

## RECORD OF PROCEEDINGS

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

Tuesday, September 19, 2023, 7:00 p.m.

The regular meeting was called to order at 8:03 p.m. by Chairman Schwegmann.

Present for the meeting were Chairman Schwegmann, Vice Chairman Weidman, Trustee James, Fiscal Officer Deters, Law Director Barbieri, Administrator Kellums, Superintendent Reutelshofer, Planning & Zoning Administrator Uckotter, Fire Chief Penny, and Lt. Tarr from the Hamilton County Sheriff's Office.

The invocation was read by Mr. Kellums.

Pledge to the Flag.

#### **Approval of the minutes from the August 29, 2023 Lighting District Public Hearings**

The August 29, 2023, Brittany Chase Lighting District Public Hearing minutes and South Kenwood Lighting District Public Hearing minutes were presented for approval. Mr. Weidman made a motion to accept them, seconded by Mr. James.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

#### **Approval of the August 29, 2023, Trustee Meeting Minutes**

The August 29, 2023, Trustee Meeting minutes were presented for approval. Mr. Weidman made a motion to accept them, seconded by Mr. James.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

#### **Proclamation Breast Cancer Awareness**

"A Proclamation in Recognition of Breast Cancer Awareness Month" in Sycamore Township was read by Ms. Schwegmann. Mr. Weidman made a motion to pass the Proclamation. Mr. James seconded the motion. Mr. Deters called roll. Vote: All Aye.

The Proclamation passed this 19<sup>th</sup> day of September, 2023.

The resolution proclaimed October, 2023 Breast Cancer Awareness Month in Sycamore Township.

#### **Public Comments**

There were no public comments. Mr. Uckotter noted there were members of the public present who wished to comment later in the meeting about a property maintenance resolution.

#### **Planning & Zoning Report**

##### **Resolution – Case 2023-06MA**

Mr. Barbieri outlined the best way for the Board to proceed with making a decision on Case 2023-06MA for Shoppes of Kenwood at 7700-7724 Montgomery Road, which was the subject of a public hearing before the Board of Trustees just prior to the regular meeting.

Mr. Weidman made a motion to approve the modified conditions set forth by the Zoning staff. Mr. James seconded the motion.

The Board then discussed Case 2023-06MA.

Mr. James recommended a condition that the rear garage doors be locked during hours of operation except for emergencies or deliveries. Mr. Weidman and Ms. Schwegmann agreed.

Ms. Schwegmann asked about the language in items one and two. Mr. Barbieri stated the correct term would be modified as the Trustees may either approve, deny, or modify the Zoning Commission's recommendation.

Mr. Weidman asked how the map referenced in the public hearing would be incorporated.

Mr. Barbieri answered it would be part of the resolution.

There was then discussion about a vestibule on the side of the building and whether it should be included in the section of the map where no customer access is permitted. It was noted that the veterinarian uses that entrance for customers whose pets could not be in the waiting room with other pets.

Mr. Uckotter noted a change to 6:00 a.m. in condition number eight and there was continued discussion to ensure the desired language was correct in the conditions.

Mr. Weidman noted the Board had discussed both PUD violations and property maintenance violations, which are two separate things. He said with this motion, the Board addresses the PUD, but the property maintenance violations still need to be resolved. He said he hopes to get the two parties together to get the property back on track.

Ms. Schwegmann agreed, stating the Board is counting on the good faith efforts of the property owner to address the ongoing maintenance issues.

Mr. James stated he believes the 6:00 a.m. opening time and allowing no business or entrance to the back of the building is a workable compromise. He encouraged adjacent residents to report any noise ordinance violations or other issues.

Mr. Kellums brought up condition number 13 and there was a discussion about what constituted normal vehicular movements.

Mr. Uckotter mentioned the grease container covered by condition number five and the cardboard from Dollar General that must be screened.

There was a discussion about the screening materials. Ms. Schwegmann pointed out the Zoning Resolution states masonry enclosures are required. The applicant expressed concerns about access to racks used by a tenant to store plastic shipping containers and alternatives were discussed. Mr. Barbieri stated if the Board approves the Major Adjustment to the PUD with the masonry requirement and it proves not to be feasible, Mr. Uckotter has the authority to approve

an alternative as a Minor Adjustment to the PUD. Ms. Schwegmann said that would be her preferred path.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

Mr. Barbieri stated Mr. Uckotter would prepare a resolution with the conditions listed as the Trustees discussed.

Mr. Uckotter reported on six nuisance property resolutions prepared for the Board's consideration. He reviewed the complaint history for each and displayed photos of the violations on each property.

