

**RECORD OF PROCEEDINGS**  
**Minutes of the Trustees of Sycamore Township Meeting**  
**Sycamore Township, Hamilton County, Ohio**  
**September 4, 2018**

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

**Approval of August 14, 2018 Workshop Meeting Minutes**

The minutes of the Board of Trustees Workshop Meeting held August 14, 2018 were presented for approval. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, to approve the minutes. Mr. Porter called the roll. Vote: LaBarbara: Aye Weidman: Aye Connor: Aye

**Nuisance Property Resolutions – 12135 2<sup>nd</sup> Avenue and 11922 1<sup>st</sup> Avenue**

The resolution "Providing For and Authorizing Removal of Trash and Debris, Declaring a Nuisance for the Property Located at 12135 2<sup>nd</sup> Avenue Sycamore Township, OH 45249" was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading and declaring an emergency. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2018-84 passed this 4<sup>th</sup> day of September, 2018.

The resolution "Providing For and Authorizing Weed Cutting and Debris Removal, Declaring a Nuisance for the Property Located at 11922 1<sup>st</sup> Avenue Sycamore Township, OH 45249" was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading and declaring an emergency. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2018-85 passed this 4<sup>th</sup> day of September, 2018.

**Nuisance Vehicle Resolution – 1944 Chaucer Drive**

The resolution "Providing for the Removal of Junk Vehicle(s) in Sycamore Township, Hamilton County and the Proper Disposal, Storage or Impoundment of Motor Vehicle(s)" was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading and declaring an emergency. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2018-86 passed this 4<sup>th</sup> day of September, 2018.

**Fire Department Update**

Chief Penny reported that he is starting to work with Horton Ambulance for the new squad. Braun is refusing to take out the indemnification clause in the warranty section of the contract. They state that other public entities have accepted the contract with it in there. They also stated that other communities believe it does not matter since the public agency is not modifying the squad after delivery.

Chief Penny stated that the prospective full time hires are in the process of getting the required physicals. The Chief also stated that the Fire Department will be participating in an active

shooter table top exercise on September 13 with the Sheriff's office and Kenwood Towne Centre security. In addition, there will be a live event based on the table top exercise on October 7.

#### **Sheriff Department Update**

Lt. Smith stated that the Sheriff's office attended a table top active shooter event at Rockwern Academy.

Mr. LaBarbara stated that he received information about resident concerns over panhandling at the Dillonvale Shopping Center. Lt. Smith stated that the Sheriff's office was aware and has increased patrols in the area. He also noted that after some investigating, some of the complaints are exaggerated.

#### **Parks and Recreation Update**

Mr. McKeown stated that the golf outing was very successful. He also noted that McDaniel Park has a full schedule for field use this fall with baseball, soccer and softball.

Mr. Weidman noted that the Moeller Volleyball team won the State Championship. Mr. McKeown stated he is working on getting them to a Trustee's meeting for a presentation.

#### **Maintenance Department Update**

Mr. Bickford noted that the Onyx road maintenance program will begin later this month along with the Garden and Silvercrest sidewalks. Residents have been notified on the projects. Mr. Bickford noted that this took care of item #11 on the agenda.

#### **Fiber Interconnect Project Update**

Mr. Bickford stated that the fiber project will be out for bid starting September 6, 2018 for three consecutive weeks and will be opened on September 28, 2018.

Mr. Weidman made a motion, seconded by Mr. LaBarbara to accept these dates. All voted yes.

#### **Bechtold Park Pavilion Reconstruction**

The resolution "Authorizing a Contract with Brandstetter/Carroll, Inc. for Engineering, Design, Bidding, and Construction Administration for the Bechtold Park Shelter Reconstruction" was read.

Mr. Bickford indicated that this contract was to evaluate the shelter and to determine what options are available to the Board of its repair or reconstruction. This contract includes the evaluation, future design and future construction administration.

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. 2018-87 passed this 4<sup>th</sup> day of September, 2018.

#### **Kugler Mill Road**

The resolution "Authorizing an Amendment to a Contract with Choice One Engineering Corporation for Engineering, Services" was read.

Mr. Bickford explained that this was for additional engineering in order to add in-line storm water detention to the road reconstruction. He also noted that this project will resubmitted for SCIP funding.

A motion was made by Mr. LaBarbara, seconded by Mr. Weidman, dispensing with the second reading. Mr. Porter called the roll. Vote: All Aye.

Resolution No. 2018-88 passed this 4<sup>th</sup> day of September, 2018.

### **Garden/Silvercrest Sidewalk Project**

Mr. Bickford previously reported on this item.

### **Request to Pay for Water Supply Damage**

Mr. Bickford reported that a resident on Stoneham Place had water heater damage and was requesting that the Township pay the bill of \$123.86. The resident claimed that it was caused by water hammer which was the result from the testing of the fire hydrants in the area. Chief Penny explained that the resident had contacted him about paying the bill and when he refused the request it went to Mr. Bickford. Mr. Bickford stated that he investigated the incident and spoke with a senior engineer at Greater Cincinnati Waterworks, our liability insurance company, Chief Penny, and other local government officials. The investigation concluded that the damage was not from the opening of the fire hydrant and was most likely caused by a deficiency in the resident's own plumbing system. Chief Penny explained the process that was used and, in this case, the valve was not fully opened, so the pressure in the system was not changed a significant amount.

