

RECORD OF PROCEEDINGS
Minutes of the Trustees of Sycamore Township Meeting
Sycamore Township, Hamilton County, Ohio
September 29, 2020

NOTE: Due to the COVID-19 pandemic and the issuance of guidelines to limit indoor 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 197) which permits Ohio governments to meet remotely during this time, this meeting was held without members of the public physically present. Video of the meeting was live streamed to the public on the internet.

The meeting was called to order at 9:00 a.m. Present for the meeting were Chairman LaBarbara, Vice Chairman James, Trustee Weidman, Fiscal Officer Porter, Law Director Desai, Administrator Warrick, Superintendent/Assistant Administrator Kellums, Planning & Zoning Administrator Miller and Fire Chief Penny. Lt. Tarr from the Hamilton County Sheriff's Office was absent.

Approval of the September 15, 2020 Trustees Workshop Meeting Minutes

The September 15, 2020 Trustees Workshop Meeting Minutes were presented for approval. Mr. LaBarbara made a motion, seconded by Mr. Weidman, to accept them. Mr. LaBarbara called roll. Vote: All Aye.

EMS AND FIRE ITEMS

COVID-19 Update

Chief Penny stated COVID-19 is still out there and there are a lot of concerns from public health officials about an outbreak in the wintertime. He reported there have been 54 additional people in the Township quarantined at home since he last reported on it at the September 15th Workshop Meeting.

Work from Home Computers, Phone System Update and Video Conference Equipment

Chief Penny stated the Township should be prepared for employees to work from home and go back to Zoom meetings if we have to because of an outbreak in the future. Chief Penny noted he, Mr. Miller and Mr. Kellums have all been attending meetings, and the firefighters have been attending classes, remotely using videoconferencing. He said we have the opportunity to use CARES Act funding to purchase work station computers that employees can take home for a seamless transition; to install Wi-Fi in parks so the public may use those areas to work rather than go to the office if they don't have Wi-Fi at home; and to upgrade our current phone system so that all its capabilities used in the office may also be used by employees at home. He said the equipment he proposes is expensive but good quality that will last for a while.

Mr. Weidman asked what the deadline is for CARES Act spending.

Chief Penny said the funds must be appropriated by October 15, 2020, but it does not have to be spent until December 30th.

Chief Penny said we have received about \$400,000.00 and will get an additional \$700,000.00 so we have a lot of CARES Act money available to us. He noted the equipment he proposes the Township purchase will cost about \$197,000.00 and includes the computers, upgrading the phone system and

video conferencing equipment. He noted the purchase of this equipment will allow essential personnel to work from home just as they do in the office.

Mr. Miller noted often a person will test positive for COVID-19 but have no symptoms and feel well enough to work from home while quarantined.

Mr. Weidman asked if Chief Penny was looking at what we can use CARES Act funds for in the Fire Department itself.

Chief Penny said he has a couple of other things he is looking into purchasing with CARES Act funds which he will bring in front of the Board once he has pricing information.

Mr. Weidman commented the Board has until the next Workshop Meeting to appropriate funds since it must be done by October 15th.

Chief Penny said the Trustees have to deem the purchases a necessary expense for COVID-19 response.

There was discussion about the purchase orders approved for these expenditures.

Mr. Weidman said this sounds like a good expense and thanked Chief Penny, Mr. Miller, and Assistant Chief Cooper for their work putting together a proposal.

Mr. James stated he and Mr. Warrick had talked about using CARES Act funds for digitizing records and asked if that was included in Chief Penny's proposal.

Chief Penny answered it is not in there, but it can be added. He said he will work on it noting he doesn't have cost or direction on that yet.

Mr. James stated the Township is feeding from the federal trough and this money is use it or lose it. He asked about the possibility of sub granting funds, to Deer Park schools for example, if we do not use all the money and asked if we have to make that decision by October 15th.

Chief Penny answered no, saying the Trustees had already approved purchase orders for the first two rounds of funds and will have to go through the same process for the third round of relief funds which is coming soon. He noted the expenditures being discussed would be funded by the first two rounds of CARES Act funds which already have approved blanket purchase orders.

