

RECORD OF PROCEEDINGS

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

March 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 hearing was held remotely via Zoom. Members of the public were given the opportunity to participate live in the meeting remotely via Zoom. Video of the meeting was live streamed to the public on the internet.

The public hearing was called to order at 6:02 p.m. by Mr. James.

Present for the hearing were Chairman James, Vice Chairman LaBarbara, Trustee Weidman, Administrator Warrick, Superintendent / Assistant Administrator Kellums and Attorney Scott Sollmann representing Sycamore Township.

Mr. James explained this public hearing to consider a Consent Decree for Board of Zoning Appeals Case SYCB190013 (6100, 6331, 6341, 6491 and 6551 Kugler Mill Road) was continued from February 2, 2021. He said he understands there is potential reason to continue the case once more.

Mr. Sollmann reported there has been some progress since the last hearing, however, the developer has retained a builder, Redknot Homes, and additional time is needed to present information regarding the builder to the Homeowners' Associations.

Mr. Stephen Hunt, attorney for the Homeowners' Associations, said distribution is in progress to about 450 homeowners of a packet including the general plans, background on Redknot Homes, and the Consent Decree. He then requested a continuance until March 9, 2021 at 4:30 p.m.

Mr. Sollmann stated he confirmed with Mr. Tom Tepe, attorney for the developer, that he and his client are able to attend a continued hearing on March 9th at 4:30 p.m. He noted there is a court date in April and holding the continued hearing on March 9th will keep this on the timeline.

Mr. James stated that 4:30 p.m. time is early to expect members of the public who may be working to attend.

Mr. Hunt said Mr. Tepe also had a conflict later in the evening that night.

Mr. Steve Ginn, of the Sturbridge Homeowners Association, said if there is a lot of uncertainty since they just started mailing out the information today. He said the next four to five days should reveal the mood of the residents with regard to the Consent Decree. He noted the HOA may have its own Zoom meeting to discuss. Mr. Ginn stated, in the over two years of working on this, he thinks the plan is now in a good place, but he will know more as the week progresses.

Mr. James requested Mr. Ginn keep in touch with the Township and, assuming there is a motion to continue the hearing this evening, it could possibly be continued again.

Mr. James made a motion, seconded by Mr. Weidman, to continue the public hearing in progress to Tuesday, March 9, 2021 at 4:30 p.m. for the reasons noted. Mr. James called roll. Vote: All Aye.

Mr. James made a motion to adjourn the public hearing. Mr. LaBarbara seconded the motion. Vote: All Aye.

The hearing adjourned at 6:09 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
Public Hearing 03/02/2021

RECORD OF PROCEEDINGS

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

March 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. Video of the meeting was live streamed to the public on the internet.

The regular meeting was called to order at 7:00 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. Sovern from the Hamilton County Sheriff's Office.

The invocation from Good Shepherd Lutheran Church was read by Mr. Miller.

Pledge to the Flag.

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

Approval of the February 16, 2021 Trustees Meeting Minutes

The February 16, 2021 Trustees Meeting Minutes were presented for approval. Mr. Weidman made a motion, seconded by Mr. LaBarbara to accept them. Mr. Porter called roll. Vote: All Aye.

Public Comments

There was one person registered for public comment who had not yet logged in to the meeting.

Sheriff Patrol Report

Sgt. Sovern reported on two incidents that took place in the Kenwood shopping area. He then reported there had been some noise complaints regarding Rumpke drivers in the northern section of the Township. He stated the Rumpke driver was given a verbal warning and, if the problem continues, his office will take further action.

Mr. Weidman stated the Rumpke situation has been going on for a while, and while he sympathizes with the Rumpke drivers, there is a noise ordinance in place.

Mr. James asked if Mr. Kellums had anything to add.

Mr. Kellums said he spoke to our government liaison who is well aware of the noise ordinance.

EMS/Fire Report

Covid-19 Update

Chief Penny reported there are an additional 42 people quarantined at home since the last Trustees Meeting which is quite good compared to previous weeks. He said the Johnson & Johnson vaccine is coming and will be offered on March 8, 2021 to firefighters and police officers.

