

RECORD OF PROCEEDINGS

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

June 1, 2021

NOTE: Due to the COVID-19 pandemic and the issuance of guidelines to limit public gatherings to ten people or less by Governor DeWine and the Director of the Ohio Department of Health, and due to enabling legislation (House Bill 404) which extended the ability of local governments in Ohio to meet remotely during this time, this was a hybrid meeting, with some attendees present in the Trustee Meeting Room and some present over Zoom. Members of the public were given the opportunity to participate live in the meeting remotely via Zoom audio. Video of the meeting was live streamed to the public on the internet.

The regular meeting was called to order at 7:00 pm. by Mr. James.

Present for the meeting were Chairman James, Vice Chairman LaBarbara, Trustee Weidman (via Zoom), Fiscal Officer Porter (via Zoom), Law Director Desai (via Zoom), Administrator Warrick, Superintendent / Assistant Administrator Kellums, Planning & Zoning Administrator Miller, Fire Chief Penny, Sgt. Crider from the Hamilton County Sheriff's Office, Parks and Public Spaces Supervisor Jason Petty and Beth Gunderson (via Zoom). Lt. Tarr from the Hamilton County Sheriff's Office was absent.

The invocation was read by Mr. Warrick.

Pledge to the Flag.

Mr. James explained the Board was doing a hybrid meeting with some people present in person and some Board members and the public joining the meeting remotely. He requested approval from Board members for placing electronic signatures on documents approved at this meeting. The Board members then gave consent for their signatures to be added electronically to any documents approved at the meeting.

Approval of the May 18, 2021 Trustees Meeting Minutes

The May 18, 2021 Trustees Meeting Minutes was presented for approval.

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

Public Comments

Mr. Richard Goldberg, of 8354 Jeanette Lane, Cincinnati, OH 45249, addressed the Board (via Zoom) saying he lives in Symmes Township about three doors down from Sycamore Township. He said he lives across from Cincinnati Hills Christian Academy and he disagrees with Sycamore Township allowing a commercial business to park cars in their parking lot. Mr. Goldberg cited a condition on a settlement agreement for the school which stated the gates to the parking lot should be locked after 9:00 p.m., except for school events, and stated Cincinnati Hills allowing a business to use the lot for commercial activity is contrary to the court order. Mr. Goldberg said this tells Sycamore Township landowners they can do what they want regardless

of laws which is arbitrary. He noted there is potential harm done as it is dangerous to cross Snider Road at night. Mr. Goldberg requested Sycamore Township reconsider its position on this topic.

Mr. James asked if Sycamore Township was a party to the settlement agreement.

Mr. Goldberg answered yes, noting Mr. Miller has a copy.

Mr. James stated the Board will review the settlement agreement.

Sheriff Patrol Report

Sgt. Crider reported on monthly statistics for Sycamore Township. He noted there was a fatality involving an elderly driver on I-71 at Montgomery Road in a single vehicle accident. He said it could have been caused by a medical emergency but is a suspected distracted driving incident.

Mr. LaBarbara asked if Sgt. Crider had any updates on the murder and arson that took place.

Sgt. Crider answered officers were dispatched for shots fired and, when the officers arrived, they discovered a female suffering from gunshot wounds. He stated they received a report of a carjacking on Euclid Road. Sgt. Crider said a female and her children were accosted in their front yard by a male suspect matching the description of the homicide suspect. He said the suspect tried to kidnap her; the suspect then fled that scene, went inside his house in Silverton, doused himself with gasoline and lit the house and himself on fire. Sgt. Crider reported one of the suspect's neighbors came to his rescue and the suspect managed to drive himself to a house in the District 4 area. He said the suspect's family members drove him to the nearest Cincinnati fire station at which point he was transported to University Hospital. He reported the suspect later succumbed to his injuries.

Mr. James inquired about the possible motive in the incident.