Mr. LaBarbara asked about the quality of Township buildings noting the fire house air is not the best.

Chief Penny answered there will be some building items for which the Township may use CARES Act funds. He said he has attended video conferencing and talked to a lot of people about qualified expenses.

Mr. James stated he would like to upgrade bathroom facilities in Township parks to be more sanitary and to remain open all the time.

Chief Penny stated the Township may use CARES Act funds for touchless locks, doors, and faucets.

Mr. LaBarbara asked if there is currently Wi-Fi in all the parks.

Mr. Kellums answered there is not, but we are working on it. He said the restroom locks are already a budgeted expense so would probably not be an eligible expense for CARES Act funds. He said we could use the funds for things like touchless faucets and dryers.

There was discussion about people using the Wi-Fi in the parks and the need for additional tables and signage.

Chief Penny stated we will definitely upgrade monitors in the building and add better equipment for videoconferencing. He said if the Trustees feel this will all be a benefit to the Township, the money is already available for these purchases.

Mr. Weidman stated it is a great idea and, provided it falls into the guidelines of CARES Act spending, the Township should take advantage of it.

Mr. James agreed and asked Mr. Desai if this is something we actually need to put to a motion to vote.

Mr. Desai asked if Chief Penny was looking for general direction from the Board and would be bringing specific expenditures to the next meeting.

Chief Penny stated there is already an approved purchase order, but the CARES Act requires the Trustees deem this to be a necessary or satisfactory expense that will benefit Township employees and residents as COVID-19 related expenses.

Mr. Miller said he and Chief Penny are looking for broad and flexible authority on these purchases.

Mr. Warrick said Mr. Miller and Chief Penny really have it and said he has a secondary purchase order for approval today for only \$133,000.00 and asked if Chief Penny knew what was left on the original purchase order #8666.

Chief Penny answered he thought the purchase order has a remaining balance of \$230,000.00.

Mr. Warrick said he suspects the new purchase order today and the balance left on the one prior one will cover the expenses. He added, since this is whole new thing, it may be prudent to have a resolution with the CARES Act language.

Mr. Desai and Mr. Warrick discussed possible language for a resolution.

Chief Penny said this requires the Trustees as a body to approve the expenses.

Mr. James made a motion that the Board of Trustees voice our approval of the general concept plan that Chief Penny has presented and direct him to fill in the details so that a resolution may be prepared

for the Board's consideration at the next meeting. Mr. Weidman seconded the motion. Mr. LaBarbara called roll. Vote: All Aye.

Mr. Desai said he will draft a resolution for approval before October 15th deadline.

Mr. Miller requested approval to proceed now with the phone system upgrades due to issues the Township is experiencing with the current system.

Mr. Warrick asked if the phone system upgrade would cost \$73,000.00.

Mr. Miller said yes, noting it includes a five-year warranty and will reduce monthly fees by several hundred dollars.

Mr. Desai said let's walk through this quickly. He said a special CARES Act revenue fund has been established and asked if we had done a resolution to say from that fund, we are appropriating this amount of money for expenditures.

Mr. Warrick answered yes but we haven't done enough and explained.

There was discussion about funds already received and appropriated, purchase orders and the phone upgrades qualifying as a legitimate CARES Act purchase in case of audit.

Mr. Warrick stated we already have two purchase orders that have been approved for CARES Act funds and he will be presenting a third today.

Chief Penny noted he has to bring the proposed expenditures to the Trustees to say yes, they agree with the expense that it could be useful as a COVID-19 expenditure.

Mr. Desai suggested a motion to deem this purchase necessary for essential government functions noting he prefers a resolution but, if it has to be done today, the Board should make sure they have the right language in an oral motion.

There was discussion about a possible resolution, the purchase orders, appropriations, and what motion, if any, was necessary.

Mr. Weidman made a motion to approve expenditures for phone system upgrades because we believe it is an expense that is acceptable to use COVID funds for. Mr. LaBarbara seconded the motion.

Mr. James made a motion to amended Mr. Weidman's motion to include the full language from Mr. Desai. Mr. LaBarbara seconded the motion. Mr. LaBarbara called roll. All Aye.