Chief Penny stated the monthly report would be emailed to the Trustees in the coming days.

Roads, Maintenance and Recreation Report

Neighboring Communities Rules on Alcohol in Parks

Mr. Petty reported the Board had asked him to find out what rules surrounding municipalities have in place in regard to alcoholic beverages in parks. He noted the City of Montgomery and Symmes Township both do not allow alcohol consumption in their parks without a permit.

Mr. James reported Deerfield Township has a similar rule and asked what the rules last presented to the Board said on this topic.

Mr. Petty said the last set of rules presented to the Trustees, stated only that alcohol could not be sold.

Mr. Weidman stated he thinks it is reasonable to keep the rules the same as they are in the City of Montgomery so that people must have a shelter rental permit to consume alcohol. He said we don't want to promote impromptu parties in the park.

Mr. LaBarbara agreed but asked Mr. Kellums if this has been a problem.

Mr. Kellums answered, not recently, but in the past drinking alcohol has developed into vandalism.

Mr. James stated he thinks this rule goes overboard because unruliness is prohibited elsewhere but he does not have a problem leaving the rule as it is currently.

Mr. Petty will bring a final draft of the park rules to the Board at the next meeting.

Mr. Petty reported the Parks Advisory Committee voted to have paper copies of the parks survey available at the north and south fire station. He said he learned the survey would be done electronically and paper copies would need to have results tabulated by hand.

Mr. Kellums added we had talked about doing the survey electronically which makes it easier to tabulate. He said there will be a QR code for the survey in the print newsletter and on signs in the parks. He also pointed out the north fire house is currently not open to the public.

Mr. LaBarbara said it could be an inconvenience for the fire department.

Mr. James said we should make paper copies available for people who prefer them. He noted we should have a deadline to submit the paper surveys and the results of those could be calculated by someone in the office and added to the electronic results.

Mr. Kellums suggested having them available at the south fire station and Chief Penny stated they could be placed in the lobby which is always unlocked.

Mr. Weidman suggested putting a bottle of hand sanitizer in the lobby.

Chief Penny said the lobby is monitored by cameras.

Mr. James stated paper surveys could also be mailed to residents by request.

Chief Penny said surveys could be run out to a person's car by request.

Mr. Petty reported Ms. Tina Early and Ms. Kathy Kugler of the Parks Advisory Committee had the idea to hold a treasure hunt at Bechtold Park and asked if the Trustees are ok with the idea.

Mr. James stated he is in favor of promoting outdoor events. Mr. Weidman and Mr. LaBarbara agreed.

Mr. Petty said bathrooms in the park and shelter rentals will open the first week in April. He said yoga at Bechtold Park will resume April 11th at 10:00 a.m. and continue every Sunday through October. He noted, if he is able to find more volunteer instructors, he would like to expand yoga to additional days and locations.

Mr. James stated some of the committee members had raised concerns to him about the Park Advisory Committee meeting minutes and they had requested the Township pay someone to write the minutes. He noted the committee is an advisory committee and it does not have spending authority on its own.

Mr. Petty said when the meeting is recorded, it is extremely easy to keep the minutes. He noted there was an issue with the recording last time. He spoke about wanting to resume meeting in person.

Mr. Weidman suggested meeting at Schuler where the members of the committee could spread out.

There was continued discussion about the possibility of the Parks Advisory Committee meeting in person. Chief Penny suggested waiting another month or so until the vaccines are more widely distributed.

Motion to Advertise for an RFQ

Mr. Kellums reported on a Request for Qualifications for engineering services he would like to publicize. He said this is for culvert work in Dillonvale and would be paid for with the 25% of unencumbered TIF funds the Township is permitted to use.

Mr. Weidman asked if the culvert work for which the Township was awarded a SCIP (State Capital Improvement Projects) grant was 100% funded.

Mr. Kellums answered the Township funds 50% and the SCIP funding is 50% which allows the project to score a lot better.

Mr. Weidman asked if the 25% of unencumbered TIF dollars may be used for the 50% of the SCIP project the Township funds.

Mr. Kellums answered yes.

Mr. LaBarbara asked for clarification saying he thought Mr. Kellums said it was 25%.

