

RECORD OF PROCEEDINGS

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

March 1, 2022

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

Present for the meeting were Chairman Weidman, Vice Chairman Schwegmann, Trustee James, Interim Law Director Barbieri, Fiscal Officer Porter, Interim Administrator / Superintendent Kellums, Planning & Zoning Administrator Miller, Fire Chief Penny and Lt. Tarr from the Hamilton County Sheriff's Office.

The invocation was read by Mr. Kellums.

Pledge to the Flag.

Approval of the February 15, 2022 Trustees Meeting Minutes

The February 15, 2022 Trustees Meeting Minutes were presented for approval. Mr. James made a motion, seconded by Ms. Schwegmann, to accept them.

Mr. Porter called roll. Vote: Mr. James: Aye; Ms. Schwegmann: Aye; Mr. Weidman: Aye

Presentations

Energy Alliance

Mr. Dan Deters, of Energy Alliance, addressed the Board in regard to the electric aggregation program and the issues with the rebate cards Dynegy mailed to overcharged residents. Mr. Deters stated a resident present at the meeting had given him a list of issues she had with the rebate card and said he will personally address those issues tomorrow. He said since he last spoke at a Trustees meeting, he has found that the company Dynegy used to issue the rebate cards has been unsatisfactory.

Mr. Deters proceeded to discuss the gas aggregation program. He reported on Duke Energy gas rates in recent months noting the aggregation rate is so much lower residents have saved around \$100 in the last six months. He requested the Board authorize Mr. Kellums to move forward with the next contract. Mr. Deters noted energy prices are not good and he is hoping the vendor they choose will come in between 53 and 54 cents. He said although that is higher than in the past, with the volatility of the market, he thinks that will be a fair price for the residents. Mr. Deters said no supplier will hold the price as volatile as the market is noting he is asking for 57 cents and believes he will be able to get a lower price.

Mr. Weidman asked how long the locked in price would last.

Mr. Deters answered we will only do two years this time in an abundance of caution noting we could tack on a third year later.

Mr. James asked if a third year would be at the same rate.

Mr. Deters answered it could be lower.

Ms. Schwegmann noted this is consistent with what she is seeing; you cannot get anyone to hold a price. She said she appreciates Mr. Deters being on top of it.

Mr. James made a motion, seconded by Ms. Schwegmann, to authorize the Interim Administrator to enter into a contract with the chosen supplier for the gas aggregation program. Mr. Porter called roll. Vote: All Aye.

Street Food XPO

Mr. Tony Lang, of Street Food XPO, addressed the Board about the Street Food XPO event which will take place in Bechtold Park on Saturday, June 25, 2022. Mr. Lang stated he was available to answer any questions the Board had about the event and said he will come back to give updates on the progress of the event at future meetings. He stated when Parks Supervisor Jason Petty approached him about a food truck event, he looked at Bechtold Park and his biggest concern is parking. He said he thinks that can be addressed with shuttles.

Mr. Lang said he has already signed 32 food trucks for the event and there will be a limit of 40 and explained their configuration. He said it will be important to work with the police to ensure good traffic flow and we will have to figure out shuttle locations. Mr. Lang went on to discuss event expenses, media coverage to advertise the event and sponsorship packages noting he expects there to be thousands of people in attendance.

The Board asked questions about some of the logistics of the event and Mr. Lang answered. Mr. Lang explained why he thinks this will be such a big event without a big expense.

There was a discussion about which food trucks have already signed up for the event, craft breweries and activities for children at the event.

Mr. Kellums asked what sponsorship Mr. Lang is looking for from Sycamore Township.

Mr. Lang answered the Township will supply police, fire, and EMS support for the event, as well as trash removal, stage setup and the like. He suggested talking to Mr. Kellums about it and reporting back at the next Trustees Meeting.

There were additional questions from the Board about the food trucks with Mr. Lang noting all food trucks will have appropriate licenses, certificates, and inspections.

Public Comments

Ms. Tracy Hughes, of 4705 Duneden Avenue, addressed the Board. Ms. Hughes asked what the status was of the Kenwood / Montgomery Road Traffic Study. She stated she was present to discuss the February 1st Trustees Meeting in which the Parks Advisory and Citizen Finance Committees were dissolved. She said her major concern was that the actions of the Board at that meeting were political and gave examples of her reasoning. She asked the Board to be better and to work together to move the Township forward.

