; Mr. James: Aye, subject to retention of the hard drives; Mr. Weidman: Aye.

Resolution 2021-009 passed this 2nd day of February, 2021.

Resolution – Authorizing and Directing a Transfer of Funds to the Sycamore Township CIC

Mr. Warrick reported he had a resolution to transfer funds to the CIC noting people are starting to do their taxes and applying for grant money. He said the resolution is for a \$100,000.00 transfer which should cover the year.

The resolution “Authorizing and Directing a Transfer of Funds to the Sycamore Township CIC, Inc., the Designated Community Improvement Corporation of Sycamore Township, for Funding Grants and Operating Costs, and Dispensing with the Second Reading” was read by Mr.

Warrick. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, to approve the resolution.

Mr. James said, for the record, this transfer covers refunds of tax money paid by residents who work in the JEDZ and pay taxes there.

Mr. Porter called roll. Vote: All Aye.
Resolution 2021-010 passed this 2nd day of February, 2021.

Mr. Warrick explained how the executive session breakout room would work.

Trustee Comments

Mr. Weidman spoke about the CARES Act distribution of funds from the State of Ohio. He said as president of the Hamilton County Township Association (HCTA) he has had lots of conversations with Representative Bill Seitz about changing distribution to a per capita formula instead of a local government fund formula. He said this will change things for the better for Townships in Hamilton County.

Mr. Weidman reported yesterday was Ohio Township Day as declare by the State Legislature. He said the Ohio Township Association is currently holding their annual conference via Zoom.

Mr. Weidman reported there is one other piece of legislation he is working on regarding Cincinnati Waterworks. He said when townships' contract was up with Cincinnati Waterworks, we fought vigorously in courts for a temporary stay on Waterworks increasing rates. He said on behalf of the townships he negotiated a fifty-year deal with Mayor John Cranley for rates to be kept at the same formula as the last 35 years. He reported he is now working with Representative Brinkman right now to re-introduce legislation. He said, currently, residents of townships outside the City of Cincinnati pay a 25% higher rate than residents within the City of Cincinnati. The new legislation proposed would have all residents pay the same amount. He said he is hopeful this will be successful and should reduce costs by 15%.

Mr. James said Mr. Weidman did an excellent job on that negotiation a couple years ago. He asked Mr. Weidman if HCTA will meet during the pandemic.

Mr. Weidman stated Mr. James should have received an email about a meeting via Zoom on February 25, 2021.

Neither Mr. James nor Mr. LaBarbara had received the email about the HCTA meeting.

Mr. Weidman said he will resend the email.

Mr. LaBarbara stated he invited Deer Park Library Branch Manager Natalie Fields to the next Trustees meeting on Feb 16th to give an update on the new library to be constructed in Dillonvale Shopping Center. He added on February 17, 2021, the library and architects for this project will be hosting a Zoom meeting presentation. He said more information may be found on the library's [website](#).

Mr. LaBarbara said he spoke to the Parks Advisory Committee about tennis/pickle ball courts in Bechtold Park. He said he had preliminary cost for this and sought approval from the committee. He said the committee is in favor of the idea but would like to wait for results of the parks survey. They would also like to wait until the parks plan is finished.

Mr. LaBarbara thanked Mr. Reutelshofer and Jason Petty for their help in researching this. He said it's been a huge success everywhere: Madeira, Montgomery, Anderson. He stated he first mentioned this to the board nine months ago and the park board was the first step. He said next convince the other Trustees and third get the money; should be around \$150,000. He stated at this time, he is dropping the idea and perhaps will revisit this next year.

Mr. LaBarbara urged people to sign up for the Township's monthly email newsletter.

Mr. James stated today is Groundhog Day and said hopefully he didn't see his shadow. He said the Governor issued a Proclamation designating February Black History Month. He said the theme is the Black Family, Representation, Identity and Diversity, and we recognize Black History Month both in Sycamore Township and throughout the State of Ohio.

Mr. James said, as Mr. Weidman noted, Ohio Township Day was yesterday; recognizing Townships and the contributions of those who work within them and for them. He said the OTA annual convention is online this year adding that it was valuable to go in person last year and meet other Trustees. Mr. James reported one of the things the OTA does is sponsor four \$1,500 college scholarships to high school seniors who live in townships in Ohio who are planning to attend an Ohio college or university. He said the deadline to apply is February 28th and encouraged high school seniors to check into it at <https://www.ohiotownships.org/scholarship-program>. He noted one of the qualifiers for applicants is to attend a Township meeting.

Announcements

Mr. James pointed out the Zoning Commission Meeting on February 8th has been cancelled and the date for the Board of Zoning Appeals Meeting has changed to Wednesday, February 17, 2021. He referred people to the website calendar for information on all Township meetings and events.

Executive Session

Mr. LaBarbara made a motion to adjourn into executive session with Law Director Deepak Desai as permitted by Ohio Revised Code Section 121.22 to consider the sale of Township property and to adjourn into executive session with Law Director Deepak Desai as permitted by Ohio Revised Code Section 121.22 to discuss pending litigation. Mr. Weidman seconded the motion.

Mr. James invited Fiscal Officer Porter, Mr. Warrick, Mr. Kellums and Mr. Miller into the Executive Session with the Trustees.

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

End Regular Session: 8:17 p.m.

Begin Executive Session: 8:20 p.m.

End Executive Session: 9:12 p.m.

Back in Regular Session: 9:13 p.m.

Mr. Warrick called roll; all three Trustees were present.

A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, to adjourn the meeting.
Vote: All Aye.

The meeting adjourned at 9:13 p.m.

/s/ Thomas C. James, Jr.
Thomas C. James, Jr., Chairman

/s/ Jim LaBarbara
Jim LaBarbara, Vice Chairman

/s/ Thomas J. Weidman
Thomas J. Weidman, Trustee

/s/ Robert C. Porter III
Robert C. Porter III, Fiscal Officer
02/02/2021