

RECORD OF PROCEEDINGS

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

July 13, 2021

The regular meeting was called to order at 7:48 pm. by Mr. James. He noted the meeting was beginning late due to public hearings prior to the meeting which ran over.

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

The invocation was read by Mr. Warrick.

Pledge to the Flag.

Approval of the June 15, 2021 Trustees Meeting Minutes

The June 15, 2021 Trustees Meeting Minutes was presented for approval. Mr. Weidman made a motion, seconded by Mr. LaBarbara, to accept them. Mr. Porter called roll. Vote: All Aye.

Resolution – Zoning Case 2021-05LASR

Mr. Miller stated he has an approval resolution prepared with the conditions originally discussed, which he could modify. He said if the board chooses to deny the application, he needs a motion to prepare the resolution.

The resolution "Approving a Localized Area Sign Regulation Plan Located in the Kenwood Special Public Interest District and Dispensing with a Second Reading" was presented by Mr. Miller. Mr. Miller also read the conditions of the approval listed in Exhibit A:

1. That the maximum area of any single sign shall not exceed 116 sq. ft.
2. That a maximum of 450 sq. ft. of total sign surface area be permitted for the entire development (West and East Towers)
3. That a maximum of five (5) building signs be permitted
4. That no building signs shall be located on the south side of either tower
5. Building address signage on canopy shall be permitted as proposed and not count toward total building sign count or allowed area.
6. Site signage shall be permitted at a maximum height as prescribed by the Sycamore Township Zoning Resolution provided that a clear site triangle is maintained, and line of site is preserved by both Township and County standards.

A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Weidman stated he thinks it is a reasonable request.

Mr. LaBarbara and Mr. James agreed it is a reasonable request. Mr. James commented the address signage on the canopy will add to the building's architectural flair.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-047 passed this 13th day of July, 2021.

Resolution – Zoning 2021-08MA

The resolution “Approving a Major Adjustment to a Planned Unit Development for Kenwood Place Ventures, LLC, Located at 7727 – 7835 Kenwood Road, and Dispensing with a Second Reading” was presented by Mr. Miller. Mr. Miller also read the conditions of the approval in Exhibit A:

1. All previous conditions shall remain in effect unless modified below, including, but not limited to:
2. The proposed modification to the freestanding signs is permitted as submitted.
3. Windows as proposed shall be permitted provided any mitigating techniques or offsite landscaping is detailed to Board of Trustees for their review and approval.
4. Outdoor seating for a future juice bar/coffee shop is permitted provided required parking is not impacted.
5. Applicant's signage plan is permitted as submitted.

A motion to approve was made by Mr. Weidman with the following additional conditions: there is no 24-hour operation; the windows must be tinted; seven new green giant trees and one new sour gum tree be planted per plan; and interior shades on all windows

Mr. James seconded the motion.

Mr. Miller requested Mr. Weidman repeat the conditions. Mr. Weidman repeated the conditions and Mr. Miller amended them accordingly.

Mr. James moved to amend and add to the conditions as follows: the shades would be at the 10 percent measure described earlier; noise generating construction be permitted 8:00 a.m. to 7:00 p.m. only; regular hours of operation for spaces with rear facing windows shall be limited to 6:00 a.m. to 10:00 p.m.; the developer make all necessary repairs to the existing ten-foot fence; and as part of the landscaping have an arborist examine the existing trees and provide any care which might be necessary for them.

Mr. Miller amended them accordingly so that the final list of conditions read as follows:

1. All previous conditions shall remain in effect unless modified below, including, but not limited to:
2. The proposed modification to the freestanding signs is permitted as submitted.
3. Hours of operation for spaces with rear facing windows shall be limited in operation from 6:00 AM to 10:00 PM.
4. Outdoor seating for a future juice bar/coffee shop is permitted provided required parking is not impacted.
5. Applicant's signage plan is permitted as submitted.
6. Windows shall be tinted as submitted on July 9, 2021.

7. 7 new arborvitae green giant and 1 new sweetgum tree be planted along the rear buffer yard as submitted on July 9, 2021
8. Interior solar shades shall be installed on all 20 rear and south facing windows with shades at a maximum of 10% openness factor
9. All construction on site that generates external noise shall only be permitted between the hours of 7:00 AM to 7:00 PM.
10. All necessary repairs to the existing 10-foot fence shall be required prior to occupancy.
11. All existing landscaping to remain shall be inspected by a licensed arborist and mended/replaced as needed.

