

## RECORD OF PROCEEDINGS

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

April 5, 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 Sgt. Sovern from the Hamilton County Sheriff's Office.

The invocation was read by Mr. Miller.

Pledge to the Flag.

#### **Approval of the March 15, 2022 Special Trustees Meeting Minutes**

The March 15, 2022 Special 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

#### **Approval of the March 15, 2022 Regular Trustees Meeting Minutes**

The March 1, 2022 regular 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

#### **Approval of the March 16, 2022 Special Trustees Meeting Minutes**

The March 16, 2022 Special 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

#### **Approval of the March 25, 2022 Special Trustees Meeting Minutes**

The March 25, 2022 Special 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

#### **Proclamation - Jennie Marble's 100<sup>th</sup> birthday**

The Proclamation "Designating April 15<sup>th</sup> 2022 as Jennie Marble Day in Sycamore Township" was read by Mr. Weidman. Mr. James made a motion, seconded by Ms. Schwegmann, to pass the Proclamation. Mr. Porter called roll. Vote: All Aye

The Proclamation passed this 5<sup>th</sup> day of April, 2022.

Mr. Kellums noted Ms. Schwegmann will present the resolution to Ms. Marble at her 100<sup>th</sup> birthday party.

#### **Public Comments**

There was no one present who signed up to address the Board.

### **Planning & Zoning Report**

Mr. Miller reported he had draft resolutions started for the Zoning Cases heard prior to the meeting and requested direction from the Board.

#### **Resolution – Zoning Case 2022-01P2**

The resolution “Approving a PUD-2 for Leesman Engineering in Sycamore Township and Dispensing with a Second Reading” was presented by Mr. Miller. He noted the staff conditions are listed in Exhibit A should the Board choose to include those.

Mr. James made a motion to approve, Ms. Schwegmann seconded.

Ms. Schwegmann said she agrees with the staff conditions but suggested the Board revisit the variance request for the building signs to bring the square footage closer to the 150 square feet limit in the Zoning Resolution.

Mr. Miller stated the Board should be specific and set a maximum square foot for the building signage.

The Board discussed how best to limit the size of the building signs.

Mr. James amended his motion to approve Case 2022-01P2 with the additional condition that there be a limit of 180 square feet total area for the building signs divided at the applicant’s discretion between the front and side building signs. Ms. Schwegmann seconded.

Mr. James further moved to amend the condition prohibiting off-site advertising to say billboards instead.

Mr. Miller read back the condition limiting the building signage to 180 square feet. There was then more discussion about the possible sign in the right of way on American Way.

Mr. James noted his last motion was not seconded. He then withdrew that motion and made a motion to amend the approval with all the conditions now listed in Exhibit A as prepared by Mr. Miller.

Ms. Schwegmann seconded. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-024 passed this 5<sup>th</sup> day of April, 2022

#### **Resolution – Zoning Case 2022-05P2**

The resolution “Approving a PUD-2 for Brian T. Caswell in Sycamore Township and Dispensing with a Second Reading” was presented by Mr. Miller.

Mr. Miller noted the staff recommended conditions are listed in Exhibit A and he had added an eighth condition based on discussions during the public hearing to require any future telecommunication tower to be placed on the southernmost location as noted on the applicant’s site plan.

Mr. James made a motion, seconded by Ms. Schwegmann, to approve the resolution with the conditions listed by Mr. Miller including the addition of condition number eight and an

amendment to change condition number two to say billboards instead of off-site advertising. Ms. Schwegmann seconded the motion. Mr. Porter called roll. Vote: All Aye.  
Resolution 2022-025 passed this 5<sup>th</sup> day of April, 2022

Ms. Schwegmann stated she is thrilled that both these businesses are choosing to remain in Sycamore Township and expand. She thanked Tire Discounters and Equipment Depot.

### **PACE Resolutions**

Mr. Miller introduced Chris Jones to give an overview of the PACE project at Gallery of Kenwood, the hotel pad.

Mr. Chris Jones of Ohio Pace, 201E. 5<sup>th</sup> Street, Suite 1110, Cincinnati, OH 45202, addressed the Board in regard to the PACE financing Mr. Miller mentioned. He stated this is the fifth PACE financing project in Sycamore Township. He said Mike Borgmann, with the Corporex Company, was also with him if the Board has specific questions about the project financing. He stated PACE financing helps the developer pointing out the repayment is in the form of special assessments for that parcel of land paid for by the property owner with no obligation for the Township. He said the project cost is \$4.7 million and the earmarked PACE eligible portion is the building shell which is above energy code.

Mr. Mike Borgmann, with the Corporex Company, addressed the Board explaining he works on the financing side. He thanked the Township for working with them on the project.

