

RECORD OF PROCEEDINGS
Minutes of the Trustees of Sycamore Township Meeting
Sycamore Township, Hamilton County, Ohio
August 4, 2020

NOTE: Due to the COVID-19 pandemic and the issuance of guidelines for public gatherings by Governor DeWine and the Director of the Ohio Department of Health, and due to enabling legislation (House Bill 197) which permits Ohio governments to meet remotely during this time, this meeting was held via remote video with all participants joining in by videoconference. Video of the meeting was live streamed to the public on the internet. To ensure compliance with HB 197, the Township provided public notice in advance of the meeting, along with links to the meeting agenda and to where the public could watch it.

The meeting was called to order at 9:04 a.m. Present for the meeting were Chairman LaBarbara, Vice Chairman James, Trustee Weidman, Law Director Desai (joined late), Administrator Warrick, Superintendent/Assistant Administrator Kellums, Planning & Zoning Administrator Miller, Fire Chief Penny, Lt. Tarr from the Hamilton County Sheriff's Office and Jason Petty, Parks and Public Spaces Supervisor. Fiscal Officer Porter was absent.

Approval of Electronic Signatures

Mr. LaBarbara noted this Workshop Meeting was being held remotely to comply with Governor DeWine's recommendations to limit public gatherings and asked the Board members to give permission for their signatures to be added electronically to any documents approved today. All three Trustees gave their approval for electronic signatures.

Approval of July 14, 2020 Trustees Meeting Minutes

The July 14, 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.

Roads, Maintenance & Recreation Report

Mr. LaBarbara thanked Mr. Jason Petty, Parks and Public Spaces Supervisor, for his work on the Annual Sycamore Township Car Show held August 1st.

Mr. Petty reported on the recent Park Advisory Committee Meeting. He stated the committee voted to approve pursuing the following items: updating signage for park events; developing programming such as yoga, urban farming classes, and concerts; and replacement of playground equipment adjacent to Shelter #1 at Bechtold Park. Mr. Petty noted the committee will meet the fourth Monday of every month at 7:00 p.m. He stated in preparation for the next meeting, the committee will be evaluating the current park rules to determine if they need to be updated.

Mr. Petty reported there were 37 entrants in the Car Show last weekend and winner information will be posted on the website and the Township's social media platforms.

Mr. James asked about yoga in the park and how soon the Township could get that going.

Mr. Petty answered he has two yoga instructors interested in volunteering to lead classes. He noted with the current public health crisis, he was not sure how much the Township wants to advertise such events given that there could be large crowds. He also noted details must be ironed out with the Park Advisory Committee as far as which parks to hold the classes in and whether to rotate parks.

Mr. James said he'd like to see yoga classes offered soon in Bob Meyer Park, Bechtold Park, and the Schuler Sports Complex.

Mr. LaBarbara asked about the replacement of playground equipment.

Mr. Petty said it would most likely be required to be put out to bid. He said he plans to show playground equipment options to the Parks Advisory Committee members at their next meeting.

Mr. Kellums added that particular play structure at Bechtold Park really needs to be replaced, and estimated the cost at \$100,000.00 or more, which will definitely have to go out to bid.

Mr. James asked if there could be private sponsorships for something like that.

Mr. Kellums stated that has not been done before, but could be, noting they will look into possible grants.

Mr. Kellums stated he checked on the possibility of adding smaller signs to the monument sign options for the Administration Complex presented at an earlier meeting. He said small signs saying "Meeting Tonight" or some other message could be added to any of those signs fairly inexpensively. He asked how the Board would like to proceed.

There was discussion about how to light the signs and Mr. Kellums was asked to look into options for a backlit sign.

Mr. Kellums reported the demolition of the condemned building at 6630 Kugler Mill Road is scheduled for next week.

Mr. James requested neighboring property owners be notified of the demolition. Mr. Miller suggested putting a demolition notice in front of the property.

Mr. Kellums gave updates on the Montgomery Road Sidewalk Project, the Sycamore Road Project, the Maintenance Storage Facility/Salt Dome Project, and the Curb Replacement Project taking place on Bayberry Drive and Marlette Drive.