Mr. Weidman made a motion, seconded by Mr. Connor to decline the request to pay the amount requested. All voted, yes.

### **Resolution – Appointing Members to the Hamilton County Water District Task Force**

The resolution "Appointing Members to the Hamilton County Water District Task Force" was read.

Mr. Weidman explained that the contract for water service in the unincorporated area expired on September 1<sup>st</sup> and the Greater Cincinnati Waterworks (GCWW) was set to implement a 43% surcharge in water rates based on a resolution from the City of Cincinnati (the City) who controls GCWW. He noted that by statute, the County has the authority to negotiate and enter into a water distribution agreement for the unincorporated areas which they did in 1987. The agreement was entered into by the County and several cities in Hamilton County that are served by GCWW. It included 25% surcharge for customers outside of the City of Cincinnati which is customary in water agreements similar to ours. The contract had a provision in it that would allow for the extension of the current agreement and rate for an additional 30 years if extended between 2004 and 2008. The cities who were part of the agreement extended their contracts. The County did not have the ability to do so because of conditions placed in the original contact that could not be met by the County.

Fast forward to the present, the City has directed GCWW to increase the rates in the unincorporated contract to a 43% surcharge. The City claims the reason for the increase is that the cost of water delivery to the Townships has increased.

Mr. Weidman noted that in order to serve those communities that have extended the contract, the water must pass through the unincorporated area. In response to this action, Hamilton County is forming a task force to study the issue and look at alternatives, including finding a new source of water for the unincorporated area.

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. 2018-90 passed this 4<sup>th</sup> day of September, 2018.

**Resolution – Determining to Intervene in Litigation over Water Rates**

The resolution “Determining to Intervene in Litigation between the Board of County Commissioners of Hamilton County, Ohio and the City of Cincinnati, Ohio over Water Rates” was read.

Mr. Weidman explained that the County filed for and was granted a temporary injunction to force the water rates to be held at their current rate while the parties continue to negotiate per the original contract. Since this is an issue that directly affects Township residents, the Township should have a seat at the table for the litigation.

Mr. LaBarbara stated that Commission Portune indicated he is upset with the contract issue and asked what Judge Ruehlman could do next. Mr. Weidman indicated the judge could extend the temporary restraining order. Mr. Butler indicated that the judge could make the injunction permanent among other things.

Mr. Weidman noted that it is possible for the County and unincorporated areas to get water from other sources.

Mr. LaBarbara asked if the other Townships were on board with this issue. Mr. Weidman indicated that all affected by this issue were.

A motion was made by Mr. LaBarbara, seconded by Mr. Connor, dispensing with the second reading. Mr. Porter called the roll. Vote: All Aye.  
Resolution No. 2018-89 passed this 4<sup>th</sup> day of September, 2018.

Mr. Connor thanked Mr. Weidman for championing this important issue.

**Hills Consent Decree**

Mr. Bickford stated that since the zoning was approved, it needs to go back to the court for modification based on the approved plan.

Mr. Weidman made a motion, seconded by Mr. Connor to direct the Law Director to prepare the documents necessary to go back before the court to modify the agreement based on the approved zoning.

Mr. Bickford explained the history of the consent decree and property. He noted that the consent decree contained language stating the court maintains jurisdiction over this matter.

Mr. Porter called the roll. All voted yes.

**Upcoming Public Hearings**

Mr. Bickford noted the special public hearing for the Capital Development proposal, Zoning Case 2018-12P2, is set for 6:00 p.m. on September 17<sup>th</sup> and, if necessary, at the same time on the 18<sup>th</sup>.

Mr. LaBarbara asked if the new traffic study was submitted. Mr. Bickford stated if it had been, he has not yet received a copy.

**Purchase Orders Over \$2,500.00**

Mr. Bickford presented the following purchase orders for approval:

Princeton City Schools	TIF School Payment	\$64,967.93
Deer Park Community City Schools	TIF School Payment	\$285,823.52
Great Oaks Career Campuses	TIF School Payment	\$9,806.55
Sycamore Board of Education	TIF School Payment	\$80,659.27
Indian Hill Exempted Village School District	TIF School Payment	\$2,505,465.53

A motion was made by Mr. Weidman, seconded by Mr. LaBarbara 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 Personnel Termination, Personnel Employment and Property Acquisition** 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: 9:48 a.m.

Begin Executive Session: 10:00 a.m.

End Executive Session: 11:36 a.m.

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

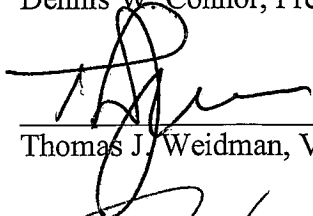
Mr. Weidman made a motion to advertise for an Administrative Assistant position seconded by Mr. LaBarbara. Mr. Bickford called the roll. All voted yes.

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

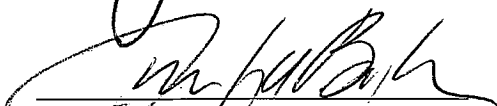
End regular session: 11:38 a.m.



Dennis W. Connor, President



Thomas J. Weidman, Vice President



Jim LaBarbara, Trustee



Robert C. Porter III, Fiscal Officer



Greg Bickford, Administrator

Workshop Minutes 09/04/2018