

RECORD OF PROCEEDINGS
Minutes of the Trustees of Sycamore Township Meeting
Sycamore Township, Hamilton County, Ohio
March 3, 2020

The meeting was called to order at 9:01 a.m. Present for the meeting were Chairman LaBarbara, Vice Chairman James, Trustee Weidman, Law Director Desai, Administrator Warrick, Superintendent/Assistant Administrator Kellums, Planning & Zoning Administrator Miller, Fire Chief Penny, Lt. Smith from the Hamilton County Sheriff's Office and Beth Gunderson. Fiscal Officer Porter was absent due to a conflict with a court hearing.

Approval of February 18, 2020 Trustee Workshop Minutes

The February 18, 2020 Trustees Meeting Minutes were presented for approval. Mr. Weidman made a motion, seconded by Mr. James, to accept them. Mr. Warrick called roll. Vote: All Aye.

SHERIFF PATROL ITEMS

Lt. Smith had no report.

EMS AND FIRE ITEMS

Medical Director Update

Chief Penny reported he would like to move forward with Dr. Jason McMullan as Medical Director for the Fire Department. He noted the cost would be \$15,000.00 per year. He said there is a benefit to using a group through University of Cincinnati as, if Dr. McMullan is unavailable, there would be another doctor who could fill in.

Mr. LaBarbara asked what the department gets for the \$15,000.00.

Chief Penny explained the department must have a Medical Director to distribute narcotics and for required run reviews.

Mr. Weidman noted it is a statutory obligation.

Mr. James made a motion, seconded by Mr. Weidman, to direct Chief Penny to move forward with Dr. McMullan of UC as Fire Department Medical Director. Mr. Warrick called roll. Vote: All Aye.

Capital Blanket PO

Chief Penny reported he had a purchase order for emergency expenditures for approval.

The following purchase order was presented for approval:

Blanket Vendor	Fire Capital	\$88,000.00
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Mr. Weidman made a motion to approve this request, seconded by Mr. James. Mr. Warrick called roll. Vote: All Aye.

Mr. James asked Chief Penny about the Fire Department's preparedness for dealing with Coronavirus.

Chief Penny stated the department has the necessary equipment as of now, noting the situation could change. He stated the biggest issue is the virus looks like a cold or flu so could go unrecognized initially.

Mr. Warrick noted there will be an agenda item for the Thursday, March 5th Trustees meeting for Chief Penny to make a short presentation on this topic.

ROADS, MAINTENANCE & RECREATION ITEMS

Summer Concert – Jump n Jive Show Band

Mr. Kellums reported The Jump n Jive Show Band will perform a concert at Bechtold Park on June 27th from 5:00 p.m. to 7:00 p.m.

Kugler Mill Road Temporary Easements Blanket PO

Mr. Kellums stated he had a purchase order for the temporary easements needed for the Kugler Mill Road Project for the Board's approval. He noted he will have another purchase order in the future for permanent easements.

The following purchase order was presented for approval:

Blanket Vendor	Kugler Mill Road Temporary Easements	\$22,000.00
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Mr. Weidman made a motion to approve this request, seconded by Mr. James. Mr. Warrick called roll. Vote: All Aye.

Mr. James inquired about the timeline for the Kugler Mill Road Project.

Mr. Kellums said the project will go out to bid later this year, noting the easement acquisition is being done later than expected because of a delay in holding the establishment meeting with Hamilton County. He said road construction will begin next year.

Motion to Advertise (2020 Curb Replacement Program)

Mr. Kellums requested a motion to advertise for the 2020 Curb Replacement Program.

Mr. Weidman made a motion, seconded by Mr. James, to advertise for the 2020 Curb Replacement Program. Mr. Warrick called roll. Vote: All Aye.

RFP Submittal Kenwood/Montgomery Road Traffic Study

Mr. Kellums reported TEC Engineering had submitted a proposal for the Kenwood/Montgomery Roads Traffic Study. He stated they would put in a grant application on the Township's behalf and their fee amount is \$27,840.00.