Mr. Kellums reported on the letter of collaboration to be sent to Mr. Adam Lehmann of Hamilton County Soil and Water Conservation District and the consent form for the Cooper Creek Collaborative which will be sent to property owners to obtain approval for tree plantings in Township right-of-way. He said the signed consent will be required before any trees are planted as the property owners will be responsible for the maintenance of the trees.

Mr. Weidman asked what will happen if the property is sold and the new owners refuse to maintain the tree(s) because of their location in a public right-of-way.

Mr. Kellums deferred to Mr. Desai on that and there was discussion about that question.

Mr. Weidman made a motion, seconded by Mr. LaBarbara, to move forward with the Cooper Creek Collaborative street tree planting program. Mr. Warrick called roll. Vote: All Aye.

The following purchase order was presented for approval by Mr. Kellums:

LaForce	Salto System Installation for Maintenance Storage Building	\$21,160.97
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Mr. Weidman made a motion, seconded by Mr. James, to approve this request. Mr. Warrick called roll. Vote: All Aye.

Sheriff Patrol Report

Lt. Tarr reported the Sheriff's Office is continuing limited response protocol to limit exposure to COVID-19.

EMS& Fire Report

Chief Penny stated last meeting he had reported that Brookwood Retirement Community had over 20 COVID-19 cases. He said he spoke with them after that meeting and apparently, they had not updated Hamilton County and those cases were going back to early April and had not been changed to expired. He said Brookwood now has no active cases.

Chief Penny stated there are currently 26 COVID-19 cases that are active and on in-home quarantine in Sycamore Township. He noted it seems as though wearing masks and social distancing is working and cases are declining so that's a good sign.

Mr. Weidman asked if the 20 people with COVID-19 at Brookwood, who were compromised people, all got through it without any problem.

Chief Penny said he does not get reports on the outcome, only if it is an active case or an expired case. He said he has not been told anyone has passed away from it, so he is hoping that's the case but can't guarantee that.

Mr. LaBarbara added this was disturbing to him that they've had this on the books for a number of weeks. He said you've got to wonder if we have this one retirement community with inaccurate reporting in Sycamore Township, is this going around the state, is this influencing the governor's numbers?

Chief Penny stated there are currently 26 COVID-19 cases that are active and on in-home quarantine in Sycamore Township. He discussed face masks and other PPE equipment helping cases to decline in the last ten days.

There was discussion about COVID-19 cases and accuracy of reporting.

Chief Penny reported Mr. Weidman had helped him secure filters and masks from Hamilton County and the Fire Department is starting to use those. He noted the department is going through face masks quickly and he has ordered 2,000 of those as well as additional PPE and supplies for breathing treatments using CARES Act funds. There was discussion about PPE with Mr. Weidman encouraging Chief Penny to reach out to Hamilton County EMA for possible supplies.

Chief Penny reported the new Fire Department Medical Director, Walt Lubbers, of UC Health, is now serving the department and he will bring him into an in person meeting some time for introductions.

Mr. James asked if the second tent at Jewish Hospital is for testing.

Chief Penny said the hospital did not inform the Fire Department of their intent to put up another tent, but he believes it is part of the testing.

Mr. Miller noted Jewish Hospital did obtain a Zoning Certificate for the tent which they had indicated was for a COVID-19 related use.

Planning & Zoning Report

Mr. Miller presented a table of statistics on permitting, property maintenance complaints, Board of Zoning Appeals Cases, and Zoning Commission Cases. He noted there is a reduction in Zoning Certificate applications and discussed differences in recording Property Maintenance complaints compared to previous years. He pointed out there has been a significant reduction in Zoning Commission applications, however, there are three cases on the agenda for August. He then gave the Board a brief description of the three cases to be heard by the Zoning Commission on August 10th noting all three are PUDI and will not require approval by the Board of Trustees.

Resolution – Nuisance Property 7225 Garden Road

“A Resolution Providing for and Authorizing Removal of Vegetation, Garbage, Refuse and Other Debris and Declaring a Nuisance for the Property Located at 7225 Garden Road, Sycamore Township, Ohio 45236” was presented by Mr. Miller. 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. 2020-52 passed this 4th day of August, 2020.

Resolution – Nuisance Property 12106 3rd Avenue (A.K.A. 12098 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 12106 3rd Avenue (A.K.A. 12098 3rd Avenue), Sycamore Township, Ohio 45249” was presented by Mr. Miller. 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. 2020-53 passed this 4th day of August, 2020.

