

RECORD OF PROCEEDINGS

Minutes of the Public Hearing of the Trustees of Sycamore Township
Sycamore Township, Hamilton County, Ohio

July 14, 2020

The Public Hearing for the 2021 Tax Budget was called to order at 6:45 p.m. by Mr. LaBarbara.

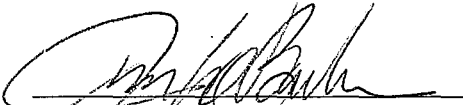
Mr. Warrick stated he had sent the 2021 Tax Budget to the Board members electronically. Mr. Miller shared a one-page tax budget summary document created by Mr. Warrick on the screen.

Mr. Warrick reported the proposed tax budget is based on the actual numbers of the first six months of 2020 and the projected budget for the remaining six months of 2020. He noted the Township should not have to dip into reserves at all and this is a solid start to the 2021 budget. Mr. Warrick pointed out projected revenues had been trimmed due to the pandemic. He then stated he will be working on the expense side of it before December.

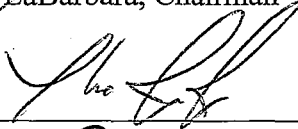
Mr. James asked Mr. Porter if he was ok with the proposed 2021 Tax Budget.

Mr. Porter answered yes and thanked Mr. Warrick and Ms. Campbell for their work on it. He stated he would submit the budget to the Hamilton County Auditor tomorrow if the Trustees approve the resolution this evening.

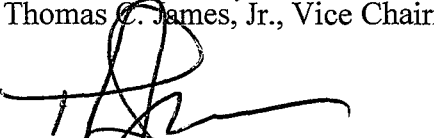
Mr. LaBarbara closed the public hearing at 6:50 p.m.



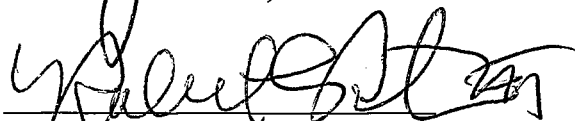
Jim LaBarbara, Chairman



Thomas C. James, Jr., Vice Chairman



Thomas J. Weidman, Trustee



Robert C. Porter III, Fiscal Officer

07/14/2019

RECORD OF PROCEEDINGS

Minutes of the Public Meeting of the Trustees of Sycamore Township
Sycamore Township, Hamilton County, Ohio
July 14, 2020

The regular meeting was called to order at 7:00 pm. Mr. LaBarbara reviewed the COVID-19 prevention protocol being practiced for the meeting.

The invocation was read by Mr. Weidman. Pledge to the Flag.


Present for the meeting were Chairman LaBarbara, Vice Chairman James, Trustee Weidman, Fiscal Officer Porter, Law Director Desai, Administrator Warrick, Superintendent / Assistant Administrator Kellums, Zoning Administrator Miller, Fire Chief Penny and Cpt. Smith from the Hamilton County Sheriff's Office.

The June 30, 2020 Trustee Workshop Minutes were presented for approval. Mr. LaBarbara made a motion, seconded by Mr. Weidman, to accept them.

Mr. Porter called roll. Vote: James: Aye; LaBarbara: Aye; Weidman: Aye

The Receipts in the amount of \$430,266.57 and Disbursements in the amount of \$392,984.21 of July 14, 2020 were read by the Fiscal Officer 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:  Robert C. Porter III, Fiscal Officer

Mr. Weidman made a motion, seconded by Mr. James, to accept them. Mr. Porter called roll. Vote: All Aye.

Public Comments - Mr. LaBarbara explained the procedures for public comments.

Ms. Kathy Kugler, of 7106 Tenderfoot Lane, addressed the Board. Ms. Kugler discussed the Cooper Creek Collaborative and sites identified in Sycamore Township right of ways for tree plantings. She said the Sycamore Township Civic Association asks the Board to support the Cooper Creek Collaborative's tree planting initiative. She noted she had submitted a letter from the Civic Association to the Board to that effect.

Mr. J. Janus, Jr., of 4462 Daffodil Avenue, addressed the Board stating this month is the 30th anniversary of the Americans with Disabilities Act and listed some of the accommodation changes that had been made in the Township which he appreciates.