Ms. Kathy Kugler, of 7106 Tenderfoot Lane, addressed the Board. She stated, as Mr. Deters said, he spoke to her saying he will resolve the issues she has, and she gave him a copy of the

comments she planned to make about the Dynegy rebate cards. Ms. Kugler said the refund of the overcharge was poorly executed noting she received two rebate cards. She recounted negative experiences she had with customer service and attempting to request a check from the website to which the letter referred her. She asked if an audit had been done to see if Dynegy had overcharged people before and if Township officials have spoken to Duke Energy about the issue.

Mr. James answered there has not been an audit.

Mr. Weidman said another resident alerted the Township to the issue and the Board was working to determine what the problem was. He stated Mr. Deters came to a previous meeting and presented information to the Board about the issue.

Ms. Kugler expressed concerns about the Board being unresponsive to her email inquiry.

Ms. Schwegmann noted Mr. Deters has attended meetings more than once to address this issue.

Mr. Weidman stated he and Mr. Kellums had been working with Mr. Deters on the problem.

Mr. James encouraged the Board and staff to courteously respond and to reply all when a group of people is copied on an email, so others know a response has been sent.

Mr. Kellums stated he forwarded Ms. Kugler's email to Mr. Deters and assumed he would contact her that day.

Ms. Kugler asked how much in total residents were overcharged.

Ms. Schwegmann noted Sycamore Township was not the only municipality affected by this and the Board did receive a comprehensive report about it.

Mr. James suggested Ms. Kugler look back at the previous meeting in which Mr. Deters spoke as he gave some numbers at that time. He stated it was a small amount per household but widespread.

Ms. Kugler expressed concerns about residents not using the cards and the money disappearing.

Mr. James stated Mr. Deters addressed that issue previously saying that all customers would be taken care of as state law does not allow Dynegy to just keep that money. He said the Board had asked Mr. Deters to reach out to those who had not used the cards by their July expiration date, and he expects to get a report back.

Ms. Kugler asked if Dynegy is a trustworthy company and requested a written response to her questions in the next 30 days.

Sheriff Patrol Report

Sgt. Sovern reported the Highpoint Neighborhood Watch Meeting is scheduled for March 13th with Deputy Bittermann in attendance. He noted Deputy Bittermann will be bringing his potential replacement, Deputy Oyler, to introduce him to the residents.

EMS/Fire Report

Chief Penny reported the Fire Department needs some additional lockers to store turnout gear so that each firefighter has a locker. He said he has requested a purchase order which Mr. Kellums will present later in the meeting.

Chief Penny reported he went to Charteroak at 8:00 a.m. in the morning and found parking to be an issue. He said normally, the Fire Department regulates parking on the hydrant side but due to the trees there, he recommends instead of a "No Parking Fire Lane" sign that a "No Parking Any Time" sign be posted there. Chief Penny said he does not know if that would hold up legally if it is challenged, but something must be done about the parking on both sides of the street.

Mr. Kellums said one of the problems with the cars parked on both sides is it causes cars going toward Kugler Mill Road to go left of center.

Mr. Weidman directed Mr. Kellums to prepare a resolution for the next Trustees meeting prohibiting parking on the left side of the street, as opposed to the hydrant sign.

There was discussion about where the no parking lane should begin.

Roads, Maintenance & Recreation Report

Mr. Kellums stated he had sent the Board contracts for bands to hire for the 2022 Music in the Park series. He stated they would like to hire The Remains to perform in July for \$2,000.00, Soul Pocket in August for \$2,500.00, and Model Behavior for \$1,100.00 in September. He requested a motion to proceed if the Board is in favor of the three bands.

Mr. James made a motion to proceed with contracts to hire the three bands as stated by Mr. Kellums. Ms. Schwegmann seconded. Mr. Porter called roll. Vote: All Aye.

Mr. Weidman stated Ms. Hughes suggested there was already an events committee in place and asked Mr. Kellums if that was true.

Mr. Kellums answered it is on the website to solicit applicants.

RFQ Submittals

Mr. Kellums reported the Township had received seven RFQ submittals from quality engineering firms for the Montgomery Road Sidewalk Project from Stewart to Ken Arbre. He noted the Township had received SORTA grants for the project. Mr. Kellums reported of the seven firms, Strand Associates rated the highest and requested a motion to proceed with negotiations with them for this project.

Mr. James made a motion, seconded by Ms. Schwegmann, to proceed with negotiations with Strand Associates for the Montgomery Road Sidewalk Project.