Law Director Report

Mr. Desai stated he had no report.

Administrator Report

HCTA Vote - District 2 Integrating Committee Members

Mr. Weidman reported he had sent the proposed slate of appointments to the Hamilton County Integrating Committee to all the Townships in Hamilton County for approval. He said the nominees are Denny Connor and Tony Rosiello as members and Dan Unger and Josh Gerth as alternates.

Mr. Weidman made a motion, seconded by Mr. James, to approve Denny Connor and Tony Rosiello as members and Dan Unger and Josh Gerth as alternates.

Mr. James said he still has some concerns about the process saying he thinks there is some confusion with the County. He said the Ohio Revised Code is clear the appointments are to be made by a majority of the Boards of Trustees in District 2, which is Hamilton County, and the County seems to think it is made by the Hamilton County Township Association. He said while alternatives were not offered, he has no problem with the current slate and appreciates what Mr. Weidman said previously about the difficulties in getting volunteers to serve on the committee. He suggested being more organized when the terms end next to have a more deliberative process.

Mr. Weidman stated every Board of Trustees is voting on this slate, and four have already turned in their votes, therefore the requirements of the Ohio Revised Code are being followed.

Mr. James said we are now doing that and asked when the Integrating Committee will next meet.

Mr. Kellums said there will be an Integrating Committee meeting soon regarding the SCIP and RLC.

Mr. LaBarbara thanked Mr. James for bringing this up because he's been a Trustee for three years and he doesn't recall ever voting on this before.

Mr. Weidman informed Mr. LaBarbara the reason for that is it hasn't been voted on for four years as it's a four-year term.

Mr. James asked Mr. Kellums to let the Trustees know the date of the next meeting.

Mr. Warrick called roll. Vote: All Aye.

Mr. Warrick stated accounting software was next on the agenda, but Mr. Porter is in court and could not be present. Mr. Warrick said he is proposing to switch to UAN software, a software provided by the State Auditor's office, that everybody is going to now because it is tailor-made for Township use. He said this is an obvious and practical suggestion. He said he sent an email out Friday saying the way the Township has been operating at least the past two years violates the spending limits at least the first of the year, and sometimes even the reserve, and the practice has been to make all of that right in December so that the books look correct. He said that's simply not the way that's designed to work. He said the auditor pointed this out because we have huge moves of money in December out of the JEDZ to shore everything up after the fact and that's not the way it's intended to work. He said the auditor took that down from a finding to a management comment, but we need to change that practice. Mr. Warrick said we need to come up with a plan because the State and County Auditor are urging the Township to get our operating condition in the proper shape.

Mr. Weidman stated Mr. Warrick said in his email that the Township was deficient in two funds and asked if that has anything to do with the fact that the Township has not yet received the second half tax collection from the County.

Mr. Warrick answered that has nothing to do with the appropriations which are what the Trustees approved to be spent. He said we can ask any time for the Trustees' approval for those appropriations to be increased and there are sufficient reserves in the two funds that need to be corrected.

Mr. Weidman said we have a duly elected Fiscal Officer, Mr. Porter, and suggested we have a conversation with Mr. Porter at the next meeting. Mr. Weidman stated he is not going to tell Mr. Porter, who has 30 years' experience, with no major findings in 30 years, and has done an exemplary job, to change accounting software. He noted, as Fiscal Officer, Mr. Porter is the one who has to use the software to meet the statutory requirements. He said he is glad the topic is being tabled until Mr. Porter is able to contribute to the discussion.

Mr. James stated he would also like to hear from Mr. Porter but it is disturbing to him to hear what Mr. Warrick said about the appropriations because it sounds like over the past two years the Township has been technically in violation of the law dozens of times. He said his understanding is the current accounting software just allows that to happen with no warning, bumpers or guards and this new software would prevent that from happening. He said he would like Mr. Porter's input but noted he and the other Trustees control the money as far as what gets spent and at what level.

Mr. LaBarbara agreed with Mr. James saying this has been going on for years and needs to be fixed.

Resolution – Establishing the Cares Act Coronavirus Relief Fund

Mr. Warrick explained originally the plan was to put the coronavirus relief money in an existing fund, but it was learned that for tracking purposes, a new account should be established.