Mr. Miller reported the Suburban Communities ESID (Energy Special Improvement District) met to review this application and there was unanimous approval.

Mr. Jones reported the PACE lender is one of the more prevalent lenders in the country.

The resolution “Approving the Petition for Special Assessments for Special Energy Improvements Projects Under Ohio Revised Code Chapter 1710 and Approving the Necessity of Acquiring, Constructing, and Improving Certain Public Improvements in the Township of Sycamore, Hamilton County, Ohio, in Cooperation with the Suburban Communities Energy Special Improvement District” was presented by Mr. Miller. Mr. James made a motion, seconded by Ms. Schwegmann, to approve the resolution, dispensing with a second reading.

Mr. Porter called roll. Vote: All Aye.

Resolution 2022-026 passed this 5<sup>th</sup> day of April, 2022

The resolution “Determining to Proceed with the Acquisition, Construction, and Improvement of Certain Public Improvements in the in the Township of Sycamore, Hamilton County, Ohio, in Cooperation with the Suburban Communities Energy Special Improvement District” was presented by Mr. Miller. Mr. James made a motion, seconded by Ms. Schwegmann, to approve the resolution, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-027 passed this 5<sup>th</sup> day of April, 2022

The resolution “Levying Special Assessments for the Purpose of Acquiring, Constructing, and Improving Certain Public Improvements in the Township of Sycamore, Hamilton County, Ohio, in Cooperation with the Suburban Communities Energy Special Improvement District” was presented by Mr. Miller. Mr. James made a motion, seconded by Ms. Schwegmann, to approve the resolution, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-028 passed this 5<sup>th</sup> day of April, 2022

### **Sheriff Patrol Report**

Sgt. Sovern reported the Sheriff's Office has been investigating two shootings this week, one on Elizabeth Place. He said when police responded they found no one there but there was evidence of rounds in the street and that a house on Elizabeth Place had been struck by gunfire. He said evidence of drug trafficking was also found and charges were filed against an individual on Elizabeth Place. He stated two victims were located and are facing charges of their own for something separate.

Sgt. Sovern reported the second shooting occurred at the BP gas station at Kenwood and Montgomery Roads. He said that was a domestic situation in which one subject was struck by gunfire with injuries that were not life-threatening. Sgt. Sovern reported an arrest was made in that incident.

Sgt. Sovern reported there have been a series of mailbox thefts from the blue mailboxes at post offices and numerous checks have been stolen, altered, and cashed. He recommended people take mail inside the post office for mailing. He said anyone who has been a victim of this should file a police report.

Mr. James asked what was happening with the new operation in the Dillonvale Shopping Center which has been controversial and may involve gambling.

Sgt. Sovern answered that has been referred to investigators at the regional narcotic unit, anti-vice section and to the prosecutor's office to determine if there is any criminal activity.

Mr. Barbieri said he was just notified the person running that business had filed a lawsuit today against the Hamilton County Sheriff's Office, the Hamilton County Prosecutor and Sycamore Township for revoking their zoning certificate.

Mr. Miller reported the applicant was notified that the zoning certificate would be revoked. He stated they have continued to operate after the zoning certificate was revoked and his office is considering what action to take next.

### **EMS/Fire Report**

Chief Penny reported Mr. Kellums has a purchase order to replace the mattresses at the fire station that are about 15 years old.

Chief Penny also reported that the Fire Department had 23 runs in a four-hour period last Wednesday during the windstorm. He said the calls included wires down causing small fires, blown transformers and alarm drops.

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

Mr. Kellums reported the parks are getting busy with ball field reservations. He reported the North Trash Bash is this Friday and Saturday at McDaniel Park.

Mr. Kellums reported on the Larchview Drive / Plainfield Road Project stating the contractor should complete storm sewer work in the next week or two. He said Duke Energy and Cincinnati Bell have to move some utility poles, after which reconstruction of the road will begin.

Mr. Kellums reported on a pre-construction meeting for the 2022 Road Program in Kenwood Meadows which will begin the third week of May. He said Prus Construction is the contractor for that project and Jurgensen is doing the blacktop.

Mr. Weidman asked for the date of the document shredding for residents.

Mr. Kellums answered document shredding will be at the Township Administration Building rear parking lot on April 16<sup>th</sup> from 10:00 a.m. to 2:00 p.m.

### **Law Director Report**

Mr. Barbieri stated he had nothing additional to report other than the lawsuit discussed earlier in the meeting.

### **Administrator Report**

#### **Mutual of Omaha 457b Plan**

Mr. Kellums reported the Township's representative for the Equitable 457b deferred compensation plan for employees has recommended a plan change to Mutual of Omaha. He requested a motion from the Board to approve this change.

