

## RECORD OF PROCEEDINGS

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

December 18, 2018

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

#### **Zoning Resolution / Comprehensive Plan**

Mr. Holbert reported that he had looked into notification policies for surrounding communities in response to discussions with the Trustees and some of the residents about citizen involvement in the Zoning Resolution updates. He went on to give examples on how those local governments publicize zoning cases and amendments. He cautioned about using social media outlets to publicize zoning issues as those online discussions usually do not include the applicant and the discussions regarding cases should be in a public hearing with all interested parties present. Mr. Holbert went on to explain how Sycamore Township Planning and Zoning publicizes upcoming zoning cases and amendments.

Mr. Holbert discussed the Comprehensive Plan noting it is a fact driven plan. He suggested, if there is any type of Board chosen to update it, the members should be able to understand the Zoning Resolution and be qualified to update it.

Mr. Weidman commented it sounds like the Township has been very transparent in the notification process as compared to other communities, noting the draft Zoning Resolution has been available on the website for some time.

There was discussion about the public hearing process for Case 2018-11T moving forward with the Board of Trustees after Zoning Commission and on comments received from residents.

Mr. LaBarbara stated he has a problem with this noting the contract with Jacobs for writing the text amendments included community meetings. He invited Kathy Kugler and Jack Pflum to address the Board regarding their request for a moratorium on the proposed text amendments.

Mr. Weidman stated the reason he didn't second Mr. LaBarbara's motion at the last meeting to hold a moratorium was because he wanted more information on how the public was informed about the proposed changes and what opportunities there have been for comment. He stated it is clear the public has had plenty of opportunity to comment and provide input.

Ms. Kathy Kugler addressed the Board stating the meetings have been held after other lengthy zoning cases have been heard. She went on to say the Township has not represented the residents and putting the information on the website and in the newsletter as notification is not sufficient.

Ms. Kugler complained the Township has done the minimum and should be doing a vigorous and robust outreach to solicit input from residents on the document.

Mr. Bickford pointed out a lot of the information Jacobs was given to make the changes came from the experience of using the current zoning resolution through the years, for instance the high number of front yard fence variances. He noted the zoning code does not change anybody's zoning. Mr. Bickford said the comprehensive plan will look at how we change future zoning for land uses. He stated his 20 years of experience tells him the process the Township has gone through for the zoning resolution review has been very good.

Mr. Jack Pflum addressed the Board saying he respectfully disagrees that the Township gave enough notice to residents regarding the proposed changes to the zoning resolution. Mr. Pflum pointed out a timeline in the Jacobs contract that was not met and stated we should at least have a draft of a land use plan first before we update the zoning resolution. Mr. Pflum passed out handouts to the Board members and reviewed his recommendations on how the Township should proceed with this process.

Mr. Bickford stated he agreed with some of Mr. Pflum's points, but noted the zoning resolution may be amended at any time, therefore, if changes are necessary after a new comprehensive plan takes effect, it can be amended. Mr. Bickford stated he and Mr. Holbert have given their opinion but they are happy to proceed however the Board decides.

Mr. Pflum stated if the Board votes against a moratorium, and continues with the changes to the zoning resolution without an updated land use plan, there will continue to be divisive situations in the Township.

Mr. Bickford said there will always be people in the community who are in disagreement whenever there are proposed zoning cases no matter what happens with the land use plan and zoning resolution. He suggested the zoning resolution move forward as planned and take Mr. Pflum's suggestions for the next steps with the land use plan.

There was continued discussion between Mr. Bickford and Mr. Pflum about the process.

Mr. Miller asked Mr. Pflum for clarification on what kind of moratorium he was suggesting. There was then discussion about the purpose of the land use plan. It was determined that Mr. Pflum was suggesting more of a pause in the process for amending the zoning resolution.

Mr. Pflum then asked about the fees paid to Jacobs noting for that amount we should at least have something for the land use plan.