Mr. James asked how Strand compared to the other firms.

Mr. Kellums said they were all very close, but they thought Strand had the best approach to the project. He said we have not contracted with them before, but he has worked with them on County projects including the roundabout and they do an excellent job.

Mr. Porter called roll. Vote: All Aye.

Mr. Kellums reported the Township received RFQ submittals from five firms for the Gideon Lane Culvert Project, which will also be paid for partially with grant money. He said the highest rated firm was Carpenter Marty noting we have had great results with them in the past most recently with the Dillonvale Culvert / Headwall Project which went very well.

Mr. James made a motion, seconded by Ms. Schwegmann, to proceed with negotiations with Carpenter Marty for the Gideon Lane Culvert Project. Mr. Porter called roll. Vote: All Aye.

Mr. Kellums reported the Township received RFQ submittals from four firms for the Kenwood / Montgomery Road Traffic Impact Study which is a very large project. He said he consulted with Jeff Newby, Hamilton County Traffic Engineer on this, and TEC Engineering rated the highest.

Mr. James made a motion, seconded by Ms. Schwegmann, to proceed with negotiations with TEC Engineering for the Traffic Impact Study at Kenwood and Montgomery. Mr. Porter called roll. Vote: All Aye.

Planning & Zoning Report

Mr. Miller reported the Board will be presented with two resolutions at the next Trustees Meeting to facilitate PACE financing for a Residence Inn, a Marriot Hotel, at 7901 Kenwood Road, the CIG Project. He explained PACE (Property Assessed Clean Energy) financing is a type of financing mechanism a property owner may seek for energy efficient improvements. He noted the debt rolls onto a special assessment on the property tax bill. He said this application was vetted by the Suburban Communities ESID (Energy Special Improvement District) and meets the criteria. Mr. Miller noted there are no public dollars associated with this; the Township must facilitate it and acts as a pass through.

Mr. Miller reported there are three cases on the agenda for the March 14, 2022 Zoning Commission Meeting. He said the first is Case 2022-01P2, a request for construction of a new Tire Discounters building on a consolidation of the Tire Discounters and former Graeter's Ice Cream sites. Mr. Miller stated the second case, Case 2022-04MA, TriHealth building on Northcreek Drive, is a request for a new, much larger sign with a 10' X 10' digital message board along I-71 north. He said the third case, Case 2022-05P2, is a large project for Equipment Depot on Rossash Road which proposes multiple lot consolidations, demolition of older buildings and a large addition with parking improvements. The cases will be heard by the Trustees after the Zoning Commission public hearings.

Mr. Miller reported there was a Township resident who had contacted Mr. James with a concern about the doors on the south side of the Aspire multi-family building that is part of the CIG project. He said the doors are required to be removed in order to receive final Zoning approval and ultimately a certificate of occupancy from Hamilton County Building Department. He said the developer acknowledges those must be removed and repairs made to the exterior of the building.

Mr. James stated the JEDD for that property is required to have additional meetings.

Mr. Kellums stated he had planned to discuss that in his Administrator report.

Law Director Report

Mr. Barbieri reported he has been working on drafting new by-laws and a resolution for a new Resident Finance Committee for the Board's consideration at a future meeting. He stated he hopes to have it to Mr. Kellums by the end of the week.

Mr. Barbieri also reported he is working on documents for the JEDD that Mr. James just mentioned.

Administrator Report

Mr. Kellums reported the four JEDZ Boards held meetings earlier that day and the JEDZ are tracking well especially considering the economy. He stated the CIC Meeting was held just before the Trustees meeting. He said the grant program for residents of Sycamore Township working in a JEDZ was discussed and is going well also.

Mr. Kellums reported he was not involved in the JEDD when it met last year so he had to do a little research on it. He said the JEDD was established in May, 2020 but for some reason the organizational meeting did not take place until August 11, 2021. He reported at that meeting Mr. James had made a motion to table setting dates for the passing of a tax resolution and approval of a tax collection and distribution agreement. Mr. Kellums said Mr. Warrick was supposed to work on that and, also in that meeting, Mr. Tim Fuller had suggested meeting again in the next two months. He noted that was not done so he has forwarded the JEDD documents to Mr. Barbieri for next steps.

Mr. James said Mr. Fuller had said he would circulate possible dates for a subsequent meeting and that did not happen.

Mr. Weidman stated he thought he had read Mr. Warrick was to call the next meeting.