Mr. LaBarbara stated he thinks the Township should wait until we have a developer lined up for the Montgomery Road property, noting there are already two interested in the property.

Mr. Weidman disagreed saying the Township should move forward with this because we do not want a developer in charge of the study. He noted we need an objective view of the traffic situation as this is the Township's main business district.

Mr. James asked what part of the study a grant would cover.

Mr. Kellums replied the grant would not cover the study it would cover a portion of any work recommended by the study.

Mr. LaBarbara pointed out there is no record of the property being purchased for access management as previously stated by Mr. Weidman.

Mr. Weidman said it was discussed each time the Township acquired the property. He noted TIF funds must be used for a specific purpose as dictated in the TIF agreement. He said it is obvious the Township's biggest traffic problem is the Kenwood/Montgomery Roads intersection and asked why we would not want to conduct a study of that intersection.

Mr. James stated access management may have been the purpose of the purchase of the property, but looking back at Township records, or lack of records, there is no record of that purpose. He asked Mr. Weidman to discuss the history of the former Taco Bell site.

Mr. Weidman explained there was a study done by Brandstetter Carroll which showed an access road going through to the traffic light in front of St. Vincent Ferrer, noting there was an agreement when the Redstone Development was built that there would be access to that traffic light in the future. Mr. Weidman said it is important to plan for access to that traffic light in anticipation of future development of the Montgomery Road Property.

Mr. James stated he would like to see the Brandstetter Carroll study that was conducted. He said he would like to review the history of this topic and the Brandstetter Carroll study before making a decision.

Mr. James asked Mr. Kellums about the status of the sidewalk a resident had requested on Galbraith Road in front of Jewish Hospital.

Mr. Kellums answered he has to meet with the Hamilton County Engineer about that and will do so this week.

Mr. James asked about the current field rental agreement with Moeller High School.

Mr. Kellums answered there is not a written agreement there is a field request form that they have completed like everyone else who rents fields.

Mr. Desai responded he has been working with Moeller's attorney on a contract and should have it for the next Workshop.

Mr. James inquired about the Memorial Day Parade.

Mr. Kellums answered Tom Camp organizes the parade and the Township participates in it. He said he does need to speak to organizers about access to Bechtold Park.

Mr. James asked for an update on the Parks Advisory Committee.

Mr. Kellums answered there have not been any additional interested candidates.

Mr. James stated he would like to move ahead with the Parks Advisory Committee.

Mr. LaBarbara requested all bookings for ball fields and the Schuler Community Room in 2019. He went on to say Jason Petty should interview interested candidates for the Parks Advisory Committee and move forward quickly instead of waiting for the Township newsletter to go out. He said Mr. Petty has some great ideas and we can always add to the Park Advisory Committee later.

Mr. James asked Mr. Kellums if there are no records of who rented the Schuler Community Room.

Mr. Kellums answered he will follow up on that.

Mr. Standish Fortin addressed the Board asking for clarification on if there would be a request for Park Advisory Committee volunteers in the newsletter or if the Board is now saying we should move on.

Mr. James answered it will be in the newsletter noting the committee is a fluid body and if anyone is interested in serving on it we would like to know.

Mr. Fortin stated he would like to serve on a finance and audit committee.

LAW DIRECTOR ITEMS

Heitmeyer Farms Landscape Maintenance Agreement

Mr. Desai presented a resolution to the Board to approve a Landscape Agreement with Heitmeyer Farms subdivision.

Resolution Approving Landscape Maintenance Agreement (Desai)

“A Resolution Approving a Landscape Maintenance Agreement with Heitmeyer Farms Civic Association for the Property that Makes up the Kenwood Road Entrance to Heitmeyer Farms Subdivision and Dispensing with the Second Reading.” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution.