Mr. Weidman stated members of the Board have to think more globally than people who are directly affected. He said the fact that the owner cannot service the debt on this building is a huge problem in the core of the Township's business district and we cannot allow it to fall into disrepair. He said if it went into foreclosure, we would be in a much worse situation. Mr. Weidman thanked Mr. Silverman for reaching out to the residents and trying to mitigate the issues. He said in this situation, nothing is perfect, and we cannot realistically do a thirty foot fence. Mr. Weidman said the developer did the best he could to mitigate issues for the residents.

Mr. LaBarbara stated he has mixed emotions after hearing from residents. He stated it is difficult to compromise but he does not know what else we can do. He said he wishes the Board could have received the information about the louvers before tonight. He said he likes the trees and asked if the tinting of the windows should be more specific.

Mr. Miller brought up the specifications for the tinted windows for the record which was submitted as part of their package.

Mr. LaBarbara stated he feels for the residents and thanked Mr. Silverman for working to mitigate issues.

Mr. James said he also has mixed feelings but approving this is important for vitality of the Township including the neighborhood behind it. He stated it could become the Tri-County corridor if we do not take care of these things. He said if it is an empty retail center things will move in that we do not want. Mr. James said this is a beautiful plan everywhere except for the rear windows but, they are necessary for office space. He said he would not want to live behind the building, but the landscaping is a very good attempt to alleviate the issues. He asked the developer to do more, if possible, to make the neighbors happier. Mr. James noted this is not expanding the boundary into an existing neighborhood saying he would have a big problem if we were doing that. He said we are opening the view line into the neighborhood but for reasons that make sense. He said he is in favor of this with these conditions and he hopes the project will be a good success.

Mr. Porter called roll. Vote: All Aye.
Resolution 2021-048 passed this 13th day of July, 2021.

Public Comments

Mr. J. Janus, Jr., of 4462 Daffodil Avenue addressed the Board. He requested the phone number and office hours be posted on the Administration Building front door. He asked about curb cuts and truncated domes being done at the Sheriff's substation and Station 93. He said Parks Supervisor Petty thinks there should be additional electrical outlets in order to facilitate bands

and movies in the park. Mr. Janus requested the Township hire an outside contractor to put additional outlets. He requested the Board also consider installing lights and electrical outlets in High Point Park for possible events. He inquired about the Township hosting a National Night Out event. He asked whether the High Point block watch program would resume now that the community room is open. He asked why the Township is not charging a rental fee for the former Taco Bell site to be used as a construction staging area. Mr. Janus went on to discuss the recent movies and bands in the park and requested the park shelters be numbered in contrasting colors.

Sheriff Patrol Report

Lt. Tarr stated he had nothing to report.

Mr. LaBarbara asked about the National Night Out Mr. Janus brought up and asked if we could facilitate that in Sycamore.

Lt. Tarr stated he spoke Captain Smith about that noting due to the amount of equipment brought to that event, they try to concentrate it to where they get the most feedback from the community. He said Lincoln heights is where they have had the most community response.

Mr. James asked if the Sheriff's Office ever hold events in parks to bring kids out to see their equipment.

Lt. Tarr answered yes, usually in response to a request from a community group such as Cub Scouts.

EMS/Fire Report

Chief Penny reported Mr. Warrick has a resolution setting the rate of pay for the new firefighter. He reported the Fire Department has offered the position to Craig Wiederhold, a former part-time firefighter at Sycamore Township who currently works full-time in Evendale. Chief Penny reported Mr. Wiederhold has lots of expertise in training and Lexipol and will be an asset to the department. He stated Mr. Wiederhold will be present to be sworn in at the August meeting.

Mr. Warrick stated the resolution has a start date of July 25, 2021 at the pay rate of \$30.19 per hour.

Resolution – Establishing a Rate of Pay for a New Township Employee

The resolution "Setting the Rate of Pay for Newly Hired Full Time Township Employee in the Sycamore Township Fire Department" was presented by Mr. Warrick. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-049 passed this 13th day of July, 2021.

Chief Penny stated the Board previously approved the purchase of a vehicle. He said the vehicle arrived two days ago and will be used for hazardous materials equipment and will replace a trailer which will move to the maintenance department for their use.

Mr. Warrick reported he had a resolution for consideration for a contract renewal with Medicount Management for EMS billing. He said the contract had been reviewed and approved by Law Director Desai.

Resolution – Approving a Contract with Medicount Management for EMS and fire Department Collections

The resolution “Approving a Contract with Medicount Management for EMS and fire Department Collections, Dispensing with the Second Reading and Declaring an Emergency” was presented by Mr. Warrick. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-050 passed this 13th day of July, 2021.