Mr. Janus said the 4th of July fireworks display went well with no issues and suggested perhaps next year, if the COVID-19 crisis is over, the Township will participate in the event.

Mr. Janus then discussed standardized identification of Township vehicles, the Parks and recreation budget and the Township's Organizational Chart which is posted on the website. He noted the Board members work for the residents present and should give them the courtesy to hear them out.

Mr. John Abraham, of 4978 Elmcrest Lane, addressed the Board. He discussed the June Trustees meeting in which the Trustees circumvented the normal order of the meeting to allow for a brainstorming discussion about fireworks that lasted almost an hour and a half. He stated that discussion should not have been held during the four-minute public comment section of the agenda. Mr. Abraham pointed out organizers of the fireworks advertised the event after they promised not to, making a fool of the Township's leaders who believed that promise.

Mr. Abraham stated Mr. LaBarbara failed to respond to the public records request he made in June regarding communications by Mr. LaBarbara during events leading up to the hiring of Mr. Warrick. He expressed concern that Mr. James confirmed the position was not advertised therefore no other candidates, no women nor minorities, were considered. Mr. Abraham stated best practices were not followed as Mr. James and Mr. LaBarbara only interviewed one candidate and that candidate had less than four years' experience in government. He expressed concerns about Mr. James having knowledge of Mr. Warrick's bankruptcy and the possibility that Mr. LaBarbara did not know about it, saying they failed to protect the interest of Township taxpayers and the lack of transparency is astounding.

Mr. James stated he will address Mr. Abraham's comments later in the meeting. Mr. Abraham then left the room and exited the building.

Mr. Dave Lewis, of 7500 Glenover Drive, addressed the Board, with his neighbor Jeb Lyons, regarding the 2019 Cape Seal Project completed in his neighborhood. Mr. Lewis distributed a handout to the Board showing photos of the condition of the roads in the neighborhood. They asserted that there was either a product or application failure and requested the Township review the conditions there and hold Strawser Construction, the contractor who performed the work, accountable.

Mr. James asked Mr. Kellums questions about the project.

Mr. Kellums pointed out Cape Seal is a course application and it is not going to be smooth like asphalt. He said this product is used to extend the life of the roads. He said he has looked at the roads there three times in response to the residents' concerns.

There was continued discussion about the condition of the roads, the product used and possible issues with it.

Mr. James asked about warranty and inspection process.

Mr. Kellums said there is a warranty, but it would not apply to damage by equipment after the application. He noted every road job is inspected by Project Inspector Dan Durham and Foreman Mark Homan. He said he will look at the product again and, if there is a problem with it, he will contact the contractor. He said he will follow up with Mr. Lewis and Mr. Lyons.

Mr. Standish Fortin, of 12137 McCauly Road, stepped forward to address the Board. Mr. Fortin was asked by Law Director Desai to follow the COVID-19 prevention protocol for the meeting and wear a face mask. Mr. Fortin initially refused to put on a facemask, and then he partially donned one which Chief Penny presented to him, but he placed it under his chin and said he couldn't breathe properly with it on. The Law Director asked if a disability was preventing his wearing the mask and asked him to follow the rules by wearing it. Mr. Fortin did not identify any physical disability preventing his wearing of the mask.

Mr. Fortin made statements about violations of his rights and the Law Director continued to insist that Mr. Fortin needed to comply with the law. Mr. Fortin continued to refuse to cover his mouth and nose with the mask at which point Mr. James suggested that continuing this standoff was just prolonging Mr. Fortin's exposure to everyone else in the room. Mr. James noted that it was obvious Mr. Fortin wasn't going to put on the mask despite the Governor's mandate but that there are no legal penalties for not wearing it, that Mr. Fortin had already been in the room unmasked since the meeting began, and that the Board had made the point that this was the law currently. Mr. LaBarbara stated that this was the equivalent to a "no shoes, no shirt, no service" policy. Mr. Desai recommended that the Board move on., and then Mr. LaBarbara indicated the Board would now conclude public comments and move on. But Mr. Fortin did not leave the podium and the standoff continued. Mr. James then made a motion to allow Mr. Fortin to proceed with his comments despite his civil disobedience and asked whether there was a second, putting the matter on the table to cause a decision one way or the other. There was no second to the motion and Mr. James stated as such. Mr. Fortin gathered his speaking notes, expressed his dissatisfaction, turned to the Board and uttered 'sieg heil', and then exited the building.

