

## RECORD OF PROCEEDINGS

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

May 17, 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 Chief Penny.

Pledge to the Flag.

### **Approval of the May 3, 2022 Public Hearing Minutes**

The May 3, 2022 Public Hearing (Zoning Case 2022-07MA) 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 May 3, 2022 Trustees Meeting Minutes**

The May 3, 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

### **Public Comments**

There were no public comments.

### **Sheriff Patrol Report**

Lt. Tarr reported one of the Township's Sheriff vehicles was involved in a collision at the intersection of Plainfield and Montgomery Roads. He said no one was injured but the vehicle, which was the oldest of the Township's Sheriff's vehicles, is a total loss.

Mr. James asked if Lt. Tarr could provide an update on the Kenwood Towne Centre robbery.

Lt. Tarr answered it is still under investigation.

### **EMS/Fire Report**

Chief Penny reported the Fire Department is currently working on hydrant maintenance.

Mr. James stated he noticed the "No Parking" signs went up on Charteroak, however, he said people are parking there who may not have noticed the new signs. He asked if the Township would do anything else to notify people that area is now a no parking zone. He expressed concerns about people getting parking tickets.

Lt. Tarr noted the Sheriff's Office is not going to go looking for parking violations especially in a new no parking zone.

**Roads, Maintenance & Recreation Report**  
**Special Events Committee**

Mr. Kellums reported he had sent the Board a list of people he recommends the Trustees appoint to the Special Events Committee as directed in the committee's by-laws. He read the list of recommended candidates: Lisa Hodge, Holly Talmage, Megan Dollenmeyer, Brent Grunow and Joe Mueller. He said this represents the northern section of the Township, Kenwood, Rossmoyne and Dillonvale.

Mr. James made a motion to approve the following people to serve on the Special Events Committee: Lisa Hodge, Holly Talmage, Megan Dollenmeyer, Brent Grunow and Joe Mueller. Ms. Schwegmann seconded the motion. Mr. Porter called roll. Vote: All Aye.

Mr. Kellums said the parks have been extremely busy which is great to see. He reported there was an incident at Bechtold Park on Sunday, which was caught on camera, in which a vehicle hit a fence causing damage. He stated the Sheriff's Office was able to locate the individual from the license plate number and he will be held responsible for damage to the fence.

**Resolution – Playground Equipment**

Mr. Kellums reported he had a resolution for the Board's consideration for the purchase of playground equipment to be installed behind the Administration Building.

The resolution "Authorizing a Contract for the Purchase and Installation of Playground Equipment and Dispensing with a Second Reading" was presented by Mr. Kellums. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann.

Mr. Kellums noted the cost of the equipment is \$94,254.14 which will come out of TIF funds.

Mr. Porter called roll. Vote: All Aye.  
Resolution 2022-043 passed this 17<sup>th</sup> day of May, 2022

**Motion to Advertise Donegal Drive Culvert Project**

Mr. Kellums requested a motion to advertise for the Donegal Drive Culvert Project. He noted the Township received a grant from OPWC to pay for 50% of the project, the plans have been prepared, and we are ready to go out to bid for this project.

Mr. James made a motion, seconded by Ms. Schwegmann, to advertise for the Donegal Drive Culvert Project. Mr. Porter called roll. Vote: All Aye.

**Resolution – 2022 Reclamite Road Repair Project**

Mr. Kellums reported he had a resolution for the Board's consideration for the 2022 Reclamite Project.

The resolution "Approving a Contract for 2022 the Reclamite Road Repair Project and Dispensing with a Second Reading" was presented by Mr. Kellums. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann. Mr. Porter called roll. Vote: All Aye.  
Resolution 2022-044 passed this 17<sup>th</sup> day of May, 2022

### **Kemper Road Sidewalk**

Mr. Kellums reported we put in for the State Systemic Safety Grant for the Kemper Road Sidewalk Project, noting it was the third attempt at getting grant money for it. He stated this time we were successful, and the Township has been awarded \$1 million for this project. He said the only condition is that we may only use the money on Kemper Road. Mr. Kellums stated the plan is to have sidewalks connecting Schuler Park to McDaniel Park; therefore, we will pursue grant money from other sources for sidewalks on Solzman up to School Road. He stated he will have a purchase order for the Board's consideration for engineering to do the portion on Baen and Deerfield in-house.