Mr. James asked Chief Penny to address Mr. Janus’ comment about the curb cuts and truncated domes.

Chief Penny answered the Township could look at using relief fund money to do that work.

**Roads, Maintenance & Recreation Report
Parks Report**

Mr. Warrick stated Mr. Janus basically gave the parks report when he spoke about numbering the shelters and possibly doing the National Night Out next year.

Mr. James asked if the shelters would be numbered with actual signs.

Mr. Warrick answered we will do that.

Motion to Advertise Larchview Dr. / Plainfield Rd. Project

Mr. Warrick requested the Board make a motion to approve advertising for bids for the Larchview Dr. / Plainfield Rd. Project.

Mr. Weidman made a motion to approve advertising for the Larchview Dr. / Plainfield Rd. Project. Mr. LaBarbara seconded the motion. Mr. Porter called roll. Vote: All Aye.

Motion to Advertise Dillonvale Subdivision Culvert Improvement Project

Mr. Warrick requested the Board make a motion to approve advertising for bids for the Dillonvale Subdivision Culvert Improvement Project.

Mr. Weidman made a motion to approve advertising for Dillonvale Subdivision Culvert Improvement Project. Mr. LaBarbara seconded the motion. Mr. Porter called roll. Vote: All Aye.

Mr. James asked if it rains if the band may still play since they will be under the shelter.

Mr. Warrick answered he is not certain saying that would be largely up to the band.

Mr. James stated it is important to have a plan in place to notify people about cancellations due to weather.

Resolution – Designating No Parking on a Portion of Charteroak Drive in Sycamore Township

Mr. Warrick said this resolution will be pulled from the agenda as the person who was parking a truck on the street and causing an issue was asked by Chief Penny to move the truck and has done so.

Mr. James asked Chief Penny about access for emergency vehicles during Kugler Mill Road construction once it moves to the other side of Kenwood Road.

Chief Penny explained how emergency vehicles will access those areas during construction.

Planning & Zoning Report

Mr. Miller reported he had three properties with tall grass and weeds which would be the subject of resolutions tonight. He said the first one is 6330 Kugler Mill Road which is being used for staging for the Kugler Mill Road Project. He noted the property was not maintained before it was being used for staging and there have been complaints from neighbors about it.

Mr. Miller stated there are tall weeds on the property located at 7256 Silver Crest Drive. He spoke about the notification process.

Mr. Miller stated the next property is 8587 Kenwood Road. He reported the yard itself is being maintained but there is a “no man’s land” between two properties that is not being managed which neighbors have complained about.

Mr. LaBarbara asked if the owner is aware this is their responsibility.

Mr. Miller answered the property owner was given notice and stated we do expect property owners to understand the limits of their property.

Resolution – 6330 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 6330 Kugler Mill Road, Sycamore Township, OH 45236” was presented by Mr. Miller. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-051 passed this 13th day of July, 2021.

Mr. James asked if the property owner is paying rent to owner for using his property as staging area.

Mr. Miller answered yes.

Mr. James asked Mr. Desai to look into suing and getting a judgement against the property owner since he owes the Township money for the razing of the house and cleaning up the property.

Resolution – 7256 Silver Crest Drive 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 7256 Silver Crest Drive,

Sycamore Township, OH 45236” was presented by Mr. Miller. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-052 passed this 13th day of July, 2021.

Resolution – 8587 Kenwood 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 8587 Kenwood Road, Sycamore Township, OH 45236” was presented by Mr. Miller. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-053 passed this 13th day of July, 2021.

Mr. Miller reported due to the lack of a quorum, the Zoning Commission meeting which was to be held July 12th has been rescheduled for July 27th. He stated there is one case to be heard which is a PUD1 and there will be a discussion of the Zoning Resolution text amendments and the new Land Use Plan. Mr. Miller said the tentative date for the charette regarding Montgomery Road properties in Kenwood is July 21, 2021 at 9:00 a.m. in the Administration Building.

Mr. LaBarbara asked if there will be a Zoom option.

Mr. Miller answered the charette will be recorded but he does not have plans to broadcast it due to the expense.

Mr. James asked why the charette is scheduled for 9:00 a.m. instead of a time that would be more accessible to the public.

Mr. Miller answered it was scheduled based upon the availability of the Land Use Steering Committee members.

Mr. James stated there are other stake holders who are interested and should be notified of the date and time of the charette.

Law Director Report

Mr. Desai stated he has nothing to report but noted there will be a discussion in Executive Session.