Mr. James noted the parcels covered in the agreement are owned by the Township. He said the Township agrees to mow the grass and Heitmeyer will be responsible for other maintenance.

Mr. Warrick called the roll. Vote: All Aye.
Resolution No. 2020-16 passed this 3rd day of March, 2020.

ADMINISTRATOR ITEMS

IT Service Agreement

Mr. Warrick reported he has a resolution for the Board to approve an IT service contract with Velecor. He noted hardware had been purchased to run Windows 10 and for enhanced backup. He said the new service agreement is a slight increase in cost due to enhanced backup and licenses for Microsoft Office 365. He noted the language in the contract had been approved by Mr. Desai.

Resolution to Execute a Service Agreement with Velecor (Desai)

“A Resolution Authorizing a Contract with Velecor Services for IT Services and Dispensing with the Second Reading.” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2020-17 passed this 3rd day of March, 2020.

PLANNING AND ZONING ITEMS

11500 Northlake PACE Project

Mr. Miller reported he had a series of resolutions, all tied together, for the Township’s first commercial PACE program in quite some time. He stated the project includes LED lighting and HVAC improvements for 11500 Northlake Drive with \$1,340,394.69 financed through PACE. He noted ESID met last Friday and approved the financing and that the Township has no obligation but serves as a pass through. He said Chris Jones of Bricker & Eckler was present to answer any questions.

Mr. LaBarbara commented on the payment schedule.

Mr. Miller stated the assessment goes on the tax bill.

Resident Standish Fortin asked for an overview of the PACE Program.

Mr. LaBarbara noted it was explained at the last Workshop.

Mr. Chris Jones, of Bricker & Eckler, addressed the Board. Mr. Jones explained PACE is voluntary special assessment financing for private property owners. He said the Township has had a commercial PACE Program and recently approved PACE financing for residential property owners. He explained the advantages of PACE financing and how the payments are made to the lender.

Resolution Approving Petition and Plan (Desai)

“A Resolution Approving a Petition for Special Assessments for Special Energy Improvement Projects and a Plan for Public Improvements and Declaring an Emergency.” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution. Mr. Warrick called the roll. Vote: All Aye. Resolution No. 2020-18 passed this 3rd day of March, 2020.

Resolution to Proceed (Desai)

“A Resolution Determining to Proceed with the Acquisition, Construction, and Improvement of Certain Public Improvements in the Township of Sycamore, Hamilton County, Ohio, in Cooperation with the Suburban Communities Energy Special Improvement District, and Declaring an Emergency.” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. LaBarbara, to approve the resolution. Mr. Warrick called the roll. Vote: All Aye. Resolution No. 2020-19 passed this 3rd day of March, 2020.

Resolution of Necessity (Desai)

“A Resolution 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, and Declaring an Emergency.” was

presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution. Mr. Warrick called the roll. Vote: All Aye.
Resolution No. 2020-20 passed this 3rd day of March, 2020.

Resolution Levying Special Assessments (Desai)

“A 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, and Declaring an Emergency.” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution. Mr. Warrick called the roll. Vote: All Aye.
Resolution No. 2020-21 passed this 3rd day of March, 2020.

Resolution Approving Project Documents (Desai)

The “Resolution Authorizing and Approving an Energy Project Cooperative Agreement By and Among the Township of Sycamore, Hamilton County, Ohio, The Suburban Communities Energy Special Improvement District, Inc., SGRT Northlake LLC, and Greenworks Lending LLC Providing for the Financing of a Special Energy Improvement Project in Sycamore Township; Authorizing and Approving a Special Assessment Agreement By an Between Sycamore Township, the County Treasurer of Hamilton County, Ohio, SGRT Northlake LLC, the Suburban Communities Energy Special Improvement District, Inc., and Greenworks Lending LLC; and Declaring an Emergency.” was read. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution. Mr. Warrick called the roll. Vote: All Aye.
Resolution No. 2020-22 passed this 3rd day of March, 2020.