Mr. Kellums read the minutes which stated "Mr. James agreed the Board should meet soon and coordinate meeting dates via email. He suggested Mr. Warrick call the next meeting and the Township coordinate public notice of the meeting." He said it has been seven months we need to move forward with it. Mr. Weidman agreed.

Mr. Barbieri stated we need a resolution to levy the income tax and we need an agreement with Deer Park for them to collect the income tax and he is putting that together.

Purchase Orders Over \$5,000.00

Mr. Kellums stated there are no purchase orders over \$5,000.00 for approval. He said the one Chief Penny had mentioned requesting a purchase order for the turnout gear lockers. He said he did not have time to check if money was appropriated for that in TIF and would check and have it for the next meeting.

Fiscal Officer Report

Mr. Porter reported he had sent a request for proposals for a depository agreement, the checking account, and received only two responses from our current depository which is US Bank and from Huntington Bank. He said as a result of this, US Bank has agreed to raise the earned credit on deposits from .16% to .2%. He said he thinks there was not a lot of interest from other banks

in submitting proposals because interest rates are so low. He said it is up to the Board, but his inclination was to stay with US Bank given they have increased the earned credit on deposits.

There was discussion about the information in the Board's packet from the two banks and whether action from the Board is needed to remain with US Bank.

Mr. James made a motion, seconded by Ms. Schwegmann, to maintain the Township's current banking relationship with US Bank as proposed. Mr. Porter called roll. Vote: All Aye.

Pay Bills and Read Receipts

The receipts in the amount of \$855,552.56 and disbursements in the amount of \$302,267.04 for March 1, 2022 were read by Mr. Porter 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. James, seconded by Ms. Schwegmann. Mr. Porter called roll. Vote: Mr. James: Aye; Ms. Schwegmann: Aye; Mr. Weidman: Aye

Trustee Comments

Ms. Schwegmann stated Lt. Tarr invited her to take a tour of patrol headquarters on Hamilton Avenue with him, Major Kettman and Captain Smith and it was well worth her time and great to gain a better understanding and appreciation of their services.

Mr. James stated all three Trustees should take Ms. Hughes' comments to "Please be better" to heart and all work together. He said the right person in the right place at the right time can truly have a monumental impact on events whether they be local or global, and a prime example is Ukraine's President Volodymyr Zelensky whose words and actions have knocked sense into elected leaders in the west and kept them from going wobbly in the face of Mr. Putin's aggression. Mr. James said President Zelensky is an actor and comedian as well as a lawyer. He read a quote from President Zelensky's inaugural speech in 2019 that demonstrates his humility and spoke about how he has risen to the occasion when history came calling. Mr. James spoke about ordinary Ukrainian people fighting for their freedom and rising to the occasion as well. He requested prayers for all ordinary citizens on both sides of that war.

Announcement Changes

Mr. Weidman noted there will be Spring Lawn and Garden Tips at Bechtold Park Pavilion on Saturday, March 26th at 10:00 a.m. and referred people to the website calendar for details on all meetings and event.

Executive Session

A motion was made by Mr. Weidman to adjourn the meeting into executive session with the Township Law Director as permitted by Ohio Revised Code Section 121.22(G)(1) to consider the compensation of a public employee or official and as permitted by Ohio Revised Code Section 121.22(G)(3) to discuss imminent litigation.

Mr. James seconded the motion.

Mr. Porter called roll. Vote: Mr. James: Aye; Ms. Schwegmann: Aye; Mr. Weidman: Aye

Mr. Weidman invited Mr. Porter and Mr. Miller into the Executive Session with the Law Director and Trustees.

End Regular Session: 8:39 p.m.

Begin Executive Session: 8:45 p.m.

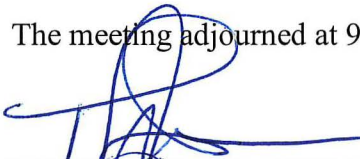
End Executive Session: 9:09 p.m.


Back in Regular Session: 9:11 p.m.


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

A motion was made by Mr. James, seconded by Ms. Schwegmann, to adjourn the meeting. Mr. Porter called roll. Vote: All Aye.

The meeting adjourned at 9:12 p.m.



Thomas J. Weidman, Chairman

Tracy Schwegmann, Vice Chairman

Thomas C. James, Jr., Trustee

Robert C. Porter III, Fiscal Officer

03/01/2022