Sgt. Crider answered, from family members, it appears this was an on again off again relationship with possible stalking issues. He stated the Sheriff's Office had no prior reports or contact with the suspect or the victim, therefore they have no history or awareness of the relationship status. Sgt. Crider noted the incident involved three major and three minor crime scenes at which to secure evidence. He described securing assistance over multiple jurisdictions noting they were able to lock down quickly and develop the subject information within 15-20 minutes of being there. He stated no officers or bystanders were injured but there was the carjacking victim.

Sgt. Crider then reported on auto thefts around Kenwood Towne Centre with some involving Door Dash drivers leaving cars running outside the mall.

Mr. James asked if there is a subject in mind or under arrest.

Sgt. Crider answered the suspect is under arrest and subsequently the auto thefts have decreased.

EMS/Fire Report
COVID-19 Update

Chief Penny reported unless anything comes up, he will stop giving COVID-19 updates. He said there is only one resident quarantined at home currently in the Township and there are currently no homebound residents signed up to receive vaccines at home.

Mr. James asked Chief Penny how the Memorial Day Parade went.

Chief Penny answered it went well, with many in attendance and the weather cooperated.

Roads, Maintenance & Recreation Report

Mr. Petty reported there was a nature creek walk for kids at Bechtold Park last Saturday led by Sarah Meadows from Hamilton County Soil & Water Conservation District.

Mr. Petty reported he received a request from a resident in Sturbridge subdivision who would like to install a Little Free Library at Bob Meyer Park.

There was discussion about liability involved in placing the Little Free Library in a public park. Mr. Petty will discuss this further with the resident to see if she would be willing to place it on her private property or maintain it if it were permitted in the park.

Mr. Petty reported a student from Mount Notre Dame High School who is a Sycamore Township resident would like to do service hours in Township parks through Keep Cincinnati Beautiful.

Mr. LaBarbara asked Mr. Desai about possible liability.

Mr. Desai said he would discuss this with Mr. Petty.

Mr. Kellums said the Township already has a relationship with Keep Cincinnati Beautiful as they assist with the Trash Bash.

Mr. Petty reported the Parks Advisory Committee chose movie titles for Movies in the Park at their last meeting. He read a list of the movie titles. Mr. Petty also reported UDF would like to bring an ice cream truck to the July 10th and August 21st Movie in the Park events and give out ice cream for free for publicity. He stated Kona Ice should be at the other Movies in the Park events.

Mr. Weidman requested the list of movie titles be sent to the Trustees.

Mr. James noted *The Princess Bride* will be shown at Bechtold Park on June 19th. He also thanked the Parks Advisory Committee members for a recent volunteer event at Kenwood Gardens.

Mr. Kellums reported the 2021 Road Program is proceeding rapidly with Heitmeyer subdivision completed. He said curbs have been completed in the area behind the hospital and next week milling, base repair and paving will begin there. Mr. Kellums stated Dillonvale subdivision will be the next phase of the project noting work could be pushed back due to forecasted rain.

Mr. Kellums reported the Kugler Mill Road Project is coming along at a good pace but is also delayed a bit by weather.

Mr. James asked for confirmation that the Kugler Mill Road Project is not being funded by the 25 percent of unencumbered TIF.

Mr. Kellums answered no, that is a TIF project 50 percent of which is funded by a State grant from OPWC. He said the Township is paying for the other 50 percent of the sidewalks, curbs and storm sewer and Hamilton County is paying for the other 50 percent of the road work.

Mr. James asked when work on Kugler Mill Road will move to the other side of Kenwood Road.

Mr. Kellums answered probably in July.

Resolution – Authorizing a Contract for the 2021 Montgomery Road Crosswalk Pavement Marking Program

Mr. Kellums reported the Township put out a bid package for Montgomery Road Crosswalks.

There was discussion about work being done by ODOT on Montgomery Road with Mr. Kellums stating it will probably be at least a month before that work is completed.

Mr. Kellums reported A & A Safety, Inc. had the best price for the Montgomery Road Crosswalk Pavement Marking Program.