“A Resolution Establishing the Coronavirus Relief Fund” was presented by Mr. Warrick. A motion was made by Mr. Weidman, seconded by Mr. James, to approve the resolution, dispensing with the second reading. Mr. Warrick called the roll. Vote: All Aye.
Resolution No. 2020-54 passed this 4th day of August, 2020.

Mr. Warrick stated in conjunction with this new account that was just established, we need to void the old purchase order number 8666 which will be replaced by purchase order number 8666A in the amount of \$266,319.42

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

Mr. Warrick presented an additional purchase order for approval for fire operations in the amount of \$64,434.35, assuring the Board that plenty of money is already appropriated in the account to cover this.

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

Pay Bills

The Disbursements in the amount of \$1,095,798.20 for checks dated August 6, 2020 were presented for approval by Mr. Warrick. Mr. Warrick called roll. Vote: All Aye.

Trustee Comments

Mr. Warrick asked the Board for direction on how to proceed with the Thursday evening Trustees Meeting. He gave three options: hold the meeting in person with members of the public present, hold the meeting in person without members of the public present, or conduct the meeting remotely over Zoom.

Mr. LaBarbara said he would like to hold the meeting in person without members of the public present.

Mr. James said he has mixed feelings about that as the Governor's current directive indicates meetings of greater than ten people are discouraged and, even without the public, there would be more than ten people. He noted Zoom, although sometimes technically awkward, works.

Mr. Warrick said the meeting could be held without public and include only nine people since Jessica Daves does not need to be in the room to take the minutes.

Mr. Weidman stated he would prefer the public be included if the meeting is held in person, and if not, he prefers to hold it via Zoom, but he will do whatever is decided.

Chief Penny suggested Mr. Warrick have a meeting with Mr. Porter and the Department Heads to conduct a demonstration of the accounting software he proposes to change to prior to discussing the issue at a Trustees Meeting.

Mr. Warrick said we aren't that far yet.

There was discussion about how to accommodate the public at the meeting, especially after the incident at the last meeting in which a member of the public refused to wear a mask. A variety of ideas were suggested.

Mr. LaBarbara made a motion to hold the Trustees Meeting on August 6th in the Trustees Meeting Room as scheduled without the public present, Mr. James seconded. Mr. Warrick called roll. Vote: All Aye.

Mr. Weidman discussed COVID-19 patient plasma donations through Hoxworth and encouraged those with the antibodies to donate plasma.

Mr. James encouraged people to respond to the census, noting census workers will be knocking on doors of those who haven't yet responded.

A motion to adjourn into **Executive Session** with Law Director, Deepak Desai, to discuss ongoing litigation as permitted by Ohio Revised Code Section 121.22 was made by Trustee Weidman and seconded by Trustee James.

Vote: James: Aye; LaBarbara: Aye; Weidman: Aye.

Mr. LaBarbara invited the following people into the Executive Session with the Trustees: Ray Warrick, Tracy Kellums and Skylor Miller.

End regular session: 10:20 a.m.

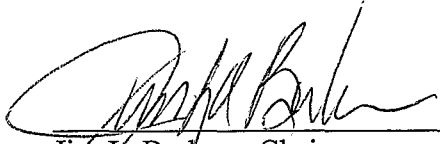
Begin Executive Session: 10:24 a.m.


End Executive Session: 11:35 a.m.

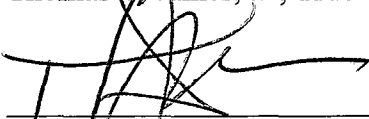
Back in regular session: 11:36 a.m.

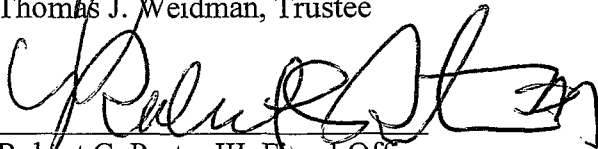
A motion to adjourn was made by Trustee Weidman and seconded by Trustee James. Vote: All Aye.

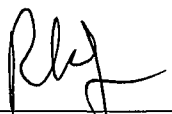
End regular session: 11:37 a.m.



Jim LaBarbara, Chairman

Thomas C. James, Jr., Trustee

Thomas J. Weidman, Trustee

Robert C. Porter III, Fiscal Officer

Ray Warrick, Administrator
Workshop Minutes 08/04/2020