ROADS, MAINTENANCE & RECREATION ITEMS

Mr. Kellums reported the driveway at the Administration building is currently torn up as part of the Maintenance Storage Facility Project. He is being told the project is still on schedule but there is still a lot of work to be done. He said the project is supposed to be completed by the end of October.

Mr. Kellums said contractors working on the Sycamore Road Project will be pouring curb tomorrow and the base course of pavement will go down later this week.

Motion to Advertise

Mr. Kellums requested a motion to advertise for the Kugler Mill Road Project. He noted this project has been discussed since 2015 and is finally moving forward.

Mr. Weidman made a motion to advertise for the Kugler Mill Road Project. Mr. James seconded the motion saying this project has always been “next year” and now we are finally doing it. Mr. LaBarbara called roll. Vote: All Aye.

Proposed Stop Sign Branford Court & Wetherfield Lane

Mr. Kellums reported a resident had emailed requesting a stop sign at the intersection of Branford Court and Wetherfield Lane. He said he wanted to talk to Chief Penny about it. He noted there have been no accidents at that intersection, but it is an uncontrolled intersection. Mr. Kellums stated if the Township does want to accommodate the request, we will have to make it a three way stop.

Mr. James asked about the Township’s authority to install a stop sign and if a traffic study would be required.

Mr. Kellums answered no study is required saying he usually speaks to Chief Penny and Lt. Tarr about it and brings to the Trustees for approval. He pointed out this is one of the few intersections with no traffic control device.

Mr. James said he is very familiar with that intersection and there are young children in the area.

Mr. Kellums said he will try to get a resolution regarding the intersection together for the Thursday, October 1st Meeting.

Mr. Kellums said he received a call late yesterday afternoon requesting the Township designate a no parking area on one side of Woodlawn Avenue from Beech Avenue to the east. He said he hasn’t had a chance to talk to Chief Penny about it. He said he may be bringing a resolution before the Board to designate no parking/fire lane on the side of the street with fire hydrants.

Mr. Weidman asked if there had been any discussion with the residents.

Mr. Kellums answered no, except for the person who called with the request.

Chief Penny pointed out this is a safety issue because the parked cars cause drivers to go left of center.

Reading Road Sidewalk

Mr. Kellums noted there was information in the Trustees’ packets about the Reading Road Sidewalk Project. He gave some history on the project noting it was a Township resident who used a wheelchair who originally brought up the need for sidewalks prompting Mr. Kellums to talk to the State of Ohio. He explained a temporary easement on Township owned property is required for the project. Mr.

Kellums asked if the Board would approve donating the easement since we started this at the request of a Township resident.

Mr. Weidman made a motion, seconded by Mr. James, to grant the temporary easement for the Reading Road Sidewalk Project as a donation.

Mr. James noted to be clear they did offer the minimum for the temporary easement which is \$300.00.

Mr. Kellums said that is true, but the value analysis is \$50.00.

Mr. LaBarbara called roll. Vote: All Aye.

Mr. LaBarbara asked if Mr. Kellums had looked into the possibility of increasing the rent on the Township owned rental properties on Orchard Lane. He noted other houses on the same street are being rented for a lot more than the \$700.00 the Township is charging and that we should get fair market value.

Mr. Kellums said he had not had the chance to look into the leases yet. He pointed out the houses are currently renting for \$750.00 and are older homes with original kitchens and bathrooms which would need a lot of work to get fair market value.

Mr. LaBarbara suggested boosting up the rent to \$1,000.00.

Mr. Kellums stated we do not want to put a lot of money into the houses.

Mr. James noted we put thousands of dollars into repairing a furnace in one of them and that we as landlords are driving down property values of houses on that street.

Mr. Kellums said he does not know that we are affecting the value of the houses over there.

Mr. Weidman noted the house that is renting for a higher value had a lot of improvements.

Mr. LaBarbara stated he was told one house on this street is renting for \$2,300.00.

Mr. Kellums stated his contract says he has to notify the Board if he desires to extend his employment. He said he sent the Trustees an email last night notifying them he would like to stay longer as 38 years is not enough.

Mr. LaBarbara stated he did receive the email and supports Mr. Kellums.

Mr. Kellums said he appreciates that.