The resolution “Authorizing a Contract for the 2021 Montgomery Road Crosswalk Marking Program and Dispensing with a Second Reading” was presented by Mr. Kellums. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara.

Mr. Kellums noted this project will also paid for by TIF.

Mr. Porter called roll. Vote: All Aye.

Resolution 2021-035 passed this 1st day of June, 2021.

Planning & Zoning Report

Resolution – 4570 Elizabeth Place Nuisance Property

Mr. Miller reported he had two resolutions for the Board’s consideration to declare properties a nuisance. He noted there had not been any communication from the property owner for the first property on Elizabeth Place. He then showed photos of the violations and described the conditions.

Mr. James asked how the Township had tried to contact the owner.

Mr. Miller answered the owner had been mailed courtesy and violation letters.

Mr. Weidman commented the information sheet notes the owner has been unresponsive.

Mr. Miller answered yes and said there have been numerous complaints from neighbors about the property.

The resolution “Providing for and Authorizing Removal of Vegetation, Garbage Refuse and Other Debris and Declaring a Nuisance for the Property Located at 4570 Elizabeth Place, Sycamore Township, OH 45242” was presented by Mr. Miller. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara, dispensing with a second reading.

Mr. Desai asked if Mr. Miller is sure the lawn mowers are inoperable.

Mr. Miller stated the issue is they may not be parked there. He said if the Township abated the violations, the mowers would not necessarily be hauled off, they would be moved to the rear yard.

Mr. Desai asked about high grass issues on the property.

Mr. Miller pointed out the high grass and weeds on the side yard in the photo of the property.

Mr. LaBarbara commented there are trash bags and broken chairs also, not just lawn mowers.

Mr. Desai asked for confirmation that the items in the driveway had been out for a long time.

Mr. Miller answered a very long time.

Mr. Porter called roll. Vote: All Aye.
Resolution 2021-036 passed this 1st day of June, 2021.

Resolution – 4229 Woodlawn Avenue Nuisance Property

Mr. Miller reported the owner did cut the grass at 4229 Woodlawn Avenue, but there is still garbage on the property. He said this is complaint driven and showed photos of the violations.

Mr. James asked if the same methods of communication to the property owner were used.

Mr. Miller answered yes.

The resolution “Providing for and Authorizing Removal of Vegetation, Garbage Refuse and Other Debris and Declaring a Nuisance for the Property Located at 4229 Woodlawn Avenue, Sycamore Township, OH 45236” was presented by Mr. Miller. A motion to approve was made by Mr. LaBarbara, seconded by Mr. Weidman, dispensing with a second reading. Mr. Porter called roll. Vote: All Aye.

Resolution 2021-037 passed this 1st day of June, 2021.

Mr. James asked if there is an update on the eleven homes that are supposed to be built on Kugler Mill Road. He noted trees have been removed and the landscape berm has been moved.

Mr. Miller said the developer has informed the Township that the originally contracted builder is no longer part of the project. He said the Township is waiting on more information. Mr. Miller stated they are doing legitimate groundwork that would have to be done before any builder begins work.

Law Director Report

Mr. Desai reported on the Moeller High School/Willis Board of Zoning Appeals appeal case saying there has still not been a settlement agreement. He said he is working on finalizing the Township's brief which is due on Friday, June 4th.

Mr. Desai reported a hearing was held last Wednesday, May 26th on the House of Brows case. He stated Hamilton County Court of Common Pleas Judge Triggs granted the Township's motion to enforce the settlement agreement. Judge Triggs allowed the defendant thirty days to comply before he enters the order to allow the Township the right to enter the property and take care of the signs.

Mr. James asked if there has been any indication that the owner will bring it into compliance within the 30 days.

Mr. Desai stated his colleague Mr. Butler has received email communications from one of the defendants, not the property owner. He said he has not seen the emails, but he suspects it is an attempt to bring the signs into compliance before the order is entered.