Mr. James made a motion, seconded by Ms. Schwegmann, to change from Equitable to Mutual of Omaha for the Township sponsored 457b plan. Mr. Porter called roll. Vote: All Aye.

Mr. Kellums reported he had been working with Lt. Tarr on replacing three Sheriff's vehicles this year. He said this is part of the capital budget put together last year. He said the vehicles to be replaced all have about 120,000 miles on them. He stated this is a TIF eligible expense and would cost about \$40,000.00 per vehicle.

The Board asked questions of Mr. Kellums.

Mr. Kellums said he will have a resolution prepared for a future meeting.

Mr. Kellums said he is trying to organize a meeting of the JEDD Board on April 19<sup>th</sup>.

#### **Resolution – Authorizing a Contract for the Kenwood Road and Montgomery Road Traffic Impact Study**

The resolution "Authorizing a Contract for the Kenwood Road and Montgomery Road Traffic Impact Study and Dispensing with a Second Reading" was presented by Mr. Kellums. Mr. James made a motion, seconded by Ms. Schwegmann, to approve the resolution. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-029 passed this 5<sup>th</sup> day of April, 2022

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

Mr. Miller reported there was a resolution for the Board's consideration to dispose of network switches no longer in use that he hopes to sell.

Mr. James said the switches are valuable and we should put some effort into maximizing the amount the Township gets for them.



Mr. Kellums said they will be put on an auction site.

The resolution "Declaring Township Property as Surplus and Obsolete and Authorizing its Disposition, Dispensing with a Second Reading and Declaring an Emergency" was presented by Mr. Miller. Mr. James made a motion, seconded by Ms. Schwegmann, to approve the resolution.

Mr. Porter called roll. Vote: All Aye.

Resolution 2022-030 passed this 5<sup>th</sup> day of April, 2022

**Purchase Orders Over \$5,000.00**

Mr. Kellums presented the following purchase orders over \$5,000.00 for approval:

22-206	Working Fire Furniture & Mattress Co.	Mattresses North Station	\$6,318.00
22-207	Sycamore Board of Education	TIF School Payment	\$93,425.16
22-208	Deer Park Community City Schools	TIF School Payment	\$255,795.23
22-209	Princeton City Schools	TIF School Payment	\$256,521.77
22-210	Indian Hill Exempted Village	TIF School Payment	\$3,224,342.35
22-211	Great Oaks Career Campuses	TIF School Payment	\$187,018.29
22-110-2	Blanket Vendor	Fire Dept Tuition	\$10,000.00
22-265-4	Lykins Energy Solutions	Fuel – Police	\$5,778.47

Mr. James made a motion to approve purchase orders as listed by Mr. Kellums.

Ms. Schwegmann seconded. Mr. Porter called roll. Vote: All Aye.

**Fiscal Officer Report**

**Pay Bills and Read Receipts**

The receipts in the amount of \$12,201,358.93 and disbursements in the amount of \$4,468,126.65 for April 5, 2022 were read by Mr. Porter and are hereby made a part of these minutes. He noted the first half property tax money came in and the school payments are part of the check run.

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 it is a month of birthdays. She said not only will we celebrate Ms. Marble's 100<sup>th</sup> birthday, but she also had the opportunity to celebrate WLW's 100<sup>th</sup> birthday with them, and Mt. Carmel Baptist Church will be celebrating its 200<sup>th</sup> birthday.

Mr. James welcomed a Boy Scout who was in attendance at the meeting.

Mr. Weidman reminded residents of great services such as the Trash Bash and document shredding coming up this month.

**Announcement Changes**

Mr. Weidman reported Yoga in the Park has been postponed until May and referred people to the website calendar for details on all meetings and events.

**Executive Session**

A motion was made by Mr. Weidman to adjourn into Executive Session with the Township Law Director as permitted by Ohio Revised Code 121.22 (G)(1) to consider the appointment, employment, and compensation of a public employee; as permitted by Ohio Revised Code 121.22(G)(2) to discuss sale of property; and as permitted by Ohio Revised Code 121.22(G)(3) to discuss pending 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, Mr. Kellums, and Mr. Miller into the executive sessions with the Trustees and Law Director.

End Regular Session: 7:51 p.m.

Begin Executive Session: 7:55 p.m.

End Executive Session: 8:45 p.m.

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

  
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Thomas J. Weidman, Chairman

  
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Tracy Schwegmann, Vice Chairman

  
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Thomas C. James, Jr., Trustee

  
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Robert C. Porter III, Fiscal Officer

04/05/2022