Mr. Bickford stated the fees were paid up front as was done in 2002 and the cost is about the same. He noted Jacobs has done some work on the land use plan but they are holding off on that until the zoning resolution is finished. Mr. Bickford pointed out in 2002 there was a committee that included three residents, and attempts to encourage resident input, however, the meetings were not well attended.

Mr. LaBarbara asked how long the process took in 2002.

Mr. Bickford stated it took about two and a half years and explained why he thinks it will not take as long this time.

Ms. Kugler stated the Township has not done enough to generate resident input for the proposed zoning resolution amendments at the meetings

Mr. Weidman made a motion that the Township form an ad hoc committee consisting of seven total members, one member from the Board of Zoning Appeals, one member from Planning & Zoning, three residents and two business stakeholders in the community to become a land use plan review board and participate in the land use plan adoption process. He recommended that anyone interested in being on the ad hoc committee submit an application for staff to review and make recommendations to the Board.

Mr. Connor seconded the motion.

Mr. LaBarbara suggested adding that the ad hoc committee meet on its own time and not after a regular zoning meeting.

Mr. Bickford explained how the ad hoc committee will work.

There was additional discussion about the possibility of pausing the process for approving the amendments to the zoning resolution.

Mr. Weidman stated he was against that.

Mr. Miller stated there are a lot of technical changes that really need to get done.

Mr. Holbert thanked Mr. Pflum for his work as the author of the original zoning resolution. He noted it now needs to be changed because it is setting the Township up for liability. Mr. Holbert stated the review before the Zoning Commission of the document is now up to chapter 20 and noted he will compile all input and provide all the information collected to the Board of Trustees.

Mr. Miller called the roll for the motion on the table:

Mr. Weidman: AYE; Connor: AYE; LaBarbara; AYE

Mr. Standish Fortin addressed the Board asking Mr. Bickford for clarification on a statement he made. He went on to ask Mr. Holbert about his credentials and experience.

Mr. Al Early addressed the Board regarding ways in which the Trustees could generate interest from the residents about what is going on in the Township and become more transparent.

**Resolution – Approving a Major Adjustment to the VGA Properties LLC Planned Unit Development**

The resolution “Approving a Major Adjustment to the VGA Properties LLC Planned Unit Development” was read. A motion was made by Mr. Weidman, seconded by Mr. Connor, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye.  
Resolution No. 2018-143 passed this 18<sup>th</sup> day of December, 2018.

**Resolution – Approving a Major Adjustment to the SMC Kenwood LLC Planned Unit Development**

The resolution “Approving a Major Adjustment to the SMC Kenwood LLC Planned Unit Development” was read. A motion was made by Mr. Weidman, seconded by Mr. Connor, dispensing with the second reading.

Mr. Bickford stated the applicant for the project would like to address one of the conditions listed on the resolution.

Ms. Harman Kaur of Cincinnati Home Dialysis addressed the Board regarding the condition requiring 100% brick or stone materials. She showed a rendering of the building planned and explained the materials they would like to use.

Mr. Weidman pointed out the applicant proposes 65% EFIS. He stated brick and stone soften the look for the neighborhood and is consistent with the building next door.

Mr. Doug Smith addressed the Board and there was further discussion regarding the building materials. A compromise was reached.

Mr. Miller read the change to condition #4: “Building materials on the exterior rear of the building shall be brick. The exterior sides and front of the building shall be brick and EFIS as shown on the plan.”

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve the resolution with condition #4 amended.

Mr. Miller called the roll. Vote: All Aye.

Resolution No. 2018-144 passed this 18<sup>th</sup> day of December, 2018.

**Resolution – Nuisance Property 11437 Snider Road**

The resolution “Providing For and Authorizing Removal of Trash and Debris and Declaring a Nuisance for the Property Located at 11437 Snider Road, 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. Miller called the roll. Vote: All Aye.  
Resolution No. 2018-145 passed this 18<sup>th</sup> day of December, 2018.