Administrator Report

Kugler Mill Builder Approval

Mr. Warrick reported he has a consent to substitute for Justin Doyle Homes to replace Redknot for the 11 houses to be built on Kugler Mill Road that was subject of the Consent Decree. He said he did see some discussion about the type of homes Justin Doyle would build.

Mr. James noted the Consent Decree set the building standards.

Mr. James made a motion, seconded by Mr. Weidman, to give permission to the Township’s attorney to agree to the substitution of Justin Doyle Homes to replace Redknot. Mr. Porter called roll. Vote: All Aye.

June Financial Package

Mr. Warrick reported on the June financial package saying the department heads are getting a better handle on spending and requisition requirements. He stated halfway through the year, 69.7 percent of projected revenue has been collected, therefore, we may beat our revenue goal. He said this is good news that we are that far ahead. He noted 50.7 percent of the appropriated money has been spent so we are right on target.

Mr. James said you had suggested previously that the Board sign off on this and stated he needs more time to review it before he signs.

Mr. Weidman asked about expenses for Robert Half Resources which he understands is related to the person who is helping with the transition from BUCS to UAN. He stated Mr. Warrick had said UAN would save the Township money in the long run. Mr. Weidman said he did some research and there is a savings of about \$2,200 per year in annual contracts with the transition from BUCS to UAN but pointed out the Township has paid Robert Half Management \$52,796.00 and we are continuing to pay. He said the Township also paid CPA Mark Hurst \$2,437.00 for UAN set up for a total cost of \$55,233.00. Mr. Weidman stated currently at that rate, it would take over 25 years for us to just break even.

Mr. Weidman said Debbie Campbell is not yet trained to close out the month therefore we will have to keep the Robert Half Management help on for considerably longer. He concluded although Mr. Warrick suggested this would save the Township money, we are not saving money at all, and it looks like we are spending a lot more money and will continue to do so during the transition. Mr. Weidman stated Mr. Warrick suggested everything BUCS could do UAN could do also. He reported he found out that is not true, it would cost an additional \$4,300 subscription per year to use UAN for our CIC accounting. He said we are still using BUCS for that since UAN cannot do more than one account.

Mr. Weidman stated what he found most troublesome was that with BUCS, the software would not allow duplicate invoices to be paid, but UAN does not have a stop for that. UAN will continue to pay the same invoice as many times as it is entered for payment. He said he knew of one vendor, Velecor, who was paid twice for the same invoice and fortunately came back and informed us of the error and applied the extra payment to the following month. Mr. Weidman expressed serious concern about how many other invoices that were paid more than once where the recipient did not inform us of a duplicate payment, and under the UAN system, how will we even know? He stated this glitch in UAN's system needs to be fixed immediately.

Mr. Weidman requested Mr. Warrick bring answers to the following to the next meeting:

1. Where the Township will achieve the savings you originally promised.
2. How much longer we will need Robert Half Management on site.
3. The cost for the remainder of the support service.
4. What steps have been taken to avoid the problem of duplicate invoice payment.

Mr. Warrick stated he will bring that information to the next meeting.

Resolution – Adopting the Sycamore Township Tax Budget for 2022

Mr. Warrick reported the Board must approve the resolution adopting the 2022 Tax Budget.

The resolution “Adopting the Sycamore Township Tax Budget for 2022, Dispensing with the Second Reading and Declaring an Emergency” was presented by Mr. Warrick. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-054 passed this 13th day of July, 2021.

Mr. Warrick reported the Township’s investment policy was quite outdated, so the Finance Committee researched this and drafted a new policy which was reviewed and approved by Mr. Porter.

Resolution – Adopting a Township Investment Policy

The resolution “Adopting a Township Investment Policy” was presented by Mr. Warrick. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Weidman commented Mr. Warrick stated Mr. Porter has approved this policy.

Mr. Porter stated he sat in on the Citizen Finance Committee Meeting in which this was discussed, and he agreed the old policy did need updating.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-055 passed this 13th day of July, 2021.

Purchase Orders Over \$5,000.00

Mr. Warrick presented the following purchase orders for approval.

321-2021	US Bank	Credit Card	\$57,000.00
340-2021	Office Team	Zoning Help	\$10,000.00
342-2021	Hamilton County Sheriff	Contracted services	\$1,390,241.47
344-2021	Enzo's	Air Compressor	\$5,661.66
348-2021	Mutt Mitt	Pallet	\$5,919.20
		Avaya IP Office Phone System	
368-2021	CBTS	Project	\$22,831.06
370-2021	Ohio CAT	Brake Work on Truck	\$8,779.56
376-2021	ESP Media, LLC	Video, Zoom, Vimeo Meetings	\$17,500.00
380-2021	Velecor, LLC	IT Support	\$48,500.00
385-2021	Cincinnati Bell Telephone	Services	\$15,000.00
387-2021	Duke Energy	Streetlighting	\$35,000.00

Mr. Weidman made a motion to approve purchase orders over \$5,000.00. Mr. LaBarbara seconded. Mr. James read the purchase order numbers for the record: 321, 340, 342, 344, 348, 368, 370, 376, 380, 385, and 387. Mr. Porter called roll. Vote: All Aye.