Sheriff Patrol Report

Capt. Smith reported, due to the resurgence in COVID-19 cases, the Sheriff's Office will be reverting back to the limited response protocol. He said this will include taking more open-air reports and reports over the phone.

Capt. Smith introduced Lt. Michael Tarr who will be replacing him as District Three Liaison when he moves to another assignment beginning on Monday, August 3rd. He said the Township will be in great hands with Lt. Tarr and he expects a seamless transition. Capt. Smith thanked the Board and residents present for the opportunity to serve in the Township.

The Trustees congratulated Capt. Smith and welcomed Lt. Tarr.

Lt. Tarr said he is looking forward to the assignment and a new challenge.

EMS/Fire Report

Mr. LaBarbara said he attended a Zoom meeting with Hamilton County Public Health in which COVID-19 cases were discussed. He said Hamilton County Commissioner Denise Driehaus reported she spoke with Governor DeWine who said, if Hamilton County moves to Level 4, it will not mean reinstating closures, but there will be guidelines. He said she emphasized none of us want to go back to closing businesses.

Chief Penny reported the next level would be shelter in home except for essential trips. He said Hamilton County has had a spike in COVID-19 cases and the Fire Department has had an increase in runs with patients exhibiting symptoms. He said currently there are 54 patients who tested positive quarantined in their homes in Sycamore Township. He reported 32 people have recovered and expired from quarantine. Chief Penny reported Brookwood Retirement Home has 13 COVID patients and they are trying to keep that under control.

Chief Penny said the Township received \$266,319.42 from the CARES Act for the Township's COVID-19 related expenses. He said his plan is to stock up on PPE to get the Township through next year. He said the money could be used to purchase sanitizing equipment for maintenance. Chief Penny said Jewish Hospital COVID-19 testing is available five days a week from 9:00 a.m. to 4:00 p.m. noting no appointment or doctor's referral is required. He said the urgent care in Deer Park also offers COVID-19 testing without appointment or doctor referral from 8:00 a.m. to 8:00 p.m. seven days a week.

Chief Penny then showed the Board the trainer version of the AED that was purchased for use in the Trustees Meeting Room. He turned it on to demonstrate how the device gives instructions. He stated it will detect the heart rhythm and only allow shock if needed. Chief Penny noted issues with putting an AED in the green space area behind the Administration Building as suggested by resident Kathy Kugler. Mr. James suggested putting an emergency phone in that location.

Roads, Maintenance & Recreation Report

Mr. Kellums reported the Montgomery Road Sidewalk Project should be finished within the next week or so and the Maintenance Storage Facility Project is moving along with a scheduled completion date of November 1st. He said Sycamore Road will be paved next Monday and the project will move on to the third and final phase from Pine Road to Kenwood Road.

Mr. Kellums reported he had a resolution for the Board's consideration in regard to the dedication of an 84 feet extension of Owlwoods Lane which is all cul-de-sac. He said Hamilton County needs Sycamore Township's acceptance of the dedication.

"A Resolution Giving Assent to the Board of Hamilton County Commissioners' Dedication and Acceptance of Owlwoods Lane, Dispensing with the Second Reading and Declaring an Emergency." was presented by Mr. Kellums. 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. 2020-49 passed this 14th day of July, 2020.

Mr. Kellums reported the Board had previously approved a new hire for the Maintenance Department. He said he would like to hire Alex Conover who has been working at the Township through a temporary agency for about a month and a half and is doing a fantastic job.

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to hire Alex Conover. Mr. Porter called roll. Vote: All Aye.

"A Resolution Establishing the Rate of Pay for a Township Employee, Dispensing with the Second Reading and Declaring an Emergency." was presented by Mr. Kellums. 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. 2020-50 passed this 14th day of July, 2020.

