

RECORD OF PROCEEDINGS

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

January 16, 2018

The meeting was called to order at 9:00 a.m. Present for the meeting were Trustee Weidman, Trustee Connor, Trustee LaBarbara, Fiscal Officer Porter, Law Director Miller, Administrator Bickford, Superintendent Kellums, Zoning Administrator Holbert, Parks/Recreation Director McKeown, Fire Chief Penny and Lt. Smith from the Hamilton County Sheriff's Office.

Organization of the Board

Mr. Porter opened the meeting and requested a motion to organize the Board for 2018. Mr. Weidman made a motion, seconded by Mr. Connor, for Mr. Connor to serve as President of the Board. Mr. LaBarbara stated that he wants to be President. He also stated that he talked with Mr. Connor in the past and that it should have been Mr. Bishop's turn. Mr. Weidman stated that there is no rotation for Board President and, in fact, he was elected to the Board in 2013 and was Trustee only in 2014 and 2015, proving there is no rotation. He further went on to explain that his motion is based on experience and who he feels is best to serve as President.

Mr. Porter called the roll. Mr. Weidman voted aye, Mr. Connor voted aye, Mr. LaBarbara voted present. Mr. Porter explained to Mr. LaBarbara that this is not a vote for attendance, it is a vote for the current motion, which is for President of the Board. Mr. LaBarbara voted aye.

Mr. Connor thanked the Board for the vote of confidence as President of the Board.

Mr. Connor stated he values experience, and then made a motion for Tom Weidman to be Vice President, seconded by Mr. Weidman. Mr. Porter called the roll, Mr. Weidman voted aye, Mr. Connor voted aye, Mr. LaBarbara voted aye.

Kenwood Road Redevelopment

Mr. Holbert stated the owners of 7331 Kenwood Road are interested in tearing down the existing building and constructing a new restaurant concept on the site. They are looking for feedback from the Township about the use but are not ready to start the public process. Mr. Bickford advised that the discussion of the idea in the workshop makes it public.

Mr. Holbert stated they are also looking to receive a liquor license for consumption on the premises and questioned if the Township would have an objection. Mr. LaBarbara asked about the license. Mr. Holbert stated it would be issued by the State of Ohio.

The Board indicated they had no issue with the concept and that it would have to go through the required public hearings. Mr. Holbert advised the Board that it will be heard by Zoning Commission first, then the Board of Trustees.

Existing Tenant Expansion

Mr. Holbert reported that Folchi's at 7334 Kenwood Road in the Kenwood Plaza will be expanding at that location because of increased business.

Fire Department Update

Chief Penny reported that the department had difficulty getting the damaged ambulance returned after the insurance review because it was disassembled for insurance purposes. He said the vehicle is now back at the Township and electronics are being removed from it in preparation for the re-chassis process. In addition to the re-chassied squad, the Chief reported that he has obtained several quotes for a new squad to replace the spare Medic, which was already part of the 2018 capital campaign.

Chief Penny also reported that the department has been busy with several fires in and out of the Township through mutual aid.

The Chief reported on a fire at Ruwe Auto Body and said the garage took on heavy fire damage. He stated their intention was to repair or rebuild the building. Mr. Bickford stated that the property is non-conforming and this could be an issue with Zoning. Mr. Holbert stated he had been in contact with the owner and they are looking at the issues. Mr. LaBarbara stated that he has heard that neighbors have issues with the business. Mr. Weidman stated that there is one property owner who has a current dispute with Ruwe. Mr. Connor stated that the Vollmans have an issue with access to the rear lot and are working on a fence issue. It is a complex issue that is taking time to resolve and the Vollmans want it to proceed in an expedited manner.

Mr. Holbert stated that if there are other residents who have issues with the business, then they should file a complaint with the Township so it can be investigated.

Chief Penny stated that an engineer would need to evaluate the structural integrity of the building to determine if it can be repaired. The fire was very intense and could have had a detrimental effect to the structural integrity of the block.

Mr. Connor requested regular updates on the process of the squad re-chassis and the new squad.

Chief Penny reported that the new engine should be delivered in February.

Sheriff Department Update

Lt. Smith reported that there are two cruisers up for replacement this year and asked if the Board had a preference on make and model. He stated the Sheriff's office has had good results with the all-wheel drive SUV's. The Board concurred.

Lt. Smith reported that the roll out of body cameras is slated to begin with training on January 22nd. They are in the process of preparing a policy on the usage and storage of the data. There is also a redaction team in place to make sure the videos are compliant with the law.

Parks and Recreation Update

Mr. McKeown asked the Board if they wished to continue the car show in 2018. If so, then they need to commit so the show is listed in the industry publication which will be published soon for 2018.