Mr. James stated he received an email from a resident concerned about commercial vendors obtaining compost from the Township's Compost Give Away and re-selling it. He asked if this is going on and why we are allowing it.

Mr. Kellums answered yes, it is going on. He explained we have been doing the compost give away for a long time and we have so much compost we have never restricted access to it. He stated if we only gave it away to residents, we would have to pay someone to get rid of it. Mr. Kellums said he will respond to the resident who sent the email.

Mr. James stated he received an email from a resident asking if Happiness Way is going to be re-opened. He noted the resident does not want it to be re-opened.

Mr. Kellums answered he has also received calls from people who do want Happiness Way to re-open. He said the traffic signal is now finished and a walk through to create a punch list is planned for tomorrow. He said if it is ready, it will be opened. Mr. Kellums explained the original plan was to conduct a traffic study after it was open for a while, but that was to include the office building and hotel traffic and currently there will only be residential traffic.

Mr. James suggested holding a forum or public hearing in which the neighborhood could provide input.

Mr. Kellums noted there were many hearings with public input on the topic during the zoning hearings for the CIG development, but it is up to the Trustees if they want to revisit it.

Ms. Schwegmann pointed out it is helpful to have the traffic light flashing yellow as it is currently to alert drivers on Kenwood Road to that change.

Mr. James said there is a strange sign at I-71 and Montgomery that should be removed.

Mr. Kellums said it will be removed.

### **Planning & Zoning Report**

Mr. Miller reported he has some property maintenance resolutions for the Board's consideration. He reviewed each of the properties showing photos of the violations to the Board.

### **Resolution – 12095 1<sup>st</sup> 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 12095 1<sup>st</sup> Avenue, Sycamore

Township, Ohio 45249” was presented by Mr. Miller. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-045 passed this 17<sup>th</sup> day of May, 2022

**Resolution – 12083 2<sup>nd</sup> 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 12083 2<sup>nd</sup> Avenue, Sycamore Township, Ohio 45249” was presented by Mr. Miller. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-046 passed this 17<sup>th</sup> day of May, 2022

**Resolution – 6330 Kugler Mill Road Junk Vehicle**

The resolution “Providing for the Removal of Junk Vehicle in Sycamore Township, Hamilton County and the Proper Disposal, Storage or Impoundment of Motor Vehicle by Implementing the Procedures Set Forth in Sycamore Township Resolution 2012-14, and Sections §§ 505.173, 505.85, and 505.871 of the Ohio Revised Code” was presented by Mr. Miller. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-047 passed this 17<sup>th</sup> day of May, 2022

**Resolution – 7600 Montgomery Road Nuisance Property (Debris)**

The resolution “Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 7600 Montgomery Road, Sycamore Township, Ohio 45236” was presented by Mr. Miller. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-048 passed this 17<sup>th</sup> day of May, 2022

**Resolution – 7600 Montgomery Road Nuisance Property (Tall Grass/Weeds)**

The resolution “Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 7600 Montgomery Road, Sycamore Township, Ohio 45236” was presented by Mr. Miller. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2022-049 passed this 17<sup>th</sup> day of May, 2022

Mr. Miller reported there is a public open house at the Kenwood Country Club on Thursday, May 19<sup>th</sup> at 6:00 p.m. for a proposed zone change to planned office on the property located at 8760 Montgomery Road across from the Mercedes Benz.

Mr. James asked if the Township sent notices regarding the open house.

Mr. Miller answered yes and noted he also contacted the attorney for the residents in that area about it.

**Law Director Report**

Mr. Barbieri stated he had no report.

### **Administrator Report**

Mr. Kellums reported on the Snider Road Bridge Project discussed at the last meeting. He said the rendering of the bridge was sent to the Board again for review. He discussed the estimates that have been obtained for the project varying from \$100,000.00 to \$200,000.00. He said he has been in discussion with a representative from the State who has requested a resolution to move forward. Mr. Kellums suggested setting a limit to the amount the Board is willing to spend on the project in that resolution. He said then, if the cost comes in higher than that limit, the Board may decline to move forward.

Mr. James said his position is that it is a waste of money to put a sign in Symmes Township just outside our border to promote our Township. He stated there are better uses for the money that would benefit our residents such as installing sidewalks.