Mr. Kellums reported on signs and pricing to replace the sign at the Township administrative complex. He showed possible designs noting the monument signs with brick bases would cost between \$12,000.00 and \$13,000.00. He said an electronic message board would be a lot more expensive. He said just the message center itself would cost between \$20,000.00 and \$30,000.00 without foundation, brick work, or installation. He said altogether it would cost between \$40,000.00 and \$69,000.00 for an electronic message board monument sign.

Mr. Weidman asked Mr. Miller about zoning restrictions for electronic message boards.

Mr. Miller said electronic message boards are currently prohibited noting the Township may have to go through the Board of Zoning Appeals and request Conditional Use approval for such a sign.

Mr. Weidman stated the Township should not be putting up a sign restricted by our own Zoning Resolution. He noted the message boards are also very expensive.

Mr. Miller said he will look at the code in regard to options for sharing public information through signage.

Mr. Kellums expressed concerns about the expense with the current downturn in the economy.

There was discussion about previous approvals and denials for similar signs and other ways to keep the public informed of meetings and events without using an electronic message board. Mr. Kellums will continue researching options.

Mr. James asked about the status of the demolition of the building at 6330 Kugler Mill Road.

Mr. Kellums answered the Township is ready to move forward with the demolition but is waiting on the demolition permit to be issued by Hamilton County.

Mr. James asked about the hold up on the Graeter's project having to do with the sewers.

Mr. Kellums said the long wait was because there was no sewer on Montgomery Road for Graeter's to tie into, therefore, they had to get an easement from an adjacent private property owner to tie into that sewer. He said that has now been completed.

Mr. Miller noted the applicant knew about the sewer issue and the need for an easement at the time of zoning approval.

Planning & Zoning Report

Mr. Miller reported the Planning & Zoning Department is current on all applications for zoning permits. He stated there are several cases on the agenda for the next Board of Zoning Appeals meeting on Monday, July 20th. Mr. Miller informed the Board he has been in discussions with developers and he is expecting to have an open house for a potential zone change within the next month which would be followed by Zoning Commission and Trustees public hearings for a Zone Change with a PUD1.

Mr. LaBarbara asked for an update on 7300 Quailhollow Road.

Mr. Miller answered all health and safety issues on the property had been abated. He said the foundation has been poured but not yet back filled. He said it is now an active construction site which he will inspect periodically.

Mr. Weidman thanked Mr. Kellums and his crew for going out to take care of a sewer issue on Quailhollow Road.

Mr. Miller reported required landscaping had been installed on the Myers Y Cooper development noting there is additional landscaping installed to make the screening opaque. He said he is now required to issue final zoning approvals. He pointed out if any of the trees do not take and die, he will work with the developer to replace them.

Mr. James asked if Mr. Miller had any discussion with Hamilton County about them getting ahead of us on inspections.

Mr. Miller said he is now being informed of their schedule so if they have a final inspection scheduled and zoning is not ready, he can call them about it.

Law Director Report

Mr. Desai said he had nothing to report.

Administrator Report

“A Resolution Adopting the Sycamore Township Tax Budget for 2021, Dispensing with the Second Reading and Declaring an Emergency.” was presented by Mr. Warrick. 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. 2020-51 passed this 14th day of July, 2020.

The following purchase orders were presented for approval by Mr. Warrick:

Blanket Vendor	2020 Ford Explorer and Equipment	\$35,043.40
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Mr. Warrick discussed the history noting there had been a vehicle totaled last year that had not yet been replaced and the Township had received \$18,000.00 in insurance money for that. He said an older vehicle was traded in for \$1,000.00. He said this will keep the fleet at 13 vehicles and discussed the use of TIF funds for the purchase. There was discussion about the Ford Explorer being a good vehicle for police use.

Mr. Weidman made a motion, seconded by Mr. James, to approve this request. Mr. Porter called roll. Vote: All Aye.

Mullins Complete Carpet Care	Carpet Administration Basement	\$9,285.00
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Mr. Warrick stated the purchase order is needed to replace the carpet in the basement of the Administration Building that was ruined when the basement flooded earlier this year. He noted the Township had filed an insurance claim and that money would cover the entire cost.