The Board indicated they wish to continue with the car show. Mr. LaBarbara asked if he would be able to DJ the event. It was stated that he would be able to, if the Board so approved, but must be done without compensation.

Mr. McKeown reported that the athletic fields are almost completely booked for 2018.

Mr. McKeown asked the Board for direction in selecting entertainment for the 2018 Festival in Sycamore. He recommends an 80's era rock band, Night Ranger. He believes they will perform for \$35,000 or less. He also recommends potentially pursuing the Spin Doctors or the Gin Blossoms. .38 Special is currently asking over \$50,000.

Mr. Weidman asked how the 2018 sponsorships are going. Mr. McKeown stated that he has several new leads thanks to Mr. Kellums.

Mr. Kellums stated that Mr. LaBarbara should have a good list of potential sponsors with all of his years in the industry.

Mr. McKeown recommended that the Board take action sooner rather than later on selecting a band.

Mr. Connor stated that we need to make sure previous sponsors are still aware of the festival.

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to offer Night Ranger up to \$35,000 to perform at the festival. All voted yes.

Maintenance Update

Mr. Kellums reported that so far the Maintenance Department has used 885 tons of salt for the 2018 winter season. Compared with 480 tons for 2015, 351 tons for 2016, and 351 tons last year. He also noted that there are issues with the beet juice that was supplied from the manufacturer and they are working on getting it resolved. He stated that there are three 500 gallon bins that store the beet juice and brine used in plowing operations.

Mr. Kellums reported that the new mechanic, Jamie Gooch, is working out well and is learning the equipment quickly.

Mr. LaBarbara asked if the Township had a Christmas tree pickup program. Mr. Kellums stated there is a drop off program at Bechtold Park that runs through the 26th of January where the Township will chip the trees for free.

Mr. Kellums stated that the capital program for 2018 includes a mini excavator. He reported that while the State Bid for it is \$58,000, Southeastern Equipment will sell it to the Township for

\$49,000. Mr. Weidman made a motion, seconded by Mr. LaBarbara, to direct Mr. Miller to prepare a resolution to purchase. All voted yes.

Mr. Kellums reported that, based on the Board's approval to make an offer on 8624 Plainfield Road, he reached out to the owner and they have agreed to sell for \$90,000.

The resolution "Authorizing the Purchase and Closing of the Real Property Located at 8624 Plainfield Road in Sycamore Township" was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2018-01 passed this 16th day of January, 2018.

Overbeck Consent Decree

Mr. Miller presented a settlement agreement with the Overbecks in reference to the fence issue and Board of Zoning Appeals action. The agreement allows for the construction of a fence in the front yard.

Mr. Weidman made a motion, seconded by Mr. Connor, to approve the Consent Decree.

Mr. Miller suggested that Mr. LaBarbara abstain from this motion due to his involvement with the case.

Mr. Porter called the roll. Mr. Weidman, aye, Mr. Connor, aye, Mr. LaBarbara, abstain.

Upcoming Public Hearings

Mr. Bickford advised the Board that the public hearing for Zoning Case 2017-19MA would be held at 6:45 p.m. on Thursday. Mr. Holbert showed the Board the proposal and stated that Zoning Commission recommended approval.

Mr. Bickford advised the Board that the Mercedes Benz parking lot expansion issue and Cincy Custom carts cases were continued by Zoning Commission. He also stated that the Hills property may have new interest from a developer. However, at this time, the residential plan has been approved.

Ohio Township Association Winter Conference

Mr. Bickford reported that the 2018 OTA Winter Conference will take place on February 1-2, 2018 in Columbus which conflicts with the regular Trustee meeting. He also reported that there are currently no public hearings scheduled for that night. Mr. Weidman made a motion, seconded by Mr. LaBarbara, to cancel the February 1, 2018 regular Trustee meeting. All voted yes.

Resolution 2015-112 Civil Fine

Mr. Bickford explained that this issue was brought up by Mr. LaBarbara who stated that it looks bad when a Sheriff's Deputy serves the fine.

Mr. Miller explained that Section 504.06 of the Ohio Revised Code requires peace officers to serve the citation pursuant to the rules of civil procedure.

Mr. LaBarbara said that he met with Sheriff Neil who stated the Sheriff's Office does not want to serve the citation. He also stated that a secretary he talked to screamed at him stating that they did not want to do it as well. Mr. LaBarbara stated that he also met with Clerk of Courts Pureval's office who said that they don't want to do it either. Mr. LaBarbara stated that it seems heavy handed.

Mr. Miller explained that the issue is discussed in the Ohio Revised Code and is up to interpretation by the County Prosecutor's Office. He stated he would research the issue, but it is not an issue for the Sheriff's office to determine the legal aspects as to the enforcement of the resolution.