Sycamore Small Cell (5G) Site Policy

Mr. Miller reported the Township has identified a need to adopt a policy that may in some way regulate design and placement of an emerging technology, small cell (5G) sites. He noted Federal and State laws regarding the 5G towers are still in flux and there is nothing on the books locally. Mr. Miller stated the policy before the Board was created in a collaborative effort by the Zoning and Maintenance Departments in order to get something on the books before the Township receives an application to install a 5G cell tower. He said people want access to 5G and this policy is not an attempt to stop them, but rather an attempt to lessen the negative impacts, noting the Township would like to limit the number of new poles as much as possible, make them fit in aesthetically and add restoration requirements.

Mr. Kellums added the range of these poles is only 1,000 feet, therefore, the Township could end up with a lot of them if all the wireless carriers want them.

Mr. Miller stated the poles can be built to be camouflaged but carriers are looking for the easiest way to install them without regard for aesthetics. He stressed the policy presented today is a version one and will be updated.

Mr. Weidman said staff is doing a great job getting this together proactively.

Mr. LaBarbara asked if the fees listed in the policy are collectable.

Mr. Miller said fees were included in other policies they reviewed pointing out there will be staff time involved for plan review and inspections. Mr. Miller said Hamilton County is interested in our policy as they have none yet.

Mr. James expressed concerns about not having public input in the policy. He also inquired about the 40 feet height mentioned in the policy. There was then discussion about the height of the towers with Mr. Desai noting 40 feet is listed in the definition in the ORC.

Mr. James suggested prohibiting sound emitting equipment.

Mr. Miller discussed adding a severability clause noting there is potential for the policy to be challenged.

Mr. Standish Fortin addressed the Board expressing concerns about possible health effects of the 5G towers and the Board deciding without public input.

Mr. James pointed out the Township does not have the authority to prohibit 5G due to Federal law and FCC regulations.

Mr. Desai noted State of Ohio regulations have severely restricted local governments' ability to regulate them.

Mr. Fortin again expressed concerns about health effects of this technology and requested a discussion of this topic be facilitated by the Township.

Mr. Weidman noted 5G cell towers have been a topic of discussion at previous Trustee and Workshop meetings. He said he agrees with Mr. Fortin 100%, but the Township does not have control over it.

Mr. James noted the Township needs to get some policy in place now even under the constraints placed on us by Federal, State and FCC regulations.

Mr. Al Early addressed the Board saying he does recall conversations about this topic at previous Township meetings. He suggested the Township try to delay the 5G towers and decide what's in the best interest of the Township.

Mr. Weidman said 5G is a whole new world and is not attractive to the health and well-being of our residents. He said the wireless carriers have bamboozled the State Legislature.

Mr. Kellums stated the wireless carriers have been declared a public utility so the Township cannot keep them out of the right of way.

Mr. Miller stated if the Township has the ability to regulate for health concerns in the future we will, noting the topic is also being discussed by the Land Use Steering Committee.

Mr. Weidman said he agrees with Mr. Early, we should foul them any chance we get, and requested Mr. Desai research any way possible to do so.

Mr. Warrick asked about the application process and if the Township could require a public hearing.

Mr. Miller explained it would require an administrative review and he is unsure if a public hearing could be required.

Mr. Warrick said the policy presented today is part of the battle and may have to evolve, but without it, there is nothing to be challenged.

Mr. Weidman inquired about a timeline for approval of an application.

Mr. Desai said the ORC states 60 days.

Mr. James asked if there are any existing 5G towers in the Township and was told there were none but there are in Symmes Township.

Resolution Small Cell (5G) Site Policy (Desai)

“A Resolution Approving a Policy Regulating Small Cell (5G) Sites and Dispensing with the Second Reading.” was presented by Mr. Desai. A motion was made by Mr. James, seconded by Mr. Weidman, to approve the resolution. Mr. Warrick called the roll. Vote: All Aye.