Mr. James asked why the Township did not go out to bid for this.

Mr. Warrick answered the amount does not reach the level to be required to go out for bid. He said Mr. Kellums had gotten three estimates and he went with the lowest.

Mr. Weidman made a motion, seconded by Mr. LaBarbara to approve this request. Mr. Porter called roll. Vote: All Aye.

Blanket Vendor	HB 481 Covid Expenses	\$266,319.42
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Mr. Warrick pointed out the final purchase order for consideration is to enable use of the CARES Act funding Chief Penny reported on earlier for the COVID-19 expenses. He noted the purchase order has a then and now stamp on it so that it may be used to cover some past COVID-19 related purchases.

Chief Penny stated the Cares Act allows the money to cover expenses dating back to March 1st.

Mr. James asked if the money could be used for any COVID-19 related purchase.

Chief Penny answered the purchases must be used between March 1st through December, be COVID-19 related, and must not be an expense the Township already budgeted for.

Mr. James asked if it could cover labor and if the purchase order would have to be spent through the Fire Department.

Chief Penny answered no, it may not be used for labor.

Mr. Warrick answered Chief Penny will oversee and track the spending, but it may be used for any Township department.

Mr. Weidman made a motion, seconded by Mr. James, to approve this request. Mr. Porter called roll. Vote: All Aye.

Fiscal Officer Report and Communications

Mr. Porter read a communication from Michael Saikaly, of 7947 Bearcreek, thanking the maintenance team who picked up brush and Sharon Johnson who made his brush pickup request easy and was so kind.

Trustee Comments

Mr. Weidman discussed his work with legislators on HB 4 which passed through the Ohio House and Senate. He stated there is an amendment in HB 4 to benefit Ohio townships, cities, and villages by allowing the possibility of using 25% of unencumbered TIF funds for safety services and roads, which is really beneficial to a Township like Sycamore. Mr. Weidman stated, as President of the Hamilton County Township Association, he spoke to the Governor's staff about how important this is and was assured the Governor would not veto it. Mr. Weidman reported the Governor signed it today and it will go into effect in 90 days.

Mr. James asked when the Hamilton County Township Association meets next.

Mr. Weidman answered there has not been a set meeting schedule due to COVID-19.

Mr. James requested to be notified of the next HCTA meeting. He said there is an entity known as the Hamilton County Integrating Committee that works with the Hamilton County Engineer's Office to determine where road project funds are going to be spent. Mr. James said former Sycamore Township Trustee Denny Connor was one of two Township delegates appointed to that committee, along with Chris Dole. He said Mr. Connor's and Mr. Dole's terms ended May 20th and they can stay on for 60 days, but that period ends soon.

Mr. Weidman stated it is not required to have an elected official on that board, and Mr. James nodded in agreement with that. Mr. Weidman said Mr. Connor was reappointed for another term and Mr. Dole decided not to serve, therefore, Tony Rosiello was moved into his place and Josh Gerth was added as an alternate.

Mr. James asked when this happened, noting this board did not vote on it as the statute requires.

Mr. Weidman answered that it happened two weeks ago.

Mr. James said that the statute which enables that says that two members shall be appointed by a majority of the boards of township trustees in the District, and this Board hasn't voted. Mr. James said he didn't know this reappointment was happening and asked how it came about.

Mr. Weidman said that he received no by-laws when his term as HCTA President began. He went on to discuss the difficulties he has had in getting people to serve on these committees, noting any time someone agrees to serve, HCTA takes them up on it and that is the way it has been handled. He stated he is working with the Ohio Township Association to get by-laws established for the group.

Mr. James read the state law regarding such appointments, Revised Code section 164.04(A)(2), saying it does not look like HCTA should have made that decision, each of the Boards of Trustees were supposed to vote. He said he did not have any problem with those people now serving and that he appreciated Mr. Connor's service to the Township and the County, and also Mr. Rosiello's, but that it is important to follow legal processes. He asked Law Director Desai to take a look at it.

Mr. James thanked those who participated in the ceremony at the Sycamore Township Memorial Cemetery including the Sycamore Township Civic Association and resident Gloria D'Andrea. He said Senator Rob Portman was scheduled to speak at the event but cancelled due to COVID- 19 concerns. He noted Senator Portman did come by to pay respects afterward.