Mr. Kellums explained the approved SCIP project gets 50% SCIP funding, the Dillonvale culvert project will be funded by the 25% of unencumbered TIF the Township is permitted to use due to COVID relief. He said \$3 million of that is being used in the 2021 Road Improvement Program and the Township has \$5 million available to spend. Mr. Kellums went on to explain how the RFQ works and that the engineering firms who submit qualifications will be rated.

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to advertise for an RFQ for an engineering consultant for the Dillonvale Subdivision Culvert Improvements Project.

Mr. Weidman pointed out this shows how valuable TIFs are to the Township saying we have the ability to go to the well for a half million dollars and we are not asking our residents for that money to fund infrastructure improvements within the Township. He stated this is all possible because of Tax Increment Financing and he reiterated how valuable that is to residents of Sycamore Township.

Mr. Kellums reported he has a resolution for the 2021 Road Improvement Program. He said four high quality contractors bid very good prices on the program.

The resolution "Authorizing a Contract for the 2021 Road Improvement Program 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. Kellums noted the lowest bid was \$3,130,375.60 from the John R. Jurgensen Company.

Mr. James asked if this is being paid for with the 25% of unencumbered TIF.

Mr. Kellums answered yes.

Mr. Miller asked how many miles of roadway are included in the program.

Mr. Kellums answered he did not have that number in front of him he thinks about 20% of our roads which is about ten miles.

Mr. Miller commented an annual program like that is unheard of nowadays.

Mr. Porter called roll. Vote: All Aye.
Resolution 2021-012 passed this 2nd day of March, 2021.

Mr. Kellums said the maintenance crew has gotten some rest after the February snowfalls and are now doing culvert work and work in the parks. He went on to give an update on the progress of the maintenance storage facility construction saying the punch list should be finished tomorrow and, if so, a final walk through will take place on Friday.

Mr. James stated it would be a nice thing to have a community open house so people can see the building when it is finished.

Mr. James thanked Mr. Kellums for addressing a problem with curb damage. He then stated we spoke about a fiber map at a previous meeting and asked the progress on that.

Mr. Kellums said the company who installed the fiber is doing a repair and will be drawing up a map of the fiber. He said the fiber work should begin now that the weather has improved.

Planning & Zoning Report

Mr. Miller reported he had a resolution for the Board to consider tonight. He pointed out the property maintenance issues on the property in photos taken by the inspector.

Mr. LaBarbara asked if anyone is living there.

Mr. Miller answered he is not sure. He said the department has attempted to notify the owner at the address and a P.O. Box with no response.

Resolution –4454 Kugler Mill 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 4454 Kugler Mill Road, 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 2021-013 passed this 2nd day of March, 2021.

Mr. Miller also reported March and the second quarter of 2021 will be an exciting time for the Planning & Zoning Department. He said he finished a draft of the updated Land Use Plan and it was reviewed internally. He said his goal is to push the draft out to the Land Use Steering Committee for vetting later this month. Mr. Miller stated it will then go to the Zoning Commission to make a recommendation to the Board of Trustees and on to the Trustees for final approval.

Mr. Miller said he will also try to streamline the Zoning Resolution text amendments. He said this will be a fresh look not a revamp of the redline version from a few years ago. He said he hopes to have a draft complete by the end of the month for consideration by the public and Zoning Commission.

Mr. Miller discussed upcoming focus groups for the Montgomery Road Properties Development, the first of which will be a resident focus group held in person on March 11, 2021. He reported he is working with Mr. Rob Ebel, of ESP Media, to live stream the focus group sessions to the public. Mr. Miller stated the business community focus group will be on March 25th and the developer focus group will take place on April 8th. He said the focus group sessions will be followed by a charrette process at a date to be determined. Mr. Miller concluded in the end of this process we will have a general plan for the site to share with potential developers.

Mr. James said on August 9, 2011 the Township had scheduled a public meeting regarding access management with TEC Engineering and asked if that was for the area on Montgomery Road in question.

Mr. Kellums answered he believes TEC Engineering held a public meeting for the Kenwood Road median.