Administrator Report

Resolution – Amending 2021 Appropriations

Mr. Warrick reported he had a resolution for the Board's consideration to amend 2021 appropriations having to do with two CARES Act funds. He said this includes the original federal funds and the Hamilton County Cares Act funds which is a reimbursement. He said originally, they did not know how much of the money would be left to appropriate for 2021 and he would like to go ahead and appropriate the rest of it now so it cannot be called back. He said between the two funds that amounts to an additional \$362,846.60.

The resolution "Amending 2021 Appropriations, Dispensing with a Second Reading and Declaring an Emergency" was presented by Mr. Warrick. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara. Mr. Porter called roll. Vote: All Aye. Resolution 2021-038 passed this 1st day of June, 2021.

Resolution – Authorizing the Disbursement of Checks for Payroll, Payroll Related Withholdings and Expenses and Other Expenses in 2021

Mr. Warrick reported the next resolution for the Board's consideration is one that other Townships have often used to pay certain bills in between meetings such as payroll related expenses, utility bills, debt service and credit card bills so that those items are paid in a timely manner without interest or late fees.

Mr. James commented the items listed were previously appropriated and asked if this would approve the purchase order in advance to disburse the money subject to the Board's approval later.

Mr. Warrick answered yes, not only has it been appropriated, but there are purchase orders already in place. He said this is just a question of administrative execution, the actual check.

Mr. James asked Mr. Porter's thoughts on the resolution.

Mr. Porter said he does not understand what Mr. Warrick is saying noting it is probably something to do with the new system.

Mr. Warrick said it has nothing to do with the new system and the Township has incurred late fees, penalties, and interest in the past. He said this is another thing to make us operate better.

Mr. James asked about holding a check back if necessary.

Mr. Warrick answered it would depend on the circumstance, but the Board has the right to question it.

The resolution “Authorizing the Disbursement of Checks for Payroll, Payroll Related Withholdings and Expenses and Other Expenses in 2021, Dispensing with a Second Reading and Declaring an Emergency” was presented by Mr. Warrick. A motion to approve was made by Mr. LaBarbara, seconded by Mr. Weidman. Mr. Porter called roll. Vote: All Aye. Resolution 2021-039 passed this 1st day of June, 2021.

Resolution – Establishing Financial Policies for the Approval of Purchase Orders in 2021

Mr. Warrick stated the next resolution for consideration has to do with bringing purchase orders to the Board. He stated Townships have reserve money in every fund. He said there is also the budget that is approved by the County showing how much revenue should flow to the Township during the year. Mr. Warrick said the State and the County define that reserve plus that projected revenue as the budget for the Township. He said some Townships appropriate that entire amount, but this Township does not, which is an excellent practice.

Mr. Warrick stated purchase orders are issued against the appropriations so the administration cannot spend any more than the appropriations the Trustees have approved.

Mr. Warrick pointed out in the past the Township had the practice of having huge blanket purchase orders with no vendor attached to them. He said a purchase order is a contract to purchase and should have a vendor’s name. Mr. Warrick said he is switching to the department heads having more control over spending and knowing what line item they are using. He said, therefore, he got rid of the blanket purchase orders and asked them to go back and convert purchase orders to be vendor specific. He thanked Chief Penny, Mr. Kellums, and Ms. Campbell for making this happen. He said he had 53 purchase orders which he would rather not go through one at a time.

Mr. Warrick reported the first thing he is asking is for new operating standards to raise the purchase order amount which requires Trustees’ approval to \$5,000.00. He stated his approval would be required for any purchase order from \$2,500.00 to \$5,000.00 and the department heads would be doing more smaller purchase orders throughout the year.

Mr. James asked if there is a legal threshold for Trustee approval in Ohio that is higher than \$5,000.00 that Townships can set.

Mr. Warrick answered he does not think there is a legal threshold.

Mr. Weidman asked Mr. Porter if he had thoughts on this.

Mr. Porter answered it seems inefficient to him but said he would defer to the department heads. He stated in the past the Township used large blanket purchase orders for things like utilities so there are not so many purchase orders.

Mr. James stated the resolution which Mr. Warrick will present would raise the threshold for Board of approval of purchase orders so there will not be so many presented at meetings.