Mr. James encouraged people to respond to the 2020 Census.

Mr. James then gave a PowerPoint presentation in which he responded to comments made by resident John Abraham at the June 4th Trustees meeting in which he made a public records request for documents pertaining to Mr. Warrick's hiring. Mr. James noted he thinks transparency is important. He explained how public records requests work and said the Township's goal should be to provide information to public.

Mr. James' slide presentation detailed each question raised by Mr. Abraham and his answers to those questions. He said the Administrator position was not advertised nor was it required to be.

He said he interviewed Mr. Warrick and he believes Mr. LaBarbara did also. He also spoke to

Mr. Bickford. He said there was not a list of qualifications for the position. He said, although there is no written timeline of events, in the interest of transparency he would review the timeline of events and proceeded to do so in his presentation. Mr. James said Mr. Weidman's statement that Mr. Bickford was the lowest paid Administrator was not correct. He showed a slide listing Township Administrators and their salaries noting Mr. Bickford was at the bottom of the middle range. Mr. James read a prepared statement about Mr. Bickford's service to the Township.

Mr. James went on to say Mr. Warrick's bankruptcy was in 2005 and, like many other successful people, he learned from it, moved on, and fixed finances in Hamilton Township. He said he is very satisfied with Mr. Warrick's abilities and performance so far and encouraged the public to let the Trustees know of concerns about any Township employees. Mr. James explained how to make a public record request and welcomed comments from public.

Mr. LaBarbara said he passed along Mr. Warrick's cover letter and resume dated November 11, 2019 to Mr. Abraham in response to his public records request. He discussed Mr. Abraham's comments and the cost of Mr. Bickford's contract. Mr. LaBarbara said Mr. Warrick's resume exceeded expectations, he was vetted, and we are blessed to get him as our administrator. He said he asked Hamilton County Auditor Dusty Rhodes and the State Auditor about the past bankruptcy and was assured that it was no worry at all. He said he did not care for Mr. Bickford noting he was in Planning & Zoning and was moved up to administrator with no experience. He said Mr. Warrick is making the same amount of money as Mr. Bickford and is not taking all the benefits.

Announcement Changes

Mr. LaBarbara stated the Citizen Finance Committee meeting will take place on July 23rd at 6:00 p.m. in the Township Administration Building.

Mr. Weidman stated, in response to Mr. James earlier comments, what he said was that, as of this year, Mr. Bickford would have been the lowest paid Township Administrator in Hamilton County. He said to be correct for the record, the three people below Mr. Bickford's salary in Mr. James' presentation are outside Hamilton County, therefore his statement was accurate.

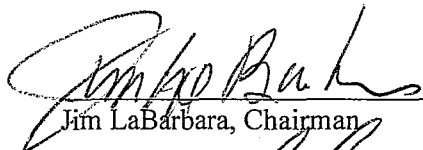
Mr. James said that is correct.

Mr. LaBarbara said then Mr. Warrick is the lowest paid.

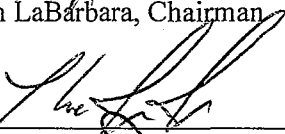
Mr. James said the Citizen Finance Committee meeting will be subject to any new orders from the Governor and encouraged people to check the Township website for news about meetings.

A motion was made by Mr. Weidman, seconded by Mr. James, to adjourn the meeting. Vote: All Aye.

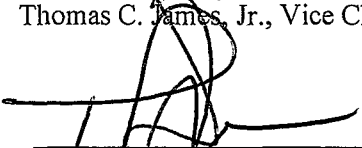
The meeting adjourned at 8:40 p.m.



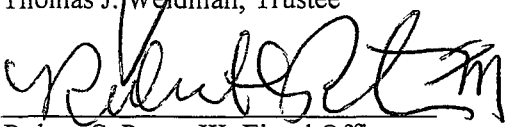
Jim LaBarbara, Chairman



Thomas C. James, Jr., Vice Chairman



Thomas J. Weidman, Trustee



Robert C. Porter III, Fiscal Officer
07/14/202