Mr. Warrick stated he attended a Center for Local Government meeting about the American Rescue Plan. He said Sycamore Township will be getting \$2 million from ARP and will have until 2026 to spend it. He said during the meeting they went over some of the rules for spending

the money. He said he and Chief Penny will be on a call tomorrow with the State to go over some of the rules.

Mr. James asked if the ARP funds have COVID constraints or if it is broader stimulus type money.

Mr. Warrick answered the intent is an off shoot of the impact of COVID. He will get more clarification. He noted if there is a short fall in JEDZ revenues this money could be used to cover the shortfall.

Fiscal Officer Report

Pay Bills and Read Receipts

The receipts in the amount of \$630,886.43 and disbursements in the amount of \$843,370.18 for July 13, 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: 
Robert C. Porter III, Fiscal Officer

A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara.
Mr. Porter called roll. Vote: LaBarbara: Aye; James: Aye; Weidman: Aye

Mr. Porter summarized a communication from John Sherrard, Hamilton County Public Health Emergency Response Supervisor, thanked Chief Penny and the Fire Department for assistance in getting vaccines to 400 of the most vulnerable population in Hamilton County.

Trustee Comments

Mr. Weidman thanked Jason Petty for being present at McDaniel Park to inform people of the cancelation of the movie due to weather. Mr. Weidman stated there will be Music in the Park with Ricky Nye Friday night at 7:00 p.m. He reminded people about yoga in the park on Saturdays in McDaniel Park and Sunday at Bechtold. He stated was notified by some residents in Dillonvale about an unregistered Daycare and a bus on the street. He said the daycare was notified by Inspector Kevin Clark and zoning is investigating the situation.

Mr. LaBarbara reported Mr. Warrick was on Channel 5 with John London. He stated yoga in the park is on Sunday at Bechtold Park and Ricky Nye will play at Bechtold Park on Friday at 7:00 p.m. He stated Red Hot Riot will play at McDaniel Park on July 30th. Mr. LaBarbara reported on the passing of Judge Norbert Nadel. He stated the little free library is a big success in Sturbridge.

Mr. James gave a shout out to the Blue Manatee bookstore who sponsored the little free library in Sturbridge. He thanked the Parks Advisory Committee and Mr. Petty for all they have done for the movies and music in the park saying he was in touch with Jason to ensure people knew about the movie cancellation last weekend due to weather.

Announcement Changes

Mr. James noted the Zoning Commission Meeting has been changed to Tuesday, July 27th at 6:00 p.m. and referred people to the website calendar for other events. He encouraged people to check Facebook for last minute changes.

Executive Session

Mr. James noted that there was an Executive Session agenda item. A motion was made by Mr. James, seconded by Mr. Weidman, to adjourn the meeting to executive session with Law Director Deepak Desai as permitted by Ohio Revised Code Section 121.22 to discuss pending litigation.

Mr. James invited Fiscal Officer Porter, Law Director Desai, Mr. Warrick, and Mr. Miller into the executive session with the Trustees.

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

End Regular Session: 9:02 p.m.

Begin Executive Session: 9:07 p.m.

End Executive Session: 9:24 p.m.

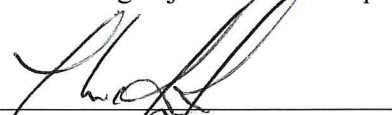
Back in Regular Session: 9:29 p.m.


Mr. Porter called roll. All three Trustees indicated they were present.


Mr. James made a motion to authorize the Township Administrator to vote in favor of the Chapter 11 plan proposed in the Purdue Pharma case. Mr. Weidman seconded. Mr. Porter called roll. Vote: All Aye.


A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, to adjourn the meeting. Vote: Mr. LaBarbara: Aye; Mr. James: Aye; Mr. Weidman: No response.

The meeting adjourned at 9:30 p.m.


Thomas C. James, Jr., Chairman


Jim LaBarbara, Vice Chairman


Thomas J. Weidman, Trustee


Robert C. Porter III, Fiscal Officer

07/13/2021