**Approval of December 4, 2018 Workshop Meeting Minutes**

The minutes of the Board of Trustees Workshop Meeting held December 4, 2018 were presented for approval. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, to approve the minutes. Mr. Miller called the roll. Vote: LaBarbara: AYE Weidman: AYE Connor: AYE

**Resolution – Establishing the Mandatory Drug Law Enforcement Fund and Adopting an Internal Control Policy**

Mr. Bickford explained the State Auditor has recently issued a guideline stating any money the Township takes in from law enforcement fines, such as DUI fines, speeding tickets, etc. and any money from the sale of forfeited properties, has to go into special funds and be used for specific purposes. Mr. Bickford said the Township has always used that money to help pay for law enforcement, but now the State is requiring that and how it is documented.

The resolution “Establishing the Mandatory Drug Law Enforcement Fund and Adopting an Internal Control Policy” was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye. Resolution No. 2018-146 passed this 18<sup>th</sup> day of December, 2018.

**Resolution – Establishing the Law Enforcement Trust Fund and Adopting an Internal Control Policy**

The resolution “Establishing the Law Enforcement Trust Fund and Adopting an Internal Control Policy” was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye. Resolution No. 2018-147 passed this 18<sup>th</sup> day of December, 2018.

**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” was read. A motion was made by Mr. Weidman, seconded by Mr. Connor, dispensing with the second reading.

Mr. LaBarbara said he was confused about some of the transfers of funds noted and requested clarification.

Mr. Bickford said the Township cannot end the year on a negative balance for a fund. The law states that the funds may be transferred to avoid a negative balance. He noted it is all the same pot of money. He stated the Township is now spending directly out of individual JEDZ funds so these types of transfers will diminish in future. He said this is a reconciling of appropriations that were adopted at the beginning of the year.

Mr. Miller called the roll. Vote: All Aye.  
Resolution No. 2018-148 passed this 18<sup>th</sup> day of December, 2018.

**Resolution – Amending 2018 Appropriations**

The resolution “Amending 2018 Appropriations” was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye.  
Resolution No. 2018-149 passed this 18<sup>th</sup> day of December, 2018.

### **Resolution – Adopting Appropriations for Calendar Year 2019**

The resolution “Adopting Appropriations for Calendar Year 2019” was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye.  
Resolution No. 2018-150 passed this 18<sup>th</sup> day of December, 2018.

### **Fire Department Update**

Chief Penny reported on a request for Lucas Chest Compression System to help with CPR. He said the cost is about \$15,000 each and he needs three of them, one for each squad, because of changes to Hamilton County cardiac arrest protocol which stated CPR should be performed for a minimum of 20 minutes at the scene. This device will allow CPR to be given continuously throughout a 20 minute period even while the patient is being moved onto a cot and transported to the hospital.

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to approve the expenditure of \$44,644.20 for the purchase of three Lucas Chest Compression Systems. Mr. Miller called role. Vote: All Aye.

Mr. Penny said the Department will be at over 4300 runs by the end of the year noting this was the most they’ve ever had.

### **Resolution – Authorizing a Rental of a Portion of the Property Located at 7781 Montgomery Road in Sycamore Township**

Mr. Miller reported on the negotiations that took place regarding the Norton sign and its eventual removal.

The resolution “Authorizing a Rental of a Portion of the Property Located at 7781 Montgomery Road in Sycamore Township” was read. A motion was made by Mr. LaBarbara, seconded by Mr. Weidman, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye.  
Resolution No. 2018-151 passed this 18<sup>th</sup> day of December, 2018.

### **Parks and Recreation Update**

Mr. McKeown reported attendance at Luminaria was down a little due to the cold. He thanked everyone who helped with the event.

Mr. LaBarbara thanked the Maintenance, Police and Fire Departments and Mr. McKeown for a nice event.