Law Director Report:

Mr. Desai reported he and Mr. Warrick have been working on the Joint Economic Development District for the CIG property and the next step is to hold a JEDD Board Meeting and approve a tax levy resolution.

Mr. James asked about the motion from last month to force compliance with a settlement agreement. Mr. Desai said nothing has been scheduled with the courts as yet. He said he had contacted the attorney for the other party to let them know the Township is proceeding with enforcement of the settlement agreement.

Administrator Report:

Mr. Warrick reported the final reconciliation was done on the CARES Act money. He said in 2020 the Township had to encumber all the money so as not to lose it. He said the following resolution to amend 2021 appropriations approves a reduction of \$11,607.00 in the CARES Act fund.

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, and dispense with a second reading.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-014 passed this 2nd day of March, 2021.

Purchase Orders over \$2,500.00

Mr. Warrick presented purchase order number 8795 for salaries for appointed zoning board members. He said the money is available and has been appropriated.

Blanket Vendor Appointed Zoning Boards \$10,800.00

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve this request.

Mr. Weidman asked how we paid the zoning boards in the first two months of the year.

Mr. Miller discussed payments for the zoning boards and noted there has been some streamlining of the meetings by preparing resolutions ahead of public hearings for possible approval.

Mr. Porter called roll. Vote: All Aye.

Mr. Warrick presented purchase order number 8797 to Holthaus Lackner Signs for the new Administration Complex monument sign and directional signs. He noted they will not be paid until the directional signs are all installed.

Holthaus Lackner Signs Admin Complex Sign & Directional Signs \$19,092.00

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

Mr. Warrick presented blanket purchase order number 8733A for Roads Uniforms. He said this is for another third of the total amount appropriated for this purpose for the year.

Blanket Vendor Roads Uniforms \$3,800.00

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

Mr. James asked what purchase order was pulled from the agenda tonight.

Mr. Warrick said there was a purchase order for money the Township received from Greater Cincinnati Waterworks on a project which we have to use to pay the vendor. He said he spoke to Mr. Kellums and Debbie Campbell about it to make sure it is in the right order noting it will be straightened out and put before the Board at the next meeting.

Mr. Warrick presented blanket purchase order number 8732A for Roads Misc. He said this is also to approve another third of the appropriated funds.

Blanket Vendor Roads Misc. \$3,390.00

Mr. LaBarbara made a motion, seconded by Mr. Weidman, to approve this request.

Mr. Weidman asked what was included in miscellaneous.

Mr. James stated there had been a discussion about communications at a previous meeting and he is thinking about how to include those from a Chairman's perspective. He said communications should be sent to Mr. Porter and all the Trustees.

Trustee Comments

Mr. Weidman reported the Johnson & Johnson vaccines will be distributed quickly and from the perspective of Hamilton County Emergency Management the supplies they get in go right back out to keep the lines of supply to everybody who needs it. He said they are expecting big things since the Johnson & Johnson vaccine requires only one dose.

Mr. LaBarbara reported he was on a call with Hamilton County Board of Health today. He said active COVID-19 cases keep going down stating the suburbs, for the first time ever, have a lower rate than the City of Cincinnati. He gave statistics on hospitalizations and ICU numbers noting Hamilton County is still Level Three/Red. He reported starting on Thursday, all those age 60 and over, as well as childcare workers, funeral home workers, law enforcement and corrections and over as well as those with Type 1 Diabetes, ALS, bone marrow transplant recipients and pregnant women will all be eligible to receive the vaccine.

Mr. James thanked Mr. Kellums' team for all their hard work in February with the snow. He also thanked a local civic group he spoke to recently for a thank you note he received from them.

Announcements

Mr. James stated there is a Tax Incentive Review Council Meeting on March 16th at 5:30 p.m. to be held remotely and referred people to the website calendar for other events. He said prior to this meeting, there was a public hearing to consider a proposed consent decree which was continued to Tuesday, March 9th at 4:30 p.m.

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 discuss sale of Township property. 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: 8:18 p.m.

Begin Executive Session: 8:20 p.m.

End Executive Session: 8:46 p.m.

Back in Regular Session: 8:47 p.m.

Mr. Porter 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 8:48 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
03/02/2021