Mr. Porter stated the Township used to have blanket purchase orders to pay Duke Energy and other utilities.

Mr. Warrick stated there will still be large blanket purchase orders, but they will be associated with a specific vendor. He said this avoids negatives and gives department heads greater control over spending.

Mr. Weidman asked if this is more work or less work for department heads.

Mr. Warrick answered it is more work for them.

Mr. James commented it will be more supervision of our spending.

The resolution “Establishing Financial Policies for the Approval of Purchase Orders in 2021, Dispensing with a Second Reading and Declaring an Emergency” was presented by Mr. Warrick. A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara. Mr. Porter called roll. Vote: All Aye.

Resolution 2021-040 passed this 1st day of June, 2021.

Purchase Orders Over \$2,500.00

Mr. Warrick presented the purchase orders which he said are all appropriated and asked if they could be handled in a single motion.

Mr. James said the purchase orders are in the packet and in the future, he thinks it would be useful to handle these purchase orders en masse with an itemized numbered list. He said if there were individual ones the Board would like to pull out for discussion, they could do that by number.

Mr. LaBarbara made a motion to approve the bundle of 53 purchase orders. Mr. Weidman seconded.

Mr. James asked Mr. Desai if he had any concerns.

Mr. Desai said the Board will have to be careful because the packet often gets revised and purchase orders added. He said he is concerned about approving something without some identifier.

Mr. Miller suggested noting the document packet revised 06/01/2021.

Mr. Desai said he was ok with that.

Mr. LaBarbara amended his motion to approve the purchase orders in document packet revised 06/01/2021. Mr. Weidman seconded the amended motion.

Mr. Porter called roll. Vote: All Aye.

Mr. Warrick said the JEDZ Boards held quarterly meetings this afternoon. He said he sent a recap earlier today of the Township's revenues noting there were concerns on the impact of COVID-19 on the JEDZ revenue. He said his original projections when doing the four JEDZ 2021 budgets figured they would be down five percent. He said in actuality, through the first quarter the JEDZ revenue was about even with last year and it is trending up 7.6 percent when you look through May, 2021 for all the JEDZ except Southwest which reports quarterly. He noted the Southwest JEDZ was up 6.8 percent in the first quarter.

Mr. Warrick also reported staff had assisted Tom Moeller, of the City of Madeira, with surveying the East and Central JEDZ. He said staff spoke to major property owners in those districts who said only about 15-20 percent of workers remained in the office during the pandemic, but they are trickling back. He said the survey found most did not lose tenants due to COVID and things seems to be in good shape. Mr. Warrick stated Kenwood Towne Center and Kenwood Collection had no major loss of tenants and business is rebounding.

Mr. James commented that is good news, but we must be cognizant of the fact that there is pending State legislation seeking to undo some of the taxes that were collected from those working from home. He said the questions is if, under the JEDZ agreement, the Township will have to reimburse that tax money to those who put in refund requests if the legislation passes.

Mr. Weidman stated the reimbursement comes out of the bottom line, if the reimbursement occurs, the Township will reimburse 90 percent and the JEDZ District partner will reimburse 10 percent. He said our partner should not be expecting the Township to keep paying them because that is not how the agreement is written.

Mr. James stated he has not had an opportunity to look at that but since the legislation is not actually passed yet, we do not know where it is going.

Mr. Desai stated this creates quite the conundrum for local governments. He said there should be a discussion about whether some of those funds should be escrowed. He suggested the Citizen Finance Committee look at it.

At 8:18 p.m. Mr. James made a motion to recess until 8:21 p.m. due to technical difficulties. Mr. LaBarbara seconded. Mr. Porter called roll. Vote: All Aye.

The meeting reconvened at 8:21 p.m. after a power outage at the meeting recording facility caused issues with the meeting video.

Mr. Porter called roll. All three Trustees were present.

Mr. James asked the status of the new JEDD with Deer Park.