PLANNING AND ZONING ITEMS

Mr. Miller said he is happy to report the owner or tenant of the property located at 3814 Mantell Avenue has abated the nuisance conditions on the property, therefore, he will not be presenting a nuisance resolution today for the Board's consideration.

Mr. Miller reported there is a public hearing on Thursday night, October 1st at 6:00 p.m. and the Trustees should look for an email from him later today with an updated staff report. He pointed out the applicant did update the site plan based on comments from the Zoning Commission.

Mr. James asked what case this was.

Mr. Miller answered the Shell gas station on Fields Ertel Road.

Mr. James asked if Mr. Miller had heard anything else from the developer who had the Zone Change Open House regarding a proposal to construct town homes on Montgomery Road.

Mr. Miller answered he thinks it is still the developer's intent to apply but no official application has been submitted yet.

Mr. James said people who live off of Glenover behind All Saints Church have expressed to him how difficult it is to turn out onto Montgomery Road which he noted is a state highway. He asked what the process would be to put a traffic light there.

Mr. Kellums answered we would contact the State and they would do a traffic study. He said it will be tough to get a traffic light there with an existing traffic light so close at Finley Lane.

Mr. Weidman pointed out road traffic counts would be down during COVID-19 and because people are avoiding the area due to construction at Montgomery Road and Ronald Reagan Highway so they wouldn't meet the requirements.

Mr. Kellums said he will contact the State about it if the Trustees wish.

Mr. James said he just wanted the public to know the process.

Mr. LaBarbara pointed out the process would take a long time and traffic in the area will change with the roundabout being installed near there.

Mr. Kellums stated they would not get favorable traffic counts at this time.

LAW DIRECTOR ITEMS

Mr. Desai stated he had no report.

Mr. James asked Mr. Desai how the Trustees could remove a member of the Board of Zoning Appeals or Zoning Commission if they had reason to do so, saying someone had asked him that question.

Mr. Desai said he will look into it and report back on October 1st.

Mr. James referenced O.R.C. Section 519.04 and requested more information about that process.

Mr. Weidman said he believes it requires a public hearing if he is not mistaken unless the Board member's term is up.

ADMINISTRATOR ITEMS

Purchase Orders over \$2,500.00:

Mr. Warrick reported there were purchase orders in the Board's packet which he will go over one at a time.

Blanket Vendor	HB481 CRF Covid Expenses	\$133,159.71
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Mr. Warrick said purchase order #8666B is for an additional \$133,159.71 for CARES Act expenditures noting there is sufficient legal appropriation available to execute this purchase order.

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

Sycamore Board of Education	TIF School Payment	\$88,450.85
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Mr. Warrick said the next purchase order #8676 is drawn from two different TIF areas and unfortunately, we do not have enough appropriated in one of the funds to cover the amount listed. He said he thinks this is an issue that we would ask to have approval and sign the certification knowing that one of the areas doesn't have enough appropriated at this time.

Mr. James asked how to remedy that since we cannot spend money we haven't appropriated.

Mr. Warrick answered we have to appropriate it. He said he will have to check because if there is enough money in the overall TIF, the Board would not have to approve it, if there is not enough money in the TIF, the Board will have to approve a resolution to amend the appropriation.

Mr. Weidman asked if Mr. Warrick would allocate the expenditure from one TIF.

Mr. Warrick said what we need to do is increase the appropriation and bring the purchase order back for approval.

Mr. Weidman asked for it to be brought back on Thursday.

Mr. James said if we can properly and legally appropriate the money, he will approve it, but he will not vote to approve it before then. He said he was confused because Mr. Porter signed off on the purchase order saying the money is duly appropriated and asked Mr. Porter if Mr. Warrick was wrong.

Mr. Porter said we have the money saying typically, the Township has done a year end adjustment. He said the Board would be holding back money from the school.

Deer Park Schools	TIF School Payment	\$279,777.21
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Mr. Warrick said purchase order #8677 is drawn from four TIF funds, all adequately appropriated.

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

Princeton City Schools	TIF School Payment	\$231,591.40
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Mr. Warrick said the next purchase order #8678 does not have enough appropriated funds in the first two TIF lines.