Mr. McKeown noted Bethel Baptist Church and New Life Missionary Church both participated in the event.

Mr. McKeown also reported construction of the new shelter two at Bechtold Park is well under way. He stated the fields will be reconditioned before spring noting he is already getting requests for their use.

Mr. Weidman also thanked Mr. McKeown and Mr. Kellums and his crew for a well-orchestrated event.

### **Maintenance Department Update**

Mr. Kellums stated the delivery of the new shelter two from the manufacturer was very late therefore a change order is necessary for time. He said it will be completed very soon.

Mr. Kellums also reported the pre-construction meeting for the Fiber Project had taken place and the project is set to begin in April after the weather improves.

Mr. Kellums said the Maintenance Department is finally finished with all the brush chipping from the ice storm and today is the last day for leaf collection. He added two new maintenance employees who had not done so already just completed gas and electric safety training with Duke Energy.

Mr. Kellums reported seven companies bid on the Sycamore Road Project with Barrett Paving coming in with the lowest bid, which was about 22% under the engineer's estimated cost. He said the federal grant will pay for 79% of the project and the SCIP Grant will pay for 50% of the remaining 21%.

### **Resolution – Approving a Contract for the Sycamore Road Improvement Project**

The resolution "Approving a Contract for the Sycamore Road Improvement Project" was read. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye.

Resolution No. 2018-152 passed this 18<sup>th</sup> day of December, 2018.

### **Resolution – Amending the Rate of Pay for a Newly Promoted Township Employee**

The resolution "Amending the Rate of Pay for a Newly Promoted Township Employee" was read. A motion was made by Mr. LaBarbara, seconded by Mr. Weidman, dispensing with the second reading. Mr. Miller called the roll. Vote: All Aye.

Resolution No. 2018-153 passed this 18<sup>th</sup> day of December, 2018.

### **Upcoming Public Meetings**

Mr. Bickford reported the proposed Bank of America building at the Stagge property at the intersection of Montgomery and Kenwood Roads will be on the agenda for the January 17, 2019 Trustees Meeting. He said the proposal includes razing the existing building to construct a new retail bank and offices for Merrill Lynch. He stated Zoning Commission recommended approval of the project with conditions.

Mr. Weidman asked about the right-of-way dedication issue there.

Mr. Bickford stated that has been solved.

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

Mr. Bickford stated there were no purchase orders for approval.

**Schedule**

Mr. Connor noted the schedule of upcoming events was on the printed agenda.

Mr. Fortin addressed the Board about the schedule stating he doesn't see an open house about the Fields Ertel corridor listed. He said Mr. Gilday of the Hamilton County Engineer's Office said it would take place in January.

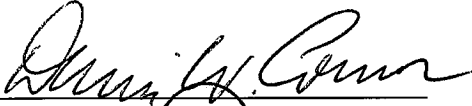
Mr. Bickford stated the Township has not yet been notified of a date for that open house.

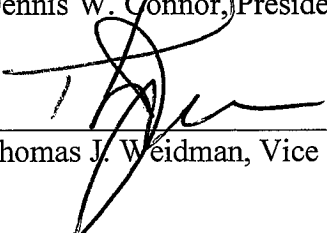
Mr. Fortin went on to inquire about expenditures for that project noted Butler County should have to help pay for it.

Mr. Kellums stated the road is in the city limits of Sharonville, therefore, Butler County will not pay for it.


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

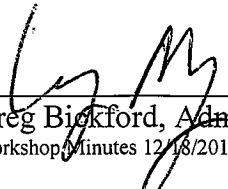
End regular session: 10:50 a.m.

  
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Dennis W. Connor, President

  
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Thomas J. Weidman, Vice President

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Jim LaBarbara, Trustee

  
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Robert C. Porter III, Fiscal Officer

  
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Greg Bickford, Administrator  
Workshop Minutes 12/18/2018