Mr. Warrick answered an employee who works in the JEDD was recently identified and agreed to serve on the Board as is required.

Mr. LaBarbara noted the JEDZ East and Central Board meetings could not be held that day due to lack of a quorum. He suggested rescheduling them to June 15th.

Mr. Warrick answered we may not have to do that noting this happened in 2019 and the Board waited until the next scheduled meeting. He said he had asked Mr. Desai to investigate.

Mr. Weidman stated it is premature to reschedule the meeting.

Mr. Desai said this was probably researched by the former Law Director and he will confirm that and get back to Mr. Warrick.

Fiscal Officer Report

Pay Bills and Read Receipts

The receipts in the amount of \$643,554.26 and disbursements in the amount of \$463,770.36 for June 1, 2021 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: /s/ Robert C. Porter III

Robert C. Porter III, Fiscal Officer

A motion to approve was made by Mr. Weidman, seconded by Mr. LaBarbara.

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

Trustee Comments

Mr. Weidman reminded residents there is a vacation watch service in which Sheriff patrols will walk around the exterior of your home while you are away. He stated Yoga in the Park continues on Sundays at 10:00 a.m. in Bechtold Park and yoga on Saturdays will be added soon.

Mr. Weidman reported the Hamilton County Township Association (HCTA) meeting was held last week with State Representative Bill Seitz. Mr. Weidman stated there is interesting legislation designed to benefit Townships in Ohio including the ability of Home Rule Townships to establish Community Reinvestment Areas (CRA) without requiring County approval. Mr. Weidman said this is another economic development tool for the Township which allows us to compete with other municipalities in economic development.

Mr. Weidman said there is also legislation to allow townships to pass continuing service levies. He stated Sycamore Township hopes to avoid all levies in the future noting we are the only Township in Hamilton County without a levy on the ballot in over 14 years. Mr. Weidman said there is legislation proposed to extend remote meetings until December 31, 2021; the current legislation allowing for remote meetings is set to expire July 1, 2021.

Mr. Weidman reported, as Mr. James said earlier, there is legislation that passed the House to hold earnings for 2020 for those people who worked remotely throughout the year and allow

them to apply for a prorated refund in 2021. He said this legislation is currently in the Senate. He said he believes the legislation requires taxpayers to apply for a refund and he thinks there is language in the Township's JEDZ agreements allowing refunds as we adopt our partner municipalities' tax rules.

Mr. Weidman reported townships are now included in the American Rescue Plan and there are three townships in Ohio whose population exceeds 50,000 who will receive funds directly from the federal government. He said the remaining 1,305 townships will receive ARP funds based on a population formula. He said this is good news for Sycamore Township which will receive federal funds.

Mr. James asked if it would be possible for HCTA to publish a member directory to the members of the association.

Mr. Weidman answered HCTA can look at doing that. He said he is more interested in getting by-laws resolved by September.

Mr. LaBarbara reported the 2021 V.F.W. Memorial Day Parade through Silverton, Deer Park and Sycamore Township was a great success. He said the parade ended in Bechtold Park and the guest of honor was WWII Veteran Navy Seaman Jim Hines.

Mr. LaBarbara said the first Movie in the Park will be 8:00 p.m., June 19th in Bechtold Park, *The Princess Bride*. He stated in the parks survey responses, the number one request was music in the park. He said there was no music last year due to COVID, but we have wonderful bands lined up this year including The Remains, Friday, June 25th at 7:00 p.m. and Ricky Nye, Friday, July 16th at 7:00 p.m. at Bechtold Park, and Red Hot Riot, Friday July 30th at 7:00 p.m. at McDaniel Park.

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

The meeting adjourned at 8:33 p.m.

/s/ Thomas C. James, Jr.
Thomas C. James, Jr., Chairman

/s/ Jim LaBarbara
Jim LaBarbara, Vice Chairman

/s/ Thomas J. Weidman
Thomas J. Weidman, Trustee

/s/ Robert C. Porter III
Robert C. Porter III, Fiscal Officer
06/01/2021