Resolution No. 2020-23 passed this 3rd day of March, 2020.

Mr. Miller reported he had three nuisance property and one nuisance vehicle resolution for the Board’s consideration. He explained the Township’s efforts to notify and work with the residents for voluntary compliance.

Mr. James requested color photos of the properties. He then asked about the process, any fines and if the property owners had the opportunity to appeal.

Mr. Miller explained the process noting the property owners have had opportunities to abate, work with the Township or appeal to the Board of Zoning Appeals.

Resolution Nuisance Property 8100 Camner Avenue

“A Resolution Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 8100 Avenue, Sycamore Township, Ohio 45236” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution and dispense with the second reading.

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

Resolution No. 2020-24 passed this 3rd day of March, 2020.

Resolution Nuisance Property 12121 3rd Avenue

“A Resolution Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 12121 3rd Avenue, Sycamore Township, Ohio 45249” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution and dispense with the second reading.

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

Resolution No. 2020-25 passed this 3rd day of March, 2020.

Resolution Nuisance Vehicle

“A Resolution Providing for the Removal of a 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. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution and dispense with the second reading.

Mr. Weidman asked if the vehicle was operational.

Mr. Miller answered the vehicle has flat tires, is not properly licensed and is partially in the right of way.

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

Resolution No. 2020-26 passed this 3rd day of March, 2020.

Resolution Nuisance Property 11962 4th Avenue

“A Resolution Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 11962 4th Avenue, Sycamore Township, Ohio 45249” was presented by Mr. Desai. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution and dispense with the second reading.

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

Resolution No. 2020-27 passed this 3rd day of March, 2020.

Board of Zoning Appeals Vacancy

Mr. Miller reported Board of Zoning Appeals alternate Julie Glassmeyer had resigned from the Board. He stated there is not an issue with having a quorum. He said he would like to advertise in the newsletter and on the website to fill the vacancy. The Board agreed.

FISCAL OFFICER ITEMS

Mr. Porter was not present.

TRUSTEE ITEMS

Mr. James asked about the Pay Bills & Read Receipts agenda item.

Mr. Warrick said that was an error and should have been removed. He reported the electronic signatures on the checks are working and noted Mr. Porter will sign the check registry on Thursday.

Mr. LaBarbara asked the status of the markers and light kits on Township vehicles.

Mr. Kellums answered the mechanic is working on that and waiting on a price.

Mr. James thanked Mr. Kellums for fixing the lighting problem at Schuler.

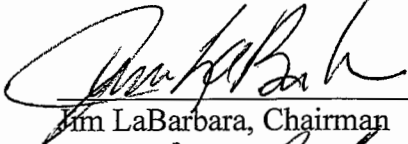
ANNOUNCEMENT CHANGES

Mr. LaBarbara noted the time change to 6:00 p.m., Thursday, March 5th for the CIC Meeting. He also pointed out the Special Board of Zoning Appeals Meeting on March 9th at 4:30 p.m. and that the Zoning Commission Meeting March 9th and the regular Board of Zoning Appeals Meeting March 16th had both been cancelled.

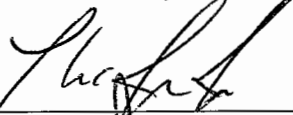
Mr. James reminded those present that JEDZ Board Meetings take place Thursday, March 5th beginning at 4:00 p.m.

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

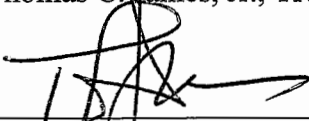
End regular session: 10:35 a.m.



Jim LaBarbara, Chairman



Thomas C. James, Jr., Trustee



Thomas J. Weidman, Trustee



Robert C. Porter III, Fiscal Officer



Ray Warrick, Administrator
Workshop Minutes 03/03/2020