Mr. Kellums noted the bridge is going to get sidewalks in a project down the road.

Ms. Schwegmann stated when the project was projected to be \$105,000.00 as part of a shared project, she thought it followed the Land Use Plan and she was ok with it. She said now that the cost could possibly double, she is more comfortable putting a reasonable cap on it as Mr. Kellums suggested.

There was a discussion about the amount at which to set the cap. Both Mr. Weidman and Ms. Schwegmann agreed the cap should be not to exceed \$150,000.00.

Mr. Weidman stated the only reason he supports the project is the money does not have to come out of the general fund since the Township may use TIF dollars for it.

Mr. Kellums noted if the bid comes in over the cap there will still be a standard ODOT fence on the bridge.

Mr. Weidman asked what credit the Township would get from ODOT toward the fence.

Mr. Kellums stated the Township would get a \$58,000.00 credit toward the fence as that is the amount ODOT would pay for a standard fence.

Mr. James asked how much it costs to put in one hundred or one thousand feet of sidewalk.

Mr. Kellums said that depends on the supplemental work involved but said it can be up to \$150 a foot. He noted the sidewalk to be constructed in the area in question will not be cheap sidewalk because retaining walls will be needed on both sides of the bridge. Mr. Kellums said he will have a resolution for consideration prepared for the next meeting.

Mr. Kellums reported the Township received \$3,348.64 from the Sheriff's Office for our share of forfeited drugs from organized crime section.

### **Resolution – Amending Resolution 2015-112 and Providing a Civil Fine for Obstructing Roads and Sidewalks in Sycamore Township**

The resolution "Amending Resolution 2015-112 and Providing a Civil Fine for Obstructing Roads and Sidewalks in Sycamore Township" was presented by Mr. Kellums. 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 2022-050 passed this 17<sup>th</sup> day of May, 2022

**Resolution – Authorizing and Directing a Transfer of Funds to Reconcile Budgets and Appropriations**

The resolution “Authorizing and Directing a Transfer of Funds to Reconcile Budgets and Appropriations and Dispensing with a Second Reading” was presented by Mr. Kellums. Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann.

Mr. James stated this is a transfer of \$48,273.60.

Mr. Kellums said this was appropriated early in the year, but the transfer was not made.

Mr. Porter called roll. Vote: All Aye.  
Resolution 2022-051 passed this 17<sup>th</sup> day of May, 2022

**Resolution – Amending 2022 Appropriations**

The resolution “Amending 2022 Appropriations for the Brookwood Fund and the Ohio Valley Ortho Fund, Dispensing with a Second Reading and Declaring an Emergency” was presented by Mr. Kellums.

Mr. Kellums said this is \$58,000.00 for the Brookwood Fund and \$109,000.00 for the Ohio Valley Ortho Fund. He stated both of these were budgeted last year but not appropriated properly.

Mr. James made a motion to approve the resolution, seconded by Ms. Schwegmann. Mr. Porter called roll. Vote: All Aye.  
Resolution 2022-051 passed this 17<sup>th</sup> day of May, 2022

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

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

22-111-2	Blanket Vendor	Fire Mobile Communications	\$6,194.00
22-236	BPS Heating & Cooling, LLC	A/C Condenser Station 92	\$5,100.00
22-109-3	Blanket Vendor	Fire Contracts	\$10,000.00
22-196-1	Blanket Vendor	Fire Travel & Training	\$10,000.00
22-239-1	Parr Public Safety Equipment	Equipment for New Cruisers	\$6,427.83
22-240	Ohio Treasurer	Sturbridge Subdivision Payment	\$37,499.17
22-242	Choice One Engineering	Baen & Deerfield Sidewalk	\$14,700.00

Mr. James made a motion to approve the list of purchase orders as presented by Mr. Kellums. Ms. Schwegmann seconded. Mr. Porter called roll. Vote: All Aye.

Mr. James brought up the search for a Township Administrator and reported Mayor Margolis at the City of Montgomery had recommended using Management Partners, a locally based government search company, to assist us. Mr. James requested Mr. Kellums reach out to them and request a proposal.