**Resolution – 4085 Larchview Drive 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 4085 Larchview Drive, Sycamore Township, OH 45236" was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye  
Resolution 2023-069 passed this 19<sup>th</sup> day of September, 2023

**Resolution – 7256 Silver Crest Drive 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 7256 Silver Crest Drive, Sycamore Township, OH 45236" was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye  
Resolution 2023-070 passed this 19<sup>th</sup> day of September, 2023

**Resolution – 8281 Wetherfield Lane**

The resolution "Providing for and Authorizing Removal of Vegetation, Garbage, Refuse, and Other Debris and Declaring a Nuisance for the Property Located at 8281 Wetherfield Lane, Sycamore Township, OH 45236" was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye  
Resolution 2023-071 passed this 19<sup>th</sup> day of September, 2023

**Resolution – 12153 Snider Road**

The resolution "Providing for and Authorizing Removal of Vegetation, Garbage, Refuse, and Other Debris and Declaring a Nuisance for the Property Located at 12153 Snider Road, Sycamore Township, OH 45249" was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye  
Resolution 2023-072 passed this 19<sup>th</sup> day of September, 2023

**Resolution – 8054 School Road**

The resolution "Providing for and Authorizing Removal of Vegetation, Garbage, Refuse, and Other Debris and Declaring a Nuisance for the Property Located at 8054 School Road, Sycamore

Township, OH 45249” was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading. Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye  
Resolution 2023-073 passed this 19<sup>th</sup> day of September, 2023

**Resolution – 6510 Kugler Mill Road**

The resolution “Providing for and Authorizing Removal of Vegetation, Garbage, Refuse, and Other Debris and Declaring a Nuisance for the Property Located at 6510 Kugler Mill, Sycamore Township, OH 45236” was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye  
Resolution 2023-074 passed this 19<sup>th</sup> day of September, 2023

**Resolution – 12093 Sixth Avenue Unsafe Building**

Mr. Uckotter reported that the Fire Department has determined the building on the property located at 12093 6<sup>th</sup> Avenue is unsafe and a notice to that effect has been posted on the door. He pointed out there is a separate parcel with a different owner that contains a garage of similar condition. Mr. Uckotter explained this resolution will recommend the Township move forward with the process to remove the structures following notice to the property owners and an opportunity for them to appeal. He explained the notification process and reported the Township had sought three bids to raze the structures with the lowest bid coming in at about \$14,000.00. Mr. Uckotter stated property owners Mr. and Mrs. Stuckey were present at the meeting and wished to address the Board.

Jerry Stuckey, of 6750 Elwynne Drive, Cincinnati, OH 45236 and Regina Stuckey, of 6826 Park Avenue, Cincinnati, OH 45236, owners of 12093 Sixth Avenue, addressed the Board. Mr. Stuckey stated they just received notice from Sycamore Township about the Planning & Zoning Department’s intent to tear down the structure. He requested 60 days to allow them time to seek quotes from demolition contractors.

Chief Penny addressed the building's condition saying it is very unsafe and a risk if someone enters it. He suggested it be secured with fencing.

Mr. Barbieri asked if Mr. Stuckey intended to demolish the building himself. Mr. Stuckey answered yes. Mr. Barbieri then stated the resolution starts the process and will not lead to immediate demolition. He stated Mr. Stuckey may request a hearing and let the Township know their plans at that time.

Mrs. Stuckey stated it is their intent to demolish the building noting they have only owned the property since 2022.

Ms. Schwegmann asked if the property needed to be secured. Mr. Kellums answered yes, and Mr. Stuckey stated he could put up a fence this weekend.

Ms. Schwegmann asked about the other parcel.

Mr. Uckotter stated that the parcel had another owner and explained how the process would work, notifying both owners.

The resolution “Authorizing the Removal, Repair, or Securance of Unsecure and/or Unsafe Buildings as 12093 Sixth Avenue” was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

Resolution 2023-075 passed this 19<sup>th</sup> day of September, 2023

Mr. Barbieri asked Mr. and Mrs. Stuckey if they would agree to an extension of the time to hold the hearing if the Board desires not to hold the hearing within the timeframe listed in the resolution.

Mr. and Mrs. Stuckey both agreed to the extension.

#### **Resolution – 4701 Kugler Mill Road Unsafe Building**

Mr. Uckotter reported there is a garage in disrepair on 4701 Kugler Mill Road. He showed photos of the structure.

Chief Penny described the conditions of the structure noting the roof has collapsed.

The resolution “Authorizing the Removal, Repair, or Securance of Unsecure and/or Unsafe Buildings as 4701 Kugler Mill Road” was presented by Mr. Uckotter. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

Resolution 2023-076 passed this 19<sup>th</sup> day of September, 2023

Mr. Uckotter reported the high quote to raze the garage was \$13,500.00 and the low quote was \$8,000.00.

#### **Sheriff Patrol Report**

Lt. Tarr stated he had no report.

#### **EMS/Fire Report**

Chief Penny reported the fire trucks assisted with a couple of activities at the St. Saviour Festival and everything went well.

#### **Roads, Maintenance & Recreation Report**

Mr. Reutelshofer reported he had one resolution for the board’s consideration.

#### **Resolution – Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s)**

The resolution “Authorizing Steve Reutelshofer, Maintenance Superintendent, to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required” was presented by Mr. Reutelshofer. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James, dispensing with a second reading.

Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

Resolution 2023-077 passed this 19<sup>th</sup> day of September, 2023

**Law Director Report**

Mr. Barbieri stated he had nothing to report. He noted the resolution for Zoning Case 2023-06MA is listed on the agenda and should be voted on before the end of the meeting.

**Administrator Report**

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

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

|         |                               |                                |             |
|---------|-------------------------------|--------------------------------|-------------|
| 23-33-1 | Blanket Vendor                | Roads Fleet Repair             | \$15,000.00 |
| 23-59-3 | Blanket Vendor                | Fire Utilities                 | \$5,000.00  |
| 23-61-2 | Blanket Vendor                | EMS Supplies                   | \$8,000.00  |
| 23-66-6 | Blanket Vendor                | Fire Vehicles                  | \$8,000.00  |
| 23-71-2 | Blanket Vendor                | Fire Tuition                   | \$5,000.00  |
| 23-74-1 | Safety Compliance Inspections | Fire Inspections               | \$24,000.00 |
| 23-150  | Vogelpohl Fire Equipment      | Engine 92 UPF Tank Replacement | \$5,388.19  |

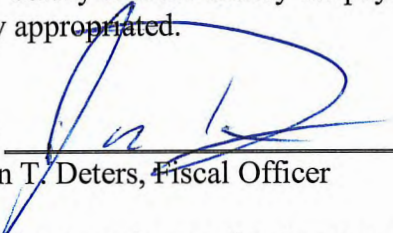
Mr. Weidman made a motion to approve the purchase orders as listed. Mr. James seconded the motion. Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

**Fiscal Officer Report**

**Pay Bills and Read Receipts**

The receipts in the amount of \$12,308,513.71 and disbursements in the amount of \$832,356.97 for September 19, 2023, were read by Mr. Deters 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:   
Jonathan T. Deters, Fiscal Officer

Mr. Weidman made a motion to approve the receipts and disbursements. Mr. James seconded the motion. Mr. Deters called roll. Vote: James: Aye; Schwegmann: Aye; Weidman: Aye

Mr. Reutelshofer reported he wanted to recognize John Estell in the Maintenance Department who is retiring at the end of the month. He said Mr. Estell has done a lot of work on the Township’s cameras, has supported the IT team, and worked at Schuler Park on the ball fields. He wished Mr. Estell a happy retirement.

**Trustees Comments**

Ms. Schwegmann thanked the residents who took the time to attend the public hearing and Trustee meeting, saying the Board appreciates and values when residents participate in their government and appreciates hearing from each of them. She encouraged residents to bring issues, such as early trash collection, to the Board or staff who are here to help them.

Mr. Weidman said many communities have complained to Rumpke about collection times and they may modify their schedule for a week or so. He noted a resident who had recycling collected at 3:50 a.m.

Mr. Kellums said this is a widespread problem because, like many, Rumpke does not have enough workers. He said he and Mr. Uckotter have discussed these issues with Rumpke and will continue to work on them.

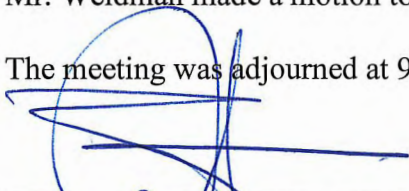
**Announcements**

Ms. Schwegmann encouraged people to see the website calendar for meeting and event information. She then asked Mr. Barbieri about the vote on Case 2023-06MA.

Mr. Barbieri stated the Board must vote but there was not a resolution. He reported the Zoning Resolution states that “at the conclusion of the hearing, the Board of Trustees shall approve, deny or modify the recommendation of the Zoning Commission.” Mr. Barbieri said in his opinion, the Board has already done that by motion. He said those present were told a resolution would be signed tonight and the problem with that is, if the resolution is signed at the next meeting, there will be confusion about when the appeal time starts. Mr. Barbieri said he will send an email to the attorney for the applicant and tell him the decision was made by motion tonight, the resolution will be passed at the next meeting, and then discuss the appeal time.

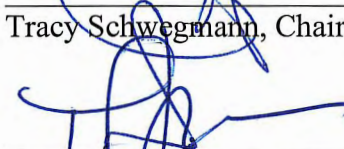
Mr. Weidman made a motion to adjourn, seconded by Mr. James. Vote: All Aye

The meeting was adjourned at 9:06 p.m.



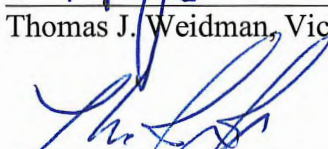
---

Tracy Schwegmann, Chairman



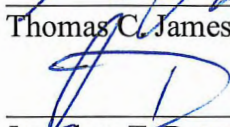
---

Thomas J. Weidman, Vice Chairman



---

Thomas C. James, Jr., Trustee



---

Jonathan T. Deters, Fiscal Officer

Regular Meeting 09/19/2023