Lt. Smith asked Mr. LaBarbara who at the Sheriff's office other than Sheriff Neil screamed that the civil citations were an issue. Mr. LaBarbara clarified his remarks that it was an assistant or secretary of Sheriff Neil who made the statement but they did not scream. Lt. Smith respectfully stated that the person Mr. LaBarbara talked to at the Sheriff's Office does not understand the situation and is not qualified to make such a determination. He also stated that this is the first he has heard of someone at the Sheriff's Office taking that position. He has not heard from either the Sheriff or Chief Deputy about the issue. Lt. Smith also stated that he has not heard any complaints from the officers about service of the citations being an issue.

Mr. Weidman asked if placement of any debris in the right-of-way is considered an obstruction. Lt. Smith stated it was. He also stated that the Traffic Code allows for a judgement call when items are in the roadway. Lt. Smith gave an example of a recent incident in which a tree service contractor had logs in the roadway. Officer Matt Fox came by and advised the contractor of the obstruction issues and it was rectified.

Mr. Weidman stated that the Township invests millions of dollars in its roadways and questions why all taxpayers should have to foot the bill when one individual damages a road because they decided it was acceptable to use the roadway instead of their driveway.

Mr. Bickford stated often damage from an incident is not seen for years so there is a distinction between damage and dumping.

Mr. Bickford asked who could deliver a citation – could the Clerk of Courts serve it? Mr. Miller stated that, based on his research, the Ohio Revised Code requires personal service by a peace officer.

Lt. Smith suggested that the Sheriff's Office could send notice via email or phone about the citation and meet the citizen at the Township to serve the citation.

Mr. Miller stated he would research the issue with the Prosecutor's Office to see what, if any, other service methods there are. He also stated that the State Legislature could take up the issue of service if it was so inclined.

Mr. Connor stated he did not want the person serving the citation to be the judge on whether or not there was a violation. He also stated he had no problem in determining if there was another way to deliver the citation.

Mr. Holbert stated that staff always tries to be consistent when applying any code to be fair to all residents and businesses.

Mr. Miller stated based on his experience, the Clerk of Courts does not always deal with Home Rule Township issues and they may not know what needs to be done.

Mr. Miller stated that he will research the issue to see if there are other ways to deliver the citations and will report back to the Board at the next workshop.

Blanket Purchase Orders

Mr. Bickford presented the 2018 blanket purchase orders for approval.

A motion was made by Mr. Weidman, seconded by Mr. Connor to approve these requests.
Vote: All Aye.

Schedule

The schedule of upcoming events was read by Mr. Connor.

A motion to enter into **Executive Session to discuss Collective Bargaining and Pending Litigation** was made by Trustee Weidman and seconded by Trustee LaBarbara. Mr. Porter called the roll.

Vote: Weidman: Aye; LaBarbara: Aye; Connor: Aye.

End regular session: 10:37 a.m.

Begin Executive Session: 10:45 a.m.

End Executive Session: 11:37 a.m.

Back in regular session: 11:37 a.m.

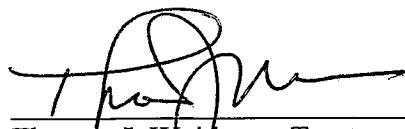
Mr. Weidman made a motion, seconded by Mr. Connor, to agree to the terms negotiated by staff with IAFF Local 3907 for the continuing three year contract. Mr. Porter called the roll. All voted yes.

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to continue the court case involving 4462 Daffodil. Mr. Porter called the roll. All voted yes.

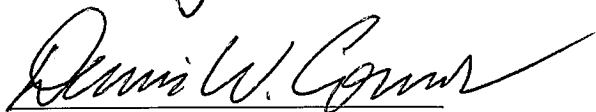
A motion to adjourn was made by Trustee Weidman and seconded by Trustee Connor. Vote: All Aye.

End regular session:

11:38 a.m.

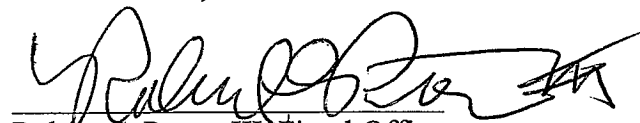


Thomas J. Weidman, Trustee

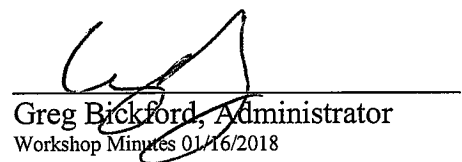


Dennis W. Connor, Trustee

Jim LaBarbara, Trustee



Robert C. Porter III, Fiscal Officer



Greg Bickford, Administrator

Workshop Minutes 01/16/2018