Mr. Weidman said to bring it back Thursday for approval.

Mr. LaBarbara asked if we can we work on not having this problem in future.

Mr. Warrick answered we can.

Indian Hill Exempted Village	TIF School Payment	\$2,379,530.71
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Mr. Warrick presented purchase order #8679 saying it also does not have enough appropriated and will be brought back Thursday.

Mr. LaBarbara told Mr. Porter to correct this.

Mr. James said we do have all the money to pay these amounts it is just a question of the appropriations.

Mr. Warrick said we are supposed to be appropriating the money now instead of cleaning it up at year end.

Great Oaks Career Campuses	TIF School Payment	\$23,171.37
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Mr. Warrick said purchase order #8680 has sufficient appropriations in all four of the TIFs.

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

Pacewell 2 LLC	ESID Assessment & Fees	\$96,565.21
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Mr. Warrick said purchase order #8681 for the Keller Road ESID has sufficient appropriations.

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

State of Ohio Guidelines for Celebrating Halloween

Mr. Warrick presented guidelines from the State of Ohio regarding celebrating Halloween saying he doesn't know if the Board sets hours for Trick-or-Treat.

Mr. Weidman said the Board normally set hours of 6:00 p.m. to 8:00 p.m. He said there are conflicting guidelines between the State and the CDC but that he would prefer to yield to the better judgement of our citizens and suggested we encourage people to put a porch light on if they plan to participate.

There was discussion about the guidelines with the Trustees agreeing this should be left up to the residents to decide if they want to participate.

Mr. Weidman made a motion to set the hours for Trick-or-Treat on Halloween on Saturday, October 31, 2020 from 6:00 p.m. to 8:00 p.m. Mr. James seconded.

There was discussion about who sets the date and time and what to post on the Township's website.

Chief Penny asked if it would be alright for police and fire to pass out candy as in years past.

The Board agreed they would like the police and fire to pass out candy if rubber gloves are worn.

Mr. LaBarbara called roll. All Aye.

FISCAL OFFICER ITEMS

Mr. Porter stated he had no report.

TRUSTEE ITEMS

Mr. James said a letter went out to residents from an individual with the headline "Sycamore Township Finances in Jeopardy" and asked Mr. Porter if the Township's finances are in jeopardy.

Mr. Porter said they are not, but that Mr. Warrick had said at an early meeting there was a \$10 million hit to the Township's reserves which he later backed off on.

Mr. Warrick said the \$10 million is what was published in our budget at that time and said he made it clear that is not going to happen. He said the budget has since been redone.

Mr. James said thanks for clarifying the Township's finances are not in jeopardy.

Mr. LaBarbara asked if Mr. Porter could confirm that taxes are not going up.

Mr. Porter said he has nothing to do with taxes that is up to the Trustees.

Mr. LaBarbara said the Township is not in financial jeopardy.

Mr. Porter said the Township is very well off and anyone suggesting otherwise is not looking at the facts.

ANNOUNCEMENT CHANGES

Mr. LaBarbara stated there will be a Records Commission Meeting on October 13th following the Trustees Workshop Meeting.

Mr. LaBarbara made a motion, seconded by Mr. James, to adjourn and enter into Executive Session to discuss employment of a public employee.

Mr. Desai requested an additional Executive Session for the purpose of discussing pending litigation.

A motion to adjourn into **Executive Session** with Law Director Desai to discuss employment of a public employee and pending litigation as permitted by Ohio Revised Code Section 121.22 was made by Trustee LaBarbara and seconded by Trustee Weidman.

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

Mr. LaBarbara invited the following people into the Executive Session with the Trustees: Rob Porter, Ray Warrick, Rob Penny, Jerry Cooper, Tracy Kellums.

End regular session: 10:09 a.m.

Begin Executive Session: 10:11 a.m.

End Executive Session: 11:43 a.m.

Back in regular session: 11:45 a.m.

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

End regular session: 11:45 a.m.

/s/ Jim LaBarbara
Jim LaBarbara, Chairman

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

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

/s/ Robert C. Porter, III
Robert C. Porter III, Fiscal Officer

/s/ Ray Warrick
Ray Warrick, Administrator
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