Mr. James stated Mr. Barbieri is serving as the Interim Law Director for the Township but the Board had voted in January to direct Mr. Kellums to circulate an RFQ in an effort to hire a permanent Law Director. He asked the status of the RFQ.

Mr. Kellums said he will be working on that next week.

Mr. James said someone had contacted him about ADA compliance in the Township. He asked the status of the ramp that was going to be constructed at the Station 92 firehouse.

Chief Penny answered we are ADA compliant because there is a ramp, but it is not in that location. He said the recommendation was to put one by the lobby because, during the pandemic, people were using the firehouse lobby to drop off and pick up items. He said the lobby of the firehouse is no longer a delivery or pick up point as the buildings are now open and people can enter the Administration Building.

Mr. James said there was also discussion about a ramp to the Schuler Community Room at the main entrance and requested Mr. Kellums look into that. He then asked if the Township has an ADA Coordinator.

Mr. Kellums answered no.

Mr. James said since we have over 50 employees, we may be required to have an ADA Coordinator.

Mr. James thanked Debbie Campbell for getting financial reports out in Excel format to make them easier to analyze. He requested the reports be posted on the Township's website in a designated place.

Mr. Kellums responded he had already spoken to staff about posting them to the website.

### **Fiscal Officer Report**

#### **Pay Bills and Read Receipts**

The receipts in the amount of \$597,545.90 and disbursements in the amount of \$707,010.88 for May 17, 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 it is great to see so many people outside in the Township this spring and thanked the Township grounds crew for their efforts keeping up with the mowing and landscaping.

Mr. James reported the Trustees had participated in a ribbon cutting for the new Boosalis Baking across from the mall and enjoyed treats there as well. He said it is great to support local businesses.

Mr. Weidman reported the Trustees had received a letter about HB 563, a bill sponsored by 14 members of the State House of Representatives, which moves to prohibit any local government regulation of short-term rentals such as Air BnB and VRBO. He said he spoke to Representative Tom Brinkman, one of the sponsors of the bill, who told him after their conversation that he will be voting no on it if that is in fact what it does. Mr. Weidman stated he has read it and it does strip local governments of any control over short term rentals. Mr. Weidman said the Ohio Legislative Services Commission expressed concerns that the bill violates Article 18 Section 3 of the Ohio Constitution that grants municipal corporations municipal home rule authority.

Mr. Weidman stated he is working with members of the State Legislature, both as Trustee and as President of the Hamilton County Township Association, to strongly urge a no vote on this legislation. Mr. Weidman stated he asked Mr. Miller to distribute a letter from the Trustees to the Board for review so that our voice may be heard in Columbus with our legislators.

Mr. James said he reviewed the letter, and it is nicely written. Mr. James then made a motion that the Board sign the letter. Ms. Schwegmann seconded.

Mr. Weidman said he will be providing a list of representatives who may be influential on our behalf in the legislature. He said the signature page will not change, but the first page showing to whom the letter is addressed will change.

Ms. Schwegmann requested the final list of those to whom the letter is sent be shared with the Board.

Mr. Porter called roll. Vote: All Aye.

### **Announcement Changes**

Mr. Weidman reported there will be an open house at Kenwood Country Club for the proposed zone change at 8760 Montgomery Road on Thursday, May 19<sup>th</sup> at 6:00 p.m. and a bid opening for the Station 93 HVAC Improvements Project on Friday, May 20<sup>th</sup> at 10:00 a.m. He then referred people to the website calendar for details on all meetings and events.

### **Executive Session**

Mr. Weidman made a motion to adjourn into executive session as permitted by Ohio Revised Code Section 121.22(G)(1) to consider the employment, dismissal, discipline, or compensation of a public employee with the Township Law Director.

Mr. James seconded the motion.

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

Mr. Weidman invited Mr. Kellums, Mr. Miller, and Mr. Porter into the executive session with the Trustees and Law Director.

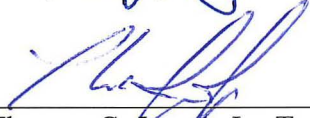



End Regular Session: 7:59 p.m.  
Begin Executive Session: 8:05 p.m.  
End Executive Session: 8:44 p.m.  
Back in Regular Session: 8:46 p.m.

Mr. Weidman noted all three Trustees 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 8:46 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  
05/17/2022